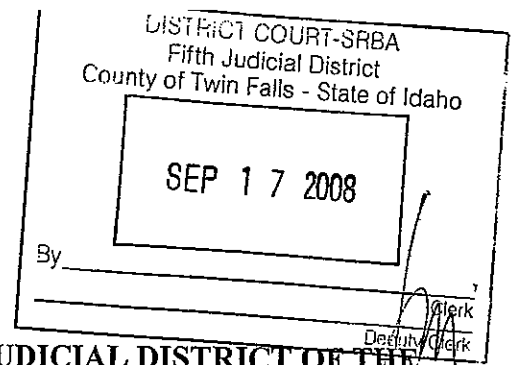


RECEIVED

SEP 18 2008  
DEPARTMENT OF  
WATER RESOURCES



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

In Re SRBA

Case No. 39576

) Subcases: See Attached Exhibit A  
) (Lightforce USA Inc.)  
)  
)  
)  
)  
)

ORDER GRANTING MOTIONS TO FILE  
LATE NOTICES OF CLAIM

On June 24, 2008, Lightforce USA Inc., by and through counsel, Scott Rose, filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on September 16, 2008. These *Motions* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated September 17, 2008.

  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING  
MOTIONS TO FILE LATE NOTICES OF CLAIM was mailed on September  
17, 2008, with sufficient first-class postage to the following:

LIGHTFORCE USA INC  
Represented by:  
SCOTT L. ROSE  
300 W MAIN, STE 153  
BOISE, ID 83702  
Phone: 208-342-2552

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

ORDER

Page 1 9/17/08

FILE COPY FOR 00314

Deputy Clerk

SEP 20 2008

EXHIBIT A (LIGHTFORCE USA INC)

Subcase Nos:

78-12327

78-12328

78-12329

78-12341

(Subcase list: LIGHTFORCE)  
9/17/08

SCANNED

SEP 20 2008

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 78-12329

Date Received:

Receipt No:

Received By:

Claim NO: 78-12329

**LATE  
NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

LIGHTFORCE USA INC

Phone: 208-476-9816

1040 HAZEN LN  
OROFINO ID USA 83544

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| JUN 24 2008                                                                             |
| By _____<br>Deputy Clerk                                                                |

2. Date of Priority: January 24, 1917

3. Source: SPRING FED CREEK Trib. To: SALMON RIVER

4. Point of Diversion:

| Township | Range | Section | Aliquot Parts | Lot | County of | Type |
|----------|-------|---------|---------------|-----|-----------|------|
| 23N      | 01E   | 15      | SE 1/4 SW 1/4 |     | IDAHO     |      |
|          |       |         | S 1/2         |     |           |      |
| 23N      | 01E   | 16      | S 1/2         |     |           |      |

5. Description of diverting works:  
CREEK

6. Water is used for the following purposes:

| Purpose:  | From  | To    | C.F.S. | (or) A.F.A |
|-----------|-------|-------|--------|------------|
| LIVESTOCK | 01/01 | 12/31 | 0.23   |            |

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

8. Total consumptive use:

9. Non-irrigation uses: STOCK WATER    LIVESTOCK: 1,000

10. Place of use:

| Township | Range | Section | Aliquot Parts | Lot | Use         | Acres |
|----------|-------|---------|---------------|-----|-------------|-------|
| 23N      | 01E   | 15      | S 1/2         |     | STOCK WATER |       |
| 23N      | 01E   | 16      | S 1/2         |     | STOCK WATER |       |

11. Place of use in counties: Idaho

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim:

Beneficial use.

