

MEMORANDUM

Date: August 4, 2011

To: File No. 79-7089

From: Emalee Rushing

Re: Place of Use

The application for permit submitted by David and/or Jo Ann Cereghino indicated that the POU for the power station was in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 14, T26N, R1E. The field examiner indicated that the POU should be corrected to include the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the Department solicited an amendment of permit. The license was issued with the POU being in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 14, T26N, R1E.

On March 18, 2011, Idaho County Light & Power Cooperative Association, Inc. (ICL&P) submitted a Notice of Change in Water Right Ownership. Review of the deed submitted indicated that the power station was located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$. I spoke with a representative of ICL&P who indicated that the power station was only in the SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Per ArcMap, it appeared that Steve Turnland was the current tax lot holder for the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and I verified this with the tax assessor. I sent a letter to the Turnlands which explained the situation. They indicated that there is no water use for power purposes on this property.

Ownership of the water right has been updated as requested. ICL&P's May 11, 2011 letter indicates that they would like to remove the SE $\frac{1}{4}$ SE $\frac{1}{4}$ from the place of use. The power station is located solely in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 14, T26N, R1E. The place of use has been partially abandoned and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ has been removed from the POU.