

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**AMENDED APPLICATION FOR PERMIT**

To appropriate the public water of the State of Idaho

RECEIVED

JUN 01 2009

WATER RESOURCES
WESTERN REGION

1. Name: GREENHURST FARMS INC
5705 E GREENHURST
NAMPA ID 83686
(208)466-1742

2. Source: SPRING Tributary to: FRENCH CREEK

3. Location of Point of Diversion:

#1 SPRING SE1/4SW1/4
IDAHO County

Sec. 25, Twp 24N, Rge 03E, B.M.

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
POWER	01/01 to 12/31	0.12 CFS	

5. Total quantity to be appropriated is: 0.12 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source: PLASTIC PIPE
- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;.
- c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85F being sought?
- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

- 8.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Amended APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

PLACE OF USE: POWER

Twp Rge Sec	NE				NW				SW				SE				Totals
24N 03E 25	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
									X								

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

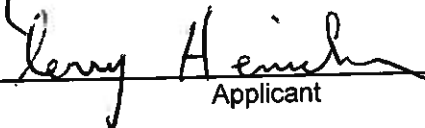
APPLICANT

10. Remarks:

The source water for this proposal is spring water. The water boils from under a huge boulder and disperses back into the ground (rocks). The water would be diverted through the forementioned pipeline. The point of generation would be 210 ft below diversion point. Generation water will discharge directly into French Creek.

11. Map of proposed point of diversion and place of use attached? ☐

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.


Applicant

Received by _____ Date May 27 09 Preliminary check by _____
Publication prepared by DB Date 6/10/09 Published in IDAHO COUNTY FREE PRESS
Publication approved _____ DATE: _____ Date 7 JUNE 17 & 24, 2009

See Original

Receipt No. W036084

Date: _____

Received by: _____

RECEIVED

FORM 202 10/07

JAN 15 2008

Ident. No. 77-14299

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Greenhurst Farms Inc. Phone 208-466-1742
Mailing address 5205 E Greenhurst Nampa ID 83406 Email —

2. Source of water supply Spring which is a tributary of ? French Creek Drainage

3. Location of point of diversion is Township 24 N Range 3 E Sec. 25 in the SE $\frac{1}{4}$,
SE $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot —, B.M., Idaho County;
additional points of diversion if any: —

4. Water will be used for the following purposes:

Amount 1.12 CFS for Hydro Electric purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per year) (Power)
Amount 1.34 AF for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per year)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per year)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per year)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per year)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) .12 cubic feet per second and/or (b) 1.34 acre feet per year

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source 6" Head pipe 100' 4"
300' 3" 1000' 2" 400' all pipe min 200 psi plastic.

b. Height of storage dam — feet; active reservoir capacity — acre-feet;
total reservoir capacity — acre-feet

c. Proposed well diameter is — inches; proposed depth of well is — feet

d. Is ground water with a temperature of greater than 85°F being sought? —

e. If well is already drilled, when? —; Drilling firm —;
Well was drilled for (well owner) —; Drilling Permit No. —

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW. 210' 1 Kw
b. Stockwatering; list number and kind of livestock. —
c. Municipal; show name of municipality. —
d. Domestic; show number of households. —
e. Other; describe fully. —

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 the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	3E	25												X				X	

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____

11. a. Who owns the property at the point of diversion? Greenhurst Farms Inc.
- b. Who owns the land to be irrigated or place of use? Same
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The source water for this proposal is spring water. The water boils from under a huge bolder and dispersed back into the ground (Rocks). The water would be diverted through the forementioned pipeline. The point of generation would be 110' below diversion point. Generation water will discharge directly into French Creek.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Terry Henrickson
Signature of Applicant

Terry Henrickson pres.
Print Name (and title, if applicable)

For Department Use:

Received by SE / DB Date 1-15-08 Time 1:20 PM Preliminary check by JFW
Fee \$ 100- Received by DB Receipt No. W036084 Date 1-15-08

Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____ Dates Published _____

March 2, 2009

Idaho Department of Fish and Game
McCall Subregion
Attention: Dale Allen
555 Deinhard Lane
McCall ID 83638

Idaho Department of Environmental Quality
Attention: Leslie Freeman/McCall
1410 N Hilton
Boise ID 83706

Idaho Department of Water Resources
Attention: Steve Lester
~~322 E. Front Street~~ 2735 Airport way
Boise ID 83705-5082

re: Greenhurst Farms, Inc.

