

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 47-7700
Date Received: 2/7/1989
Receipt No: S006233
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

H K HYDRO LLC Phone: (801) 531-1900
26 N STATE ST
SALT LAKE CITY UT 84103

2. Date of Priority: 02/05/1982

3. Source: MUD CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	14E	15	SE SE	TWIN FALLS	
09S	14E	14	SW NW	TWIN FALLS	

5. Description of diverting works:

CONCRETE DIVERSION, PENSTOCK & TURBINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
POWER	1/01	12/31	50	

7. Total Quantity Appropriated is:
50 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	14E	14	NW	SW	POWER	
			SE	SE	POWER	

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

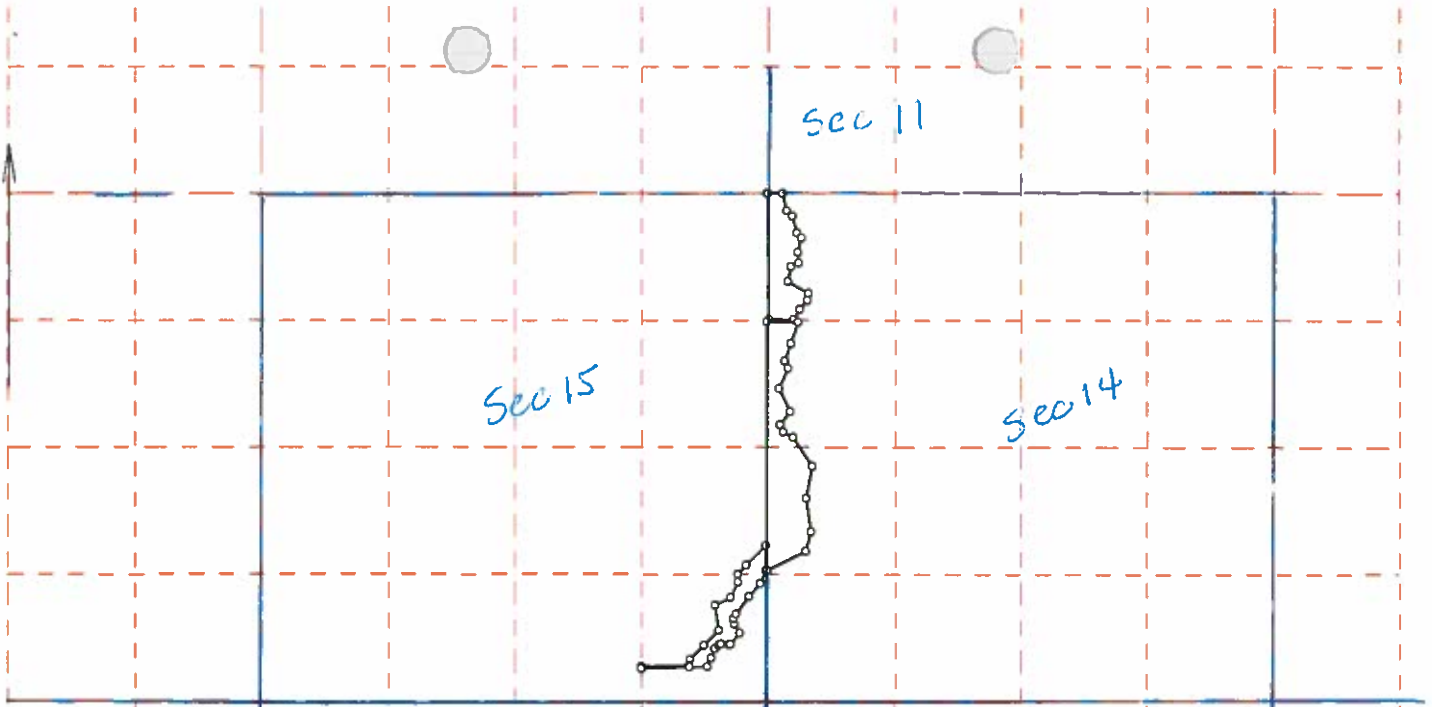
A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.

TOTAL KW BETWEEN A47-07700 & A47-07702.

DWR NOTE*****PRIORITY DATE ON PERMIT GIVEN AS 2-10-1981.
PERIOD OF USE TAKEN FROM PROOF REPORT.

15. Basis of Claim: Permit



Title:

Date: 07-05-2006

Scale: 1 inch = 2000 feet

File:

Tract 1: 5.999 Acres: 261316 Sq Feet: Closure = n80.5736w 0.01 Feet: Precision = 1/458755: Perimeter = 4394 Feet

Tract 2: 8.580 Acres: 373761 Sq Feet: Closure = n89.3107w 10.00 Feet: Precision = 1/333: Perimeter = 3330 Feet

Tract 3: 17.970 Acres: 782785 Sq Feet: Closure = n67.5204e 0.02 Feet: Precision = 1/326460: Perimeter = 6003 Feet

