

[illegible]

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST
the State of Idaho as herein set forth.

FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242

A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

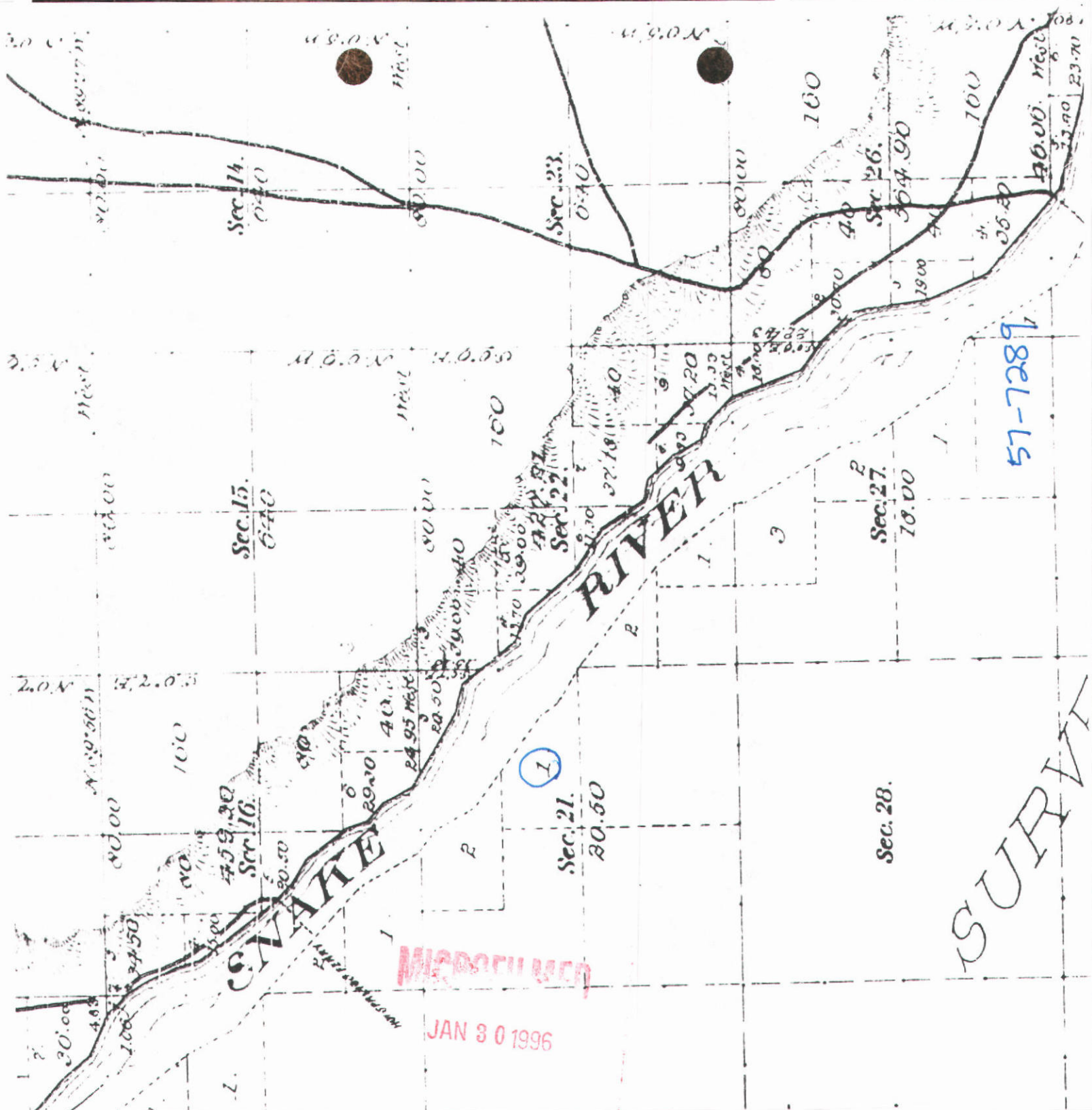
the State of Idaho as herein set forth.

Geothermal District Sur.
By Arthur H. Allen

(Applicant)

PHOTO ID. GIVENS

57-7289



1-09-95



Exit weir
High water
mark reading
= 0.26'



1' Cipp. weir

INVESTIGATION
JAN 30 1996

57-7289



Well (w/
domestic cooling
tank)



Discharge at
Winter cooling pond

MAINTENANCE
JAN 8 0 1996

57-7289



Hatchery



Key tanks



Tilapia
Tank

MAINTAINED
W 8 C 1996

57-7289

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

NOV 06 1998

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 57-07289 RECEIVED
Adjudication Claim No(s).: NOV 10 1998
2. The following REQUIRED information must be submitted with this form: Department of Water Resources
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant John W. Maras & Sally A. Maras
8725 Brookview Dr. Boise, ID 83709
4. New Owner/Claimant(s) Opaline Aqua Farm, LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address HC 79 Box 100
City, State and ZIP Code Melba, ID 83641
New Telephone Number (208) 495-2654
5. Date you acquired the property June 16, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres you irrigate _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Charlotte E. Alexander
Charlotte E. Alexander, Member/Office Manager
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

[illegible]

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

MICROFILMED

JAN 11 1999

225175

FILED - RECORD

98 JUN 18 PM 3:09

JIM HUNTLEY JR.
OWYHEE COUNTY RECORDER
BY [Signature]
DEPUTY

REQUEST OF

[Signature]
=E

Maras
6/12/98

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, John W. Maras and Sally A. Maras, husband and wife ("Grantor") do hereby grant, bargain, sell and convey to Opaline Aqua Farms, L.L.C., an Idaho limited liability company, ("Grantee"), its successors and assigns that certain real property situated in the County of Owyhee, State of Idaho, and more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Property");

TOGETHER with all tenements, hereditaments and appurtenances thereunto belonging; and together with all right, title and interest in and to Water Right License Water Right (Permit) No. 57-07289, and all right, title and interest in and to the geothermal resources developed by Grantee in and under the Property and the permits and licenses associated therewith.

RESERVING unto Grantor all right, title and interest in and to the geothermal resources in and under other real property owned by Grantor adjacent to the Property, and as reserved in those certain deeds dated September 28, 1981 and recorded April 25, 1984 as Instrument No. 180597, and dated September 28, 1981 and recorded April 25, 1984 as Instrument No. 180598, and dated September 28, 1981 and recorded May 23, 1986 as Instrument No. 188829, records of Owyhee County, State of Idaho;

SUBJECT TO the exceptions to title set forth on Exhibit "B" attached hereto and by this reference made a part hereof. The Property is conveyed "AS IS," without warranty as to physical condition.

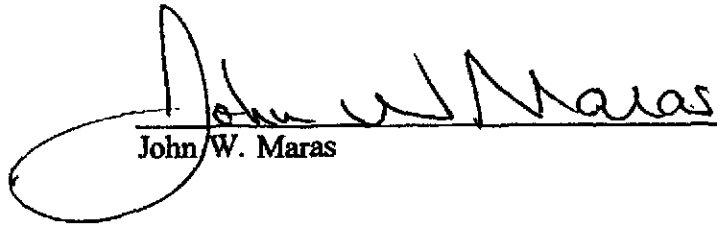
MICROFILMED

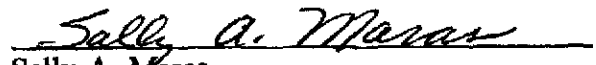
JUN 18 1998

GRANTOR warrants to the Grantee that the Grantor has not heretofore created any lien, charge or encumbrance against the Property which is not shown herein, and Grantor covenants that it will defend the Property to the extent of the warranties made herein against all lawful claims by, through and under the Grantor, but not otherwise.

The current address of the Grantee is: HC 79 Box 100, Melba, ID 83641.

IN WITNESS WHEREOF, this Special Warranty Deed has been fully executed by the Grantor the 16TH day of June, 1998.


John W. Maras


Sally A. Maras

STATE OF IDAHO)
) ss.
County of Ada)

On this 16TH day of June, 1998, before me, Jill Foster, a Notary Public in and for said state, personally appeared John W. Maras and Sally A. Maras, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Boise, Idaho
My commission expires 6-15-2001

Exhibit "A" - Legal Description of the Property
Exhibit "B" - Permitted Exceptions

EXHIBIT "A"
INLAND ENGINEERING CO., INC.

P. O. BOX 131

CALDWELL, IDAHO 83605

June 11, 1981

CONSULTING ENGINEERS
SURVEYORS AND DRAFTSMEN

1215 FILLMORE STREET
CALDWELL, IDAHO
PHONE 208/454-2031

DESCRIPTION: "6"

SECTION: 21
T1N, R3W, B.M.

DESCRIPTION OF A TRACT OF LAND
FOR: Eldon Marsh

A part of Government Lot 1 and part of Government Lot 2 of Section 21, Township 1 North, Range 3 West of the Boise Meridian in Owyhee County, Idaho, more particularly described to wit:

Commencing at the East $\frac{1}{4}$ corner of said Section 21;

thence North $89^{\circ} 44' 26''$ West 1433.85 feet, along the East - West $\frac{1}{4}$ Section line of said Section 21, to the Northeast right of way line of a county road;

thence North $44^{\circ} 43' 30''$ West 914.44 feet, along the said right of way line, to the INITIAL POINT of this description;

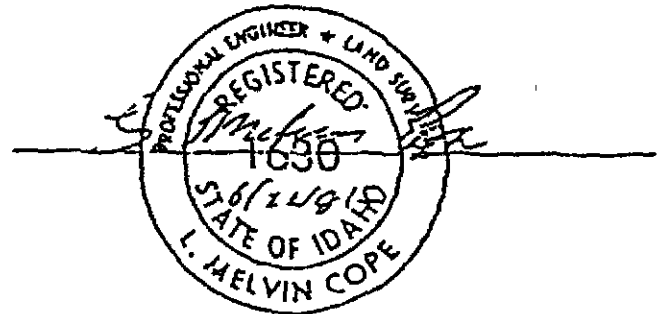
thence continue North $44^{\circ} 43' 30''$ West 229.91 feet;

thence North $47^{\circ} 43' 32''$ East 953.80 feet, to a point on the Southwest-erly bank of the Snake River;

thence South $55^{\circ} 51' 17''$ East 236.31 feet, along the said Southwesterly bank;

thence South $47^{\circ} 43' 32''$ West 999.45 feet, to the INITIAL POINT of this description.

This tract contains 5.150 acres, more or less, and is subject to all existing rights of way and easements.



INLAND ENGINEERING CO., INC.

P. O. BOX 131

CALDWELL, IDAHO 83605

1215 FILLMORE STREET
CALDWELL, IDAHO
PHONE 208/454-2031

CONSULTING ENGINEERS
SURVEYORS AND DRAFTSMEN

June 11, 1981

DESCRIPTION: "7"

SECTION: 21
T1N, R3W, B.M.