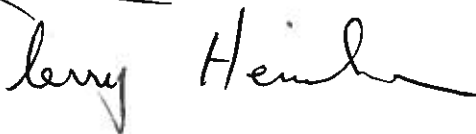
To Whom It May Concern:

This letter is intended to outline my request for permit #14299 for power with the Idaho Department of Water Resources.

I, Terry Henrickson, own a total of 60 acres and my corporation, Greenhurst Farms, Inc., owns a total of 580 acres on French Creek a tributary of the Salmon River east of Riggins. Presently, I produce a very limited supply of power using solar panels, monitor, batteries, and a 12V 120V inverter. In the French Creek canyon, sun exposure is limited. There is about 2 hours in winter and up to 7-8 hours in the summer on cloudless days. I have a spring on my property that produces about 100 gallons per minute in the Spring and about 50 gallons per minute in late Summer and Fall. The elevation of the spring is 3,010 feet above sea level. My current 12V solar power house is at 2,800 feet above feet. If I plumb the spring water down to the 2,800 foot powerhouse, I can create up to 1,000 watts of continuous 12V charge to my present system. My request would be for .12cfs or 1.34 acre feet per year. Because I own and manufacture most of the parts needed for this project, my cost would be less than \$5,000. This project will not affect the quantity or quality of the water in French Creek. The spring water flow has been constant for recent decades according to the recent owners of the property. The pipeline would be placed on an existing log road that runs from the generation site to the spring. The water from generation will discharge into French Creek. My property presently is managed for timber. With the availability of efficient continuous power, additional opportunities such as bee-keeping and putting up guests at our cabins could be considered

I would appreciate comment to satisfy §42-203A(5)(e) Idaho Code. Thank you for your attention to this matter.

Sincerely,



GREENHURST FARMS, INC., 208-466-1742

**AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES**

**RECEIVED
MAR 03 2009**

**WATER RESOURCES
WESTERN REGION**

A. Establishment of Residency: (Complete either 1, or 2).

1. Individual Applicant or Individual Members of a Partnership:

I, _____ of _____,
(name) (city).

County of _____, State of Idaho, being duly sworn, do hereby
certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, Terry Henrikson of Nampa,
(name) (city).

County of Canyon, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the GreenHarst Farms Inc.
AS President: that as such I am in charge of the registered office
(name of corporation)

of the said corporation as required by Section 30-1-12, Idaho Code, at Nampa,
(city)

Idaho, wherein are kept the corporate records required by Section 30-1-52, Idaho Code: and that Greenhurst
Farms Inc. is a corporation qualified to do business in the State of Idaho under the laws
(name of corporation)
of the State of Idaho.

B. Ownership of Facilities: (To be completed for hydropower projects only)

The hydropower facility to be developed pursuant to the attached Application for Permit:

- (check one)
- ☒ Will not utilize existing man-made irrigation facilities such as a dam or a canal.
 - ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.
 - ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and the owner of the facilities is the signee of this affidavit.