001=/se,15,9s,14e

023=n74.0424e 16.63

045=s30.2441w 122.4

002=/n0.2614w 1358.12

024=n41.3108e 153.8

046=n89.2712w 258.61

003=n0.2614w 253.79

025=n31.2846w 110.75

047=n0.2639w 1314.04

004=s45.1213w 287.76

026=n10.0006w 54.38

048=@0

005=s43.4053w 133.52

027=n29.1251e 55.63

049=/sw,14,9s,14e

006=s2.4335e 78.8

028=n37.0734e 230.98

050=/n0e 1358.12

007=s25.4629w 178.05

029=n41.3333e 180.89

051=n64.1512e 446.35

008=s63.3147w 178.17

030=n22.0944e 149.08

052=n15.2246e 212.65

009=s7.4638e 262.47

031=@0

053=n8.1251w 348.06

010=s43.2545w 216.71

032=/nw,14,9s,14e

054=n10.2544e 342.73

011=s45.0317w 212.4

033=s89.3933e 160

055=n33.4302w 363.24

012=s3.4712w 57.45

034=s13.3504e 186.26

056=n63.2756w 112.59

013=s88.1814w 506.58

035=s46.2808e 82.76

057=n24.2334w 86.99

014=s0.2812e 20.01

036=s15.1157e 179.27

058=n38.0658e 173.72

015=n88.1814e 505.09

037=s39.4820e 70.29

059=n26.1106w 266.92

016=n88.4515e 187.31

038=s12.5307w 156.95

060=n24.3324e 229.37

017=n24.4007e 100

039=s2.3609e 110.11

061=n24.3155w 84.03

018=n20.0448e 104.02

040=s64.0039w 89

062=n20.0457e 191.74

019=n66.5557e 4.77

041=s11.0537w 155.91

063=n18.2530e 237.10

020=n45.1744e 48.03

042=s60.1335e 247.7

064=n89.0033w 323.18

021=n63.1119e 29.27

043=s7.5426w 72.69

065=s0e 2584.04

022=s85.1219e 77.88

044=s40.0603w 124.2



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

July 5, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

HK HYDRO LLC
26 N STATE ST
SALT LAKE CITY UT 84103

Re: SRBA Claim(s) 47-7700 and 47-7702

Dear Mr. Harmsen:

Pursuant to the change in ownership request that was submitted to the Department, we have changed the record of current ownership. Please find the enclosed copies of the computer record of the water right(s) noting the change in owner. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', is written over a light blue horizontal line.

Trish Fawcett
Technical Records Specialist

Enc.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

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 JUN 02 2006
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 SOUTHERN REGION

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
	A47-7700				
	A47-7702				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *No Fee*
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

Zions Leasing Co.

4. New Owner/Claimant(s)

HK Hydro LLC

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

26 North State St

City, State and ZIP Code

SALT Lake City, UT 84103

New Telephone Number

(801) 531-1900

5. Date you acquired the property

1/21/2003

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 SOUTHERN REGION

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

HK Hydro LLC
Steve Hansen mgr

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

WHEN RECORDED RETURN TO:

RECEIVED
JUN 30 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

QUIT-CLAIM DEED

Zions Credit Corporation formerly known as Zions Leasing Company, a Utah corporation, Grantor of Salt Lake City, County of Salt Lake, State of Utah, hereby QUIT-CLAIM to H. K. Hydro Inc., Grantee of Salt Lake City, Salt Lake County, State of Utah for the sum of one dollar and other good and valuable consideration the following described tracts of land in Twin Falls County, State of Idaho:

See the attached Exhibit A for Legal Description

Dated this 1st day of July, 2004.

Zions Credit Corporation formerly
known as Zions Leasing Company

By: Norman Weldon
Its: Vice President

STATE OF UTAH)
 ss.
COUNTY OF Salt Lake)

On this 1st day of July, 2004, personally appeared before me Norman Weldon, who being duly sworn, did say that he is the Vice President of Zions Credit Corporation formerly known as Zions Leasing Company, the corporation that executed the above and foregoing Instrument, and that said Instrument was signed in behalf of said corporation by authority, and acknowledged to me that said corporation executed the same.

Denise Wood

Notary Public

My commission expires January 30, 2008

Residing at Salt Lake City, Utah

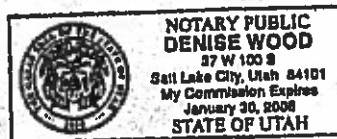


EXHIBIT "A"

Parcel I

A tract of land located in the E½SE¼ of Section 15, Township 9 South, Range 14 East of the Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

BEGINNING at the southeast corner of said Section 15; THENCE North 0° 26' 14" West 1358.12 feet along the easterly boundary of said Section 15 to the center of Mud Creek and the True Point of Beginning; THENCE North 0° 26' 14" West 233.79 feet along the easterly boundary of said Section 15 to a point northwesterly of a canal; THENCE Southwesterly along said canal the following courses and distances:

South 43° 12' 13" West 287.76 feet;
 THENCE South 43° 40' 33" West 133.52 feet;
 THENCE South 2° 43' 35" East 78.80 feet;
 THENCE South 25° 46' 29" West 178.05 feet;
 THENCE South 63° 31' 47" West 178.17 feet;
 THENCE South 7° 46' 38" East 262.47 feet;
 THENCE South 43° 23' 45" West 216.71 feet;
 THENCE South 45° 03' 17" West 212.40 feet;
 THENCE South 3° 47' 12" West 37.45 feet to a point on the northerly side of an access road; THENCE South 88° 18' 14" West 306.38 feet along the northerly side of said access road to the westerly boundary of the SE½SE¼ of said Section 15; THENCE South 0° 28' 12" East 20.01 feet along said westerly boundary; THENCE North 88° 18' 14" East 305.09 feet;
 THENCE North 88° 45' 15" East 187.31 feet to the easterly side of Mud Creek; THENCE North 24° 40' 07" East 100.00 feet; THENCE North 20° 04' 48" East 164.02 feet to the center of Mud Creek; THENCE Northerly along the center of Mud Creek the following courses and distances:

North 66° 53' 37" East 4.77 feet;
 THENCE North 45° 17' 44" East 48.03 feet;
 THENCE North 63° 11' 19" East 29.27 feet;
 THENCE South 85° 12' 19" East 77.88 feet;
 THENCE North 74° 04' 24" East 16.63 feet;
 THENCE North 41° 31' 08" East 153.80 feet;
 THENCE North 31° 28' 46" West 110.73 feet;
 THENCE North 10° 00' 06" West 54.38 feet;
 THENCE North 29° 12' 31" East 55.63 feet;
 THENCE North 17° 07' 34" East 230.98 feet;
 THENCE North 41° 33' 33" East 180.89 feet;
 THENCE North 22° 09' 44" East 149.08 feet to the True Point of

Beginning.