DESCRIPTION OF A TRACT OF LAND
FOR: Eldon Marsh

A part of Government Lot 1 of Section 21, Township 1 North, Range 3 West of the Boise Meridian in Owyhee County, Idaho, more particularly described to wit:

Commencing at the East $\frac{1}{4}$ corner of said Section 21;

thence North $89^{\circ} 44' 26''$ West 1433.85 feet, along the East - West $\frac{1}{4}$ Section line of said Section 21, to the Northeast right of way line of a county road;

thence North $44^{\circ} 43' 30''$ West 694.58 feet, along the said right of way line, to the INITIAL POINT of this description;

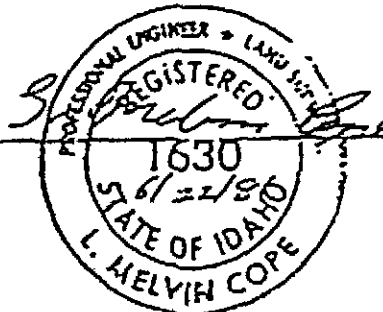
thence continue North $44^{\circ} 43' 30''$ West 219.86 feet;

thence North $47^{\circ} 43' 32''$ East 999.45 feet, to a point on the Southwesterly bank of the Snake River;

thence South $55^{\circ} 51' 17''$ East 225.98 feet, along the said Southwesterly bank;

thence South $47^{\circ} 43' 32''$ West 1043.12 feet, to the INITIAL POINT of this description.

This tract contains 5.150 acres, more or less, and is subject to all existing rights of way and easements.



INLAND ENGINEERING CO., INC.

P. O. BOX 131

CALDWELL, IDAHO 83605

CONSULTING ENGINEERS
SURVEYORS AND DRAFTSMEN

June 11, 1981

1215 FILLMORE STREET
CALDWELL, IDAHO
PHONE 208/454-2031

DESCRIPTION: "8"

SECTION: 21
T1N, R3W, B.M.

DESCRIPTION OF A TRACT OF LAND
FOR: Eldon Marsh

A part of Government Lot 1 of Section 21, Township 1 North, Range 3 West of the Boise Meridian in Owyhee County, Idaho, more particularly described to wit:

Commencing at the East $\frac{1}{4}$ corner of said Section 21;

thence North $89^{\circ} 44' 26''$ West 1433.85 feet, along the East - West $\frac{1}{2}$ Section line of said Section 21, to the Northeast right of way line of a county road;

thence North $44^{\circ} 43' 30''$ West 494.58 feet, along the said right of way line, to the INITIAL POINT of this description;

thence continue North $44^{\circ} 43' 30''$ West 200.00 feet;

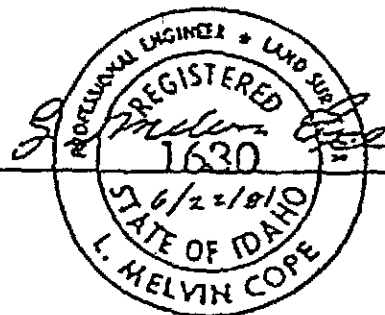
thence North $47^{\circ} 43' 32''$ East 1043.12 feet, to a point on the Southwesterly bank of the Snake River;

thence meandering along said Southwesterly bank South $64^{\circ} 31' 48''$ East 177.21 feet;

thence South $45^{\circ} 01' 41''$ East 135.70 feet;

thence leaving said Southwesterly bank South $52^{\circ} 52' 06''$ West 1112.68 feet, to the INITIAL POINT of this description.

This tract contains 6.211 acres, more or less, and is subject to all existing rights of way and easements.



INLAND ENGINEERING CO., INC.

P. O. BOX 131

CALDWELL, IDAHO 83605

June 11, 1981

CONSULTING ENGINEERS
SURVEYORS AND DRAFTSMEN

1215 FILLMORE STREET
CALDWELL, IDAHO
PHONE 208/454-2031

DESCRIPTION: "9"

SECTION: 21
T1N, R3W, B.M.

DESCRIPTION OF A TRACT OF LAND
FOR: Eldon Marsh

A part of Government Lot 1 of Section 21, Township 1 North, Range 3 West of the Boise Meridian in Owyhee County, Idaho, more particularly described to wit:

Commencing at the East $\frac{1}{4}$ corner of said Section 21;

thence North $89^{\circ} 44' 26''$ West 1433.85 feet, along the East - West $\frac{1}{2}$ Section line of said Section 21, to the Northeast right of way line of a county road;

thence North $44^{\circ} 43' 30''$ West 100.00 feet, along said right of way line, to the INITIAL POINT of this description;

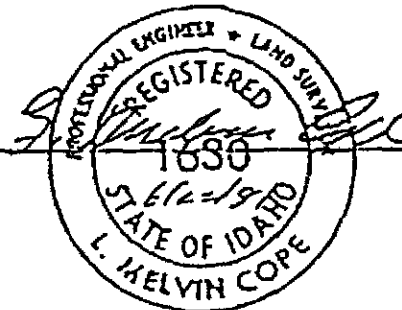
thence continue North $44^{\circ} 43' 30''$ West 394.58 feet;

thence North $52^{\circ} 52' 06''$ East 1112.68 feet, to a point on the Southwesterly bank of the Snake River;

thence South $45^{\circ} 01' 41''$ East 394.86 feet, along said Southwesterly bank;

thence South $52^{\circ} 52' 06''$ West 1114.79 feet, to the INITIAL POINT of this description.

This tract contains 10.00 acres, more or less, and is subject to all existing rights of way and easements.



INLAND ENGINEERING CO., INC.

P. O. BOX 131

CALDWELL, IDAHO 83605

June 11, 1981

CONSULTING ENGINEERS
SURVEYORS AND DRAFTSMEN

1215 FILLMORE STREET
CALDWELL, IDAHO
PHONE 208/454-2031

DESCRIPTION: "10"

SECTION: 21
T1N, R3W, B.M.

DESCRIPTION OF A TRACT OF LAND
FOR: Eldon Marsh

A part of Government Lot 1 of Section 21, Township 1 North, Range 3 West of the Boise Meridian in Owyhee County, Idaho, more particularly described to wit:

Commencing at the East $\frac{1}{4}$ corner of said Section 21, the INITIAL POINT of this description;

thence North $89^{\circ} 44' 26''$ West 1433.85 feet, along the East - West $\frac{1}{4}$ Section line of said Section 21, to the Northeast right of way line of a county road;

thence North $44^{\circ} 43' 30''$ West 100.00 feet, along said right of way line;

thence North $52^{\circ} 52' 06''$ East 1114.79 feet, to a point on the Southwesterly bank of the Snake River;

thence meandering along said Southwesterly bank South $29^{\circ} 10' 30''$ East 410.08 feet;

thence South $45^{\circ} 56' 13''$ East 237.82 feet;

thence South $60^{\circ} 57' 23''$ East 280.57 feet, to a point on the East line of the said Section 21;

thence leaving said Southwesterly bank South $0^{\circ} 24' 00''$ West 90.83 feet, along the said East line, to the INITIAL POINT of this description.

This tract contains 13.004 acres, more or less, and is subject to all existing rights of way and easements.

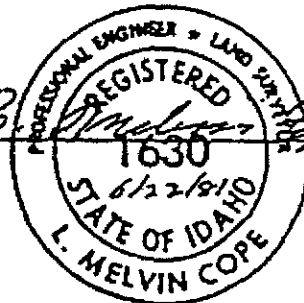


EXHIBIT B

EXCEPTIONS TO TITLE

1. Encroachments, overlaps, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
2. Easements, or claims of easements, not shown by the public records, but visible upon the Property.
3. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
4. General taxes for the year 1998, which are a lien, payable on or before December 20 of said year and not delinquent until after said date.
5. Liens and assessments of Opaline Irrigation District, and the rights and powers of said district as by law provided. No search made.
6. Power Line Easements over and across said premises, for the erection and continued operation, maintenance, repair, alteration, inspection, relocation and replacement of the electric transmission, distribution and telephone lines and circuits, as granted the Idaho Power Company, a corporation, by deeds recorded April 30, 1941 in Book 31 of Deeds, pages 494 and 497; and on July 15, 1942, in Book 32 of Deeds, page 438; and on May 3, 1948, in Book 37 of Deeds, page 267, and on March 9, 1962, in Book 54 of Deeds, page 485; and on April 4, 1979, as Instrument No. 158448; and on December 3, 1980, as Instrument No. 166533; and on January 28, 1982, as Instrument No. 175821; and on July 8, 1983, as Instrument No. 177481; and on March 28, 1986, as Instrument No. 188432, Owyhee County records.
7. Easement for an Irrigation Canal over and across Lot 1, Sec. 167; North 30 acres of NW 1/4 NW 1/4, Sec. 21, T1N, R3W, B.M., as granted the Opaline Irrigation District to erect, construct, install, lay and thereafter use, to operate, inspect, repair, maintain, replace and remove; recorded May 14, 1952, in Book 43 of Deeds, page 61, Owyhee County records.
8. An Easement for the purpose shown below and rights incidental thereto as set forth in a document:

By and Between:
Purpose:

Shirley W. Marsh and LeRoy V. Ryska and Bonnie R. Ryska
Right of way

Recorded: August 7, 1981, Instrument No. 169657, Owyhee County records

Affects: Government Lot 1, Sec. 21, T1N, R3W, B.M.

9. All matters and easements including but not limited to the 20' Road Easement as shown on the Record of Survey recorded April 6, 1998, as Instrument No. 224749, Owyhee County records.

10. An Easement for the purpose shown below and rights incidental thereto as set forth in a document:

Granted to: Idaho Power Company

Purpose: Electrical and telephone line and distribution facilities and incidents thereto

Recorded: March 7, 1995, Instrument No. 215047, Owyhee County records

Affects: Runs northwesterly along northeasterly portion

11. Any claim arising from the difference in the mean high water line of Snake River and the meander line as shown by the Government survey.

Oct 28, 1998

OPALINE AQUA FARM LLC MEMBERS:

Otto I. Cunningham
HC 79 Box 100
Melba, Id 83641

(208)495-2654

Sharon Cunningham
HC 79 Box 100
Melba, Id 83641

(208)495-2654

Richard R. Cunningham
HC 79 Box 100
Melba, ID 83641

(208)495-2766

Charlott E. Alexander
HC 79 Box 725
Melba, Id 83641

(208)495-1266

10/28/98
10/28/98

OPERATING AGREEMENT OF OPALINE AQUA FARM, L. L. C.

THIS OPERATING Agreement (this "Agreement") of OPALINE AQUA FARM, L. L. C., an Idaho Limited Liability Company (the "Company"), is adopted and entered into by and among OTTO I. CUNNINGHAM, SHARON E. CUNNINGHAM, RICHARD R. CUNNINGHAM and CHARLOTTE E. ALEXANDER, as members (the "Members", which term includes any other persons who may become members of the Company in accordance with the terms of this Agreement and the Act), and the Company pursuant to and in accordance with the Limited Liability Company Law of the State of Idaho, as amended from time to time (the "Act"). Terms used in this Agreement which are not otherwise defined shall have the respective meanings given those terms in the Act.

The parties agree as follows:

SECTION ONE

NAME

The name of the limited liability company under which it was formed is OPALINE AQUA FARM, L. L. C.

SECTION TWO

TERM

The Company shall continue until dissolved in accordance with the Act.

SECTION THREE

MANAGEMENT

Management of the Company is vested in its Members, who will manage the Company in accordance with the Act. Any Member exercising management powers or responsibilities will be deemed to be a manager for purposes of applying the provisions of the Act, unless the context otherwise requires, and that Member will have and be subject to all of the duties and liabilities of a manager provided in the Act. The Members will have the power to do any and all acts necessary or convenient to or for the furtherance of the purposes of the Company set forth in this agreement, including all powers of Members under the Act.

SECTION FOUR

PURPOSE

The purpose of the Company is to engage in any lawful act or activity for which limited liability companies may be formed under the Act and to engage in any and all activities necessary or incidental to these acts.