Terry Henrikson
Terry Henrikson
Applicant

State of Idaho Canyon, ss.
County of _____

On this 2nd day of March, 2009, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



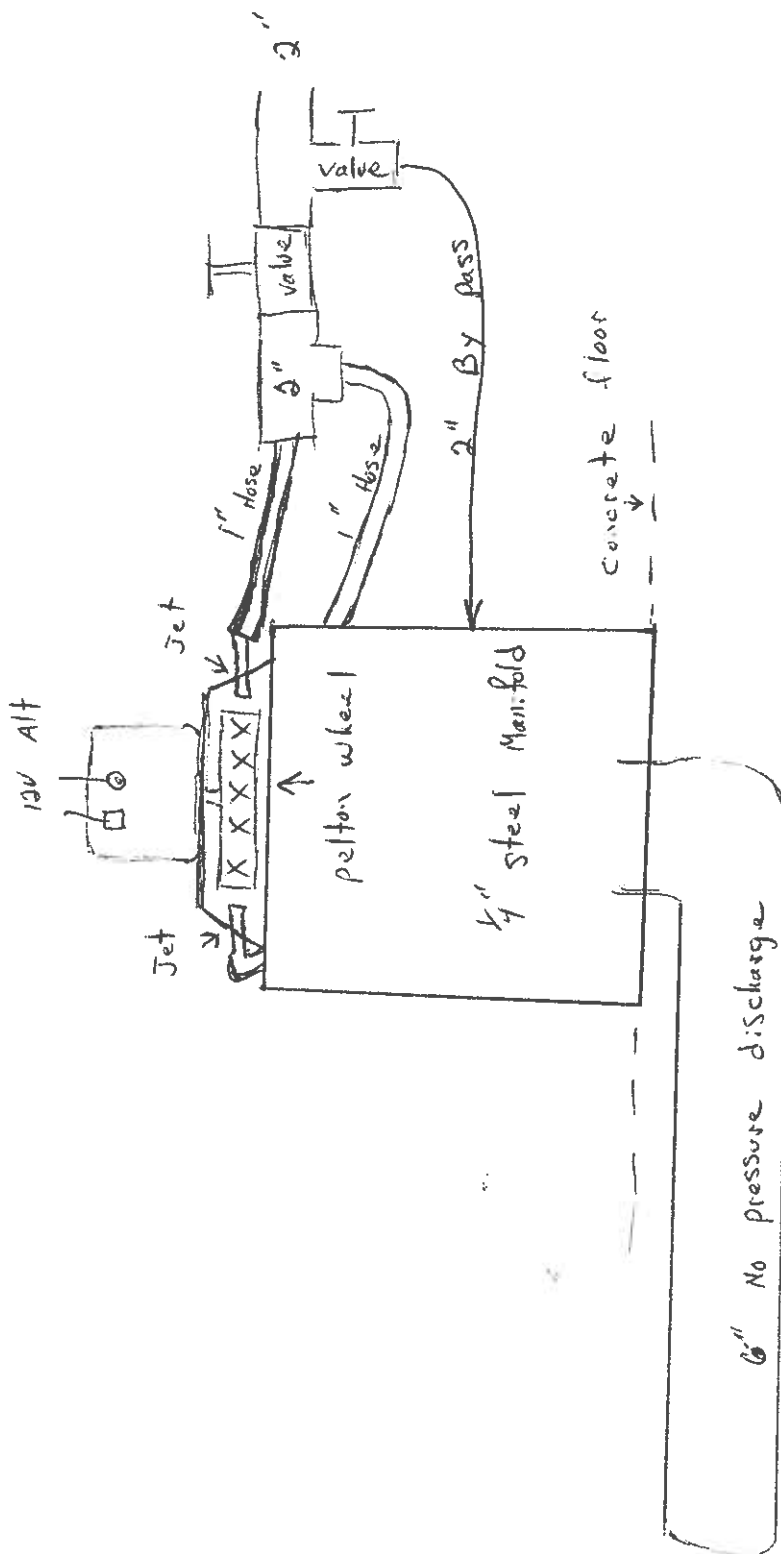
My commission expires: March 2013

Cindy R. Teuscher
Notary Public residing at
Locknone Accounting

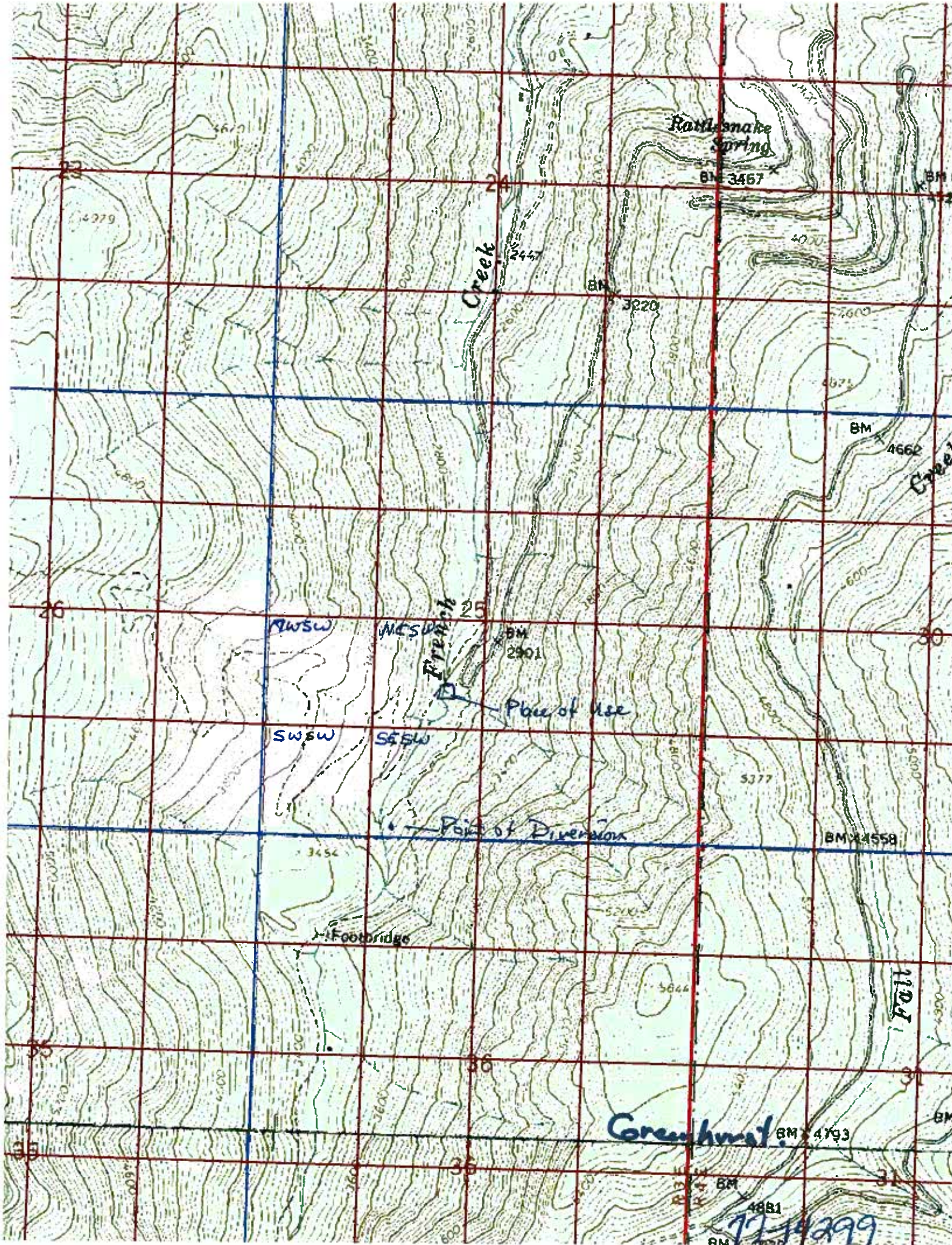
Spring
 EL 3060' X
 300' 5" 100' 6" Flex

Pressure Relief valve

EL 2800' ↓
 400' 2" → 1000' 3"



77-14299



77-14299



Buffington, Denise

From: Buffington, Denise
Sent: Thursday, June 11, 2009 3:05 PM
To: Thiel, Sandra
Subject: Comment Letters
Attachments: 77-14299 Letter to IDWR Planning.doc; 77-14299 App.pdf

Please review the attached information and comment as necessary. Please feel free to contact our office if you have any questions regarding this information.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

6/11/2009

June 11, 2009

SANDRA THIEL
IDWR PLANNING BUREAU
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

Re: Application No(s). 77-14299

Dear Ms. Thiel:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s).