Parcel II

Township 9 South, Range 14 E., S.M., Twin Falls County, Idaho
 Section 14: A parcel of land in the NW¼4NW¼4, more particularly described as:

COMMENCING at the Northwest corner of Section 14, the REAL POINT OF BEGINNING:

THENCE 160 feet South 89°39'33" East along the North boundary of Section 14 to Mud Creek;

THENCE along Mud Creek 186.26 feet, South 13°35'04" East;

82.76 feet, South 45°28'08" East;

179.27 feet, South 13°11'57" East;

78.29 feet, South 39°48'28" East;

156.95 feet, South 12°53'07" West;

110.11 feet, South 2°36'09" East;

89.00 feet, South 64°00'39" West;

153.91 feet, South 11°05'37" West;

247.78 feet, South 60°13'35" East;

72.69 feet, South 7°34'25" West;

124.20 feet, South 40°06'03" West;

122.40 feet, South 38°24'41" West to the South boundary of

NW¼4NW¼4;

THENCE along the South boundary of NW¼4NW¼4 258.61 feet, North 89°27'12" West to the southwest corner of NW¼4NW¼4;

THENCE along the West boundary of Section 14, 1314.84 feet North 8°26'39" West to the REAL POINT OF BEGINNING.

RECEIVED

JUN 30 2006

DEPT. OF WATER RESOURCES
 SOUTHERN REGION

EXHIBIT "A" (Cont.)

Parcel III

A tract of land located in the West Half of Section 14, Township 9 South, Range 14 East, Boise Meridian, in Twin Falls County, Idaho, consisting of 17.97 acres, more or less, more particularly described as follows:

Beginning at the southwest corner of said Section 14;

THENCE North 0°00'00" East for a distance of 1358.12 feet along the westerly boundary of said Section 14 to the center of Mud Creek and the True Point of Beginning;

THENCE North 64°15'12" East for a distance of 446.35 feet to the easterly bank of Mud Creek;

THENCE North 13°22'56" East for a distance of 212.65 feet along the easterly bank of Mud Creek;

THENCE North 8°12'51" East for a distance of 348.06 feet along the easterly bank of Mud Creek;

THENCE North 10°25'44" East for a distance of 342.73 feet along the easterly bank of Mud Creek;

THENCE North 33°43'03" West for a distance of 363.24 feet along the easterly bank of Mud Creek;

THENCE North 63°27'56" West for a distance of 112.39 feet along the easterly bank of Mud Creek;

THENCE North 24°23'34" West for a distance of 86.99 feet along the easterly bank of Mud Creek;

THENCE North 38°06'38" East for a distance of 173.72 feet along the easterly bank of Mud Creek;

THENCE North 26°11'06" West for a distance of 266.92 feet along the easterly bank of Mud Creek;

THENCE North 24°33'24" East for a distance of 229.37 feet along the easterly bank of Mud Creek;

THENCE North 24°31'55" West for a distance of 84.03 feet along the easterly bank of Mud Creek;

THENCE North 20°04'57" East for a distance of 191.74 feet along the easterly bank of Mud Creek;

THENCE North 18°25'30" East for a distance of 237.10 feet along the easterly bank of Mud Creek to the northerly boundary of the SW¼ of said Section 14;

THENCE North 89°00'13" West for a distance of 323.18 feet along the northerly boundary of said SW¼ to the westerly boundary of said Section 14;

THENCE South 0°00'00" East along the westerly boundary of said Section 14 for a distance of 2584.04 feet to the True Point of Beginning.

Together with and subject to covenants, easements and restrictions of record.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 20, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

HK HYDRO LLC
26 N STATE ST
SALT LAKE CITY UT 84103

RE: Owner Change Adjudication Claims 47-7700 and 47-7702 / H K Hydro LLC

Dear Mr. Harmsen:

Thank you for returning the signed NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form and deeds. It appears, however, that the deeds submitted do not describe the same property listed on the claims nor do they convey anything to H K Hydro LLC.

I am returning the incorrect deeds and am enclosing printouts of the two claims for your reference in submitting the correct deeds. Please fax or mail to my attention at your earliest convenience. Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', is written over a light blue horizontal line.

Trish Fawcett

Technical Records Specialist

enc.

TITLEFACT, Inc.

1991007720

3/25/96

300 ENCL UF

3/25/96

THIS IS A LEGALLY BINDING CONTRACT, IF NOT UNDERSTOOD, SEEK COMPETENT ADVICE.

Recorded at Request of

at Fee Paid

by Dep Book Page Ref

Mail Tax Notice to Address

Quit Claim Be

NORTHERN HYDRO, INC., an Idaho corporation
of Salt Lake City, County of Salt Lake, State of Utah, hereby

QUIT CLAIM to S.R.C. Corp., a Utah corporation

of Salt Lake City, County of Salt Lake, State of Utah

the following described tract of land in Twin Falls
State of Idaho

Township 9 South, Range 16 E., B.M., Twin Falls County, Idaho

Section 22, Lots 8 and 9

Section 23, All of Lots 10 and 14 and that part of Lots 15 and 17 lying
North of the South Rim of Snake River Canyon AND the North 50 rods of
Lot 12, lying West of Rock Creek

Section 24, Lot 18 EXCEPT that part of Lot 15 lying East of Rock Creek.

WITNESS the hand of said grantor this Fifteenth
day of February, A.D. one thousand nine hundred and ninety-six

Signed in the presence of

STATE OF UTAH

COUNTY OF

Salt Lake

On the 15th day of February

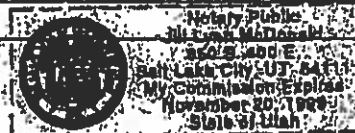
Stephen M. Hansen

did acknowledge to me that he executed the same.

