

12/15/2005

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

RIGHT NUMBER: 77-7181
NAME AND ADDRESS: SALMON RIVER RETREATS LLC
BOX 5405
BOISE ID 83716
SOURCE: ELKHORN CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 3.000 CFS
2,172.000 AFY
PRIORITY DATE: 06/28/1982

The appropriator shall exercise this right in a manner that recognizes the historic practice that the use of water for power generation is incidental to the rights of others to the use of water for other purposes. The appropriator shall not make a delivery call for hydropower generation except as against junior hydropower rights.

The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.

POINT OF DIVERSION:

T24N R03E S28 SWNE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER	1/01 12/31	3.000 CFS 2,172.00 AFY

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

Use of water under this right shall be non-consumptive.

PLACE OF USE: POWER Within IDAHO County

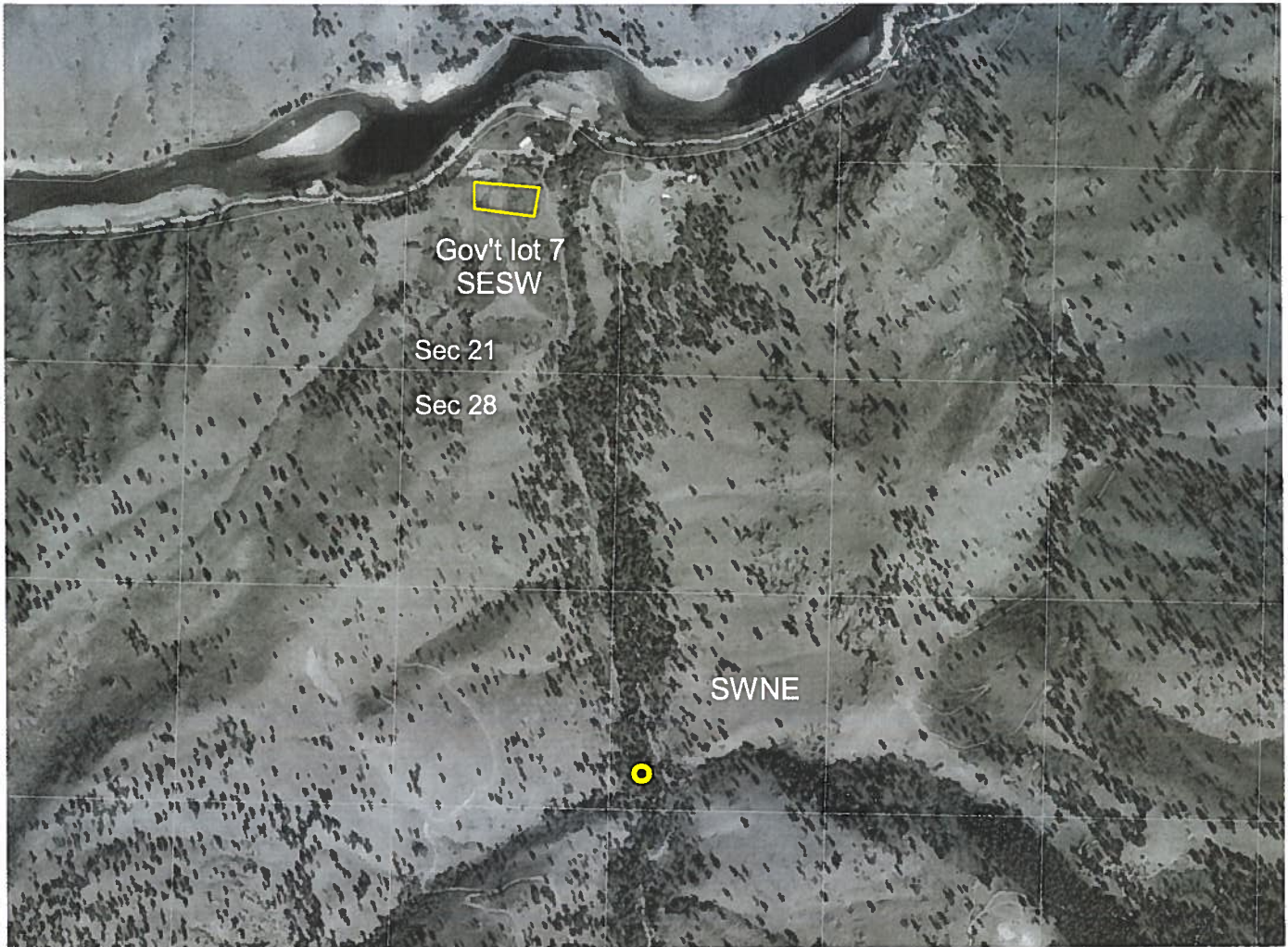
T24N R03E S21 SESW

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

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 - License

77-7181



0 700 1400 Feet

Sections 21 & 28
T24N R3E



● Point of Diversion

□ Place of Use

Map prepared on April 18, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

SALMON RIVER RETREAT, L.L.C.

P.O. Box 5405 (83705)

4414 S. Gekeler Lane

Boise, ID 83716

208/342-8901

208/338-2215 (fax)

rdheaton@yankemachine.com

December 14, 2005

FEDERAL EXPRESS #7907 4517 9899

KEN KNOBLOCK
IDAHO DEPT OF WATER RESOURCES
1910 NW BOULEVARD, SUITE 210
COEUR D' ALENE ID 83814

RECEIVED
DEC 15 2005
IDWR/North

Re: Change of Ownership
Water Right No. 77-7181

Dear Ken:

As we discussed yesterday during our telephone conversation, enclosed is a Notice of Change in Water Right Ownership for the above referenced water right.

We certainly appreciate all of your assistance in helping us straighten out the water right situation related to the Salmon River property now owned by Salmon River Retreat, L.L.C.

Please send all documents and other information to my attention at the above address.

Should you need anything further please give me a call.

Sincerely,



RICHARD D. HEATON
General Counsel

RDH/lo

Enc.

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

**RECEIVED
DEC 15 2005
