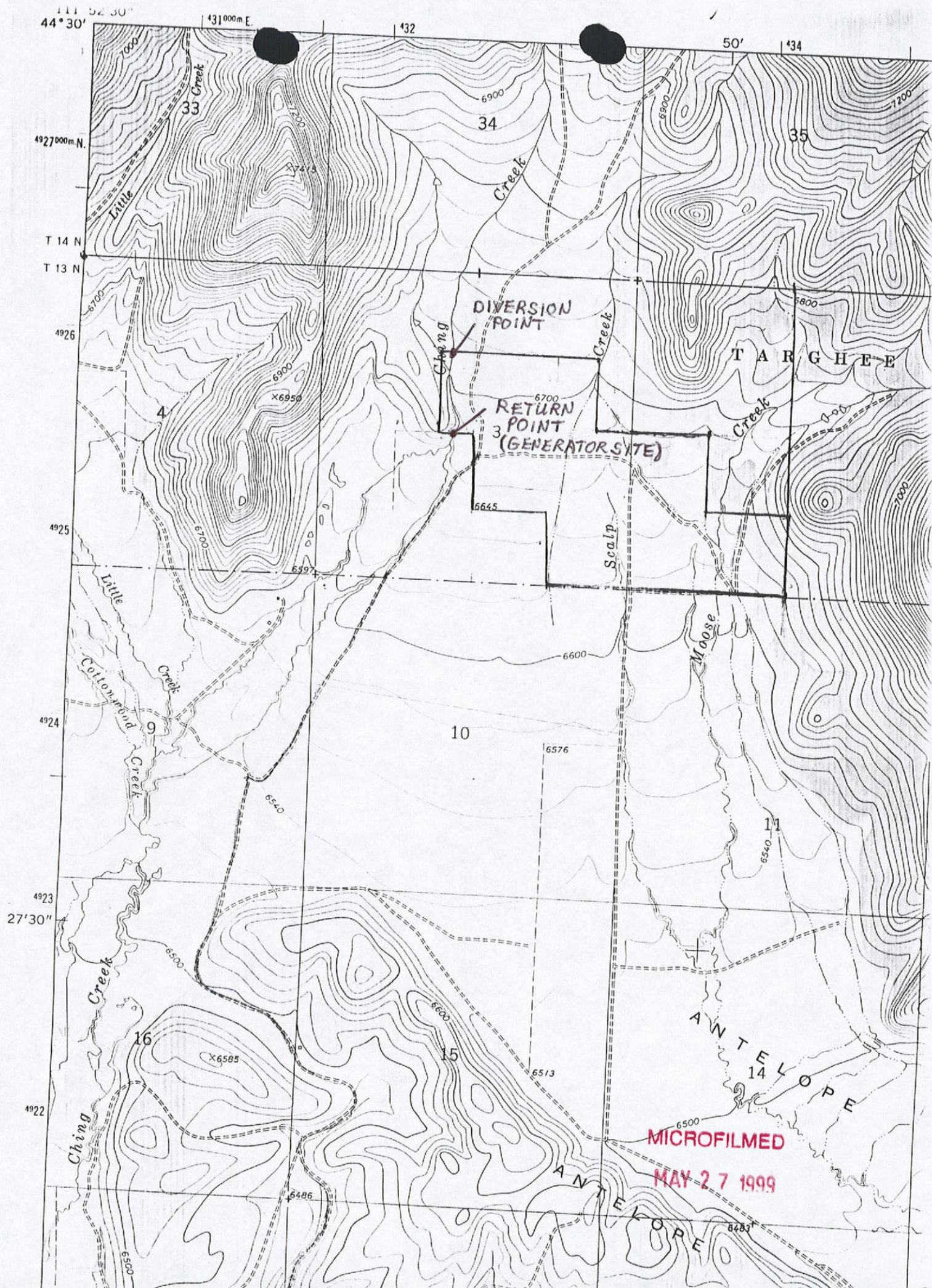
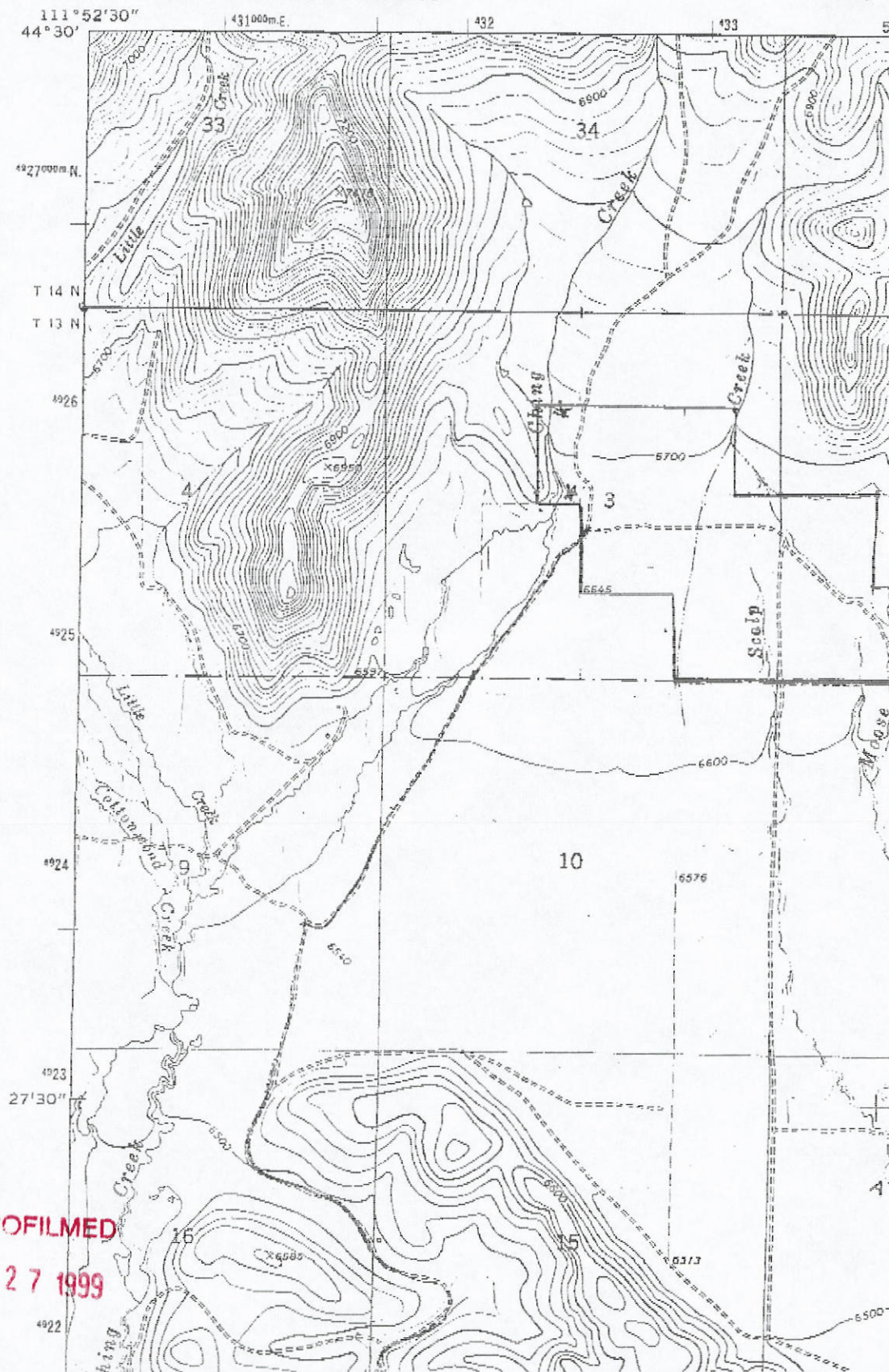