If you desire to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by July 6, 2009.

Please contact this office at 208-334-2190 if you have any questions regarding the application(s).

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 11, 2009

CARL SMID
HC 69 BOX 950
4210 FRENCH CREEK RD
RIGGINS ID 83549

Re: Application No(s). 77-14299

Dear Mr. Smid:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s).

If you desire to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by July 6, 2009.

Please contact this office at 208-334-2190 if you have any questions regarding the application(s).

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure



State of Idaho

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 11, 2009

IDAHO COUNTY COURTHOUSE
COUNTY COMMISSIONER
320 W MAIN ST, ROOM 5
GRANGEVILLE ID 83530

Re: Application No(s). 77-14299

Dear Interested Party:

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s).

If you desire to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by July 6, 2009.

Please contact this office at 208-334-2190 if you have any questions regarding the application(s).

Sincerely,

A handwritten signature in black ink that reads "Denise Buffington". The signature is written in a cursive, flowing style.

Denise Buffington
Administrative Assistant

Enclosure

WorkCentre 7345 Transmission Report

G3 ID

Date/Time: 06/10/2009:04:39PM
Page: 1 (Last Page)

Local Name
Logo

Document has been sent.
Document Size 8.5x11"SEF

FAX Transmittal Cover Sheet

State of Idaho
Department of Water Resources
Western Region
Boise, ID
PH. (208) 334-2190
FAX NO. (208) 334-2348
Number of total pages: 3

Date: June 10, 2009
To: Idaho County Free Press, Nona Donaldson
From: Denise Buffington *DB*
Fax: 208-983-1336

Attached please find (1) legal notice being submitted for publication. Please contact me if you have any questions about the attached information; or if you are not able to run the ad on the dates listed. This information was also sent via e-mail earlier today.

Thank you in advance,

Denise Buffington
Administrative Assistant

Total Pages Scanned: 3 Total Pages Sent : 3

No.	Doc.	Remote Station	Start Time	Duration	Pages	Mode	Contents	Status
1	8314	2089831336	6-10: 4:37PM	26s	3/ 3	SG3		CP

Note:
RE: Resend MB: Send to Mailbox BC: Broadcast MP: Multi Polling RV: Remote Service
PG: Polling RB: Relay Broadcast RS: Relay Send BF: Box Fax Forward CP: Completed
SA: Send Again EN: Engaged AS: Auto Send TM: Terminated

FAX Transmittal Cover Sheet

State of Idaho
Department of Water Resources
Western Region
Boise, ID

PH. (208) 334-2190
FAX NO. (208) 334-2348

*Number of **total** pages: 3*

Date: June 10, 2009

To: Idaho County Free Press, Nona Donaldson

From: Denise Buffington *DB*

Fax: 208-983-1336

Attached please find (1) legal notice being submitted for publication. Please contact me if you have any questions about the attached information; or if you are not able to run the ad on the dates listed. This information was also sent via e-mail earlier today.