SECTION FIVE

MEMBERS

The names and mailing addresses of the Members are as follows:

UNRECORDED
JAN 11 2007

NAMEADDRESS

Otto I. Cunningham

HC79 Box 100
Melba, ID 83641

Sharon E. Cunningham

HC79 Box 100
Melba, ID 83641

Richard R. Cunningham

HC79 Box 100
Melba, ID 83641

Charlotte E. Alexander

HC79 Box 725
Melba, ID 83641

SECTION SIX

CAPITAL CONTRIBUTIONS

The Members have contributed to the Company the following amounts, in the form of cash, property or services rendered, or a promissory note or other obligation to contribute cash or property or to render services:

NAMEAMOUNT OF CAPITAL
CONTRIBUTION

Otto I. Cunningham

\$10.00

Sharon E. Cunningham

\$10.00

Richard R. Cunningham

\$10.00

Charlotte E. Alexander

\$10.00

SECTION SEVEN

ADDITIONAL CAPITAL CONTRIBUTION

No Member is required to make any additional capital contribution to the Company.

SECTION EIGHT

ALLOCATION OF PROFITS AND LOSSES

The Company's profits and losses will be allocated as follows:

Otto I. Cunningham - 34%

Sharon E. Cunningham - 16.5%

Richard R. Cunningham - 33%

Charlotte E. Alexander - 16.5%

SECTION NINE

DISTRIBUTIONS

Distributions shall be made to the Members at the times and in the aggregate amounts determined by the Members. Such distribution shall be allocated first to the Members in the same proportion as their then capital account balances.

SECTION TEN

WITHDRAWAL OF MEMBER

A Member may withdraw from the Company in accordance with the Act.

SECTION ELEVEN

ASSIGNMENTS

A Member may assign in whole or part his or her membership interest in the Company, provided, however, an assignee of a membership interest may not become a Member without the vote or written consent of at least a majority in interest of

the Members, other than the Member who assigns or proposes to assign his or her membership interest.

SECTION TWELVE

ADMISSION OF ADDITIONAL MEMBERS

One or more additional Members of the Company may be admitted to the Company with the vote or written consent of a majority in interest of the Members (as defined in the Act).

SECTION THIRTEEN

LIABILITY OF MEMBERS

The Members do not have any liability for the obligations or liabilities of the Company, except to the extent provided in the Act.

SECTION FOURTEEN

EXCULPATION OF MEMBER-MANAGERS

A Member exercising management powers or responsibilities for or on behalf of the Company will not have personal liability to the Company or its Members for damages for any breach of duty in that capacity, provided that nothing in this Section shall eliminate or limit: (a) the liability of any Member-Manager if a judgment or other final adjudication adverse to him or her establishes that his or her acts or omissions were in bad faith or involved intentional misconduct or a knowing violation of law, or that he or she personally gained in fact a financial profit or other advantage to which he or she was not

legally entitled, or that, with respect to a distribution to Members, his or her acts were not performed in accordance with Section 53-624 of the Act, or (b) the liability of any Member-Manager for any act or omission prior to the date of first inclusion of this paragraph in this Agreement.

SECTION FIFTEEN

GOVERNING LAW

This Agreement shall be governed by, and construed in accordance with the laws of the State of Idaho, all rights and remedies being governed by those laws.

SECTION SIXTEEN

INDEMNIFICATION

To the fullest extent permitted by law, the Company shall indemnify and hold harmless, and may advance expenses to, any Member, manager or other person, or any testator or intestate of such Member, manager or other person (collectively, the "Indemnitees"), from and against any and all claims and demands whatsoever, provided, however, that no indemnification may be made to or on behalf of any Indemnatee if a judgment or other final adjudication adverse to such Indemnatee establishes: (a) that his or her acts were committed in bad faith or were the result of active and deliberate dishonesty and were material to the cause of action so adjudicated, or (b) that he or she personally gained in fact a financial profit or other advantage

to which he or she was not legally entitled. The provisions of this section shall continue to afford protection to each Indemnitee regardless of whether he or she remains a Member, manager, employee or agent of the Company.

SECTION SEVENTEEN

TAX MATTERS

The Members of the Company and the Company intend that the Company be treated as a partnership for all income tax purposes, and will file all necessary and appropriate forms in furtherance of that position.

IN WITNESS WHEREOF, The undersigned have duly executed this Agreement this _____ day of June, 1998.

OPALINE AQUA FARM, L.L.C.

By _____
Member

By _____
Member

By _____
Member

By _____
Member

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 57-07289

Priority: October 1, 1981

Maximum Diversion Rate: 0.49 CFS

Maximum Diversion Volume: 277.9 AF

This is to certify, that JOHN W MARAS
SALLY A MARAS

8725 BROOKVIEW DR
BOISE ID 83709

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 15, 1981; and has submitted Proof of Beneficial Use on September 28, 1989. An examination indicates that the works have a diversion capacity of 0.490 cfs of water from a GROUNDWATER 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>
FISH PROPAGATION	01/01 to 12/31	0.49 CFS	271.3 AF
HEATING	10/01 to 04/20	0.02 CFS	5.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.49 CFS	277.9 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(SWNE), Sec. 21, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

01N 03W 21 Lot 1(SWNE) Lot 1(SENE)

PLACE OF USE: HEATING

TWN RGE SEC

01N 03W 21 Lot 1(SWNE)

PLACE OF USE: DOMESTIC

TWN RGE SEC

01N 03W 21 Lot 1(SWNE)

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.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 57-07289

CONDITIONS OF APPROVAL AND REMARKS

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. Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
6. Heating and domestic uses are for a home and an office.
7. Fish propagation facility volume is 8.5 af.

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 15TH
day of JANUARY, 1996.


Acting for KARL J. DREHER, Director

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Application~~	~~57-07289~~	~~Geothermal Fisheries~~	~~0.5~~
~~Full Assignment~~	~~57-07289~~	~~JPM Investment~~	~~0.5~~
Full Assignment	57-07289	John W Maras Sally A Maras	0.5

RECEIVED

OCT 10 1995

\$25 fee

Pd 10-6-95

#W019956

RECEIVED VR

State of Idaho
DEPARTMENT OF WATER RESOURCES

OCT 06 1995

WATER RESOURCES
WESTERN REGION

ASSIGNMENT OF PERMIT

To change the ownership of a permit

JPM INVESTMENT COMPANY,
I, AN IDAHO CORPORATION, hereby assign to JOHN W. MARAS AND
SALLY A. MARAS
(Permit Holder)
of 8725 BROOKVIEW DRIVE, BOISE, ID 83709 376-3578
(Full Address)

All my right, title, and interest in and to Permit No. 57-7289
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

Made this 28TH day of SEPTEMBER, 1995.

JPM INVESTMENT COMPANY

PRESIDENT:

Sally A. Maras
Permit Holder(s)

SECRETARY:

John W. Maras

State of Idaho)
County of ADA) ss

On this 28TH day of SEPTEMBER, 1995, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Jim York

Notary Public

SEAL.

Jim York
Signature

My commission expires: June 15, 2001

JAN 20 1996

RECEIVED

STATE OF IDAHO

SEP 28 1989 DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

For Office Use Only
Amt of Fee \$ 100.00
Date 9-28-89
Receipt No 2011873
Received by JH
Reviewed by JH 11/9/89

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 57-7289 Telephone No 342-3578

Name(s) of Permit Holder(s): JPM INVESTMENT CO.

Post Office Address: 910 MAIN, SUITE 346

Source of Water: GROUNDWATER

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic 1 (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other COMMERCIAL

Total rate and/or volume for which proof is submitted 0.5 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: AUG 1985

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No Installed? Yes ☒ No

OR

Flow Measurement Port: Required? ☒ Yes Yes Installed? ☒ Yes No

Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

DAL BIBBEY 495-2685
Name Telephone No.

HC 79 Box 100C MELBA, IDAHO 83641
(SEND LETTER) Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho

MICROFILMED

9-28-89
Date

Dal R Bibbey

Signature (and title if on behalf of a company or organization)

DEC 1 1989

DEC 11 1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by ly
Date 12-18-1986
Receipt # 40899

REQUEST FOR EXTENSION OF TIME

Department of Water Resources to provide additional time in which to submit proof
of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted
an additional period of time in which to complete development of a water right under the provisions of Section
42-204, Idaho Code.

Permit No. 57-7289

Name(s) of Permit Holder: JPM Investment Co.

Post Office Address: 910 Main, Suite 346 Boise, ID 83702

Telephone No. 342-3578

Date Proof Is Due: Oct. 1, 1986

Describe what work has been completed toward the development of this water right: _____
(This must be filled out! If no work has been completed, show "none".)

Well has been drilled, building has been erected, plumbing has been installed; tanks and
raceways have been placed; site has been improved.

Costing \$ 50,000+

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

System needs to be expanded and refined. Lack of adequate project management and temporary
economic and financial distress.

Permit holder(s) request an extension to October 1, 19 89.
(1 yr. minimum)

John L. Maras
Secretary
JPM Investment Company
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within
which to submit proof of beneficial use is extended to October 1, 1989.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to October
1, 1981, pursuant to Sec. 42-218a, Idaho Code.

Signed this 15th day of January, 19 87.

A. Glen Sayton
Chief, Operations Bureau

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

water resources

I, GEOTHERMAL FISHERIES, INC., hereby assign to JPM INVESTMENT COMPANY
of Sonna Building, Suite 342, Boise, Idaho 83702
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 57-7289
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 1st day of August, 1983.

GEOTHERMAL FISHERIES, INC.

Permit Holder

By: *Andrew B. Schoedinger*

President

ATTEST:

George R. Schoedinger, Jr.
Secretary

STATE OF IDAHO)
) ss.
County of Ada)

On this 16th day of April, 1984, before me personally appeared Andrew B.
Schoedinger and George R. Schoedinger, Jr., known or identified to me to be
the President and Secretary
respectively of the corporation that executed the instrument or the persons who
executed the instrument on behalf of said corporation, and acknowledged to me that
such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year in this certificate first above written.

Susan A. Foster
Notary Public for Idaho
Residing at Boise

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant GEOTHERMAL FISHERIES, INC. Phone 939-0358

Post office address Rt. 1, Artesian Rd., Eagle, ID 83616

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SE ^{Lot 1} $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21 Township 1N

Range 3W B.M. Owyhee County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .5cfs for commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .2cfs for heating purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .04cfs for domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .5 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pipeline to place of use;
raceways for fish propagation

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 550 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is **not** for irrigation: ^{Lot 1}
(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21 Township 1N

Range 3W B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be

supplied with domestic water 4 persons.

Water is to be used for other purposes describe: _____

Culture of exotic fishes and prawn research

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated

c. Describe any other water rights used for the same purposes as described above.

