

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: A74-07231
Date Received: 6/ 7/1990
Receipt No: E014769
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: LEMHI HYDROPOWER COMPANY 208-522-8069
Address: 5203 S 11TH E
IDAHO FALLS ID 83404

2. Date of Priority: DEC 12, 1983

3. Source: SANDY CREEK, WEST FORK Trib. to: SANDY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	24E	4	SE	NW			LEMHI

5. Description of diverting works:
CONCRETE AND STEEL HEADGATES TO PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	4.500		3257.90

7. Total Quantity Appropriated is:
4.500 C.F.S. (and/or) 3257.90 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
POWER GENERATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use
20N	24E	7	SE	SE		POWER

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11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:
CHANGED PD FROM LICENSE POINT OF DIVERSION
CHANGED OWNERSHIP 5/8/95/JT/GT

15. Basis of Claim: LICENSE

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: A74-07231
Date Received: 6/14/1990
Receipt No: E014769
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HENRY E. SCHAFFNER 208-756-3976
Address: RT. 1 BOX 33
SALMON, ID 83467

AND

Name: BARBARA A. SCHAFFNER 208-756-3976
Address: RT. 1 BOX 33
SALMON, ID 83467

2. Date of Priority: DEC 12, 1983

3. Source: SANDY CREEK, WEST FORK Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	24E	4	SE	NW			LEMHI

5. Description of diverting works:
CONCRETE AND STEEL HEADGATES TO PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
POWER	01/01	12/31	4.500		3257.90

7. Total Quantity Appropriated is:
4.500 C.F.S. (and/or) 3257.90 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
POWER GENERATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	24E	7	SE	SE		POWER	

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

NONE

14. Remarks:

CHANGED PD FROM LICENSE POINT OF DIVERSION

15. Basis of Claim: LICENSE

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

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

CIVIL CASE NUMBER: 39576

Ident. Number A74-07231

Date Received _____

Receipt Number E014769/90

RECEIVED

JUN 7 1990

Department of Water Resources
Eastern District OfficeNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 16 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Henry E. Schaffner & Barbara A. Schaffner Phone (208) 756-3976Mailing Address Rt. 1 Box 33 Salmon, Idaho 83467 Zip _____2. Date of Priority (Only one (1) per claim) 12-12-19833. Source of water supply (a) Sandy Creek; West Fork
which is tributary to (b) Lemhi River4. a. Location of existing point of diversion is: Township 20N Range 24E Section 4,
1/4 of SE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Lemhi

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. Concrete and Steel headgates & measuring
device with weir, and buried pipeline.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For generating Power purposes from 1/1 to 12/31 amount 4.5 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.5 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

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

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	
20N	24E	7																P	

Total number of acres irrigated _____

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

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

or None ()

14. Remarks:

See Attachments: (Copy of Water Right License # 74-7231

Used in conjunction with IDWR Water Right Numbers:

74-00200

74-00433

74-00203

74-00204

74-00408

74-00409

74-00429

74-00430

74-00431

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DEC 14 1992

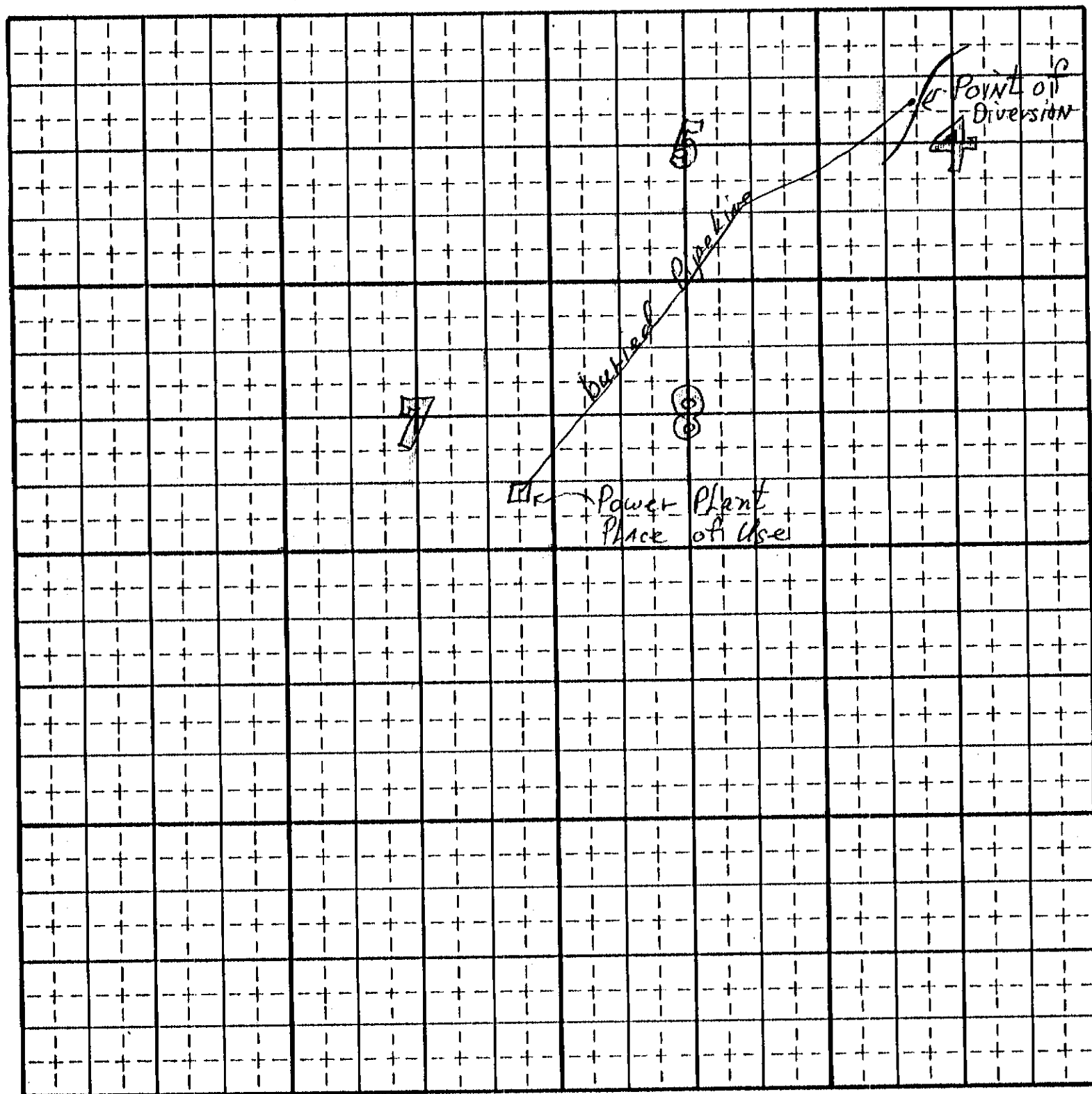
Last Name _____ Ident No. _____

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

T. 20 N. R. 24 E.



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Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant
DEC 14 1992

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

If applicable provide IDWR Water Right Number 74-7231
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 not ~~xx~~
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 2

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

Signature of Claimant (s)

Henry E. Schaffner
Barbara B. Schaffner

Date 4/12/90

Date 4/12/90

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 11 day of April 19 90

SEAL

Notary Public

Cory Cook

Residing at

Salmon

My Commission Expires

9-5-1991

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
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 _____

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DEC 14 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MAY 8, 1995

LEMHI HYDROPOWER COMPANY
5203 S 11TH E
IDAHO FALLS ID 83404

RE: CHANGE IN OWNERSHIP FOR A74-07231

Dear Sir:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a typed Notice with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

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NOV 15 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type
(see instructions on back of page)

MAY 01 1995

DATE OF CLOSING: 1/1/94

LEGAL DESCRIPTION OF PROPERTY: Township 20 N Range 24 EBM Department of Water Resources
Section _____ 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

(See attached Exhibit "A")

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s) _____
Assigned by IDWR: License No. 74-7231

☒ Name and Address of Former Owner/Claimant(s)(Seller): Henry E. Schaffner & Barbara A. Schaffner