Thank you in advance,

Denise Buffington
Administrative Assistant

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, June 10, 2009 4:22 PM
To: ndonaldson@eaglenewspapers.com
Subject: LEGAL NOTICE
Attachments: Idaho County Ads - Cover Letter.RTF; 77-14299 Ad.RTF

Attached please find (1) legal notice being submitted for publication. Please contact me if you have any questions about the attached information; or if you are not able to run the ad on the dates listed.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

6/11/2009

June 10, 2009

Legal Notice Department
IDAHO COUNTY FREE PRESS
PO BOX 690
GRANGEVILLE ID 83530

RE: Application for Permit No. 77-14299

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 07/06/2009. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

77-14299

GREENHURST FARMS INC
5705 E GREENHURST
NAMPA ID 83686

Point(s) of Diversion SWSESW S25 T24N R03E IDAHO County Source SPRING

Tributary To FRENCH CREEK

Use: POWER 01/01 To 12/31 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 01/15/2008

Place Of Use: POWER

T24N R03E S25 NESW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/06/2009. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on June 17th & 24th, 2009



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

May 6, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Greenhurst Farms Inc
5705 E Greenhurst
Nampa ID 83686

RE: Application for Permit #77-14299

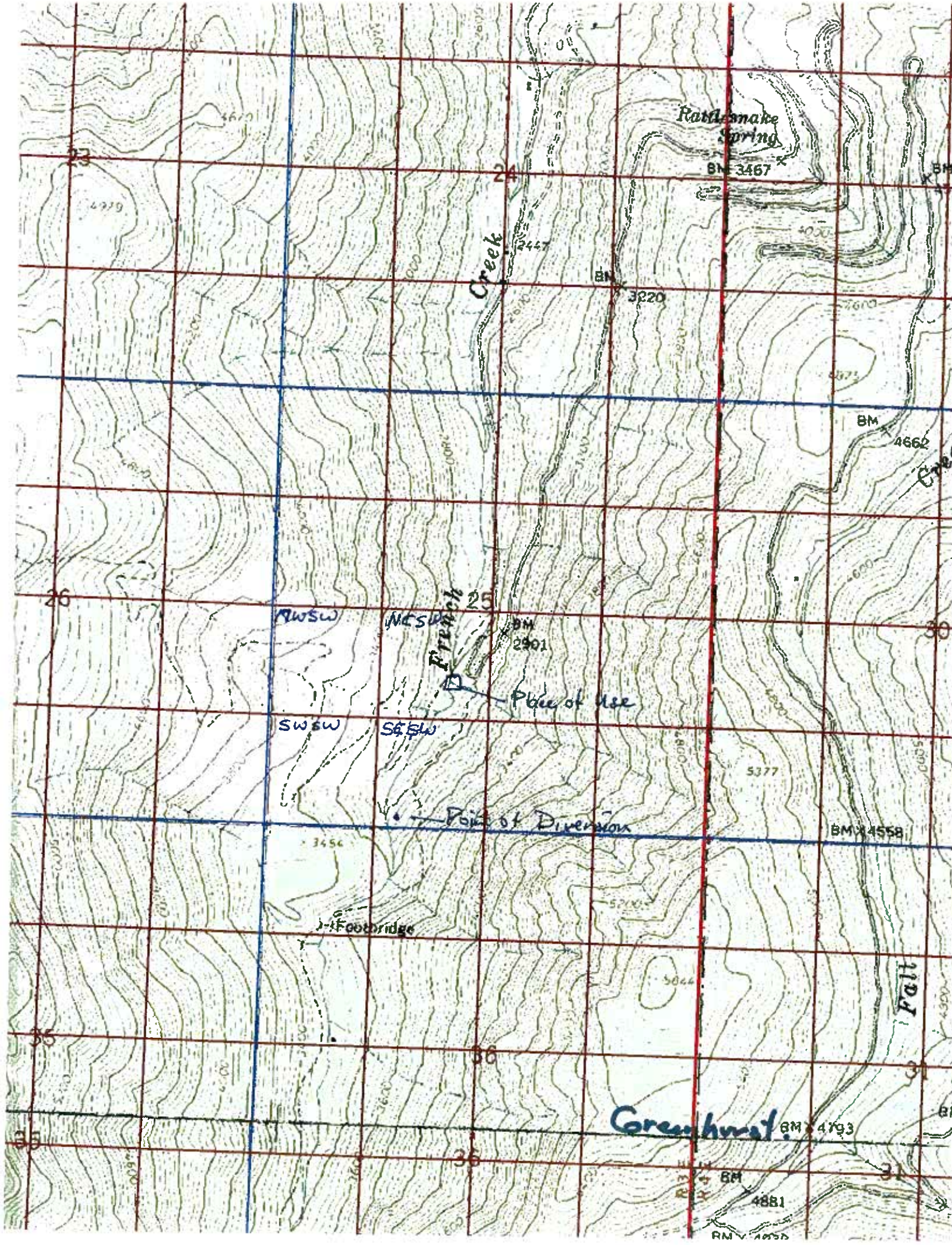
Dear Mr. Henrickson:

On May 5th, our office received the requested comment letter from IDEQ. Public notice of the application is currently being prepared for newspaper notice. However in the preparation process, I noted the legal descriptions listed on the application are in conflict with the point of diversion and place of use 40 tract locations shown on the map you submitted. From your map, it appears the point of diversion should be in the SE1/4 of SW1/4 and the place of use should be in the NE1/4 of SW1/4. Please check these legal descriptions and locations on the maps that are enclosed. If the legal descriptions need to be corrected, an amended application is enclosed. Please sign, date, and return the amended application form. Once received, we can proceed to get public notice made and finalize processing.

Thank you for your cooperation.


John Westra, Manager

Enclosure: Application/Map copies, amended application, Maps.



Rattlesnake Spring

BM 3467

Creek

BM 3220

BM 4662

Creek

French

BM 2901

Point of Use

SWSW

SSSW

Point of Diversion

BM 4558

Footbridge

Fall

Greenhurst

BM 4793

BM 4881

BM 4858

Westra, John

From: Leslie.Freeman@deq.idaho.gov
Sent: Tuesday, May 05, 2009 2:04 PM
To: Westra, John
Subject: re water right: 77 142 99

Dear John,

DEQ does not have any comments regarding water right 77 142 99.

Leslie Freeman
Senior Water Quality Analyst
DEQ-McCall Satellite Office
PO Box 4654
McCall ID 83638
(208) 634-4900

5/5/2009



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 20, 2009

Greenhurst Farms Inc
5705 E Greenhurst
Nampa ID 83686

RE: Application for Permit #77-14299 –Power

Dear Applicant:

Our office recently received the needed comment letter from Id. Dept. of Fish & Game; however, we have not received correspondence from the Id. Dept. of Environmental Quality. Please contact them for status of their comment letter. Attached is the contact listing for DEQ.

Once the comments are received from DEQ, the application will be published for public notice.

Should you have questions please contact me at the Western Regional Office, phone 334-2190.

Sincerely,

John Westra, Manager

Enclosure: Salmon Clearwater Basin Information Sheet

Water Appropriation Rules 40.05.c through 40.05.g

c. The following information shall be submitted for applications to appropriate unappropriated water. . . .

Information relative to the effect on existing water rights, Section 42-203A(5)(a), Idaho Code, shall be submitted as follows:

- i. For applications appropriating springs or surface streams with five (5) or fewer existing users, either the identification number, or the name and address of the user, and the location of the point of diversion and nature of use for each existing water right shall be submitted.
- ii. For applications appropriating groundwater, a plat shall be submitted locating the proposed well relative to all existing wells and springs and permitted wells within a one-half mile radius of the proposed well.
- iii. Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights.

d. Information relative to sufficiency of water supply, Section 42-203A(5)(b), Idaho Code, shall be submitted as follows:

- i. Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.
- ii. Information shall be submitted on the quantity of water available from the source applied for, including, but not limited to, information concerning flow rates for surface water sources available during periods of peak and average project water demand, information concerning the properties of the aquifers that water is to be taken from for groundwater sources, and information on other sources of supply that may be used to supplement the applied for water source.

e. Information relative to good faith, delay, or speculative purposes of the applicant, Section 42-203A(5)(c), Idaho Code, shall be submitted as follows:

- i. The applicant shall submit copies of deeds, leases, easements or applications for rights-of-way from federal or state agencies documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. Applicants for hydropower uses shall also submit information required to demonstrate compliance with Sections 42-205 and 42-206, Idaho Code.
- ii. The applicant shall submit copies of applications for other needed permits, licenses and approvals, and must keep the department apprised of the status of the applications and any subsequent approvals or denials.

f. Information Relative to Financial Resources¹, Section 42-203A(5)(d), Idaho Code, shall be submitted as follows:

- i. The applicant shall submit a current financial statement certified to show the accuracy of the information contained therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the beneficial use proposed.
- ii. The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications.

g. Information Relative to Conflict with the Local Public Interest, Section 42-203A(5)(e), Idaho Code, shall be submitted as follows:

The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the governing body of the city and/or county and tribal reservation within which the point of diversion and place of use are located, the Idaho Department of Fish and Game, the Idaho Department of Environmental Quality, and any irrigation district or canal company within which the proposed project is located and from other entities as determined by the director.

¹ Note limited response acceptable for projects that will cost less than \$5,000 – see page 1.



RECEIVED

APR 08 2009

WATER RESOURCES
WESTERN REGION

IDAHO DEPARTMENT OF FISH AND GAME

SOUTHWEST REGION

McCALL OFFICE

555 Deinhard Lane

McCall, Idaho 83638

C.L. "Butch" Otter / Governor

Cal Groen / Director

Mr. John Westra

Manager

Idaho Department of Water Resources

Western Region

2735 Airport Way

Boise, ID 83705-5082

RE: Application for Permit #77-14288--Power

April 7, 2009

Dear Mr. Westra;

The applicant has clearly stated his intent to produce power from a privately owned spring on his property. Our only comment is that discharge be controlled in such a manner as to not cause any siltation into French Creek. Also the applicant must not allow any fish from French Creek to enter his discharge pipe.

If you have further questions or need further information please contact Dale Allen, Regional Fishery Manager in McCall at 208-0634-8137.

Sincerely,

A handwritten signature in black ink, appearing to read "Dale Allen for Scott Reinecker".

Scott Reinecker
Regional Supervisor

DA

Cc: Greenhurst Farms Inc. 5705 E. Greenhurst, Nampa, ID 83686



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

February 13, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Greenhurst Farms Inc
5705 D Greenhurst
Nampa ID 83686

Re: Application for Permit #77-14299-- Power

Dear Applicant:

The Idaho Department of Water Resources (IDWR) is reviewing your application for a new water permit from a source within the Salmon River basin. Additional information is needed to fully evaluate your proposal. IDWR is working with other agencies of the State of Idaho regarding projects requiring new water right approval within the Salmon River basin.

-Please see the enclosed attachment about additional information for your application. Page 1 of the attachment outlines the legal basis and reasons for this request. That page also provides contact information for the other state agencies that will be involved in this process. Page 2 of the attachment lists the Water Appropriations rules about this request for more information. Please be sure to state why you think that any of the items on page 2 do not apply to your application.

-*Affidavit for Power Purposes* --Please complete, sign, and notarize; return the enclosed form to this office.

-*Federal Energy Regulatory Commission (FERC)*—Provide a statement the power produced will be for private use only and the water source point of diversion and place of use are on private property owned by you. The proposed project is therefore exempt from FERC control

-*Plans/Specifications*--Provide diagrams, specifications, and maps depicting the power system, pipeline, controls, and water diversion/exit structure plans.

Please note the deadline for your written reply to this request. Water Appropriation Rule 40.01.d allows an applicant to request that IDWR interrupt processing an application for up to six months if more time is needed by the applicant. If you request more time, be sure to include documentation verifying that you have initiated your request for comments from other state agencies listed in the attached handout. IDWR can approve the request if it (a) will not injure others, (b) is consistent with the public interest, and (c) is not for speculative purposes. Applications are normally voided if applicants do not provide timely written responses.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,



John Westra, Manager

Enclosure