

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07669

Priority: January 9, 1990

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

2.4 AF

This is to certify, that IDAHO POWER CO
PO BOX 70

BOISE ID 83707

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1990; and has submitted Proof of Beneficial Use on July 5, 1990. An examination indicates that the works have a diversion capacity of 0.110 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>
DOMESTIC	12/01 to 12/31	0.06 CFS	2.4 AF

LOCATION OF POINT(S) OF DIVERSION: SESE, Sec. 30, Township 10S, Range 21E
TWIN FALLS County

PLACE OF USE: DOMESTIC

TWN RGE SEC

10S 21E 30

SESE

CONDITIONS/REMARKS:

1. The maximum diversion 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 that is actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use to the extent accepted standards of diversion and use practice.
2. This water right is a domestic use and place of use.
3. This right is subject to forfeiture and may be forfeited by five years non-use.
4. Modifications to or variations from this license may be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 2 homes.

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 24TH day of MAY, 1995.

Acting for

KARL J. DREHER, Director

RECORDED

JUN 1 1995

For Office Use Only
Amt. of Fee \$ 50.00
Date 7/5/90
Receipt No. 3012975
Received by JRS
MS. 8-21-90

RECEIVED
JUL 9 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
JUL - 5 1990

Department of Water Resources

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.

Department of Water Resources
Southern Region Office

Permit No. P 45 - 07669

208-736-3224
Telephone No. 208-432-5283

Name(s) of Permit Holder(s): Idaho Power Company

Post Office Address: P. O. Box 70, Boise, Idaho 83707

Source of Water: Well

If ground water, well driller's name: Denton Drilling Date drilled: 2/11/90 thru 3/21/90

Extent of Use:

Domestic 2 (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other Commercial - two temporary office trailers

Total rate and/or volume for which proof is submitted .10 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: March 21, 1990

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

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

OR

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

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Ralph L. Graham
Name

208-432-5283
Telephone No.

Rt. 1, Box 144, Murtaugh, Idaho 83344

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.

SEP 26 1990

6/22/90
Date

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

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 45-07669

Proposed Priority: January 9, 1990 Maximum Diversion Rate: 0.10 CFS

This is to certify, that IDAHO POWER CO.

P.O. BOX 70

BOISE, ID 83707

has applied for a permit to appropriate water from: GROUNDWATER
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>
COMMERCIAL	01/01 to 12/31	0.04 CFS
DOMESTIC	01/01 to 12/31	0.06 CFS
	Totals	0.10 CFS

LOCATION OF POINT(S) OF DIVERSION: NESESE Sec. 30, Township 10S, Range 21E
TWIN FALLS County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

10S 21E 30 SESE

PLACE OF USE: DOMESTIC, same as COMMERCIAL use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1993.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
5. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
6. Commercial use is for 2 offices.
Domestic use is for 2 homes.

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

1st day of May, 1990

[Signature]
for R. Keith Higginson, Director

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MAY 31 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Idaho Power Co. Phone 208-383-2845
Post office address PO Box 70, Boise, Idaho 83707, Attn: Ralph Graham, OP-2
2. Source of water supply Ground Water which is a tributary of N/A
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot N/A
Sec. 30 Township 10S Range 21E B.M. Twin Falls County; additional
points of diversion if any: N/A
4. Water will be used for the following purposes:
Amount .06 for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs ~~or 5000 GPD~~)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for Commercial 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)
5. Total quantity to be appropriated is (a) 0.10 and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. N/A Well & pump
 - b. Height of storage dam N/A feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feet; period of year when water will be diverted to storage:
 to inclusive.
 - c. Proposed well diameter is 6 inches; proposed depth of well is 300 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
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).

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____

* ~~c. Municipal; show name of municipality.~~ Temporary Use - Domestic for two construction offices
~~See d.~~ Permanent Use - Domestic for two three bedroom homes

- d. Domestic; show number of households. _____
- e. Other; describe fully. * The temporary use will last for approximately 2 1/2 years after which time the permanent use will begin. Temporary 400 GPD Permanent 500 GPD

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	21E	30																C D	

Total number of acres to be irrigated N/A

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? Mark E. and Lola B Moorman