☒ New Owner/Claimant (Purchaser): Lemhi Hydropower Company

☒ New Mailing Address: 5203 South 11th East
Idaho Falls, ID 83404

RECEIVED

MAY 08 1995

Department of Water Resources
Eastern District Office

☒ New Telephone Number: (208) 522-8069

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: Assignment of Contracts and Permits

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

Lemhi Hydropower Company

☐ Signature of New Owner/Claimant(s) Ted Sorenson, President

Date 4/28/95

☐ Signature of Former Owner/Claimant(s): Proof of Ownership Attached

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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NOV 15 1995

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

RECEIVED

ASSIGNMENT OF CONTRACTS AND PERMITS

MAY 01 1995

KNOW ALL MEN BY THESE PRESENTS:

Department of Water Resources

That HENRY E. SCHAFFNER and BARBARA A. SCHAFFNER d/b/a Schaffner Power Company, Schaffner Hydroelectric Project and Schaffner Ranch Hydroelectric Project (the "Original Borrower"), for and in consideration of the sum of Ten Dollars (\$10.00) paid by LEMHI HYDROPOWER COMPANY (the "Acquiring Borrower"), the receipt whereof is hereby acknowledged, has bargained, sold, assigned, conveyed and transferred, and by these presents does bargain, sell, assign, convey and transfer unto said Acquiring Borrower, without warranty of any kind, any and all personal property, tangible or intangible, of every kind and description, "WHERE IS, AS IS," now owned by Original Borrower and located upon real property and improvements known, among other names, as the Schaffner Ranch Hydro Plant, in Lemhi County, State of Idaho, which real property is more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference. Without limiting the generality of the transfer and conveyance made herein, certain items of personal property to be transferred and conveyed pursuant to this Assignment are enumerated on the attached Exhibit "B".

EXECUTED this 21st day of December, 1993.

"Original Borrower"

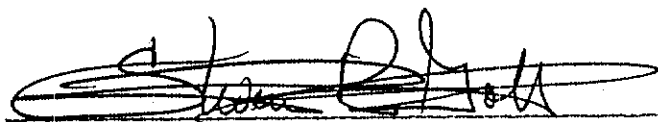
Henry E. Schaffner
Henry E. Schaffner d/b/a Schaffner Power Company, Schaffner Hydroelectric Project and Schaffner Ranch Hydroelectric Project

Barbara A. Schaffner
Barbara A. Schaffner d/b/a Schaffner Power Company, Schaffner Hydroelectric Project and Schaffner Ranch Hydroelectric Project

RECEIVED
MAY 02 1995
MICROFILMED
NOV 15 1996
Department of Water Resources

STATE OF IDAHO, COUNTY OF LEMHI

On this 27th day of December, 1993, before me, a notary public in and for said State, personally appeared BARBARA A. SCHAFFNER known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

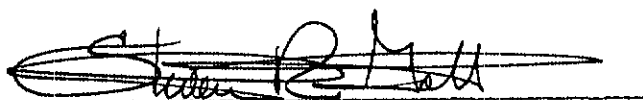
A handwritten signature, likely of the notary public, is written over a horizontal line.

Residing at Salmon, Idaho
Comm. Expires 12-14-1997

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NOV 15 1996

STATE OF IDAHO, COUNTY OF LEMHI

On this 27th day of December, 1993, before me, a
notary public in and for said State, personally appeared
HENRY E. SCHAFFNER known to me to be the person whose
name is subscribed to the within instrument, and acknowledged
to me that he executed the same.

A handwritten signature, likely of the notary public, is written over a horizontal line. The signature is stylized and appears to be "Steven R. M. H."

Residing at Salmon, Idaho

Comm. Expires 12-14-1997

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NOV 15 1998

EXHIBIT "A"

Legal Description

Real property situate in Lemhi County, State of Idaho, and more particularly described as follows:

PARCEL I: (FEE SIMPLE)

A parcel of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, T. 20 N., R. 24 E., B.M., Lemhi County, Idaho, more particularly described as follows:

Commencing at the Southeast corner of said Section 7, a distance of 506.02 feet on a bearing of N. 89 degrees 33'40" W., along the section line; thence N. 0 degrees 26'20" E., 1072.81 feet to the real point of beginning.