3473 III
LOWER RED ROCK
LAKE 1.62 500

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



MICROFILMED
MAY 27 1999

RECEIVED

MAR 09 2004

Department of Water Resources

FOR OFFICE USE ONLY

Amt. of Fee \$: 135.00
Receipt No. 0633031
Receipt By: MC
Date Received: 3/9/04

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 31-7654 Telephone No. (208) 523-5306

2. Name of Permit Holder(s): CHING CREEK LLC

3. Mailing Address: 2633 E 105N

City IDAHO FALLS State ID Zip 83401

4. Source of Water: CHING CREEK If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

Well Driller: _____ Drilling Permit Number: _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: POWER PRODUCTION

6. Total rate of diversion and/or volume for which proof is submitted: 3.8 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes X or No _____

Has the measuring device been installed?

Yes X or No _____

8. Fee Enclosed: \$ 175.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: GREG PECK Telephone Number (208) 523-5306

Address: 2633 E 105 N IDAHO FALLS, ID 83401

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Gregory Peck Registered Agent Date: 3/1/04

(include your title, if on behalf of company or organization)

MICROFILMED

MAR 29 2004

November 26, 1999

For Office Use Only
\$25 filing fee ☒
Receipt # ED25987
Date 7/26/00

RECEIVED

JUL 17 2000

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

RECEIVED

JUN 26 2000

Department of Water Resources

I, GREGORY C. PECK, hereby assign to CHING CREEK L.L.C.
of, 2633 E 105N IDAHO FALLS, ID 83401 (208) 523-5306
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 31-07654 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

RECEIVED

JUL 13 2000

The following described portion of my right, title, and interest in and to for Permit No. _____ to appropriate the public waters of the State of Idaho. Department of Water Resources Eastern Region
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 26th day of JANUARY, 2000.

Gregory Peck, REGISTERED AGENT FOR IDAHO FOR
Permit Holder(s) GREAT NORTHERN ADVENTURES L.L.C.

State of Idaho)

County of Bonneville SS

On this 26th day of January, 2000, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Kathryn Dabell
Notary Public residing at

SEAL

Idaho Falls, Idaho

My commission expires: 10-16-2001

MICROFILMED

AUG 17 2000

PETE T. CENARRUSA
SECRETARY OF STATE

BEN YSURSA
CHIEF DEPUTY
SECRETARY OF STATE

700 West Jefferson
PO Box 83720
Boise, Idaho 83720-0080
Telephone 208 334-2300
Facsimile 208 334-2282

e-mail: sosinfo@idsos.state.id.us
<http://www.idsos.state.id.us>



STATE OF IDAHO
SECRETARY OF STATE

Corporations Division
208 334-2301
Uniform Commercial Code Division
208 334-3191
Facsimile 334-2847
Trademarks/Notaries Division
208 334-2300
Elections Division
208 334-2852
Legislative and Executive Affairs
208 334-2300
Fiscal Division
208 334-5355
Computer Services
208 334-5354

Dear Customer:

The enclosed document has been filed. The purpose of this letter is to inform you of the following annual requirements:

Each corporation and each limited liability company authorized to transact business in this state must deliver to the secretary of state for filing an annual report on a form provided by this office.

If an annual report is not received on or before the due date, the following will occur:

- 1) All domestic corporations and limited liability companies will be subject to administrative dissolution;
- 2) All foreign corporations will be subject to revocation of its authority to do business in Idaho;
- 3) All foreign limited liability companies will be subject to administrative cancellation;

The form must be executed by a person authorized by the company, indicating such capacity, setting forth the name of the company, the state or country under whose law it is incorporated/incorporated, along with the names and addresses of its current registered agent and officers.