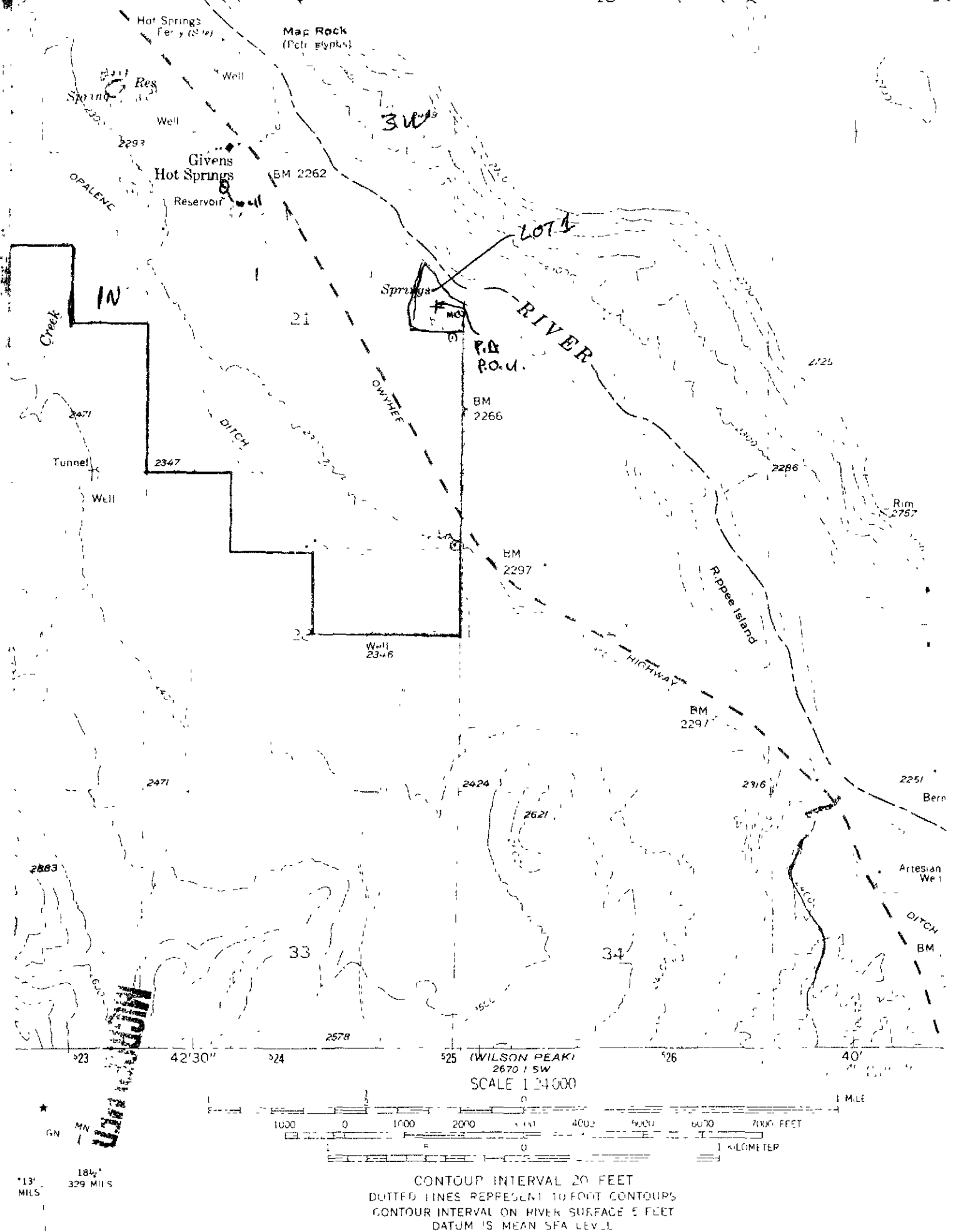
9. a. Who owns the property at the point of diversion Shirley Marsh, Caldwell

b. Who owns the land to be irrigated or place of use Shirley Marsh, Caldwell

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Purchase contract

10. Remarks 2000 sq. feet of buildings, raceways for fish propagation. Water
will be used to heat buildings and then will be diverted to cooling pond and then
into raceways.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number.



Arthur H. Hall
 (Applicant)

Received by Com Date 15 July 1981 Time 10:45 AM
 Preliminary check by 9KH Fee \$ 45 # 19538
 Receipted by Com Date 15 July 1981
 Publication prepared by JS Date 7-16-81
 Published in County News
 Publication dates 7-22 & 23-81
 Publication approved R Date 8-3-81
 Protests filed by: _____

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by GLS RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 57-7289, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 19 86.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.

Witness my hand this 15th day of Sept, 1981.

L. Glen Saxton



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208)327-7900 FAX: (208)327-7866 www.idwr.state.id.us/idwr/idwrhome.htm

January 11, 1999

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

OPALINE AQUA FARM LLC
HC 79 BOX 100
MELBA ID 83641

RE: WATER RIGHT 57-07289

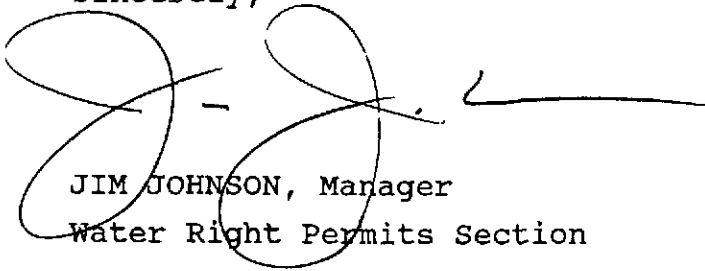
Dear Water Right Holder(s):

The Department is in receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

RECEIVED

JAN 14 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 16, 1996

JOHN W MARAS
SALLY A MARAS
8725 BROOKVIEW DR
BOISE ID 83709

RE: WATER RIGHT NO. 57-07289

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MEMORANDUM

TO: File 57-07289 / John and Sally Maras
FROM: Brenda Chapman
DATE: December 29, 1995
RE: Licensing Amendment

=====

Upon further review of this permit, it is has been decided a licensing amendment is not necessary. The point of diversion and place of use were listed on the permit as being in the SENE $\frac{1}{4}$ (Government Lot 1) of Section 21. Government Lot 1 also happens to engulf the SWNE $\frac{1}{4}$, which is the where the point of diversion and some of the uses are located in. Since it is all still in Government Lot 1, an amendment will not be solicited.

12/29/95

Mr. Maras telephone and I explained the decision change to him. He wants to go over the recommendation with the facility manager to make sure it is agreeable.

1/5/96

Otto Cunningham, the facility manager called. The only concern they both have is to make sure this is the geothermal well being licensed. I told him it is and he said they both feel everything appears to be fine.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

November 30, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN W MARAS
SALLY A MARAS
8725 BROOKVIEW DR
BOISE ID 83709

RE: PERMIT NO. 57-07289

Dear Mr. and Mrs. Maras:

Permit 57-07289 is currently being reviewed for licensing. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects not only corrections in the point of diversion and place of use locations, but also a change in the nature of one of the uses. Because the water used under the commercial portion of this permit is actually for the rearing of warm water fish, the use "fish propagation" is a more accurate description of the use than the commercial designation. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

Thank you for your assistance and if you have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

SHELLEY W. KEEN
Water Rights Supervisor

SWK:bc

LICENSE REVIEW CHECKLIST

PERMIT NO. 57-07289 DATE 11-20-95



NAME Change OK ☒ Or Address Change? Assignment Received

PRIORITY DATE ☒ Advance? YES Advanced to: 10-1-81
 Order to reinstate needed? NO
 Incorrect fee for rate recommended? NO

SOURCE ☒ Changes or just clarification of originally intended source?
 Notice of Intent to Void necessary?

POINT OF DIV ☒ Amendment needed? Change to SWNE (STILL NOT 1)
☒ Overlaps? (Permit 57-07599 - different source)

PLACE OF USE ☒ Amendment needed? Add SWNE 1/4 V4
☒ Overlaps? NA

DIV RATE ☒ Permit/fee limits: .50 CFS
 Meas Q = .49 Theo Q = Recommend: .49
Commercial .49 (FISH PROPAGATION)
Heating - reduce to .02 CFS Dom (2 internal - 0.4 CFS)
 Combined rates exceed capacity

ANNUAL VOLUME ☒ Volume Limit: Season: 1-1 to
 Calculations: FISH - SEE SHEET - TOTAL = 270 gF
HEAT = 5.4 gF Dom = (2) 1.2 gF
 Flow limit: cfs x x 1.9835 =
 Combined volumes exceed capacity/allowable

USES ☒ Change in Nature of Use or additional uses? Change
 Amendment necessary? YES NO Commercial to fish propagation. CLARIFICATION
12-29-95

ADDITIONAL INFO Supplemental Groundwater PPU Scenario
 Irr/Dom Combination Shared G/W System

NEW REMARKS Multiple p/d(s) in 1/4 1/4?
YES Other FACILITY VOLUME = 8.5 gF
(REARING PORTIONS OF FACILITY = 2518979 gal or 7.7 gF)

NEW CONDITIONS Watermaster control - District
Measuring/Locking Devices
Irrigation Overlap
Other
Water Quality (Heat/Cool/Fish) verified ☒

COMMENTS: ① Add SEASON OF USE TO HEATING - 10-1 to 4-20 (200 DAYS)
② Change Commercial use to FISH PROPAGATION

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	NO
<u>Fish Prop</u>	<u>.49</u>	<u>271.3</u>	Adjustment Memo Needed	<u>YES</u>
<u>HEATING</u>	<u>.02</u>	<u>5.4</u>	LICENSE	☒
<u>Domestic</u>	<u>.04</u>	<u>1.2</u>	1ST AMEND LETTER <u>Special</u>	
<u>TOTAL</u>	<u>.49</u>	<u>276.6</u>	2ND AMEND LETTER <u>P47</u>	
		<u>277.9</u>		

MEMORANDUM

TO: File 57-07289
FROM: Brenda Chapman
DATE: November 20, 1995
RE: Fish Propagation / Annual Volume Requirements

=====

The standard formula for determining the annual volume required for a fish propagation facility is:

1. Calculate changes per hour:
 $\text{Flow into facility} \times 3600 \text{ sec} / \text{facility volume (cf)} = \text{changes}$
 2. Calculate annual volume:
 $\text{Facility volume (af)} \times \text{changes} \times \% \text{ of } 8760 \text{ hrs/yr} = \text{afa}$
 3. Calculate volume given by permitted flow:
 $\text{Flow rate (cfs)} \times 1.9835 \times \underline{\hspace{1cm}} \text{ days} = \text{afa}$
 4. Recommend lower figure.
-

Season 1 Recommendation

1. .49 cfs x 3600 sec per hr / 370111 cf = .00476 changes
 2. 8.5 af x .00476 changes x 4392 hrs/season = 177.7 afa
 3. .49 cfs x 1.9835 x 183 days = 177.8 afa
- RECOMMENDATION : 177.7 afa

Season 2 Recommendation

1. .26 cfs x 3600 sec per hr / 370111 cf = .00252 changes
 2. 8.5 af x .00252 changes x 4368 hrs/season = 93.6 afa
 3. .26 cfs x 1.9835 x 182 days = 93.9 afa
- RECOMMENDATION : 93.6 afa

TOTAL ANNUAL VOLUME RECOMMENDATION : 271.3 afa

11/23/95

MEMORANDUM

TO: File 57-07289 / John W. Maras
FROM: Brenda Chapman
DATE: November 27, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 57-07289 are based on the information below:

C. DIVERSION AND DELIVERY SYSTEM

2. Place of Use: The heating and domestic use are in the SWNE $\frac{1}{4}$ only.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Fish Prop	1-01 to 12-31	.49	271.3
Heating	10-01 to 4-20	.02	5.4
Domestic	1-01 to 12-31	.04	1.2

I am recommending the commercial use be changed to fish propagation to more accurately reflect the development that has occurred. In doing so, it is not necessary to add storage components to the recommendation. Also, per telephone conversation with the examiner, separate seasons of use could not be designated for the regular and reduced flow rates for the fish propagation use. The reduced flow time frame is so varied that the 6 month figure (182 days) was only used to assist in calculating the annual diversion volume.