IDWR/North**

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 (under the "split" heading), 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>77-7181 VI</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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

A. The appropriate **FILING FEE**. See instructions for fee amounts. **Not Required.**

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. See Attached - Two Deeds.**

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) is 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) Gerald P. and Geneva Kooyers
P.O. Box 131, Riggins, ID 83549
4. New Owner/Claimant(s) SALMON RIVER RETREAT, L.L.C.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 4414 S. Gekeler Lane
- City, State and ZIP Code Boise, ID 83716
- New Telephone Number (208) 342-8901
5. Date you acquired the property November 13, 1997

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) SALMON RIVER RETREAT, L.L.C.
(include title if applicable)

By: Bryan S. Norby
Bryan S. Norby, Manager

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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 77-7181 V1

WATER RIGHT NUMBER: 77-7181 V1

Owner Type Name and Address
 Current Owner GERALD P KOOYERS
 PO BOX 131
 RIGGINS, ID 83549
 (208)628-3976
 Current Owner GENEVA KOOYERS
 PO BOX 131
 RIGGINS, ID 83549
 (208)628-3976

*- Transfer to
Salmon River Retreat*

Priority Date: 06/28/1982

Basis: License

Status: Active

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Source Tributary
 ELKHORN CREEK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
POWER	1/01 to 12/31	3.000 CFS	2,172.00 AF
	<u>Total Diversion:</u>	3.000 CFS	2,172.00 AF

Location of Point(s) of Diversion

ELKHORN CREEK SW1/4NE1/4 Sec. 28, Twp 24N, Rge 03E, B.M.
 IDAHO County

Place of Use

POWER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
24N	03E	21																X	

Conditions of Approval:

1. C18 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.
2. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after March 1, 2005. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
3. 025 This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 77-7181 V1

4. R22 The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.
5. 027 Use of water under this right shall be non-consumptive.