The first, and all subsequent annual reports shall be delivered to the secretary of state each year before the end of the month during which a corporation or limited liability company was initially authorized to transact business. (Please note: the first annual report is not due until 1 year after the initial filing date)

A pre-printed report form will be mailed to the corporation four months prior to its due date. There is no filing fee if the corporation's annual report is received in this office by the date it is due. (A post mark date will not be accepted)

Very truly yours,

Tonya Herold
Corporation Division

Enclosures: cited

MICROFILMED

AUG 17 2000



APPLICATION FOR REGISTRATION OF FOREIGN LIMITED LIABILITY COMPANY

ORIGINAL

(Instructions on back of application)

99 SEP 20 PM 2:44

SECRETARY OF STATE
STATE OF IDAHO

- The name of the limited liability company is: Ching Creek, L.L.C.
- If the name of the limited liability company is not permissible or is not available in Idaho, the name the foreign limited liability company will use in Idaho is: _____
- The jurisdiction under whose laws the limited liability company is organized is State of Washington, and the date of its formation was July 21, 1999
- The name and address of the registered agent in Idaho is: Gregory Peck
2633 East 105 North, Idaho Falls, Idaho 83401
- The address of the limited liability company's office in the jurisdiction under whose laws it is organized is: 8456 - 128th S.E., Newcastle, Washington 98056
- The address of the limited liability company's principal office, if other than the address in #5 above, is: _____
- The address to which correspondence should be addressed is: 8456 - 128th S.E.
Newcastle, Washington 98056
- Signature of a manager, if any, or a member if there are no managers.

Steven D. Bumstead

Steven G. Bumstead, Manager

Typed or Printed Name
Manager ☒ Member ☐

IDAHO SECRETARY OF STATE
Secretary of State Use Only

09/20/1999 09:00
CK: 8637 CT: 110962 BH: 251393

1 @ 100.00 = 100.00 REGFORLLC # 2

g:\corpforms\LLC2.pm6 Revised 10/98

W 9800
MICROFILMED
AUG 17 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 31-07654

Proposed Priority: February 16, 1999 Maximum Diversion Rate: 3.80 CFS

This is to certify, that GREAT NORTHERN ADVENTURES LLC
2633 E 105 N
IDAHO FALLS ID 83401

has applied for a permit to appropriate water from:
CHING CREEK tributary of CAMAS CREEK

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

POWER	01/01 to 12/31	3.80 CFS
-------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 3, Township 13N, Range 39E
CLARK County

PLACE OF USE: POWER

TWN RGE SEC

13N 39E 3 NESW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 2004.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 31.
5. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
6. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
7. The rights for the use of water acquired under this right shall be junior and subordinate to all other rights for the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

MICROFILMED

MAY 27 1999

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 31-07654

CONDITIONS OF APPROVAL AND REMARKS

8. This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
9. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
10. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
11. Use of water under this right shall be non-consumptive.
12. The Director retains jurisdiction of this right in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.
13. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
14. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
15. The Director retains jurisdiction to require a bypass flow for maintenance of fish, wildlife, riparian and aquatic habitat.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

22nd day of April, 1999.

K. J. Dreher
for Karl J. Dreher, Director

MICROFILMED

MAY 27 1999

Receipt #ED24778

\$10.00

Ident. No.

31-07654

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

MAR 29 1999

DEPARTMENT OF WATER RESOURCES

- Name of Applicant GREAT NORTHERN ADVENTURES L.L.C. Phone (208) 523-5306
Mailing address 2633 E. 105 N, IDAHO FALLS, IDAHO 83401
- Source of water supply CHING CREEK which is a tributary of CAMAS CREEK
- Location of point of diversion is Township 13 NORTH Range 39 EAST Sec. 3 in the N.W. 1/4, SE 1/4, NW 1/4, Govt. Lot N.A., B.M., CLARK County; additional points of diversion if any: NONE *change as per tel-con with Michelle Peck 2-17-99 HW
- Water will be used for the following purposes:
Amount 3.8 CFS for POWER GENERATION purposes from JAN. 1 to DEC. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Total quantity to be appropriated is (a) 3.8 and/or (b) _____
cubic feet per second acre feet per annum
- Proposed diverting works:
a. Describe type and size of devices used to divert water from the source 16 inch diameter pipe reduced to 10 inch diameter pipe
b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet
c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? N/A; Drilling firm _____; Well was drilled for (well owner) _____; Drilling Permit No. _____
- Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
- Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in KW. 35 FT. head, 6 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. _____

MICROFILMED

MAY 27 1999

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.

* Change as per tele-con with Michelle Peck 2-17-99

TWP	RGE	SEC	NE *				NW				SW				SE				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	39E	3			R						P								

Total number of acres to be irrigated 2

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? GREAT NORTHERN ADVENTURES L.L.C.

b. Who owns the land to be irrigated or place of use? GREAT NORTHERN ADVENTURES LLC.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Applicant is Authorized Agent for Great Northern Adventures LLC.

12. Remarks: DIVERSION IS ONLY FOR THE PURPOSE OF POWER GENERATION.
ALL WATER WILL BE RETURNED TO THE STREAM AT A POINT
ABOUT 1/4 MILE TO THE SOUTH OF POINT OF DIVERSION.
MEASURES WILL BE TAKEN TO PREVENT FISH FROM ENTERING
PENSTOCK PIPE. THE POWER IS TO BE USED FOR PRIVATE
DWELLING. *Water used for power but not sold to interstate grid.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.)