Thence N. 14 degrees 20' 21" E., 208.71 feet;
Thence N. 75 degrees 39' 39" W., 208.71 feet;
Thence S. 14 degrees 20' 21" W., 208.71 feet;
Thence S. 75 degrees 39' 39" E., 208.71 feet to the real point of beginning.

PARCEL II: (SCHAFFNER RANCH EASEMENT)

A 20-foot wide easement for ingress and egress from Generator site to County Road, more particularly described as follows:

Commencing at the Southeast corner of said Section 7, T. 20 N., R. 24 E., B.M., Lemhi County, Idaho, a distance of 506.02 feet on a bearing of N. 89 degrees 33' 40" W. along the section line; thence N. 0 degrees 26' 20" E., 1072.81 feet; thence N. 14 degrees 20' 21" E. 198.71 feet to the real point of beginning.

Thence 10 feet on each side of the following described centerline.

S. 75 degrees 39' 39" E., 79.44 feet;
N. 41 degrees 36'45" E., 549.61 feet to a point in the center of an existing road;

S. 62 degrees 50' 20" E., 703.08 feet to a point 10 feet North of the Northwest Corner of the El Ranchettes Subdivisions as recorded in the Lemhi County Courthouse September 22, 1983, as Instrument No. 169177;

S. 88 degrees 48' 18" E., 2010.00 feet along a line parallel to the North Boundary of said subdivision to a point on the Sandy Creek County Road.

PARCEL III: (SCHAFFNER RANCH RIGHT-OF-WAY) BURIED PIPELINE

A 50 foot right-of-way for installation and maintenance of a buried pipeline, more particularly described as follows: NOV 15 1988

A parcel of land located in Sections 4, 5, 7 and 8, T. 20 N., R. 24 E., B.M., Lemhi County, Idaho, more particularly described as follows:

Commencing at the West Quarter Corner of said Section 4 a distance of 1338.03 feet on a bearing of N. 63 degrees 52' 28" E., to a point on the east boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, and being the real point of beginning.

Thence 25 feet on each side of the following described centerline; (excepting that area where the right-of-way decreases to a minimum of 5.53 feet on the Southeasterly side of the centerline located at the Northwest Corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5 and which does not encroach upon adjacent property)

S. 52 degrees 07' 19" W., 715.45 feet;

S. 45 degrees 05' 22" W., 184.22 feet;

S. 55 degrees 41' 29" W., 572.58 feet;

S. 53 degrees 24' 33" W., 796.57 feet;

S. 53 degrees 41' 28" W., 847.20 feet;

S. 40 degrees 05' 09" W., 7037.26 feet to a point on the North end of the Generator Pad; said point bears N. 23 degrees 04' 15" W., 1358.54 feet from the Southeast corner of Section 7.

PARCEL IV: (SCHAFFNER RANCH RIGHT-OF-WAY) OVERHEAD POWER LINE

A 50 foot right-of-way for installation and maintenance of a powerline, more particularly described as follows:

A parcel of land located in Section 7 and 18, T. 20 N., R. 24 E., Section 13, T. 20 N., R. 23 E., B.M., Lemhi County, Idaho, more particularly described as follows:

Commencing at the Southeast Corner of Section 13, a distance of 2455.61 feet on a bearing of S. 86 degrees 47' 14" W., thence N. 0 degrees 41' 00" W., 1446.64 feet to a point on the South boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13 and being the real point of beginning.

Thence 25 feet on each side of the following described centerline (excepting that area where the right-of-way decreases to a minimum of 9.40 feet on the Southerly side of the centerline at the Southwest Corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13 and a minimum of 5.00 feet on the Southerly side of the centerline at the Northeast Corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, and which does not encroach upon adjacent property):

N. 0 degrees 41' 00" W., 572.80 feet;

N. 54 degrees 09' 46" E., 1281.85 feet;

N. 88 degrees 39' 41" E., 1385.19 feet;

N. 0 degrees 17' 02" E., 1288.25 feet;

N. 89 degrees 40' 33" E., 2910.21 feet;

N. 16 degrees 35' 13" E., 1922.23 feet

N. 53 degrees 53' 36" E., 1244.52 feet

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NOV 15 1966

S. 71 degrees 21' 30" E., 89.49 feet to a point on the West end of a 30 foot by 50 foot power pad, which bears N. 23 degrees 44' 30" W., 1410.45 feet from the Southeast Corner of Section 7.