Remarks:Comments:Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

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Should questions arise during
the processing of this applica-
tion please contact:

CHIEF, DIVISION OF
410 S. Orchard Street
Boise, ID 83726
344-1320

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

NOV 27 1987

A. GENERAL INFORMATION

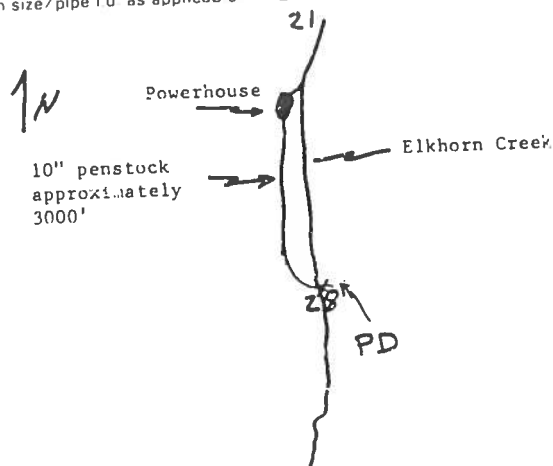
1. Owner Gerald P. and/or Geneva Kooyers Permit No. 77-7181
Current Address Salmon River Route, Riggins, Idaho 83549 Phone No. 628-3012
2. Accompanied by Gerald Kooyers EXAM DATE: 2/4/85
Address same as above Phone No. 628-3012
Relationship to Permit Holder Owner
3. Source: Elkhorn Creek tributary to Salmon River

B. OVERLAP REVIEW

1. Other water rights with same place of use 77-4035 ☐ Copies Attached
2. Other water rights with same point of diversion: 77-4035 ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir
size/ditch size/pipe id as applicable ☐ Alternative diagram attached



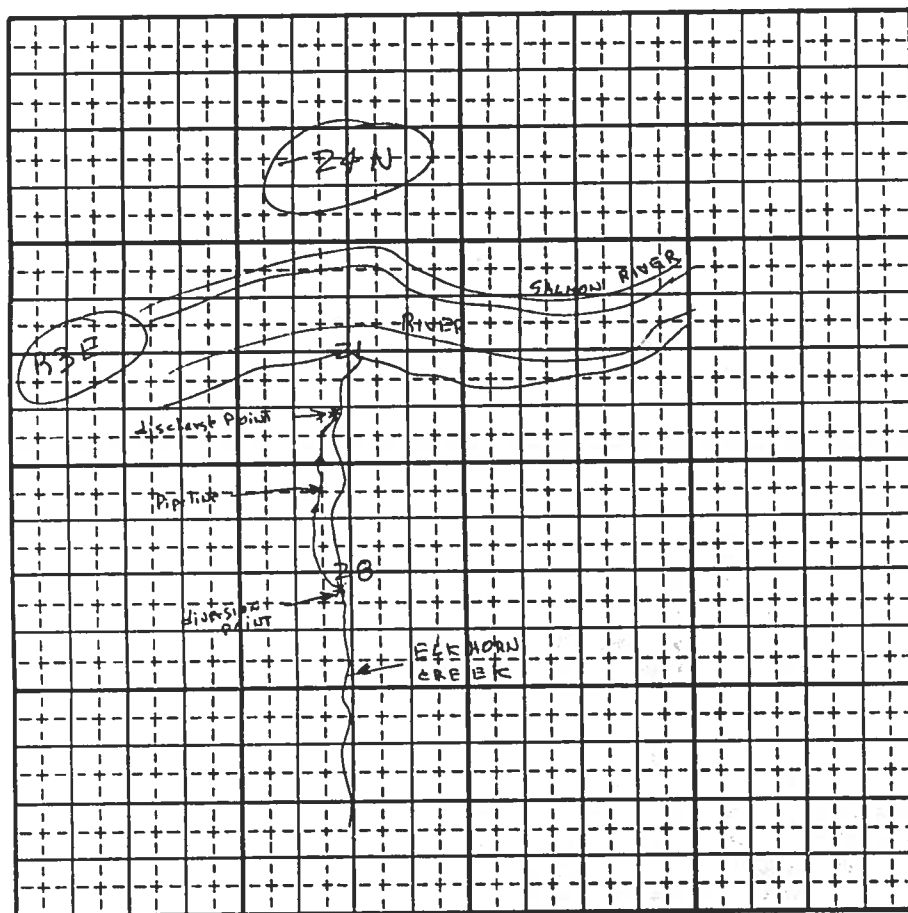
Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and ☐ Required for irrigation of 10 acres or more
place(s) of use (required)
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater and stockwater)