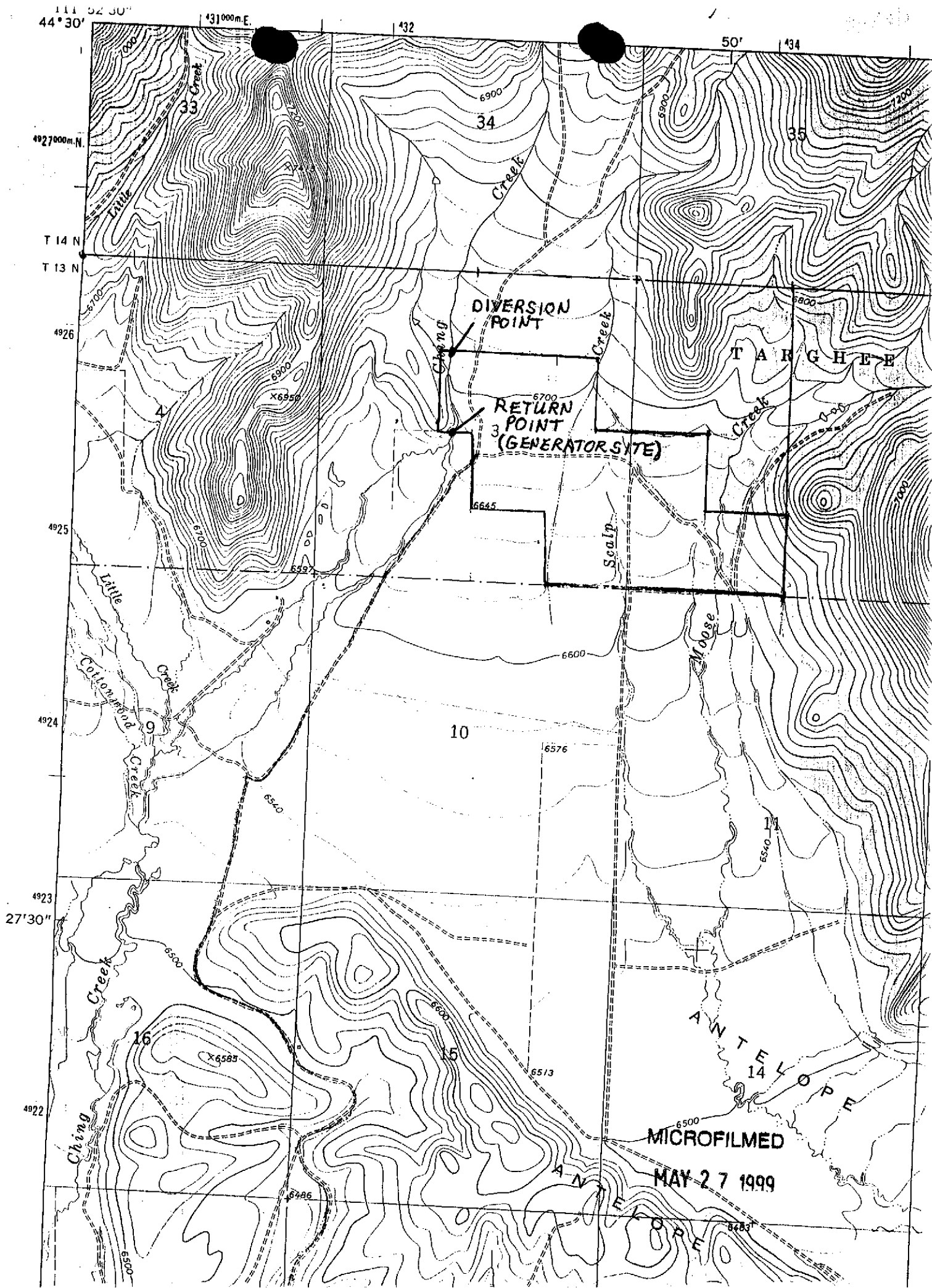
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Gregory C. Peck
 Signature of Applicant (and title, if applicable)
Authorized Agent in Idaho

Received by AD Date 2-16-99 Time 11:30 AM Preliminary check by _____
 Fee \$ 160.00 Received by AD # 5024718 Date _____
 Publication prepared by SC Date 3/4/99 Published in Post Register
 Publication approved SC Date 3/18/99

MICROFILMED

MAY 27 1999



RECEIVED

APR 13 1999

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

RECEIVED

APR 16 1999

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

Department of Water Resources

Eastern Region

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, GREGORY C. PECK of IDAHO FALLS
(name) (city)

County of BONNEVILLE, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the GREAT NORTHERN
ADVENTURE L.L.C. : 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 IDAHO FALLS
(city)

Idaho, wherein are kept the corporate records required by Section 30-1-52, Idaho Code: and that GREAT

NORTHERN ADVENTURE LLC 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.

Gregory C. Peck
Applicant

State of Idaho Bonneville ss.
County of _____

On this 11th day of April, 19 99, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Kathryn Dapell
Notary Public residing at Idaho Falls, Id.
My Comm. Exp. 10-16-2001

seal

My commission expires:

10-16-2001

MICROFILMED

MAY 27 1999

GREAT NORTHERN ADVENTURE L.L.C.

MEMBERS:

STEVEN BUMSTEAD: 8456-128th N.E., NEWCASTLE, WA.
98056

JACQUELINE BUMSTEAD: 8456-128th N.E., NEWCASTLE, WA.
98056

GREGORY PECK - REGISTERED AGENT FOR IDAHO
2633 E 105 N IDAHO FALLS, ID 83401

Gregory Peck
2/15/99

MICROFILMED

MAY 27 1999



APPLICATION FOR REGISTRATION OF FOREIGN LIMITED LIABILITY COMPANY

(Instructions on back of application)

1. The name of the limited liability company is: Great Northern Adventure L.L.C.
2. If the name of the limited liability company is not permissible or is not available in Idaho, the name the foreign limited liability company will use in Idaho is: _____
3. The jurisdiction under whose laws the limited liability company is organized is State of Washington, and the date of its formation was June 16, 1997
4. The name and address of the registered agent in Idaho is: Gregory Peck
2633 East 105 North, Idaho Falls, ID 83401
5. The address of the limited liability company's office in the jurisdiction under whose laws it is organized is: 8456 - 128th S.E., Newcastle, Washington 98056
6. The address of the limited liability company's principal office, if other than the address in #5 above, is: _____
7. The address to which correspondence should be addressed is: 8456 128th S.E.
Newcastle, WA 98056
8. Signature of a manager, if any, or a member if there are no managers.

Steven Bumstead 4 Feb 1999

Steven Bumstead, Member

Typed or Printed Name
Manager ☐ Member ☒

Secretary of State use only

g:\comptons\LLC2.ppt6 Revised 10/98

MICROFILMED
MAY 27 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 11, 2004

CHING CREEK LLC
2633 E 105 N
IDAHO FALLS ID 83401

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 31-7654

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.state.id.us.