The heating season of use has been reduced to coincide with the examiner's recommended 200 day heating season.

The internal-domestic volume has been increased to 1.2 af, .6 af for each building.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 05 1993
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 57-7289

1. Owner: JPM Investment Co Phone No. _____

Current Address: PO Bx 327 Boise ID 83701

2. Accompanied by: DH Cunningham EXAM DATE: 1-10-94

Address: Hc 79 Bx 100 Melba ID 83641 Phone No. 1-09-95

Relationship to Permit Holder: facility operator (lessee) → 208-495-2654

3. Source: ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 57-7599

2. Other water rights with the same point of diversion: 57-7599

C. DIVERSION AND DELIVERY SYSTEM

1 Point(s) of Diversion:

Ident No	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	1		SW	NE	21	1N	3W	Owyhee	Site Visit

2 Place(s) of Use:

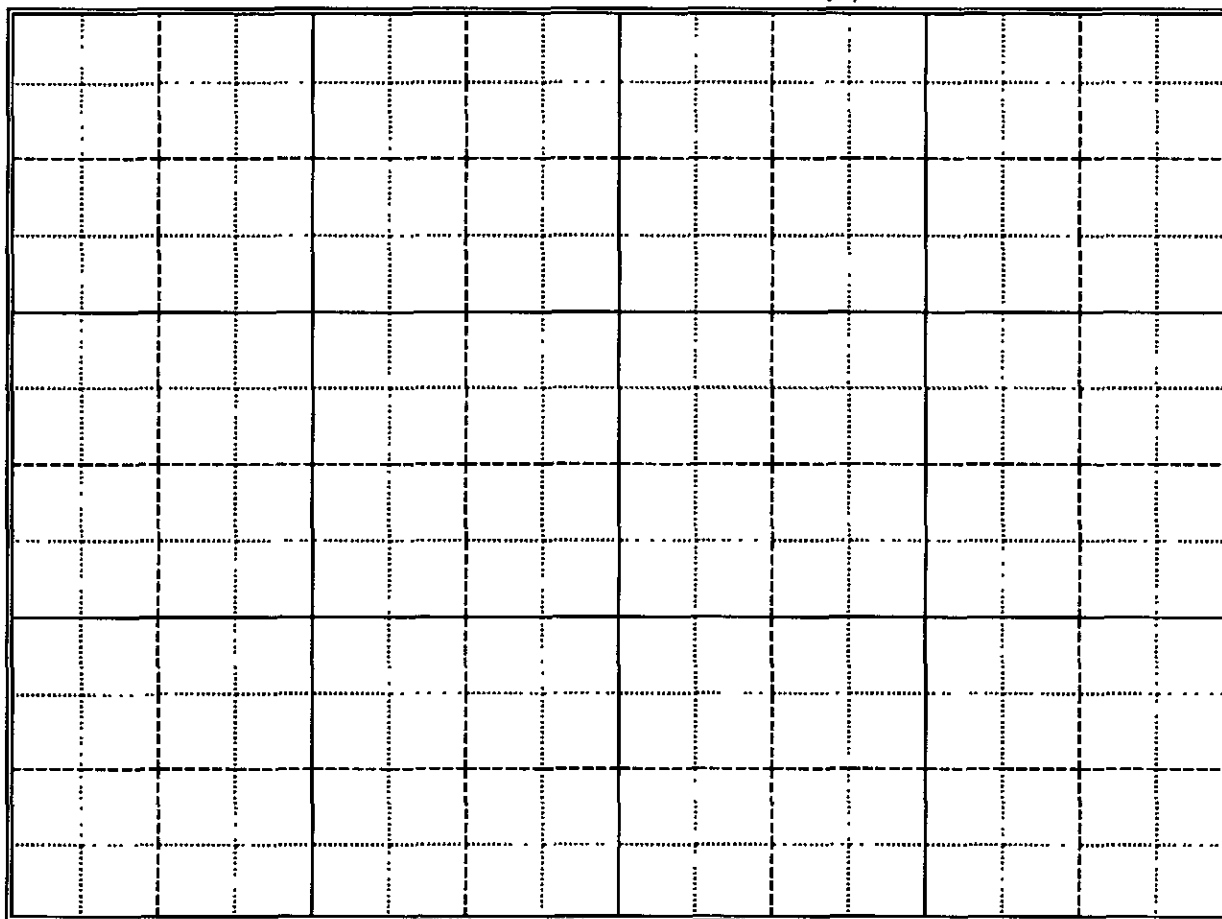
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	21			C	C													
					L.I	L.I													

* SEE adjustment memo. BC

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.

see attached . 'A'



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required)

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☐ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A - flowing well					

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
1' Cupe. Weir						
Tyner-Flute Ultrasonic Flowmeter						

2. Measurements: Tyner-Flute 1-⁹⁹~~88~~-95 218 gpm .485 cfs - valve full open
 weir 1-⁹⁹~~88~~-95 @ high water mark .26' head .449 cfs - full
 flows had not been turned through facility and were
 not available at weir that day.

E. NARRATIVE/REMARKS/COMMENTS

A 12" flowing geothermal well providing flows for heating domestic & fish propagation.

See attached Systems description "B"

See attached "C."

Found facility volume = 8.5 acre feet. Total fill time @ found flow = 8-9 days. Storage component necessary. Recommend non-additive storage component added to license.

Overlap - 57-7559 filed by Cunningham for use at same facility. Source = unim. Stream. Use for summer cooling.

Commercial use ~~is~~ is for warm water fish propagation.

Domestic is for one home & one office.

Heating (space) " " " " "

Have conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

flow meter, wellhead 217 gpm or .49 cfs * System capacity
 weir estimate (exit flows) .45 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D,R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{IR} \text{ and } V_{D,R} =$ _____

2. Volume Calculations for Other Uses:

Commercial 6 mos operation @ .49 cfs = .49 x 178 x 1.9835 = 173 AFA
 (full capacity)

6 mos operation @ .26 cfs = .26 x 178 x 1.9835 = 91.8 AFA
 (reduced capacity)

Domestic - internal only .6 AFA Heating -
 See attached "D" & "E"

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* COMMERCIAL	1/1	12/31	.49	264.8
* COMM. STORAGE	1/1	12/31		8.5
HEATING	1/1	12/31	.02	5.4
DOMESTIC	1/1	12/31	.04	0.6
* DIV TO STORAGE	1/1	12/31	.49	
Totals:			.49	270.8

2. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ Other * add use

I. AUTHENTICATION

Field Examiner's Name _____ Date _____

Reviewer _____ Date _____

SEAL

* See adjustment memo. BC

MODE SELECT
DATA SET

DATA SET MODE
PRINTER

PRINTER USE
YES

OUTER DIAMETER
12.8912 IN

PIPE MATERIAL
CS-SS

WALL THICKNESS
0.2700 IN

INNER LINING
NO LINO.

TYPE OF FLUID
WATER

SOUND VELOCITY
1520 M/S

SENSOR MOUNTING
1

TYPE OF SENSOR
SMALL

ON-OFF CHANGE
NO

SPACING
13.811 IN

PUMPING SET OF
50 SEC

DAMPING SET
20 SEC

DEPO MODE
CLEAR

DEPO MODE
AUT DEPO

DAMPING SET
50 SEC

DEPO MODE
DEPO OFF

00-00-00-2100 *P
+00-00-00-0000

MM-DD-HH:MM
01-09-15:00

SYSTEM DESCRIPTION

A flowing geothermal well (140° F) with 12" casing supplies water for heating and commercial uses for a warm water species fish propagation facility, and is also used for domestic purposes. A 6" discharge line from the well is the main supply to cooling, rearing and holding ponds. All outside ponds are earthen with the exception of four steel tanks for rearing tilapia and other exotics. In summer, the largest of three cooling ponds is also used as a bass spawnery. In winter when lesser cooling is required, largest pond is not used. From the cooling pond(s), flows may be routed to any of the various rearing ponds or tanks (see diagram).

A 2" discharge line from the well serves the hatchery building, fry tanks, spawning shed, and the domestic use (one home, one office). A small portion of the flow is reserved in a domestic cooling tank. A direct heating line enters the home and discharges to the first filter (see below). Discharge flows from the hatchery building are used to heat a small office trailer. Discharge from hatchery/office, spawning tanks and fry tanks enters one of two filtration beds. From the filters, recirculation pumps deliver reclaimed flows to all tanks within this portion of the system. * Approximately one pint/minute enters each tank as fresh flow and to maintain temperatures of 85° F. All excess flows enter the brood pond and then the winter cooling pond.

Flows exiting the system pass through a settling pond and may be measured over a 1 foot Cipolletti weir to a natural drainage tributary to the Snake River.

Total storage volume in this facility is approximately 8.5 acre-feet. Maximum load is 60,000 pounds live weight in late October.

At the time of the examination in January 1994, the facility was not in full production. The well had been valved down to a maintenance level. The valve was fully opened for the examination, but flows take approximately 8 hours to move through the system, and the weir measurement yielded 0.26 cfs, only a portion of permit holder's expected flow. A re-measurement was taken in January 1995. Again, the facility was not in full production, but the ultrasonic flowmeter was used to obtain flow at the wellhead with the valve full open. For a check measurement, an estimated maximum head reading was taken from the high water mark on the exit weir. Both methods yielded a maximum system capability of approximately 0.50 cfs.

* Additional notes: recirculation pumps provide turnover rates of 2-5 hrs for hatchery, spawning & fry tanks, and tilapia tanks. Bass ponds exchange every 4-5 days. Entire facility exchange = 8-9 days. 57-7289 "B"

CUNNINGHAM AQUACULTURE - 57-07289/57-07599

Facility Total Volume (at maximum production)

<u>Component</u>	<u>No. and Dimensions</u>	<u>Volume(gals)</u>
Hatchery	10 tanks @ 400 gal	4000
Spawning Shed	11 tanks @ 600 gal	6600
Fry Tanks	9 tanks @ 800 gal	7200
Filters	2 @ 40 x 8 x 2 ft	9575
Brood Pond	1 @ 27 x 55 x 3 ft	33323
Winter Cooling Pond	1 @ 123 x 36 x 4 ft	132486
2nd Cooling Pond	1 @ 100 x 54 x 2 ft	80784
Tilapia Tanks	4 @ 32 (round) x 4	96252
Summer Cooling Pond	1 @ 340 x 100 x 5 ft	1271600
Rearing Ponds	4 @ 244 x 30 x 3 ft	657040
	1 @ 264 x 30 x 3 ft	177724
	2 @ 105 x 30 x 3 ft	141372
Holding Pond	1 @ 230 x 36 x 2 ft	123868
Settling Pond	1 @ 90 x 15 x 2 ft	20196
TOTAL VOLUME, gals		2762021
TOTAL VOLUME, acre-feet		8.5

57-7289
"C"

RESIDENTIAL SPACE HEATING/COOLING REQUIREMENTS
FOR COLD OR GEOTHERMAL SOURCES

Worksheet created by Cindy Hodges, 11/93.