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

Scale: 2 inches equals 1 mile



Last Name Kooyers

Ident No. A77-57181

Colors: White-Steel, Yellow-Clamant

25x10

32x10

PLEASE RECORD AND RETURN TO:
Richard D. Heaton
P.O. Box 5405
4414 S. Gekeler Lane
Boise, ID 83705

MAIL TAX STATEMENTS TO:
SALMON RIVER RETREAT, L.L.C.
4414 S. Gekeler Lane
Boise, ID 83705

COMPUTER ()
INDEXED ()
TRACTED ()
FILMED ()
ASSESSOR ()

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DEC 15 2005
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379144

WARRANTY DEED

FOR VALUE RECEIVED RONALD C. YANKE and LINDA L. YANKE, husband and wife, the Grantors, whose address is 4414 S. Gekeler Lane, Boise, Idaho 83705, do hereby GRANT, BARGAIN, SELL AND CONVEY unto SALMON RIVER RETREAT, L.L.C., an Idaho limited liability company, the Grantee, whose current address is 4414 S. Gekeler Lane, Boise, Idaho 83705, the following described real property, in IDAHO COUNTY, IDAHO to wit:

The real property which is more particularly described on EXHIBIT "A" attached hereto and by this reference made a part hereof;

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantee, its representatives, successors and assigns forever. The Grantors do hereby covenant to and with the Grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances except current year's taxes, levies, and assessments, and except restrictions, reservations and easements of record and easements visible upon the premises, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: March 3, 1995

- PAGE 2

Exhibit "A"

Township 24 North, Range 3 East, Boise Meridian, Idaho County, Idaho
Section 21: A tract of land located in the SW $\frac{1}{4}$ and more particularly described as:

Beginning at the SW Section Corner for said Section 21 (a brass cap & pipe)
thence North 89°40'00"East, 2634.508 feet to the South $\frac{1}{4}$ Corner (a stone) for said Section 21, the basis of bearing
thence North 38°28'53" West, 1568.825 feet to Corner One and the True Point of Beginning
thence South 83°00'00"East, 400.00 feet to Corner Two
thence South 07°00'00"West, 200.00 feet to Corner Three
thence North 83°00'00"West, 506.342 feet to Corner Four
thence North 35°00'00" East, 226.515 feet to Corner One and the Place of Beginning
All positions called as Corners are marked with a 24" x 5/8" diameter steel pin

Also an easement for access and utilities, and an easement for access and maintenance of a spring box and pipeline as described in Warranty Deed, Instrument No. 298293.

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DEC 15 2005
IDWR/North

STATE of IDAHO	{ ss
County of Idaho	
Recorded at request of	INLAND TITLE CO
at 50 minutes past 2 o'clock	P.M.
this 6 day of March	19 95
ROSE E. GEHRING	Recorder
By Sandy Moins	Deputy
Fee \$	9.00

396736

PLEASE RECORD AND RETURN TO:
Richard D. Heaton
P.O. Box 5405
Boise, ID 83705

MAIL TAX STATEMENTS TO:
SALMON RIVER RETREAT, L.L.C.
4414 S. Gekeler Lane
Boise, ID 83716

STATE of IDAHO	
County of Idaho	ss
Recorded at request of INLAND TITLE CO.	
at <u>45</u> minutes past <u>2</u> o'clock <u>P</u> M.	
this <u>13</u> day of <u>November</u> , 19 <u>97</u>	
ROSE E. GEHRING	
By <u>Sandy Lane</u>	Recorder
Fees \$ <u>9.00</u>	Deputy