If you have questions about the field examination, please contact the **Eastern** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED
MAR 29 2004

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 31-7654

Reviewed By: dgibson

Date: March 10, 2004

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	E024778, C073031		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?	X	
Name and address same as permit?		X	Measuring device installed?	X	
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	03/09/2004
Date proof due	- 05/01/2004
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 02/16/1999
New priority date	= 02/16/1999

Deficiencies of Actions Items

Acknowledge proof. ~~Update database with name change.~~

February 29, 2004

CHING CREEK LLC
2633 E 105 N
IDAHO FALLS, ID 83401

PROOF DUE NOTICE

RE: PERMIT NO. 31-7654

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 May 01, 2004. (See last page of your approval 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.

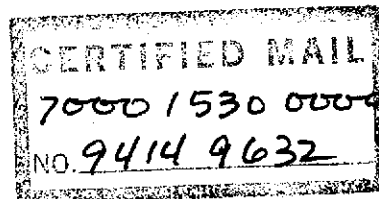
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures



MICROFILMED
MAR 29 2004



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

July 18, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHING CREEK LLC
2633 E 105 N
IDAHO FALLS ID 83401

RE: Assignment of Permit 31-07654

Dear Permit Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced permit to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

jp Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
AUG 17 2000



RECEIVED

APR 23 1999

Department of Water Resources

IDAHO FISH & GAME

UPPER SNAKE REGION
1515 Lincoln Road
Idaho Falls, Idaho 83401-2198

Dirk Kempthorne / Governor

Jerry Mallet / Interim Director

April 20, 1999

Ms. Cindy Zimmerman
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

Subject: Water right application 31-07654 (Great Northern Adventures, Ching Creek)

Dear Cindy:

Idaho Department of Fish and Game personnel have reviewed the applicant's proposal for a water right to be used for hydroelectric power generation. Given the time of year and snow conditions, we have been unable to inspect the project area.

We appreciate the fact that the applicants have expressed a commitment to protect fish and wildlife in the affected area. In addition, we request that the water right include the following conditions to protect fish and wildlife resources in the affected area, and any other appropriate conditions to protect beneficial uses:

1. Installation of a measuring device.
2. Installation of screens (1/4 inch or smaller mesh) on diversion intake and on return water outlet.
3. Orient the intake pipe to limit approach velocity to less than or equal to 0.5 feet per second.
4. Maintain adequate flows in creek (bypass) channel year-round to protect fish and wildlife and other beneficial uses. We understand the applicant's water right of 3.8 cfs would be 1/4 of the flow they measured on October 24, 1999. It is unknown whether this was a typical annual low flow. We have to be concerned about the project dewatering the creek channel. We were told by the Targhee National Forest hydrologist that field notes from a previous investigation by the Forest Service on Ching Creek indicate an estimated mean annual flow of 12.3 cfs, and a low flow of 1 cfs. It is unknown if this 1 cfs low flow was measured in the field, or if it was more likely estimated. If so, the basis of the estimate is unknown. Regardless, it is unknown at this time if full diversion of 3.8 cfs would always provide an adequate flow in Ching Creek to maintain fish and wildlife resources.

Thank you for the opportunity to provide comments.

Sincerely,

Don Wright
Regional Supervisor

DW:RM

cc: Natural Resources Policy Bureau

MICROFILMED
MAY 27 1999



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 22, 1999

GREAT NORTHERN ADVENTURES LLC
2633 E 105 N
IDAHO FALLS ID 83401

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 31-07654

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

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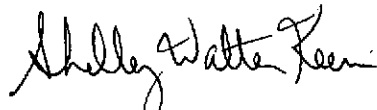
Please be advised that use of water under this approval may be subject to the regulations of the Federal Energy Regulatory Commission (FERC) or the Idaho Public Utilities Commission (PUC). You may still need to obtain approval from FERC and/or PUC. We suggest that you check with them before starting construction.

Please be advised that water quality is subject to regulations of the Idaho Department of Health and Welfare. We suggest that you check with them before starting construction.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

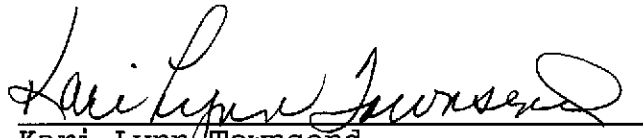
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MAY 27 1999

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of April, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 31-07654

GREAT NORTHERN ADVENTURES LLC
2633 E 105 N
IDAHO FALLS ID 83401


Kari Lynn Townsend
Secretary

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MAY 27 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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MAY 27 1999

MEMORANDUM

TO: File No. 31-07654
FROM: Cindy Zimmerman *3*
RE: General Review of Hydropower Use Requirements
DATE: 04/21/99

PRELIMINARY INFORMATION:

Power in kilowatts

Multiply demand in watts per square foot by the home size in square feet.
Divide by 1000.

<u>Use</u>	<u>Demand (Watts/sq. ft.)</u>
Lights & refrigerator only	2
Lights/refrigerator/hot water/cooking/clothes dr	4-7
Total electric house	10-15

Design Flow:

(see Graphical Solution of Hydro Power Problems)

Gross head in feet

For pelton wheel or hydrolic turbine:

- ~ Total vertical elevation difference in feet between the upper
- ~ end of the penstock and the lower end of the penstock.

For overshot water wheel:

- ~ Total vertical elevation difference in feet between the bottom
- of the discharge flume and the water surface of the tail-water.

Efficiency

For pelton wheel or hydrolic turbine, use 50%.
For overshot water wheel, use 40%.