PARCEL V: (BLM RIGHT-OF-WAY AND RIGHT-OF-USE) BURIED PIPELINE

A right-of-way for construction, operation, maintenance and use of a wing shaped concrete diversion structure, diversion ditch, settling pond and pipeline more particularly described as follows:

A parcel of land located in U.S. Government Lot 3, the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, T. 20 N., R. 24 E., B.M., Lemhi County, Idaho more particularly described as follows:

Commencing at the West Quarter Corner of said Section 4, a distance of 1338.03 feet on a bearing of N. 63 degrees 52' 28" E., to a point on the East boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, and being the real point of beginning.

Thence 15 feet on each side of the following described centerline:

N. 52 degrees 07' 19" E., 284.78 feet;
N. 44 degrees 21' 30" E., 252.99 feet;
N. 55 degrees 30' 32" E., 603.64 feet;
N. 57 degrees 35' 55" E., 156.90 feet to a point in the center of the intake structure; said point bears S. 5 degrees 30' 59" E., 1275.81 feet from the North Quarter Corner of said Section 4.

Also an additional 20 feet on either side of said 30 foot right-of-way as a temporary work area to allow for cutting, backfilling and grading.

PARCEL VI: (BOWMAN RIGHT-OF-WAY EASEMENT) BOWMAN POWERLINE

A 50 foot right-of-way easement for construction installation, repair, and maintenance for a power line, electrical substation and other reasonable equipment, more particularly described as follows:

A parcel of land located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, T. 20 N., R. 23 E., B.M., Lemhi County, Idaho, more particularly described as follows:

Commencing at the Southeast Corner of Section 13, a distance of 2455.61 feet on a bearing of S. 86 degrees 47' 14" W., to a point on the North end of a 25 foot by 25 foot power substation pad and being the real point of beginning.

Thence 25 feet on each side of the following described centerline:

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NOV 15 1990

N. 0 degrees 41' 00" W., 1446.64 feet to a point on the North boundary of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13; said point bears S. 89 degrees 50' 07" W., 1150.53 feet from the Northeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$.

PARCEL VII: (LEMHI COUNTY EASEMENT AND RIGHT-OF-WAY)

A 50 foot easement and right-of-way for construction and maintenance of an electric power line, more particularly described as follows:

A parcel of land located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, T. 20 N., R. 23 E., B.M., Lemhi County, Idaho, more particularly described as follows:

Commencing at the Southeast Corner of Section 13 a distance of 2455.61 feet on a bearing of S. 86 degrees 47' 14" W., to a point on the North end of a 25 foot by 25 foot power substation pad; thence N. 0 degrees 41' 00" W., 2019.44 feet to the real point of beginning.

Thence 25 feet on each side of the following described centerline:

N. 54 degrees 09' 46" E., 1281.85 feet, along the powerline.

G:\SGSB\569\3\LEGAL\122193

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NOV 15 1990

Exhibit "B"

1. Order Granting Application For Certification As A Qualifying Small Power Production Facility, Docket No. QF85-282-000 issued by the Federal Energy Regulatory Commission ("FERC"), United States of America, on April 29, 1985.

2. Order Granting Exemption From Licensing For A Conduit Hydroelectric Project, issued by FERC, February 6, 1985, and Order Denying Appeal dated September 20, 1985. This item and item 1 above are jointly referred to as the "FERC License."

3. Water Right License No. 74-7231 in favor of Henry E. Schaffner dated December 21, 1988 from the Department of Water Resources, State of Idaho.

4. Letter from U.S. Army Corps of Engineers dated June 5, 1984 from James C. Fellows to Original Borrower stating a \$404 permit is not required to the Project.

5. Idaho Department of Fish and Game letter dated June 24, 1984 to the Secretary of FERC, and letter dated December 18, 1984 to Original Borrower, and Ted S. Sorenson, P.A. letter dated April 21, 1986 to Mont Gates of UniWest Business Credit attesting to the United States and the Idaho Fish and Game requirements.