Data entered by: Cindy Hodges
Exam Date: 1-9-94
File No: 57-07289
Computations for: HEATING
Domestic - mobile home

REQUIRED DATA:

Area of livable floor space, ft² (A) 850
2 story? (N=1, Y=2) 1
House efficiency factor (e) * 0.67
Inside design temperature (Ti) 75
Average outside temperature (To) ** 6
Source temperature, degrees F (S) 139
Heating/cooling days per season (D) 200
Hours/day system operates (H) 24

* e values are as follows:

- 0.28 Best energy efficiency - extra insulation, caulked and weatherstripped, with storm windows and doors
- 0.44 Better energy efficiency - standard insulation, caulked and weatherstripped, with storm windows and/or doors
- 0.67 Average residence - standard insulation, no weatherproofing but with storm windows or double panes
- 1.11 Poor energy efficiency - minimal insulation, no weatherproofing or storm windows (older homes, shops or greenhouses)

** Suggested average outside temperatures:

WINTER		SUMMER	
4 deg F	Boise	80 deg F	Boise
6 deg F	Grand View	90 deg F	Grand View
-8 deg F	Cascade	70 deg F	Cascade

CALCULATED DATA:

DESIGN HEAT LOAD (BTU/hr required)

Formula: $E = [e \times (T_i - T_o)] A$
Applies factor of 0.8 for two-story dwelling

E = 39,296 BTU/hour

TEMPERATURE DROP ACROSS SYSTEM

Formula: $T_s = 0.3 \times [S - T_i]$

Ts = 19.2 degrees F

FLOW RATE REQUIRED (at given source temperature)

Formula: $Q = E / (500 \times T_s) \times 448.8$

Q = 0.01 cfs

DIVERTED VOLUME OVER SEASON

Formula: $V_{div} = Q \times D \times H / 24 \times 1.9835$

Vdiv = 3.6 AFA

57-7289
"D"

RESIDENTIAL SPACE HEATING/COOLING REQUIREMENTS
FOR COLD OR GEOTHERMAL SOURCES

Worksheet created by Cindy Hodges, 11/93.

Data entered by: Cindy Hodges
Exam Date: 1-9-94
File No: 57-07289
Computations for: HEATING
Domestic - office

REQUIRED DATA:

Area of livable floor space, ft ² (A)	250
2 story? (N=1, Y=2)	1
House efficiency factor (e) *	1.11
Inside design temperature (Ti)	75
Average outside temperature (To) **	6
Source temperature, degrees F (S)	139
Heating/cooling days per season (D)	200
Hours/day system operates (H)	24

* e values are as follows:

- 0.28 Best energy efficiency - extra insulation, caulked and weatherstripped, with storm windows and doors
- 0.44 Better energy efficiency - standard insulation, caulked and weatherstripped, with storm windows and/or doors
- 0.67 Average residence - standard insulation, no weatherproofing but with storm windows or double panes
- 1.11 Poor energy efficiency - minimal insulation, no weatherproofing or storm windows (older homes, shops or greenhouses)

** Suggested average outside temperatures:

WINTER	SUMMER
4 deg F Boise	80 deg F Boise
6 deg F Grand View	90 deg F Grand View
-8 deg F Cascade	70 deg F Cascade

CALCULATED DATA:

DESIGN HEAT LOAD (BTU/hr required)

Formula: $E = [e \times (T_i - T_o)] A$
Applies factor of 0.8 for two-story dwelling

E = 19,148 BTU/hour

TEMPERATURE DROP ACROSS SYSTEM

Formula: $T_s = 0.3 \times [S - T_i]$

Ts = 19.2 degrees F

FLOW RATE REQUIRED (at given source temperature)

Formula: $Q = E / (500 \times T_s) \times 448.8$

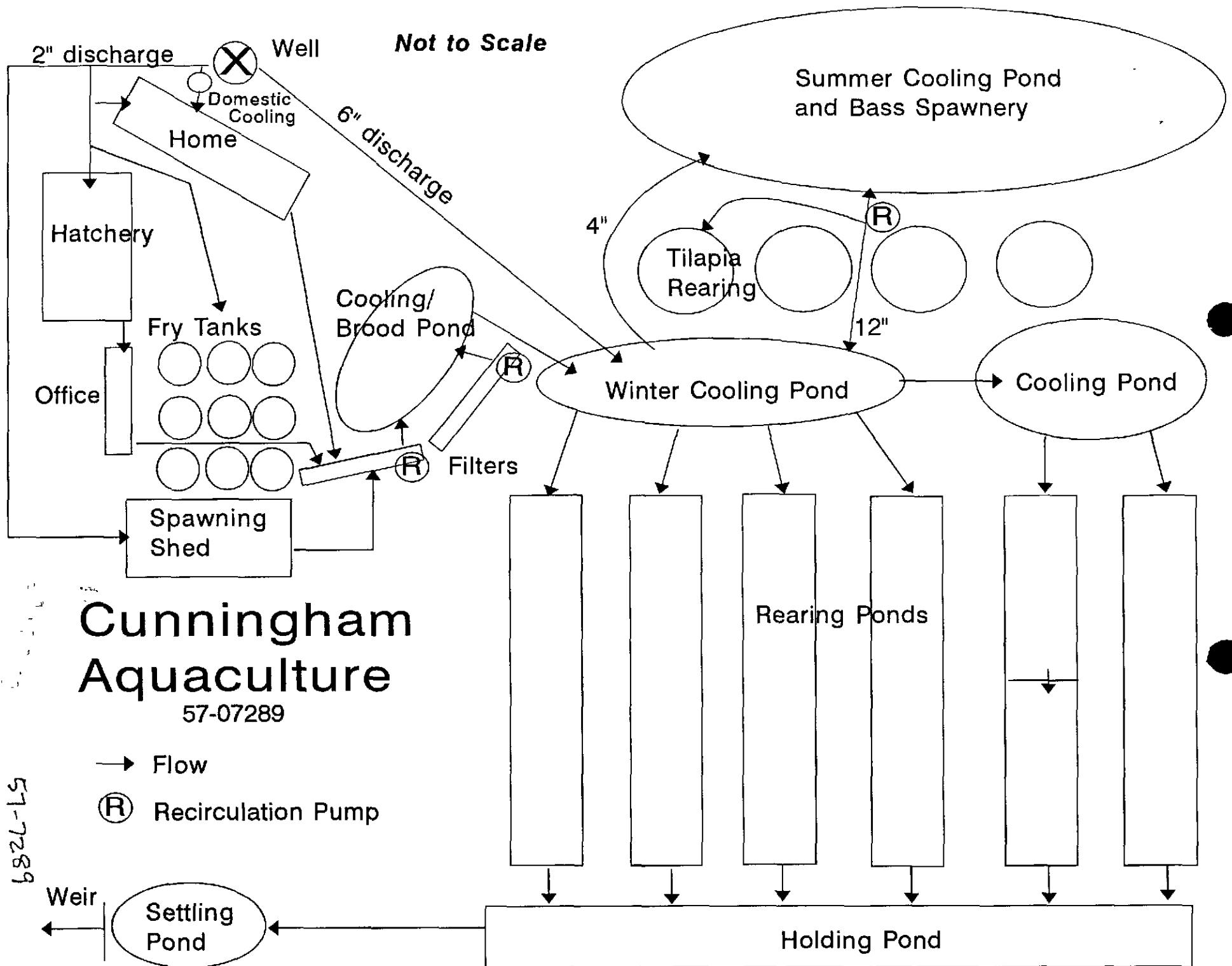
Q = 0.004 cfs

DIVERTED VOLUME OVER SEASON

Formula: $V_{div} = Q \times D \times H / 24 \times 1.9835$

Vdiv = 1.8 AFA

57-7289
"E"



**Cunningham
Aquaculture**

57-07289

→ Flow

Ⓡ Recirculation Pump

57-07289
"A"



BM
2266

23

24

25

26

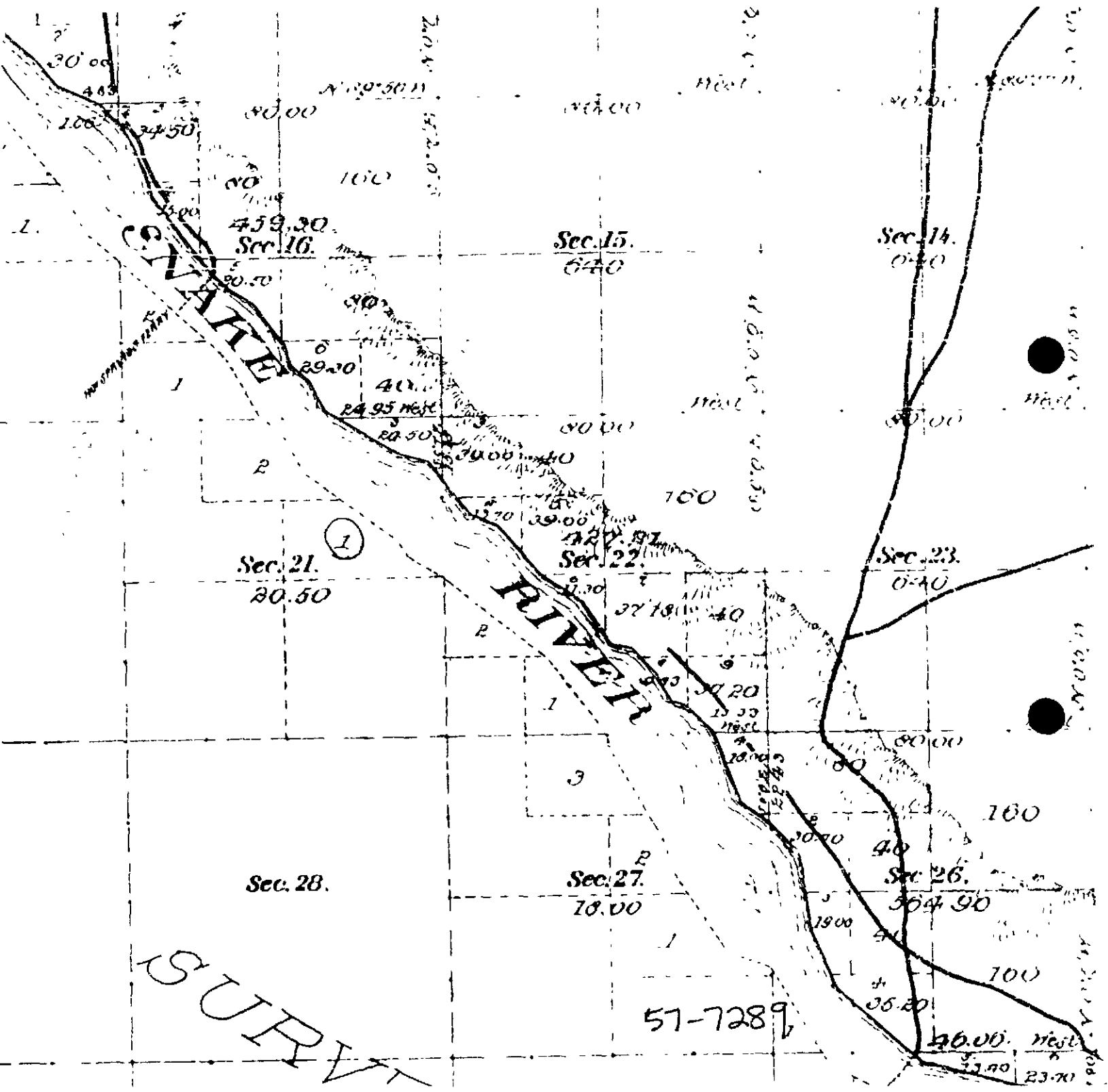
n Service

SCALE 1:24,000

57-7289



PERMIT	57-7289	INIT	GH
T. R. S.	Q/Q		
P/D	W 3W 2L SWNE		
SCALE	1:24,000		
PHOTO ID.	GIVENS		



IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: 57-7289

2. OWNER: Otto Cunningham/JPM investment Phone: 495-2654
Address: _____

3. WELL LOCATION: Twp 1N, Rge. 3W, Sec. 21, SW 1/4 NE 1/4
County Owyhee (Provide sketch map and photo on reverse.)

4. DRILLER: Johnston Lic. No. _____
When Drilled? 1984

5. WELL CONSTRUCTION: TD=476 No LOG Avail
Casing Diameter 12 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving Good
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION:
Depth to Static Water _____ ft. Water Temperature ~140 °F
Flowing Artesian? ☒ Yes ☐ No Pressure: ~25.8 (psi) 1100 ft. in
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____