KNOWN DATA:

Power in kilowatts

$$\begin{aligned} P &= \text{sq. ft.} \times (\text{watt/sq ft}) / 1000 \\ &= ? \times ? / 1000 \\ &= 6 \text{ KW} \end{aligned}$$

Gross head in feet

$$H = 35 \text{ ft.}$$

Efficiency factor (0.5 or 0.4)

$$e = 0.5$$

Design Discharge in cfs

$$Q = 3.8 \text{ cfs}$$

TO CALCULATE:

Equations:

$$\begin{aligned} P &= (Q \cdot H \cdot e) / 11.8 \\ &= 5.63559 \text{ KW} \end{aligned}$$

$$\begin{aligned} Q &= (P \cdot 11.8) / (H \cdot e) \\ &= 4.04571 \text{ cfs} \end{aligned}$$

$$\begin{aligned} H &= (P \cdot 11.8) / (Q \cdot e) \\ &= 37.2632 \text{ ft.} \end{aligned}$$

$$\begin{aligned} e &= (P \cdot 11.8) / (Q \cdot H) \\ &= 0.53233 \end{aligned}$$

on application: $P = 6 \text{ KW}$
 $H = 35 \text{ ft}$

MICROFILMED
 $Q = 3.8 \text{ cfs}$
MAY 27 1999

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by Cindy L. L...No.: 31-7654 Name: Great Northern Adventures UC Date: 4/20/99 Ad OK? ☒ Gvmt Lts: ☒AREA OF CONCERN: - No/Yes: ESRP Mor / GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A/P17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046-P23
- In Basin 34? - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD
- WMD
- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp. irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED: - YES / NO; WHEN: 2/23/99 RESPONSE: None

IN/ABOVE MSF (✓ MAP)

IN-STREAM DEVELOPMENT - P52 (stream channel alteration)

WD (✓ MAP & LISTING)

- > 0.20 cfs - R04 (WD # 31)
- ≤ 0.20 cfs - 01M (MD & LD) no power used on
- WMD (✓ MAP) - 01M-P01 (LD), 01P or No MD (in-stream stock)

- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

- Snake R (01) - *W22 - P04, NA
- (02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
- Payette R (65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
- Salmon R (70's) - 029 (fish screens), NA
- Weiser R (67) - 086, 087

USE:

- STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req) - 081-P10
- FISH PROPAGATION - 029 (70's only) - 007-042(req) - 081 (WQ) - P10
- HEATING/COOLING - R07 (injection well) *
- POWER - 17H/17K(+uses) - 08A-095-P18 - 01M-029-081-P10-027 (if no other cons. use); 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070

FIRE PROTECTION

- 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 120
- 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
- SWAN FALLS FLAG (✓ Code) - 3

Trust

Non-Trust (1)

- 051-052-053-P74 (Consumptive Uses), NA
- 048-049 (Consumptive Uses), NA
- 004 (PD/PU)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS: - QW13 QW15 QW16BENEFICIAL USE DUE: - 5/1/2004

COMMENTS:

facsimile
TRANSMITTAL

to:

Cindy Zimmerman

fax #:

from:

Bob Martin

date:

4-20-99

pages:

4

, including this cover sheet.

*Peck's letter to me.*Idaho Dept of Fish and Game
1515 Lincoln Road
Idaho Falls ID 83401208/525-7290
Fax: 208/523-7604

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MAY 27 1999

*Peck / Kilgore
hydro***BP ENTERPRISES**2633 E. 105 N.
IDAHO FALLS, IDAHO 83401
(208) 523-5306Gregory Peck
2633 E. 105 N.
Idaho Falls, Idaho 83401

January 28, 1999

Idaho Department of Fish & Game
c/o Bob Martin

Dear Sir,

I appreciate the time you took today with the telephone conversation with my wife, Michele Peck. Per your request, I am submitting the following information concerning the small-scale hydroelectric project we are hoping to construct on our ranch north of Kilgore:

1. **Legal description of property:** Township 13 North, Range 39 East of the Boise Meridian, Clark County, Idaho: Section 2: W $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$. Section 3: N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.
2. **Topographical Map of Property:** I have attached a copy of the portion of the ANTELOPE VALLEY QUADRANGLE, IDAHO, 7.5 MINUTE SERIES TOPOGRAPHICAL MAP which contains our property. Our proposal is to divert the needed water from Ching Creek as it enters the North boundary of the property, run it through an underground penstock pipe to a generator located at the point where the creek leaves the South boundary, and then return the water to the creek at that point. These points are marked on the map.
3. **Method of Measuring Minimum Stream Flow:** The stream flow measurements were conducted on Saturday, October 24, 1998 with the assumption that time of year would likely represent the minimum flow in the creek. The method used to measure the volumetric flow of the stream was taken from "The Idaho Micro Hydro Handbook" and is called the Float Method. Two level strings were first staked parallel across the stream along a section of approximately constant width. A cross section of the stream was determined by taking depth measurements at one-foot intervals across both of the strings. These depths were averaged, multiplied by the width of the stream, then divided by two to obtain the average cross sectional area of the stream. The average velocity of the water was determined by timing a float as it passed between the two strings at several different locations across the stream. By dividing the average time into the distance between the strings, the average stream velocity was determined. The volumetric flowrate of the stream was then calculated by multiplying

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MAY 27 1999

Idaho Department of Fish & Game

Page 2

January 28, 1999

the cross sectional area of the stream and the average velocity. This resulted in an average minimum stream flow of 15.26 ft³/second or 6850 gal./min.

4. **Proposed Amount of Water to be Diverted:** To provide for our projected power needs, we have calculated that we will need to divert 3.8 ft³/second or 1712 gal./min.. This constitutes approximately 25% of the minimum stream flow. The generating system will be designed such that the amount of water diverted will be closely controllable. If occasions arose when the stream flow dropped below that calculated above, the amount diverted could be reduced accordingly.

I hope that this information is sufficient to begin your evaluation of this proposed project. We are very committed to maintaining the environment and ecosystems of the ranch property. Of the available options for providing power, this proposal appears to be the most environment friendly. Please feel free to contact us at any time for additional information or assistance. We certainly appreciate your time and consideration.

