

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 47-07700

Priority: February 10, 1981

Maximum Diversion Rate: 50.00 CFS
Maximum Diversion Volume: 26,000.0 AF

It is hereby certified that H K HYDRO LLC
26 N STATE ST
SALT LAKE CITY UT 84103 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 10, 1981; and has
submitted Proof of Beneficial Use on April 29, 1987. An examination indicates that the works have a
diversion capacity of 58 cfs of water from:

SOURCE

MUD CREEK

Tributary: SNAKE RIVER

and a water right has been established as follows:

BENEFICIAL USE

POWER

PERIOD OF USE

01/01 to 12/31

DIVERSION RATE

50.00 CFS

**ANNUAL
DIVERSION VOLUME**

26,000.0 AF

LOCATION OF POINT(S) OF DIVERSION:

MUD CREEK SW1/4SE1/4SE1/4 Sec. 15, Twp 09S, Rge 14E, B.M.

TWIN FALLS County

MUD CREEK SW1/4SW1/4NW1/4 Sec. 14, Twp 09S, Rge 14E, B.M.

TWIN FALLS County

PLACE OF USE: POWER

Tw	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	14E	14						X	X										

CONDITIONS OF APPROVAL

1. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
2. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after January 1, 2017, the expiration date of this facility's Power Sales Agreement. 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.

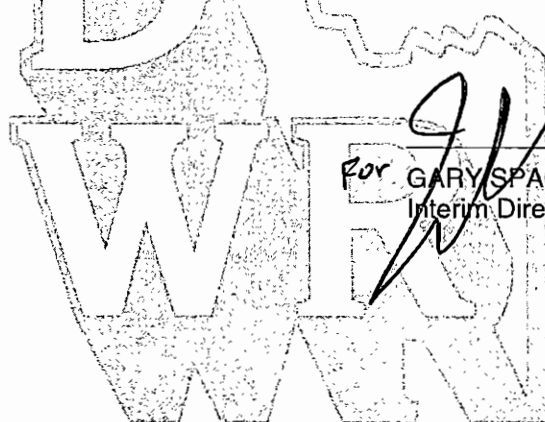
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3. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall 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.
4. The diversion of water authorized under Right 47-7700 shall not exceed a total of 50 cfs in either of two configurations: 50 cfs may be diverted for use in the upper (southernmost) plant, discharged to Mud Creek and then diverted again for use in the lower (northernmost) plant when the two power plants are operated in series as an integrated power generation system, or 50 cfs may be diverted once from either point of diversion when the two power plants are not operating simultaneously.
5. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 25 day of June, 2010.


for 
GARY SPACKMAN
Interim Director