My Commission Expires November 20, 1999

Residing at:

APPROVED JOHN - UTAH SECURITIES COMMISSION



1996, personally appeared before me

The signer of the within instrument was

Jill Lynn McDonald
Notary Public

TWIN FALLS COUNTY, IDAHO

WARRANTY DEED

TITLEFACT, Inc.

1995 AUG 28 AM 04

1995013332

For Value Received FRANK L. FERRINE, whose wife is PHYLLIS M. FERRINE, the Grantors, do hereby grant, bargain, sell and convey unto the Grantee, SRC CORP., DBA STEVE REGAN CO., whose current address is 350 S 400 E SAIL LAKE, KY 40371, all of their right, title, and interest in and to the following described premises, in Twin Falls County, Idaho, to-wit:

Township 9 South, Range 17 East, Boise Meridian. Twin Falls County, Idaho

Section 29. A portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

BEGINNING at the Southwest corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$;

THENCE North 00°08'59" West a distance of 97.81 feet along the westerly boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ to the rim of the Snake River Canyon and the TRUE POINT OF BEGINNING;

THENCE North 00°08'59" West a distance of 1220.52 feet along the westerly boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ to the approximate mead high water mark of the Snake River;

THENCE South 49°09'24" East a distance of 465.49 feet along the approximate high water mark of the Snake River;

THENCE South 23°30'49" West a distance of 96.15 feet;

THENCE South 7°00'55" West a distance of 73.98 feet;

THENCE South 16°20'48" West a distance of 919.94 feet to the rim of the Snake River Canyon;

THENCE North 18°23'29" West a distance of 135.16 feet along the rim of the Snake River Canyon to the TRUE POINT OF BEGINNING.

SUBJECT to easements and rights of way of record and taxes for 1994 and subsequent years.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. And the said Grantors do hereby covenant to and with the

WARRANTY DEED - 1



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION
June 8, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

HK HYDRO LLC
26 N STATE ST
SALT LAKE CITY UT 84103

RE: Assignment of Permit and Owner Change for Water Right Permits and Adjudication
Claims 47-7700 and 47-7702

Dear Mr. Harmsen:

Thank you for submitting the NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form and Assignments of Permit on the above listed water right permits and adjudication claims. The adjudication claim records cannot be updated without the required information listed under item 2 of the ownership change form. Specifically, we need a copy of your warranty deed, title policy or contract of sale (with attached legal description) as well as your signature on page 2, item 7. Additionally, Assignments of Permit require a \$25 per water right processing fee (\$50 total).

Enclosed is your original ownership change form. Please attach the required fees and documentation, sign and return the entire packet to me. As soon as this information is received, our records will be updated and you will be notified by mail that the change has been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
JUN 02 2006
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
_____	<u>A47-7700</u>	_____	_____	_____	_____
_____	<u>A47-7702</u>	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. No Fee
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Zions Leasing Co.
4. New Owner/Claimant(s) HK Hydro LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 26 North STATE ST
- City, State and ZIP Code SALT LAKE CITY, UT
- New Telephone Number (801) 531-1900
5. Date you acquired the property 1/21/2003

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

07/28/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 47-7700

NAME AND ADDRESS: H K HYDRO LLC
26 N STATE ST
SALT LAKE CITY UT 84103

This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.

SOURCE: MUD CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 50.000 CFS

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

PRIORITY DATE: 02/10/1981

This project shall be operated in a manner that will not conflict or interfere with the future diversion of water for irrigation or other beneficial consumption.

POINT OF DIVERSION:

T09S R14E S14 SWNW Within TWIN FALLS County

T09S R14E S15 SESE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER	1/01 12/31	50.000 CFS

PLACE OF USE: POWER Within TWIN FALLS County

T09S R14E S14	NWNW	T09S R14E S14	SWNW
---------------	------	---------------	------

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights. This right remains subject to all conditions set forth in the permit upon which this right is based, and will be subject to all conditions set forth in the license issued by IDWR upon completion of the statutory appropriation process.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Permit

This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.



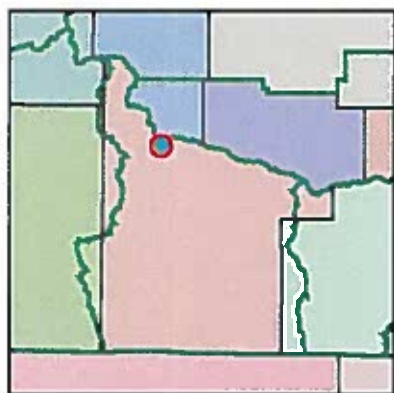
Idaho Department of Water Resources

SRBA Recommendation:

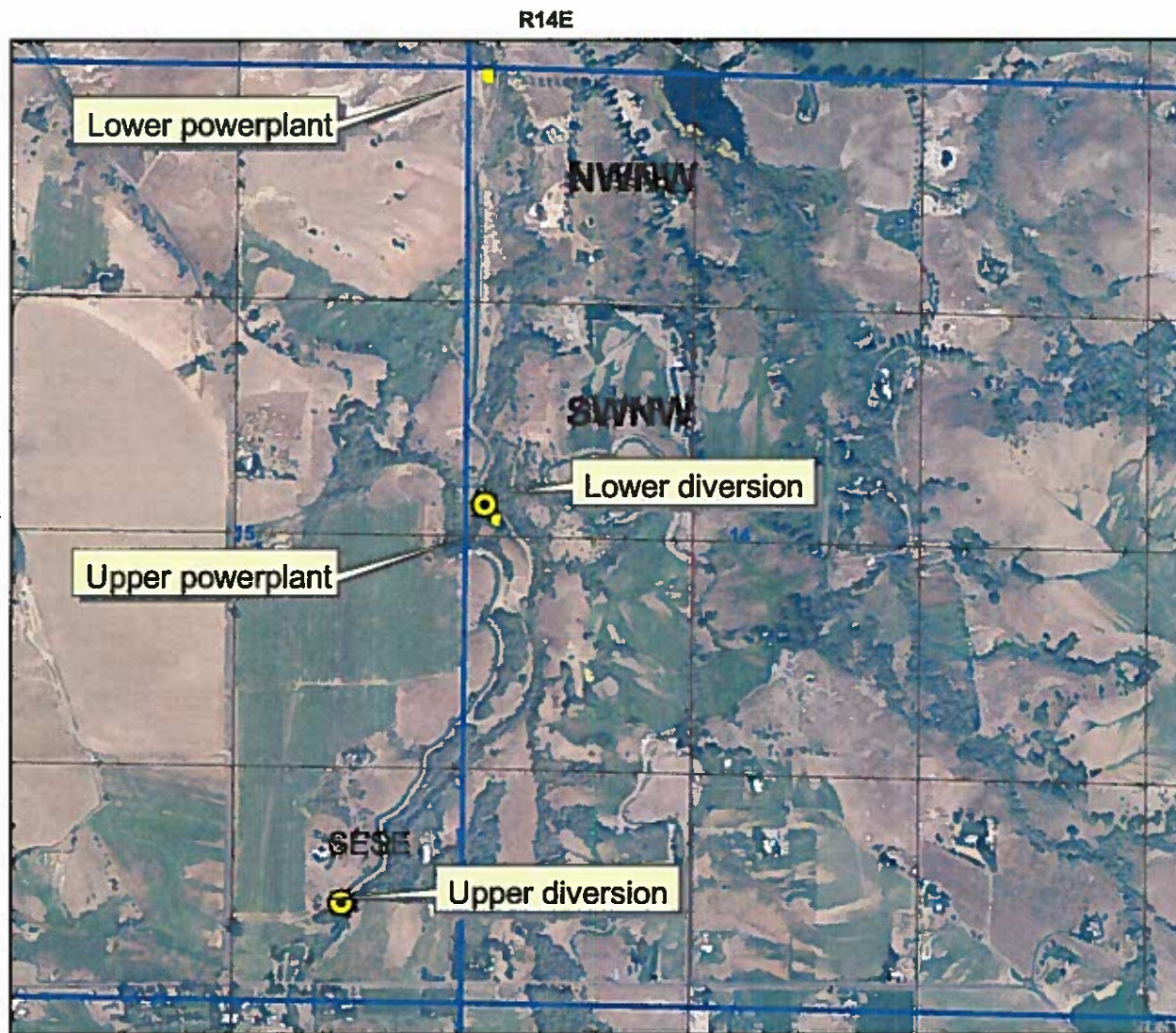
47-7700

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Twin Falls County
IDWR Basin 47



0 0.4 0.8 Miles



Owner: H K HYDRO LLC

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by A. Merritt
On Thursday, July 27, 2006
2004 Aerial Photography



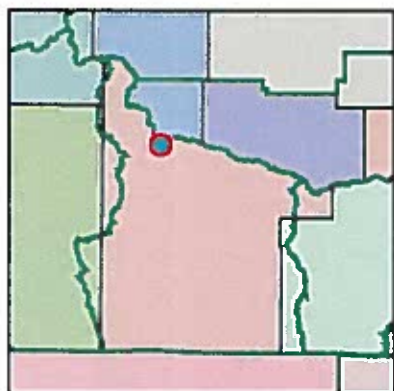
Idaho Department of Water Resources

SRBA Recommendation:

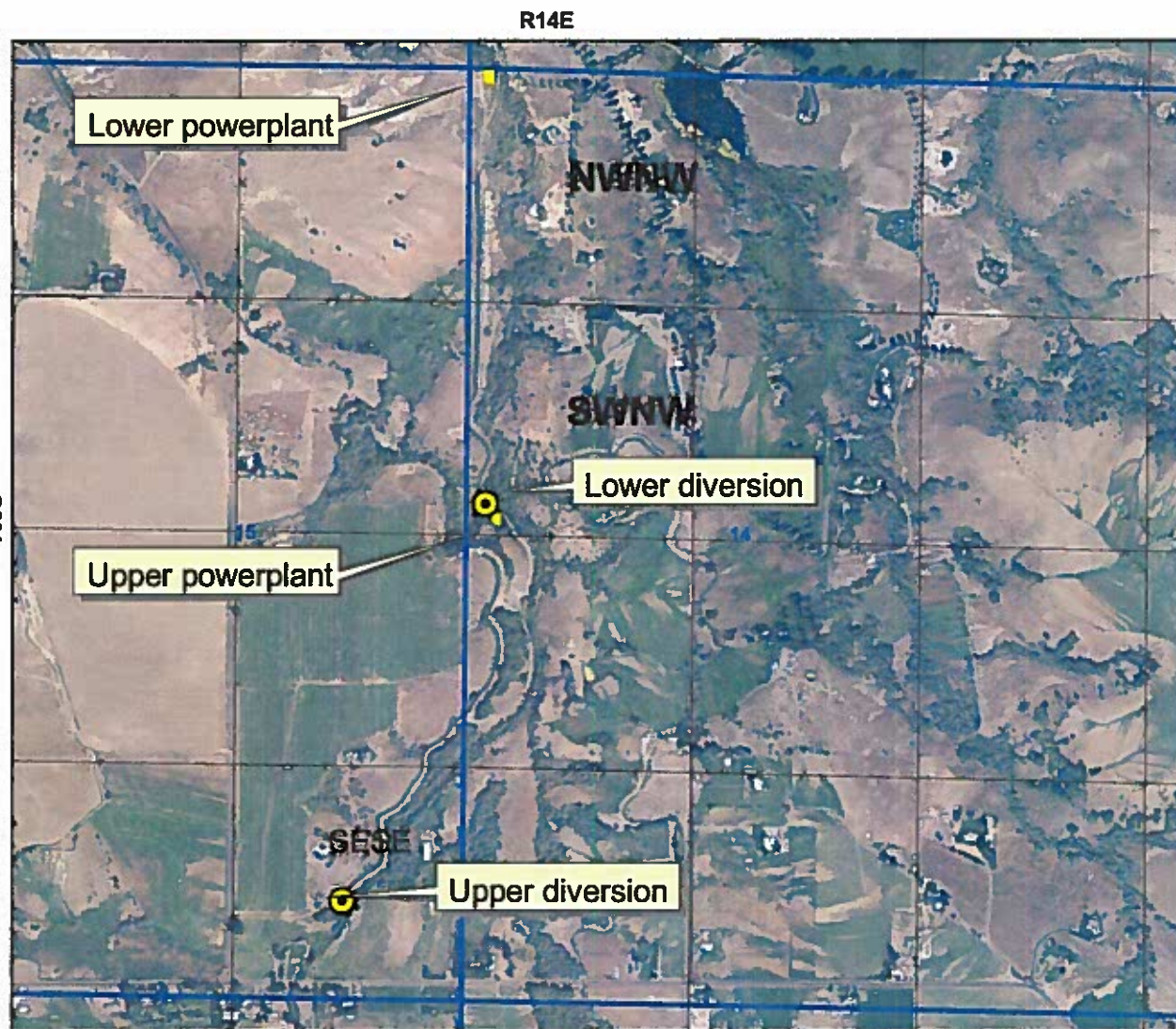
47-7700

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Twin Falls County
IDWR Basin 47



0 0.4 0.8 Miles



Owner: H K HYDRO LLC

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by A. Merritt
On Thursday, July 27, 2006
2004 Aerial Photography



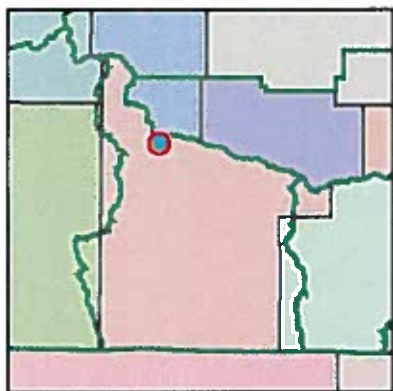
Idaho Department of Water Resources

SRBA Recommendation:

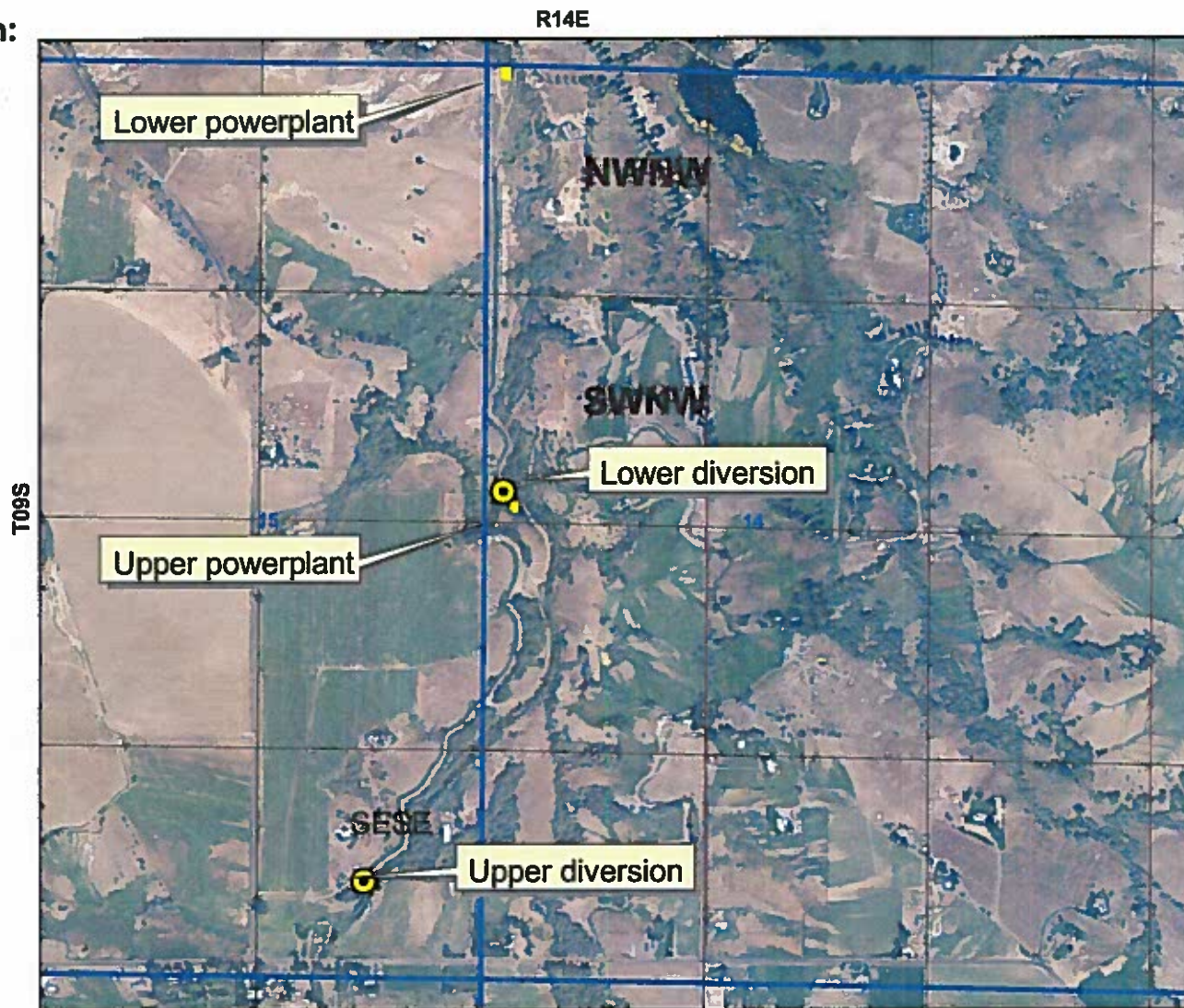
47-7700

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Twin Falls County
IDWR Basin 47