Yours Truly,



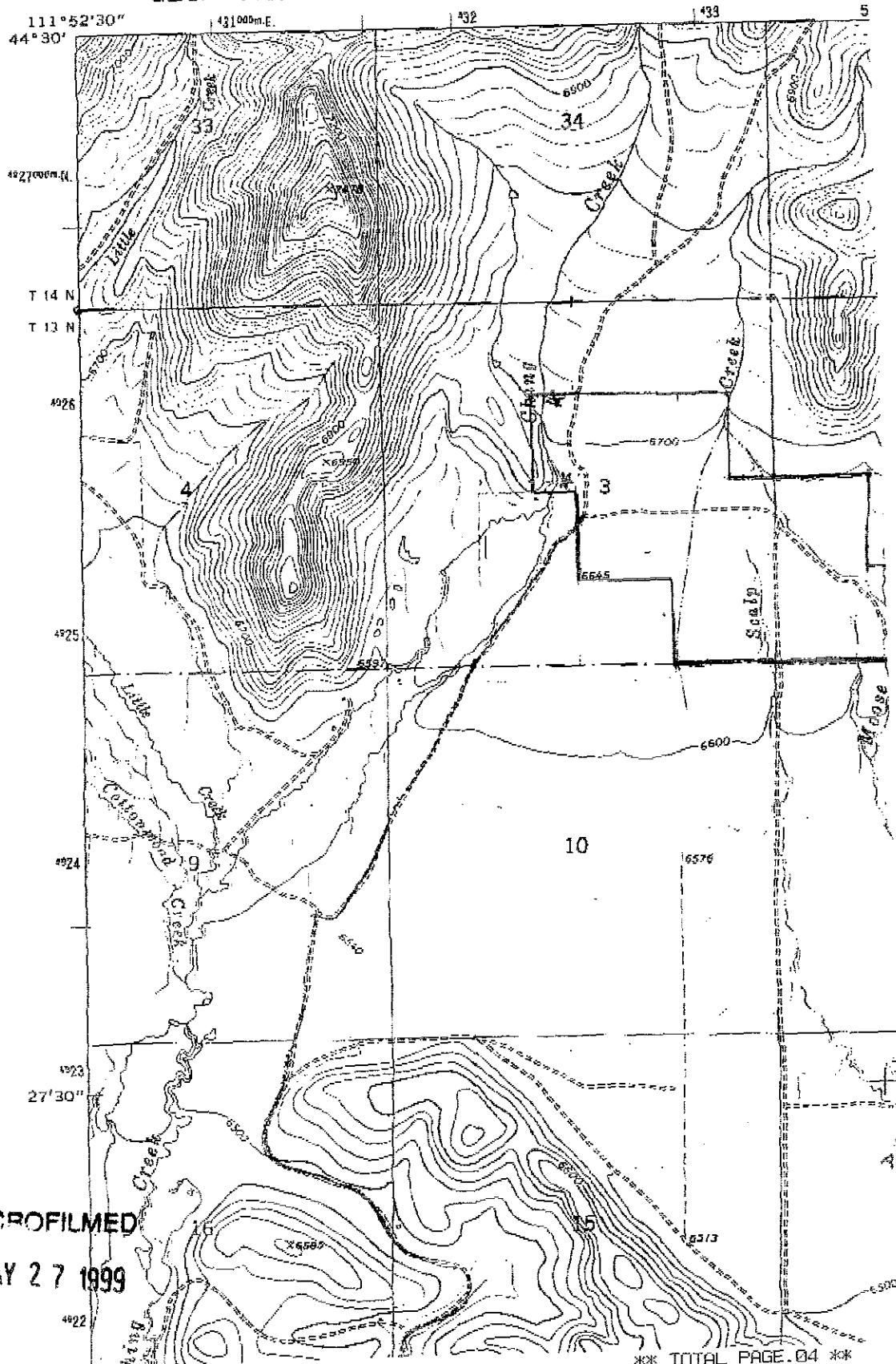
Gregory Peck

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MAY 27 1999

3473 HI
(LOWER RED ROCK
LAKE 1.62 500)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



**IDAHO FISH & GAME**

UPPER SNAKE REGION
1515 Lincoln Road
Idaho Falls, Idaho 83401-2198

Dirk Kempthorne / Governor

Jerry Mallet / Interim Director

April 20, 1999

Ms. Cindy Zimmerman
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

Subject: Water right application 31-07654 (Great Northern Adventures, Ching Creek)

Dear Cindy:

Idaho Department of Fish and Game personnel have reviewed the applicant's proposal for a water right to be used for hydroelectric power generation. Given the time of year and snow conditions, we have been unable to inspect the project area.

We appreciate the fact that the applicants have expressed a commitment to protect fish and wildlife in the affected area. In addition, we request that the water right include the following conditions to protect fish and wildlife resources in the affected area, and any other appropriate conditions to protect beneficial uses:

1. Installation of a measuring device.
2. Installation of screens (1/4 inch or smaller mesh) on diversion intake and on return water outlet.
3. Orient the intake pipe to limit approach velocity to less than or equal to 0.5 feet per second.
4. Maintain adequate flows in creek (bypass) channel year-round to protect fish and wildlife and other beneficial uses. We understand the applicant's water right of 3.8 cfs would be 1/4 of the flow they measured on October 24, 1999. It is unknown whether this was a typical annual low flow. We have to be concerned about the project dewatering the creek channel. We were told by the Targhee National Forest hydrologist that field notes from a previous investigation by the Forest Service on Ching Creek indicate an estimated mean annual flow of 12.3 cfs, and a low flow of 1 cfs. It is unknown if this 1 cfs low flow was measured in the field, or if it was more likely estimated. If so, the basis of the estimate is unknown. Regardless, it is unknown at this time if full diversion of 3.8 cfs would always provide an adequate flow in Ching Creek to maintain fish and wildlife resources.

Thank you for the opportunity to provide comments.