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 X do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

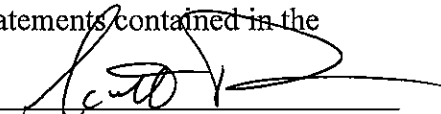
Number of attachments: 76

For Organizations:

I do solemnly swear or affirm that I am Attorney for Lightforce USE  
Title  
an Idaho Corporation, that I have signed the foregoing

document in the space below as Attorney of  
Title

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

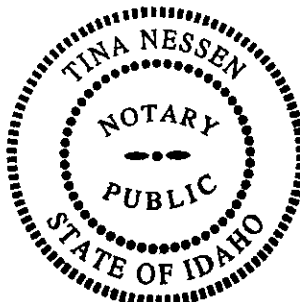
  
Signature of Authorized Agent

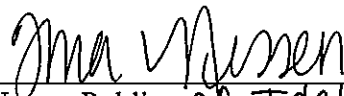
Attorney  
Title and Organization

6-23-08  
Date

State of Idaho       )  
                              ) SS.  
County of Ada       )

Subscribed and sworn (or affirmed) before me this 23<sup>rd</sup> day  
of June, 2008.



  
Notary Public of Idaho  
Residing at Eagle  
My commission Expires 5/13/14

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 \_\_\_\_\_

Date Received: \_\_\_\_\_

Receipt No: \_\_\_\_\_

Received By: \_\_\_\_\_

Claim No. 78-12329

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Grouse Creek

Please type or print clearly

1. Name of Claimant (s) Light Force USA, Incorporated Phone 208 476-9816

Mailing Address 1040 Hazen Ln. Orofino ID ZIP 83544  
Street or Box City State

2. Date of Priority (Only one (1) per claim) 1/24/1917  
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water ( ) or Other ☒ (a) Grouse Creek (surface)  
which is tributary to (b) Little Salmon

4. a. Location of Point of Diversion is: Township 23 N, Range 1 E, Section \_\_\_\_\_,  
\_\_\_\_\_, 1/4 of \_\_\_\_\_, 1/4 of \_\_\_\_\_, 1/4 Govt. Lot \_\_\_\_\_, BM., County of Idaho

Additional points of diversion if any: \_\_\_\_\_

If available, GPS Coordinates \_\_\_\_\_

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

Township 23 N, Range 1 E, Section \_\_\_\_\_, \_\_\_\_\_, 1/4 of \_\_\_\_\_, 1/4 of \_\_\_\_\_, 1/4

Govt. Lot \_\_\_\_\_, BM., County of Idaho

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

\_\_\_\_\_, 1/4 Govt. Lot \_\_\_\_\_, BM., 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. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Last Name Light Force USA Ident No. \_\_\_\_\_

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)  
For livestock purposes from 1/1 to 12/31 amount .23 or \_\_\_\_\_  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .23 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) \_\_\_\_\_

9. 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.

stockwater

| Twn | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 23N | 15  | 15  |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    | X  | X  | 4      |
| 23N | 12  | 16  |    |    |    |    |    |    |    |    |    |    | X  | X  |    |    | X  | X  | 4      |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total number of acres irrigated ✓

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

11. 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.