7. WELL USE:
☒ Domestic ☐ Irrigation ☐ Stock Feed
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☒ Other: Fish pump, Heat

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS:



Signature of Dept. Representative & Title

1-10-94

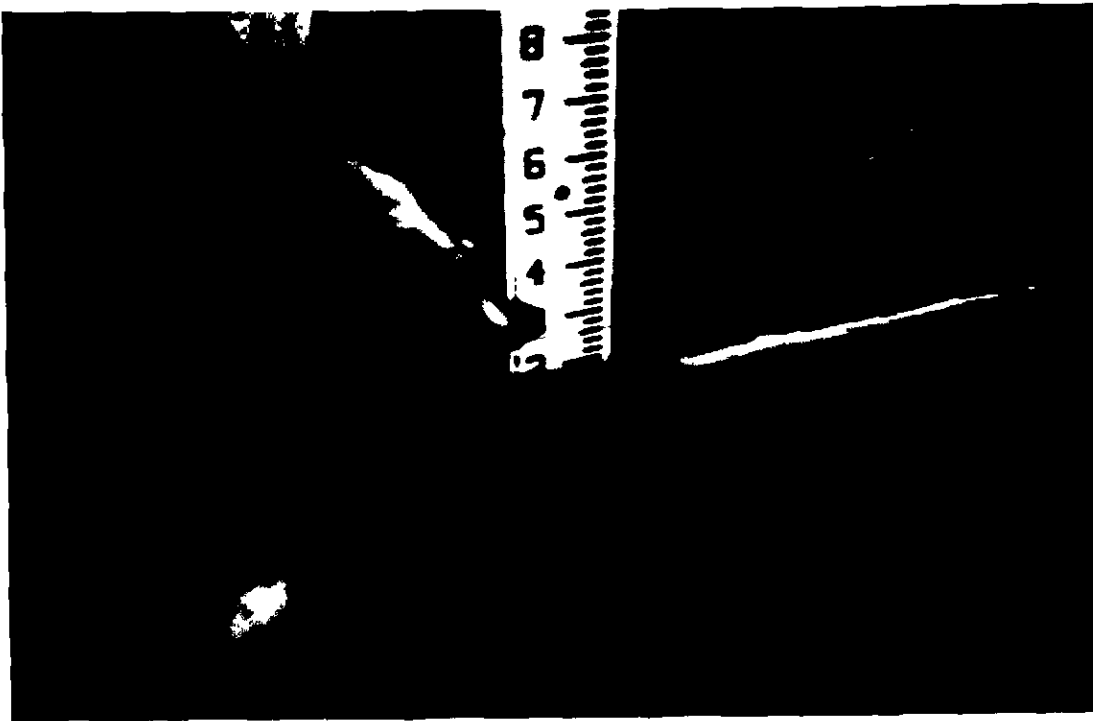
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

1-09-95

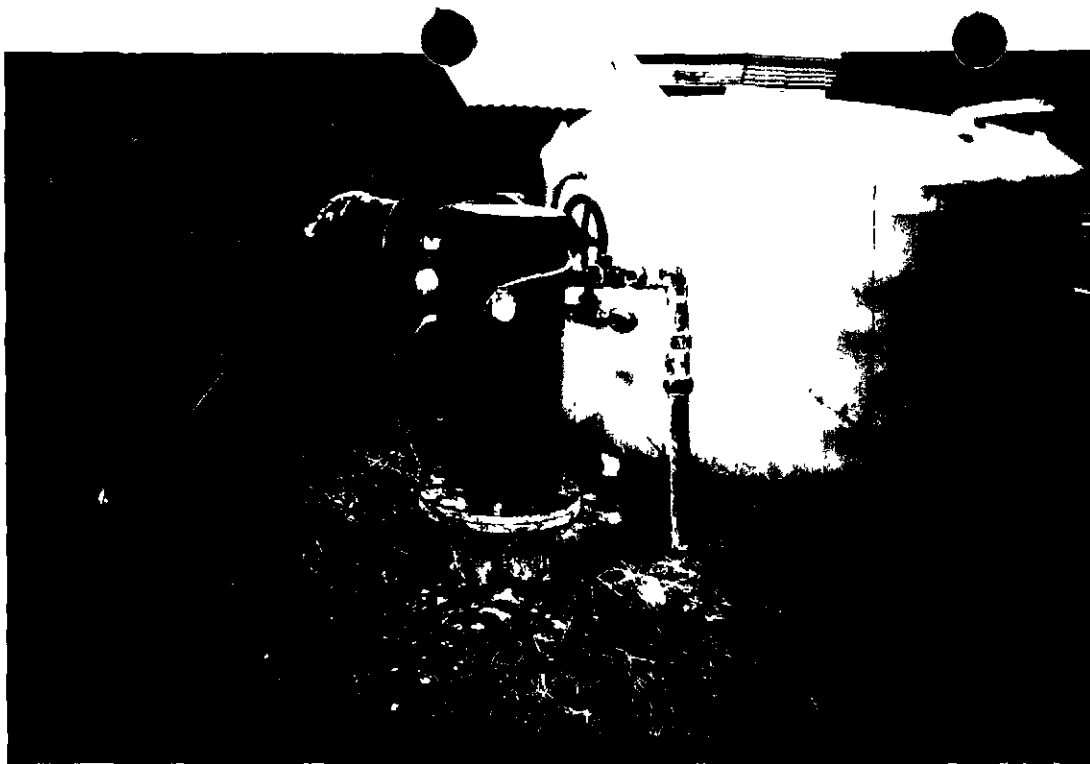


Exit weir
High water
mark reading
= 0.26'

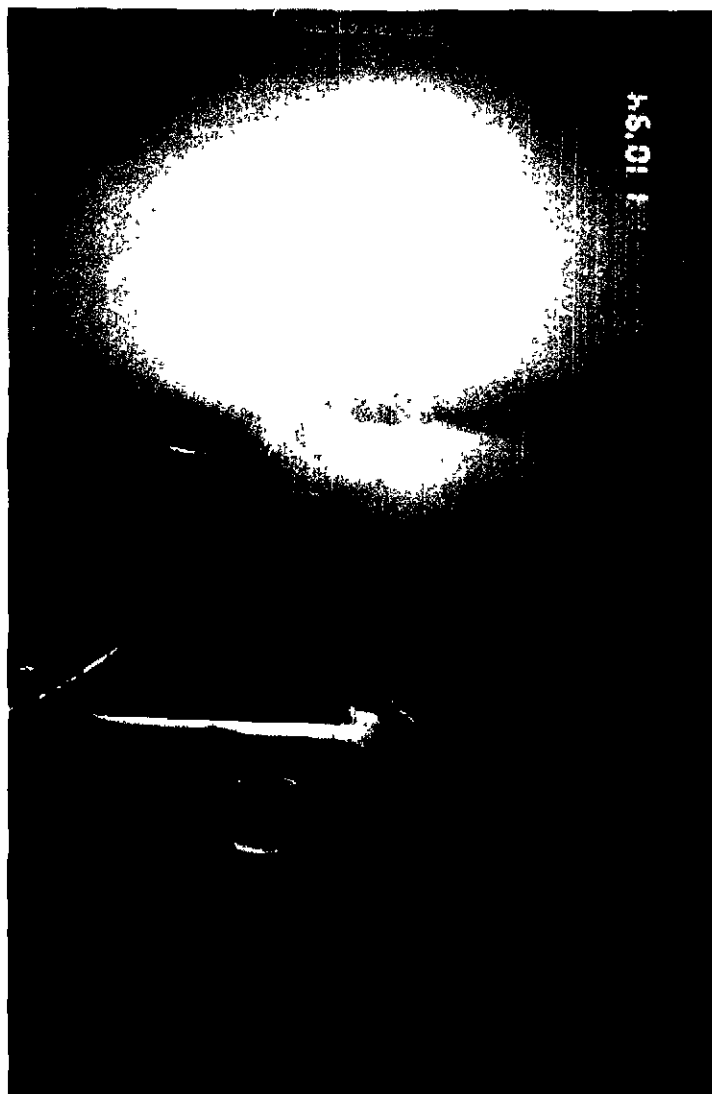


1' Cipp. weir

57-7289

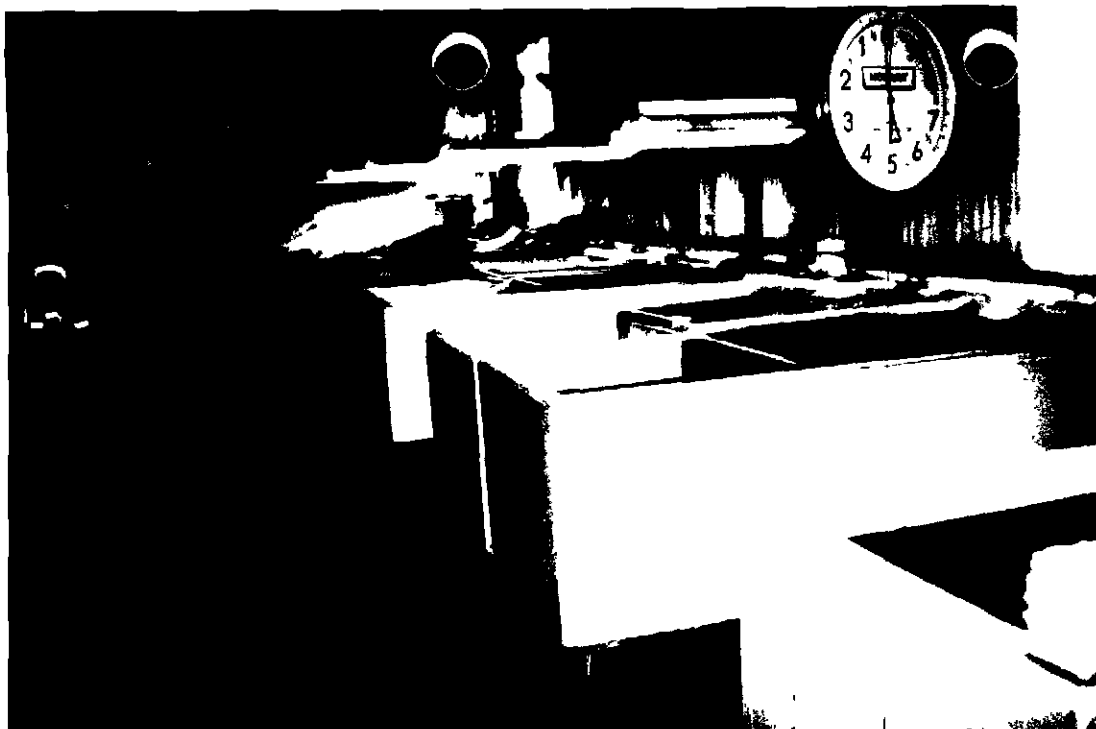


Well (w/
domestic cooling
tank)