CLERK
INDEX
FILED
ASSESSOR

RECEIVED
DEC 15 2005
IDWR/North

WARRANTY DEED

FOR VALUE RECEIVED RONALD C. YANKE and LINDA L. YANKE, husband and wife, the Grantors, whose address is 4414 S. Gekeler Lane, Boise, Idaho 83716, do hereby GRANT, BARGAIN, SELL AND CONVEY unto SALMON RIVER RETREAT, L.L.C., an Idaho limited liability company, the Grantee, whose current address is 4414 S. Gekeler Lane, Boise, Idaho 83716, the following described real property, in IDAHO COUNTY, IDAHO to wit:

The real property which is more particularly described on EXHIBIT "A" attached hereto and by this reference made a part hereof;

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantee, its representatives, successors and assigns forever. The Grantors do hereby covenant to and with the Grantee that they are the owners in fee simple of said premises; that they are free from all encumbrances except current year's taxes, levies, and assessments, and except restrictions, reservations and easements of record and easements visible upon the premises, and that they will warrant and defend the same from and all lawful claims whatsoever.

DATED: November 11, 1997

GRANTORS:

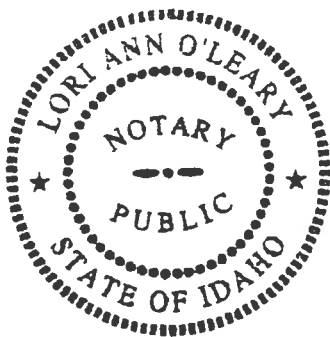
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Ronald C. Yanke
Ronald C. Yanke

Linda L. Yanke
Linda L. Yanke

STATE OF IDAHO)
) ss
COUNTY OF ADA)

On this 11th day of November, 1997, before me, a notary public in and for said State, personally appeared RONALD C. YANKE and LINDA L. YANKE, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



[Signature]
Notary Public for the state of Idaho

Residing at:

Bow

My commission expires:

7/12/2001

Exhibit "A"

The West 300 feet of the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}SE\frac{1}{4}$), the East 300 feet of the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}SW\frac{1}{4}$), the West 300 feet of the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4}NE\frac{1}{4}$), the East 300 feet of the Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4}NW\frac{1}{4}$), the East 600 feet of the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$), all in Section Twenty-Eight (28), Township Twenty-four (24) North, Range Three (3) East, Boise Meridian, Idaho County, Idaho, and Lot Eight (8) and all of Lot Seven (7) lying West of the centerline of Elkhorn Creek, in Section Twenty-one (21), Township Twenty-four (24) North, Range Three (3) East, Boise Meridian, Idaho County, Idaho

LESS: A tract of land located in the Southwest One-quarter ($SW\frac{1}{4}$) of Section Twenty-one (21), Township Twenty-four (24) North, Range Three (3) East, Boise Meridian, Idaho County, Idaho and more particularly described as beginning at the Southwest Section Corner for said Section Twenty-one (a brass cap and pipe);

thence N. $89^{\circ} 40' 00''$ E, 2634.508 feet to the South one quarter corner (a stone) for said Section Twenty-one, the basis of bearing;
thence N. $38^{\circ} 23' 53''$ W., 1568.825 feet to corner one and the true point of beginning;
thence S. $83^{\circ} 00' 00''$ E., 400.00 feet to corner two;
thence S. $07^{\circ} 00' 00''$ W., 200.00 feet to corner three;
thence N. $83^{\circ} 00' 00''$ W., 506.342 feet to corner four;
thence N. $35^{\circ} 00' 00''$ E., 226.515 to corner one and the place of beginning.