0

0.4

0.8 Miles

Owner: H K HYDRO LLC

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by A. Merritt
On Thursday, July 27, 2006
2004 Aerial Photography

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-07700
Date Received: 2/07/1989
Receipt No: S006233
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ZIONS LEASING COMPANY 801-524-4791
Address: P.O. BOX 180
1 MAIN ST.
SALT LAKE CITY, UT 84110-0000

2. Date of Priority: FEB 05, 1982

3. Source: MUD CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	14	SW	NW			TWIN FALLS
		15	SE	SE			TWIN FALLS

5. Description of diverting works:
CONCRETE DIVERSION, PENSTOCK & TURBINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	50.000		

7. Total Quantity Appropriated is:
50.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
P/567 H.P. @ 100'.
GENERATING CAPACITY 225.0 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	14	NW	SW		POWER	
			SE	SE		POWER	

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A47-07702

14. Remarks:

TOTAL KW BETWEEN A47-07700 & A47-07702.

DWR NOTE*****PRIORITY DATE ON PERMIT GIVEN AS 2-10-1981.

PERIOD OF USE TAKEN FROM PROOF REPORT.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A47-07700

Date Received

Receipt Number SO06233

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

DEC - 1 1988

225

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Zions Leasing Company Phone (801) 5244791Mailing Address 1 Main ST. P.O. BOX 180 SLC, UTAH Zip 841102. Date of Priority (Only one (1) per claim) ~~1/5/82~~ 2/5/823. Source of water supply (a) Mud Creek
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 9S Range 14E Section 14/15SW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Twin FallsSE (15) SE (15)
Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Headgate + Pipeline + Canal

MICROFILMED

MAR 11 1993

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)
For Hydro purposes from 2/5/82 to present amount 50 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 50 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0 acre feet per annum. 225 KW

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Hydro Electric Power

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9S	14E	14			~~SW~~							<u>VP</u>							
"	"	15																<u>VP</u>	

Total number of acres irrigated 0

11. In which county (ies) are lands listed above as place of use located? Twin Falls

12. Do you own the property listed above as place of use? Yes ✓ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
#47-07702 or None (✓)

14. Remarks: Water Rt. # 47-7700

Total KW between 47-7700 + 47-7702 =
270 KW

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MAR 11 1993

Last Name Zions Leasing Co. Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 47 07700

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☒ do not ☐

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Vice President

Title

of Zions Leasing Company, that I have signed the foregoing

Organization

document in the space below as Vice President of Zions Leasing Company

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent *M. [Signature]*

Title and Organization Vice President, Zions Leasing Company Date Nov. 29, 1988

State of Idaho/or Utah)
County of Salt Lake) SS.

Subscribed and sworn (or affirmed) before me this 29th day of November

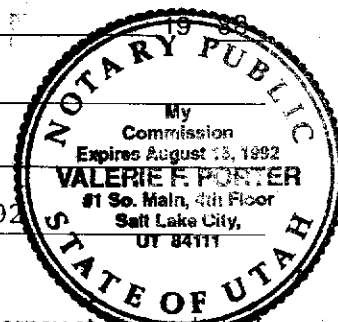
SEAL

Notary Public Valerie F. Porter

Residing at Salt Lake City, Utah

My Commission Expires August 15, 1992

Please Print Name Valerie F. Porter



17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law and shall of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