Sincerely,

Don Wright
Regional Supervisor

DW:RM

cc: Natural Resources Policy Bureau

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RECEIVED

01-99
APR 01 1999
Department of Water Resources

State of Idaho
Department of Water Resources

RECEIVED

APR 4 1999
Department of Water Resources
Eastern Region

RECOMMENDATION OF WATERMASTER

Application No: 31-07654

Applicant's Name: Great Northern Adventures L.L.C.

Watermaster's Recommendation:

a) ☐ I do not oppose approval of this application.

b) ☒ I do not oppose approval of this application if it is conditioned as

follows: Adequate measuring devices both
at the P.O.D. and at the returning
point to the Creek.

c) ☐ I oppose approval of this application for the following reasons:

d) Additional Comment: _____

Dated this 25 day of March, 1999.

Water District No: 31


Watermaster's Signature

Use reverse side of page if you need more space.

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MAY 27 1999

RECEIVED

Send Copy to
Res Game & WD 31

MAR 29 1999

DEPARTMENT OF WATER RESOURCES

Dist. for staffing
Submitted for advertising2-17-99

Form No. 202

4/87

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS PERMIT

Great Northern Adventures

INITIAL REVIEW BY HWT DATE 2-17-99 APPLICATION NO. 31-07654REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☒ Yes ☐ No Power residency affidavit (Submitted) check after advertising
☐ Yes ☒ No Power efficiency form
☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

Date Requested _____

PROCESSING

☒ Yes ☒ No In form for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☒ Idaho Dept. of Fish & Game *FD Falls* ☐ U.S. Forest Service
☐ Idaho Dept. of Lands *2/23/99* ☒ Water District 31
☐ Adjudication Bureau Unit ☐ Other _____

Greg Shurtan
2/23/99

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken _____

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received - *received & withdrawn*
Final date for protest _____
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application

☐ Yes ☒ No Recommendations attached
☒ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 31

☒ Yes ☐ No Special conditions of approval or cover letter below.
** The intake ~~screen~~ pipe will be screened & have a measuring device & lockable headgate.*

Date of priority recommended 2-16-1999
By: *[Signature]* Date: 2-23-99
STATE OFFICE REVIEW

By _____ Date: _____
ADDITIONAL INFORMATION

** Fish & Game will send letter with additional conditions to consider.*

I called Bob Martin @ F&G on 4/20/99 to see if comment letter would be forthcoming. Bob faxed me a copy of applicant's letter and calculations and F&G's comments on the new appropriation.
- CG 4/20/99

LOCAL PUBLIC INTEREST

Comments received from

_____ City	_____ Idaho Fish & Game	_____ Irrigation Dist.
_____ County	_____ Idaho Health & Welfare	_____ Canal Company
_____ Reservations	_____ Div. of Environment	_____ Other _____

Project impacts/implications report

COMMENTS

3-22-99

1 DWR

% Harold Jones,

Dear Sir,

Owsley Canal Company wishes to withdraw
its protest on Trust Water-Right 31-07654
involving Ching Creek.

Sincerely,
Guth Soderqvist
President

Protest filed on March 18, 1999 but protestants contacted
by applicants + protest withdrawn before cashing protest fee check.
Check was returned.

Jef

3-22-99

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MAY 27 1999

Proof of Publication

The Post Register

RECEIVED

MAR 18 1999

State of Idaho
County of Bonneville

Department of Water Resources
Eastern Region

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for two consecutive (days) weeks, first publication having been made on the 4th day of March, 1999, last publication having been made on the 11th day of March, 1999, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Robert Park

Subscribed and sworn to before me, this 17th day of March, 1999

Patricia O'Malley
Notary Public

My commission expires January 3, 2003

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

31-07654

GREAT NORTHERN ADVENTURES LLC
2633 E 105 N
IDAHO FALLS, ID 83401
Source: CHING CREEK
Tributary: CAMAS CREEK
Diversion Pt: NESENW Sec 3 T 13N R
39E in CLARK County.
Use: POWER (3.800 CFS)
Total Diversion: (3.800 CFS)
Date Filed: 2/16/1999
In: CLARK County
T13N R39E S03 NESW

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, 900 N. Skyline Dr., Idaho Falls, ID, 83402, on or before MARCH 22, 1999.

KARL J. DREHER, Director
Published: March 4, 11, 1999



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MAY 27 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

February 23, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

**GREAT NORTHERN ADVENTURES LLC
2633 E 105 N
IDAHO FALLS ID 83401**

RE: Applications for Permit #31-07654

Dear Applicant:

This office is currently in the process of advertising the application in the Post Register on March 4 and 11, 1999. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

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MAY 27 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

February 23, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

IDAHO FISH & GAME
1515 LINCOLN RD
IDAHO FALLS ID 83401

RE: Application for Permit #31-07654

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is March 22, 1999, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.

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MAY 27 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 23, 1999

GREG SHENTON
WATERMASTER #31
PO BOX 33
DUBOIS ID 83423

RE: Application for Permit #31-07654

Dear Greg:

Please find enclosed a copy of the above referenced application for permit. Please review the application and submit any comments you may have to our Department by March 22, 1999.

If you have any questions, please feel free to contact us.
Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ:sc

enc.

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DIRECTOR

FEBRUARY 23, 1999

Legal Notices Department
THE POST-REGISTER
P.O. BOX 1800
IDAHO FALLS, ID 83403

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 22, 1999.

Yours truly,

Sharla Cox
Secretary

Encl.

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mailed
2/23/99
SC

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

31-07654

GREAT NORTHERN ADVENTURES LLC
2633 E 105 N
IDAHO FALLS, ID 83401

Source: CHING CREEK

Tributary: CAMAS CREEK

Diversion Pt: NESENW Sec 3 T 13N R 39E in CLARK County.

Use: POWER (3.800 CFS)
Total Diversion: (3.800 CFS)

Date Filed: 2/16/1999

In: CLARK County
T13N R39E S03 NESW

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, 900 N. Skyline Dr., Idaho Falls, ID, 83402, on or before MARCH 22, 1999.

KARL J. DREHER, Director

Published: 3/ 4/1999 & 3/11/1999

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