Discharge at
Winter cooling pond

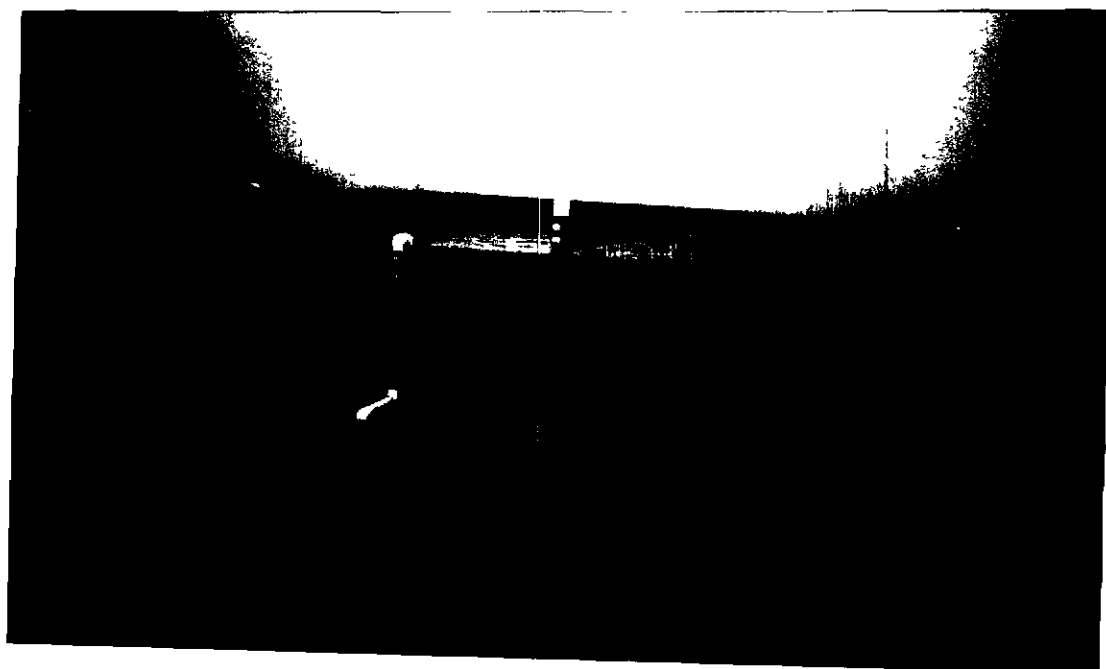
57-7289



Hatchery



Fry tanks



Tilapia
Tank

57-7289



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 13, 1995

JOHN W MARAS
SALLY A MARAS
8725 BROOKVIEW DR
BOISE ID 83709

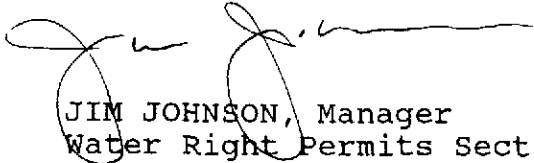
RE: PERMIT NO. 57-07289

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

December 1, 1989

JPM INVESTMENT CO.
SONNA BLDG. SUITE 342
BOISE, ID 837020000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 57-07289

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Microfilm

DEC 19 1989

GEOTHERMAL FISHERIES INC.

STAR RT BOX 100-C

MELBA ID. 83641

MICROFILMED

DEC 19 1989



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

JUL 28 1982

Department of Water Resources



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

57-7287

Permit No. _____
Name(s) of Permit Holder(s): GEOTHERMAL INDUSTRIES INC
Post Office Address: STAR PT BX 100-C MELBA
IDAHO 83641 Tel. No. 495 2222

- ☐ I hereby certify that construction of diversion works for the above referenced permit began on Sept - 81 (date) I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:
DEC 14 1989

*Note A financing difficulty is not an acceptable reason

7-27-82
Date

Al Caldas Jr
Signature of Permit Holder
Geothermal Industries

January 19, 1987

JPM Investment Co.
Sonna Building
Suite 342
Boise, ID 83702

Gentlemen:

Re: Permit No. 57-7289

This office acknowledges receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the department's records. A copy of the permit is enclosed for your records.

Also enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to October 1, 1989. Note that the permit has been reinstated since the extension request was received after the proof due date.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 57-7289Reviewed by [Signature]Date 1-15-1987

BASIC INFORMATION

Y Date stamp received
Y Extension received timely
(not prior to 6 month before proof due date or after reinstatement period)
Y Fee received and receipted
Y Name and signature same as permit
Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

Y Has adequate work been completed to demonstrate due diligence?
Y Has the cost incurred been adequate to demonstrate an intent to complete the project?
Y Has the permit been involved in litigation?
a. Swan Falls Yes Dismissed from Swan Falls Yes
Other _____ Identify _____
b. Is supporting documentation needed to complete the file? _____
Requested _____
c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

N/A Is delay by a government agency?
Is supporting documentation needed to complete the file? _____
Requested? _____

ACTION TAKEN - Recommend approval based on due diligence for 3 years

Special conditions or remarks: - Acknowledge assignment

Y Reinstatement Date extension received 12-18 = 358
Proof due date 10-1 = -274
No. of days late _____ = 78
Priority date 7-15-1981 = +196
ADJUSTED PRIORITY DATE 10-1-1981 = 274

____ Prepare coding sheet
____ Change rolodex card

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
OCTOBER 13, 1986

GEOTHERMAL FISHERIES INC.
RT. 1, ARTESIAN RD.
EAGLE, ID 83616

LAPSE NOTICE

RE: PERMIT NO. 57-7289

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A, IDAHO CODE, THE ABOVE REFERENCED WATER PERMIT HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED JULY 31, 1986.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT PROOF OF BENEFICIAL USE OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED PROOF OF BENEFICIAL USE SUBMITTAL (INCLUDING THE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT) OR THE EXTENSION REQUEST FORM TOGETHER WITH THE \$15 FEE MUST BE RECEIVED BY THIS DEPARTMENT WITHIN SIXTY DAYS OF THE DATE OF MAILING OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A PROOF OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING
I hereby certify that on 10-27-1986
~~a copy~~ original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.
[Signature]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
JULY 31, 1986

GEOTHERMAL FISHERIES INC.
RT. 1, ARTESIAN RD.
EAGLE, ID 83616

138966

PROOF DUE NOTICE

RE: PERMIT NO. 57-7289

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF THE ABOVE REFERENCED WATER PERMIT WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE OCTOBER 1, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH WHEN ACCOMPANIED BY THE LICENSE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT PREPARED BY A CERTIFIED WATER RIGHT EXAMINER MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

RECEIVED
JAN 24 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

GEOHERMAL FISHERIES INC.
RT. 1
ARTESIAN RD.
EAGLE, ID 83616

SEPTEMBER 22, 1981

RE: PERMIT NO. 57-1289

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE ACCESS PORT.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 23 day of July, 1981, and the last publication being on the 30 day of July, 1981;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

[Signature]
PUBLISHER

Subscribed and sworn to before me this 30 day of

[Signature] 19 81.
[Signature]
NOTARY PUBLIC

My commission expires 9-10-84

(SEAL)

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho.

02 - 7357
FIELD: HOWARD J.
BOX 221, GRAND VIEW, ID 83624
Source: SNAKE RIVER, tributary to COLUMBIA RIVER

Date Filed: 07/15/1981
Amount: 10.00 CFS
Diversion Point: LOT 10, (NWSW) Sec 34 T 05S R 04E, OWYHEE Co.
Use: IRRIGATION (10.00 CFS) from 03/15 to 11/15
Place of Use: NWSW SWSW, SESW SWSW Sec 23 T 03S R 03W, NENE SWNE SWNE NENE, NWNW SWNW, SENW NWSW, NWSW, SESW, NWSW, SWSW, Sec 26 T 05S R 03E FOR 523 ACRES

Diversion Means: IDAHO POWER DAM AT OLD STAKE DAM, BELLEVILLE, IDAHO

GEOTHERMAL FISHERIES INC. 83616
RT. 1, ARTESIAN RD., EAGLE, ID 83616

Date Filed: 07/15/1981
Amount: 0.50 CFS

Diversion Point: LOT 01 (SENE) Sec 21 T 01N R 03W, OWYHEE Co.

Use: COMMERCIAL (0.50 CFS) from 01/01 to 12/31
HEATING (0.20 CFS) from 01/01 to 12/31
DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: LOT 01 (SENE) Sec 21 T 01N R 03W

Diversion Means: WELL & PIPELINE

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before AUGUST 10, 1981.

A. KENNETH DUNN, Director

Published July 23 and 30, 1981, in the Owyhee Nugget, Marsing, Owyhee County, Idaho

RECEIVED

AUG 12 1981
Department of Water Resources

Department of Water Resources
Western Division

52-2289

GEOHERMAL FISHERIES INC.

RT. 1, ARTESIAN RD., EAGLE, ID 83616

Date Filed: 07/15/1981

Amount: 0.50 CFS

Diversion Point: LOT 01 (SENE) Sec 21 T 01N R 03W, OWYHEE Co.

Use: COMMERCIAL	(0.50 CFS)	from 01/01 to 12/31
HEATING	(0.20 CFS)	from 01/01 to 12/31
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31

Place of Use: LOT 01 (SENE) Sec 21 T 01N R 03W

Diversion Means: WELL & PIPELINE

RECORDED
INDEXED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before AUGUST 10, 1981.

A. KENNETH DUNN

Director

Issued 7/23 & 7/30/81.

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JUL 23 1981
IDAHO DEPT. OF WATER RESOURCES

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

93.

1. WELL OWNER

Name Art Collins (Geo Fisherys Inc)
Address _____
Owner's Permit No. 57-80-C-0001-000

7. WATER LEVEL

Static water level 0 feet below land surface.
Flowing? ☒ Yes ☐ No G.P.M. flow 400 +
Artesian closed-in pressure 20 p.s.i.
Controlled by: ☒ Valve ☐ Cap ☐ Plug
Temperature 113 °F. Quality _____
Describe artesian or temperature zones below

2. NATURE OF WORK

WR 57-07289
☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc in lithologic log)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Air ☒ Other Flow

Discharge G.P.M.	Pumping Level	Hours Pumped

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☒ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____
Thickness 250 inches Diameter 14 inches + 2 feet From 40 feet To _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches
Number _____ From _____ To _____
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet
Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 40 Material used in seal. ☒ Cement grout
☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing. ☐ Threaded ☒ Welded ☐ Solvent
Weld
☐ Cemented between strata
Describe access port _____

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
22"	0	22	Overburden	X	X
	2	28	Gravel	X	X
12 1/4"	28	125	Shale (Blue)	X	X
	125	145	Sand	X	X
	145	150	Slate (Blue)	X	X
	150	190	Sand (White)	X	X
	190	250	Clay (Blue)	X	X

Well started, flowing at
approx. 240'

M. E. d. Holder
Submitted this log.
He observed the work
but was not the
driller. He was friend
of owner. Job Comp 8/16/84

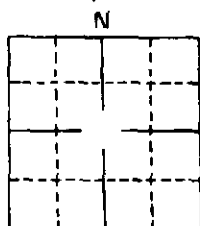
E. d. Holder

10.

Work started 7/80 ? or 81 finished 7/80 ?

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Bl. _____

County Owyhee D.S. 8-21-97

SW 1/4 NE 1/4 Sec. 21, T 1 N, R. 3 E/W

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.

Firm Name _____ Firm No. _____

Address _____ Date _____

Signed by (Firm Official) _____

and
(Operator) _____

MICROFILMED