MAR 11 1993

Last Name _____ Ident. Number _____

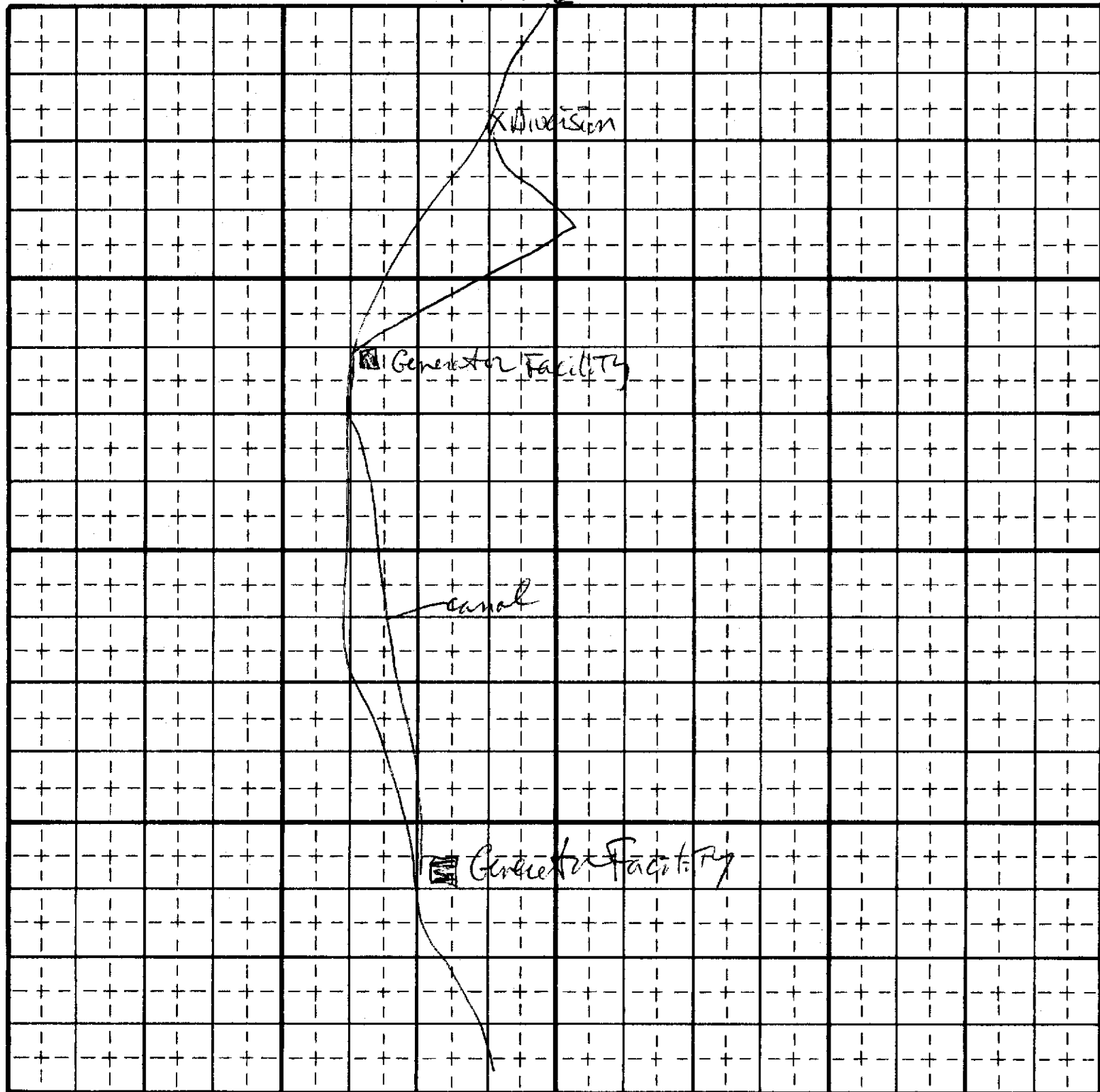
Copies White-State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile (NOT to Scale)

TS 9S R 14E Sec 14/15

Mud Creek



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MAR 11 1993

Last Name Zions LEASING Co. Ident No. _____

Copies: White-State, Yellow-Claimant

Water Right Number - 47-07700 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
ZIONS LEASING CO.

1 - P.O. BOX 180
2 -
3 -
City- SALT LAKE CITY State- UT Zip- 841100000
Phone -

*** O - ORIGINAL OWNER ***
S & S LTD. PARTNERSHIP

1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
02/10/1981 17 P - PERMIT

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
MUD CREEK SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

09S 14E 14 SW NW (83) TWIN FALLS
09S 14E 15 SE SE (83) TWIN FALLS

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

28 - POWER 01/01 12/31 50.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
50.000

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

09S 14E 14 NW NW 28 POWER (83) TWIN FALLS
09S 14E 14 SW NW 28 POWER (83) TWIN FALLS

Total Acres:

+ - - Diversion Means - CONCRETE DIVERSION, PENSTOCK & TURBINE.

+ - - Non-Irrigation Use - P/567 H.P. @ 100'.

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

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MAR 11 1993

Water right number - 47-07700

Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - - +

08A - This permit is subject to the provisions of Sections 42-205
- through 42-210, Idaho Code, restricting the sale, transfer,
- assignment, or mortgage of this permit. Failure to comply with
- these provisions is cause for immediate cancellation of this
- permit.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Microfilm Rolls -

+ - - Audit Fields - 09/22/87

05/28/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 05/01/1987	Field Exam Made	- 00/00/0000	Field Exam Fee	- R
Approved/Denied	- 02/05/1982	Protested Date	- 00/00/0000	Swan Falls	- 3
Proof Made Date	- 04/29/1987	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- A
Decree Date	- 00/00/0000				

MAR 11 1993

MICROFILMED

9/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME ZIONS LEASING CO. CLAIM IDENT. NO. _____

DATE RECEIVED 12/1/88 CK # 14965 AMOUNT \$ 837.50

YES NO

1. Is the name and address complete with zip code? ☒ YES ☐ NO
2. Is a priority date entered? ☒ YES ☐ NO

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

Lic. 2/10/1981

3. (a) Is a source entered? ☒ YES ☐ NO
(b) Is a tributary to entered? (if required) ☐ YES ☒ NO N/A

4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO

5. Is there a description of the diverting works? ☒ YES ☐ NO

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO

Is the period of use included? ☐ YES ☒ NO

Is a quantity claimed for each use? ☒ YES ☐ NO

7. Is a total quantity claimed entered? ☒ YES ☐ NO

8. If required is a consumptive use entered? ☐ YES ☒ NO N/A

Is the consumptive use correct? ☐ YES ☒ NO N/A

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. ☒ YES ☐ NO

10. Is (are) the place(s) of use entered? ☒ YES ☐ NO

11. Is (are) the county(ies) entered? ☒ YES ☐ NO

12. Is the ownership of p.u. checked? ☒ YES ☐ NO

13. Are other water rights listed or "none" checked? ☒ YES ☐ NO

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A

15. Is the basis of the claim checked? ☒ YES ☐ NO

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒ YES ☐ NO

Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO

Is the fee enclosed correct? ☐ YES ☒ NO (?)

If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ NO N/A

Should this claim be receipted and data entered? ☒ YES ☐ NO

MICROFILMED

MAR 11 1993

Claim checked by: SCC

Comments: WR # 47-07700

KW capacity not Given for fee calculation