6. Idaho Department of Health and Welfare dated December 20, 1984 to the Secretary of FERC.

7. U.S. Bureau of Land Management ("BuRec") letter dated April 9, 1984 to Original Borrower.

8. Idaho Department of Parks and Recreation letter dated June 18, 1984 to Original Borrower.

9. Idaho State Historical Society letter dated June 21, 1984 to Original Borrower.

10. USDA/ASCS Lemhi County Committee letter dated September 30, 1985 to Original Borrower.

11. Firm Energy Sales Agreement dated December 20, 1985, between Original Borrower and Idaho Power Company.

12. Idaho Public Utilities Commission letter dated February 7, 1986 approving Idaho Power Company Power Sales Agreement with Original Borrower.

13. Agreement for Engineering Services dated August 16, 1985 between Original Borrower and SORENSON, P.A.

14. Quotation for the sale and installation of one-450 MM Single Jet Pelton Turbine No. 16608T, dated September 23, 1985 from Gordon Gilkes & Gordon Ltd and all related agreements, correspondence and documents.

15. All trademarks, trade names, logos or design identification to include without

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limitation "Schaffner Power Company," "Schaffner Hydroelectric Project," or Schaffner Ranch Hydroelectric Project."

16. Plans and specifications for the construction or modification of the Project.

17. All zoning, conditional use and subdivision development specifications, filings and approvals, and all other permits licenses, approvals, consents and certificates obtained or held in connection with the Property or Original Borrower's ownership thereof.

18. All documents, agreements, correspondence, surveys, studies, architectural renderings, maps, diagrams, water rights, water stock, licenses, permits, approvals, orders, contract rights, rights, interests, property, service contracts for the equipment in the Project, and benefits arising out of or which exist in connection with any of the foregoing.

19. All water rights, water contracts, and other rights, benefits and privileges pertaining to the said hydropower project.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 29, 1990

Henry E. and Barbara A. Schaffner
Rt. 1 Box 33
Salmon, ID 83467

RE: Notice of Claim

Dear Mr. and Mrs. Schaffner:

The Idaho Department of Water Resources (IDWR) is returning your Notice of Claim to a Water Right because of insufficient fees. All fees must be submitted before the IDWR can process the Notice.

Information obtained through a field exam for Water Right License 74-7231 reveals name plate rating for hydro power system is 450 KW. Therefore the filing fee is \$50.00 plus \$3.50 X 450 = \$1,575.00, bring the total amount due to \$1,625.00.

Please return the Notice and filing fee to the IDWR within 30 days of the date of this letter to avoid a late filing fee.

If you have any questions, please feel free to call the IDWR at (208) 525-7161.

Respectfully submitted,

Brenda Bloom for Ernest Carlsen
Ernest Carlsen
Water Rights Supervisor, Adjudications

EC:bb

Enclosure

RECEIVED

JUN MICROFILMED

Department of Water Resources
Eastern District Office

*Pro
A/29/86*

WARRANTY DEED

FOR VALUE RECEIVED, HENRY A. SCHAFFNER and CHARLOTTE L. SCHAFFNER, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto SCHAFFNER RANCH, a partnership of HENRY A. SCHAFFNER and HENRY E. SCHAFFNER, whose current address is:

Route 1, Box 33
Salmon, Idaho 83467

the Grantees, the following described premises, in Lemhi County, Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: April 14, 1983

Henry A. Schaffner
HENRY A. SCHAFFNER

Charlotte L. Schaffner
CHARLOTTE L. SCHAFFNER

STATE OF NEVADA)
COUNTY OF DOUGLAS) ss.

FOR RECORDER'S USE

On April 14, 1983,
personally appeared before
me, a Notary Public,
HENRY A. SCHAFFNER and
CHARLOTTE L. SCHAFFNER
who acknowledged that they
executed the above instrument.

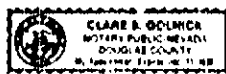
STATE OF IDAHO NO. 166993
COUNTY OF LEMHI

This instrument was filed for record with the
American Land Title Company
at 11:46 A.M. April 25, 1983
and duly recorded as a
DEED

Notary
Alberta Wiederrick

By Alberta Wiederrick
Notary Public
fee \$4.00 pd.