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From: Origin ID: (208)342-8901
Richard D. Heaton
Salmon River Retreat, L.L.C.
4414 S. Gekeler Lane

Boise, ID 83716



Ship Date: 14DEC05
ActWgt: 1 LB
System#: 5524313/INET2300
Account#: S *****

REF: 708.SRR



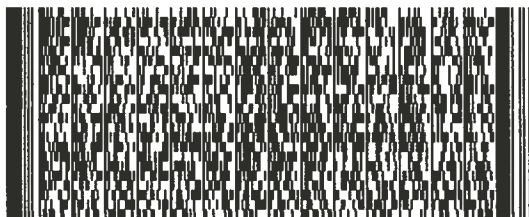
Delivery Address Bar Code

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DEC 15 2005
IDWR/North

SHIP TO: (208)342-8901

BILL SENDER

Ken Knoblock
IDAHO DEPT. OF WATER RESOURCES
1910 NW Boulevard
Suite 210
Coeur D'Alene, ID 83814



PRIORITY OVERNIGHT

THU

Deliver By:
15DEC05

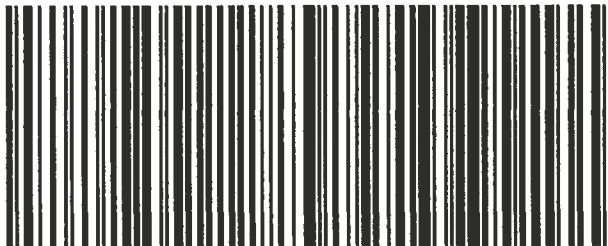
TRK# 7907 4517 9899

FORM
0201

GEG AA

83814 -ID-US

WU COEA



Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

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: **A77-07181**
Date Received: 7/28/1988
Receipt No: W000559
Received By: _____

AMENDED

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

AMENDED

1. Name: GERALD P KOOYERS 208-628-3976
Address: PO BOX 131
RIGGINS ID 83549

Name: GENEVA KOOYERS 208-628-3976
Address: PO BOX 131
RIGGINS ID 83549

2. Date of Priority: JUN 28, 1982

3. Source: ELKHORN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	03E	28	SW	NE			IDAHO

5. Description of diverting works:
6' CONCRETE DAM W/DIVERSION W/3300' 10" PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	3.000		2172.00

7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) 2172.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
POWER PRODUCTION
GENERATING CAPACITY 30.0 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	03E	21	SE	SW		POWER	

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:

NONE LISTED

14. Remarks:

FEET OF HEAD = 302. HORSEPOWER = 100. __30KW

MODIFIED 01/1981

CLAIM AMENDED PER LICENSE ISSUED 5/6/97. LH

15. Basis of Claim: LICENSE

Western

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 77-07181

Priority: June 28, 1982

Maximum Diversion Rate: 3.00 CFS
Maximum Diversion Volume: 2172.0 AF

This is to certify, that GERALD P KOOYERS
GENEVA KOOYERS

BOX 131

RIGGINS ID 83549

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 28, 1982; and has submitted Proof of Beneficial Use on March 6, 1985. An examination indicates that the works have a diversion capacity of 3.250 cfs of water from:

ELKHORN CREEK

tributary to SALMON RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
POWER	01/01 to 12/31	3.00 CFS	2172.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 28, Township 24N, Range 03E
IDAHO County

PLACE OF USE: POWER

TWN RGE SEC

24N 03E 21

SESW

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
6. Use of water under this right shall be non-consumptive.

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 77-07181

CONDITIONS OF APPROVAL AND REMARKS

7. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.
8. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after March 1, 2005. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 6TH
day of MAY, 1997.

Acting for

KARL J. DREHER, Director

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: A77-07181
Date Received: 7/25/1988
Receipt No: W000559
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GERALD P. KOOYERS 208-628-3976
Address: SALMON RIVER RT.
RIGGINS, ID 83549

Name: GENEVA KOOYERS 208-628-3976
Address: SALMON RIVER RT.
RIGGINS, ID 83549

2. Date of Priority: JUN 28, 1982

3. Source: ELKHORN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	03E	28	SE	of	NW		IDAHO

5. Description of diverting works:
6' CONCRETE DAM W/DIVERSION W/3300' 10" PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	3.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
POWER PRODUCTION
GENERATING CAPACITY 30.0 KILOWATTS