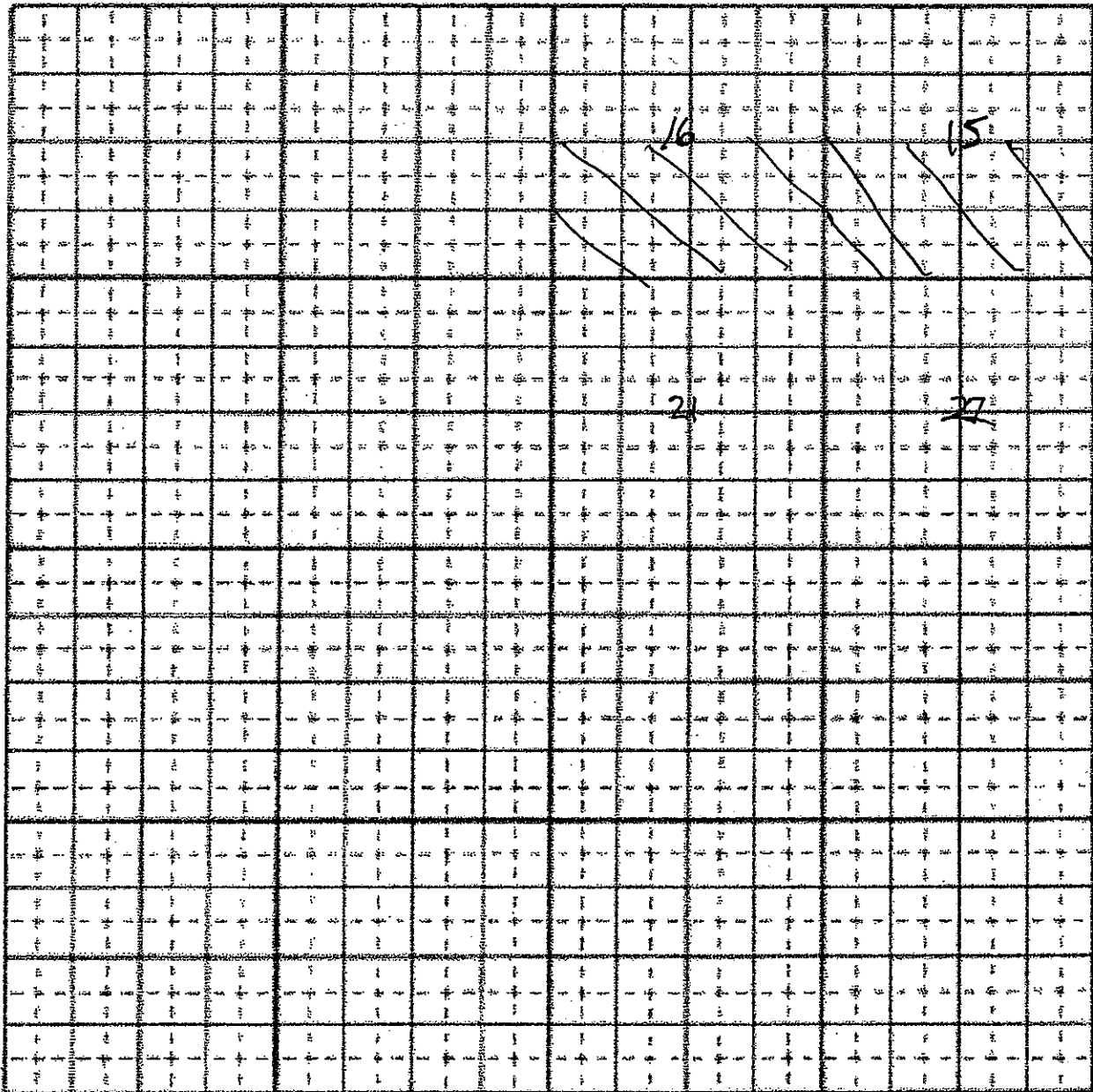
12. Describe any other water rights used at the same place and for the same purposes as described above.

See Subcases 78-10286 and 78-10287 or None ( )

13. Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Last Name Lightfoot USA, Inc Ident No. \_\_\_\_\_

Scale: 2 Inches equals 1 mile



Last Name Lightforce USA Inc Ident No. \_\_\_\_\_

14. Basis of Claim (Check One) Beneficial Use ☒ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_ Decree \_\_\_\_\_

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff v. Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

15. 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: 76

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Scott Rose Date: 6-23-08  
\_\_\_\_\_  
Date: \_\_\_\_\_

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Attorney of Light Force USA, Incorporated  
Title Organization

that I have signed the foregoing document in the space below as

Attorney of Light Force USA, Incorporated  
Title Organization

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

Signature of Authorized Agent Scott Rose Date: 6-23-08

Title and Organization Attorney and Light Force USA, Incorporated

Please Print Name

16. Notice of Appearance:

Notice is hereby given that I, Scott Rose, 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 Scott Rose

Address 300 W. Main St., Ste. 153, Boise ID 83702

Date 6-23-08

Last Name Lightforce USA Inc Ident No. \_\_\_\_\_