Clare Schuch
NOTARY PUBLIC



MICROFILMED
DEC 14 1992

EXHIBIT "A"

The Northwest Quarter of the Southeast Quarter (NW1SE1), South Half of the Northeast Quarter (S1NE1); and the Northeast Quarter of the Northeast Quarter (NE1NE1) of Section Thirteen (13), Township Twenty (20) North, Range Twenty-three (23) East of the Boise Meridian, Lemhi County, Idaho.

Northwest Quarter of the Southwest Quarter (NW1SW1), and the Southwest Quarter of the Northwest Quarter (SW1NW1) of Section Four (4); North Half of the Southeast Quarter (N1SE1), Southeast Quarter of the Southwest Quarter (SE1SW1), and the Southwest Quarter of the Southeast Quarter (SW1SE1) of Section Five (5); Southeast Quarter (SE1), Southeast Quarter of the Northeast Quarter (SE1NE1), and the Southeast Quarter of the Southwest Quarter (SE1SW1) of Section Seven (7); Southwest Quarter (SW1), South Half of the Northwest Quarter (S1NW1), Northeast Quarter of the Northwest Quarter (NE1NW1), West Half of the Northeast Quarter (W1NE1), and the Northwest Quarter of the Southeast Quarter (NW1SE1) of Section Eight (8), all in Township 20 N., Range 24 E., Boise Meridian.

EXCEPTING THEREFROM: The South Half of the South Half of the Northwest Quarter of the Southeast Quarter (S1S1NW1SE1) of Section Eight (8), Township 20 N., Range 24 E., Boise Meridian.

ALSO: Lot One (1), and the Northeast Quarter of the Northwest Quarter (NE1NW1) of Section Eighteen (18), all in Township Twenty (20) North, Range Twenty-four (24) East of the Boise Meridian.

ALSO: All that part of the Northeast Quarter (NE1) of said Section Eighteen (18), in said Township and Range lying North and West of a straight line running from the Northeast corner to the Southwest corner of said Northeast Quarter (NE1) Section.

ALSO: A part of the Northwest Quarter of the Northwest Quarter (NW1NW1), Section Eight (8), Township Twenty (20) North, Range Twenty-four (24) East of the Boise Meridian, in Lemhi County, State of Idaho, to-wit:

Commencing at the Southwest corner of the Northwest Quarter of the Northwest Quarter (NW1NW1), Section Eight (8), Township Twenty (20) North, Range Twenty-four (24) East of the Boise Meridian, in Lemhi County, Idaho; run thence East along the South line of said Northwest Quarter of the Northwest Quarter (NW1NW1), said Section Eight (8), 1,320 feet, more or less, to the Southeast corner of said Northwest Quarter of the Northwest Quarter (NW1NW1), said Section Eight (8); thence North along the East line of said Northwest Quarter of the Northwest Quarter (NW1NW1), said Section Eight (8), 1,200 feet to a point; thence West and parallel with the North line of said Northwest Quarter of the Northwest Quarter (NW1NW1), said Section Eight (8), a distance of 11 feet to a point; thence in a Southwest direction to the Southwest corner of said Northwest Quarter of the Northwest Quarter (NW1NW1), said Section Eight (8), Township Twenty (20) North, Range Twenty-four (24) East of the Boise Meridian, the PLACE OF BEGINNING, all in Lemhi County, Idaho.

ALSO EXCEPTING THEREFROM:

A fraction of the SW1, Section 8, Township 20 N., Range 24 E., Boise Meridian, Lemhi County, State of Idaho, more particularly described as follows:

Commencing at the South 1/4 corner of Section 8 and the POINT OF BEGINNING; run thence N. 0° 28' 07" W., along the West side of Sandy Creek Road, 1,286.38 feet; thence N. 89° 12' 07" W., 2010.0 feet; thence S. 0° 27' 56" E., 1317.89 feet; thence along the South fence of said parcel, N. 89° 55' E., 2010.0 feet to the POINT OF BEGINNING.

MICROFILMED

DEC 14 1992