A77-07181

Page 1

Date: 07/28/88

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	03E	21	SE	SW		POWER	

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:
NONE LISTED

14. Remarks:

FEET OF HEAD = 302. HORSEPOWER = 100. __30KW
MODIFIED 01/1981

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 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 _____

$50 + 105 = 155$

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: 39356

Ident. Number A77-07181

Date Received 07/25/88

Receipt Number W000559

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUL 25 1988

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Gerald P. & Geneva Kooyers Phone (208) 628-3976

Mailing Address Salmon River Road, RIGGINS, IDAHO Zip 83549

2. Date of Priority (Only one (1) per claim) 06/28/1982 EST per phone conversation 07/25/88

3. Source of water supply (a) ELKHORN CREEK
which is tributary to (b) Salmon River

4. a. Location of existing point of diversion is: Township 24N Range 3E Section 28,

1/4 of SE 1/4 of NW 1/4, Govt. Lot, B.M., County of IDAHO

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.

6' CONCRETE DAM & DIVERSION

3300 FT 10" PIPE

MODIFIED JANUARY 1981

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Copies: White State, Yellow Claimant

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Power Production purposes from 1/1 to 12/31 amount 3.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2,172 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	
<u>24N</u>	<u>3E</u>	<u>21</u>												<u>P</u>					

Total number of acres irrigated _____

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

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

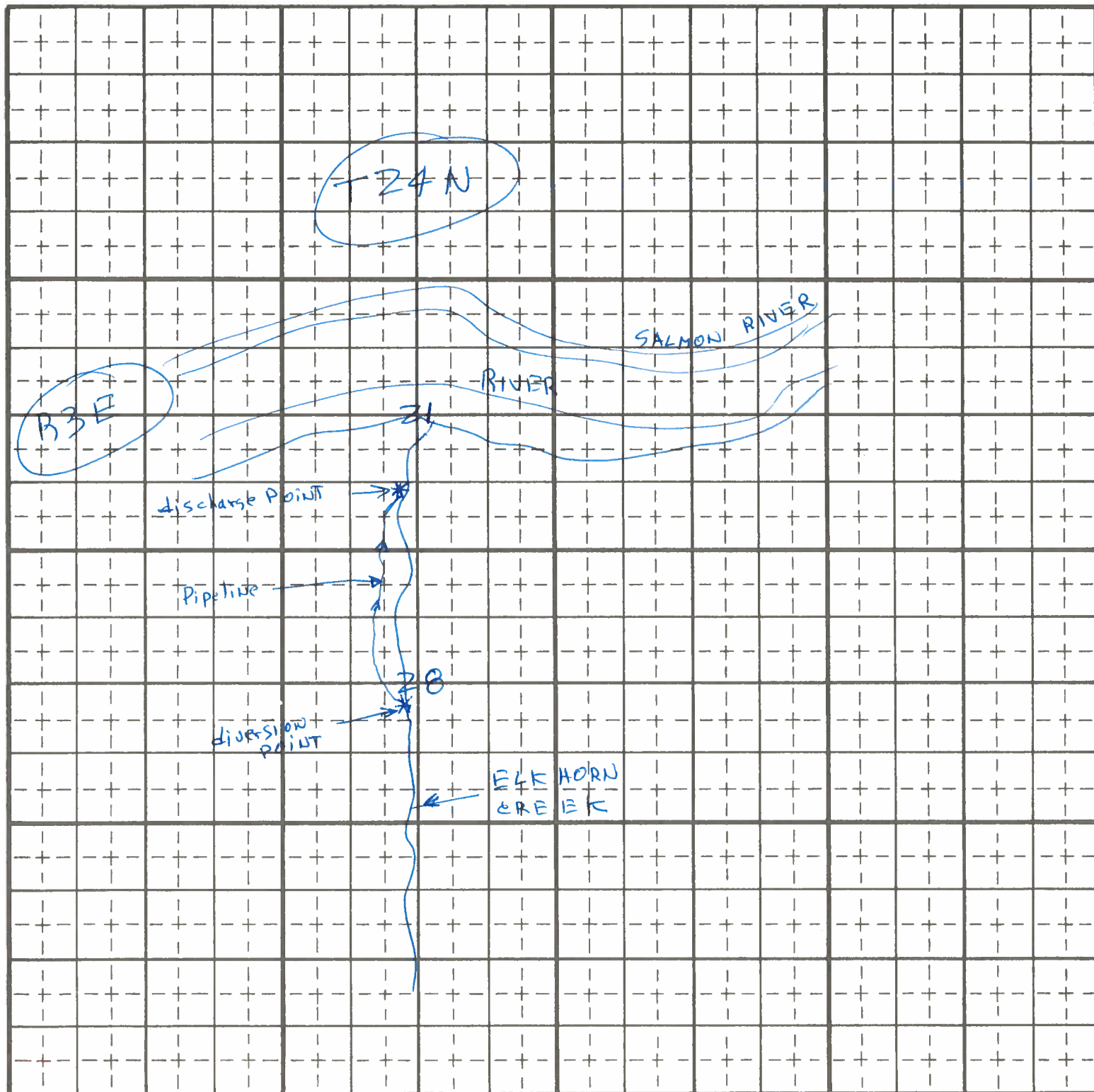
14. Remarks:

Last Name KOYERS Ident No. A77-07181

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

Scale: 2 inches equals 1 mile



Last Name Kooyers

Ident No. A77-67181

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

Decree _____

If applicable provide IDWR Water Right Number 77-7181

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 X 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) Daniel P. Kooyers Date July 14, 1988

Geneva Kooyers Date 7/14/88

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 Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 14th day of July 19 88

SEAL

Notary Public Alberta O. Rainwater

Residing at Riggins Idaho

My Commission Expires 8-4-1993

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 _____

Last Name Kooyers Ident. Number A77-07181

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CONVERSATION MEMORANDUM

DATE 07/28/88

FILE _____

NAME OF PARTY Kooyers, Gerald P & Geneva

EMPLOYEE Eldon Roush

RE: Notice of Claim (A77-07181)

Priority date omitted by claimant. Used Permit
P.O. per phone instructions of claimant.

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Filing Fee Note

① Domestic & Mail \$ 25⁰⁰

② Insurance $50 + \$1 \text{ per}$
 $= 50 + 37 = 87$

③ Power $50 + 3^{50}/\text{KW}$
 $50 + 105 = ~~155~~ 155⁰⁰$
 230 KW
 286

total 3 claim \$ 267⁰⁰

RECEIVED
JUL 25 1988

Department of Water Resources
Western Regional Office

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JULY, 1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Kooyers, Gerald P. & Geneva CLAIM IDENT. NO. A77-07181
DATE RECEIVED 07/25/88 CK # 1335 AMOUNT \$ 267.00

	YES	NO
1. Is the name and address complete with zip code?	☒	☐
2. Is priority date entered?	☒	☐
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 for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd). A Permit is required for surface water developed after May 20, 1971 (except for instream stockwater).		
3. (a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required)	☒	☐
4. Is the legal description of the p.d. complete?	☐	☒
5. Is there a description of the diverting works?	☒	☐
6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form.	☒	☐
Is the period of use included?	☒	☐
Is a quantity claimed for each use?	☒	☐
7. Is a total quantity claimed entered?	☒	☐
8. Is the consumptive use correct?	☒	☐
If required is a consumptive use entered?	☐	☐
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.	☒	☐
10. Is (are) the place(s) of use entered?	☒	☐
11. Is (are) the county(ies) entered?	☒	☐
12. Is the ownership of p.u. checked?	☒	☐
13. Are other water rights listed or "none" checked?	☒	☐
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.)	☒	☐
15. Is the basis of the claim checked?	☒	☐
16. Is the claim signed by the claimant? 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?)	☒	☐
Has the claim been signed, sealed, and dated by a notary?	☒	☐
Is the fee enclosed correct?	☒	☐
Should this claim be receipted and data entered?	☒	☐
If this claim is based on an existing water right, has the identification number been entered?	N/A	☐

Claim checked by: LW

Comments: ✓ POD & POU

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