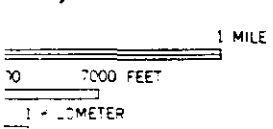
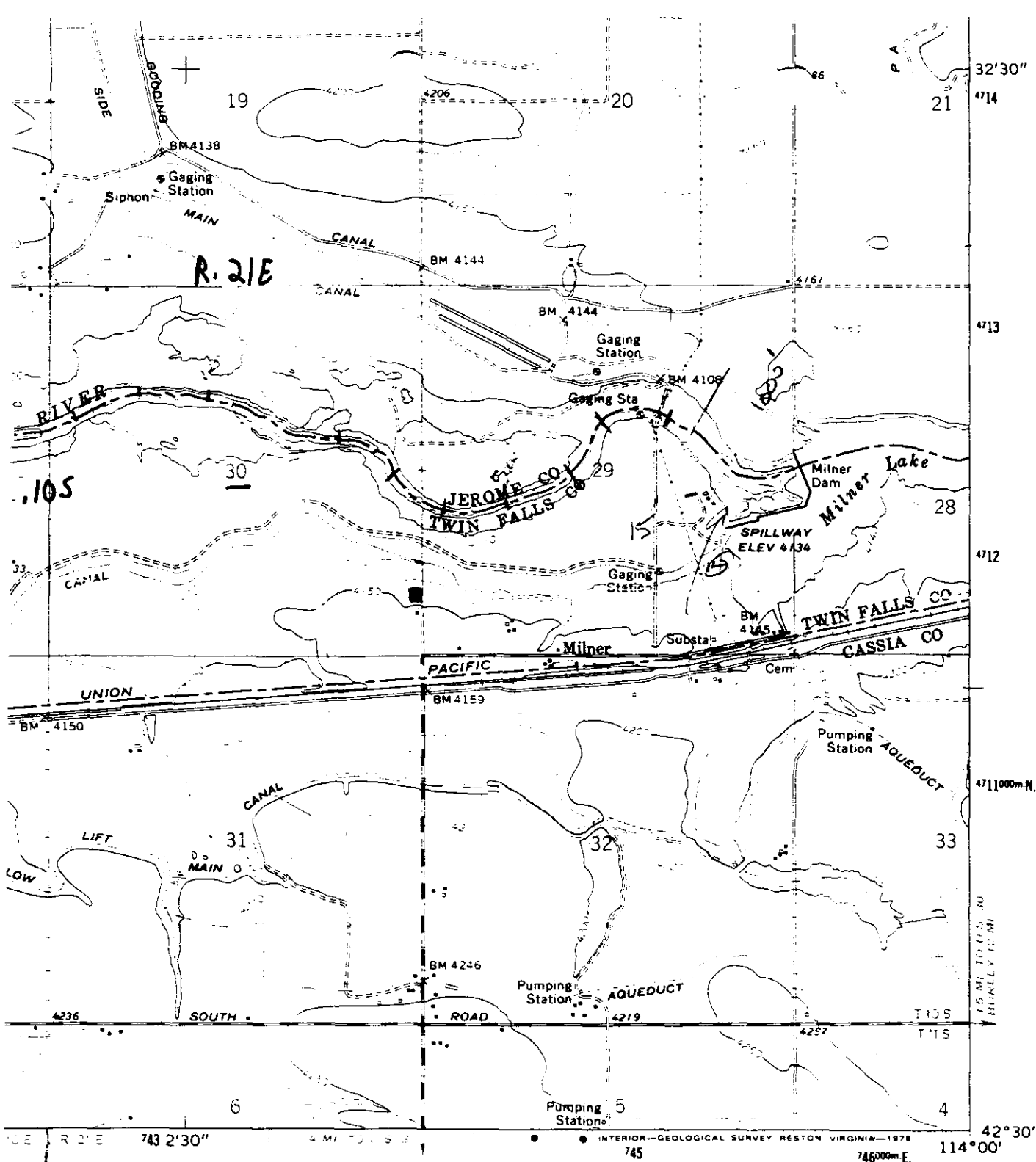
b. Who owns the land to be irrigated or place of use? Mark E. and Lola B Moorman

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Idaho Power Co. has an option to purchase the property. Arrangements are being made to exercise that option.

12. Remarks: A copy of the option agreement referred to in item 11.C. is attached.
Well driller - Denton Well Drilling, PO Box 290, Paul, Idaho 83318

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QUADRANGLE LOCATION

ROAD CLASSIFICATION

- Primary highway, all weather, hard surface
- Light-duty road, all weather, improved surface
- Secondary highway, all weather, hard surface
- Unimproved road, fair or dry weather

- Interstate Route
- U. S. Route
- State Route

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MILNER, IDAHO
N4230—W11400/7.5

1964:
PHOTOREVISED 1978
AMS 3169 II SE—SERIES V893

The area in red is the approximate location of the property, the black dot within the red is the approximate location of the well.

ARDS
TON, VIRGINIA 22092
ON REQUEST

45-07669

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. The applicable portion of a USGS map is attached.

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Scale: 2 inches equal 1 mile.

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

C. E. Binnell

C E Bissell

(Applicant)

Sr. Vice-Pres.

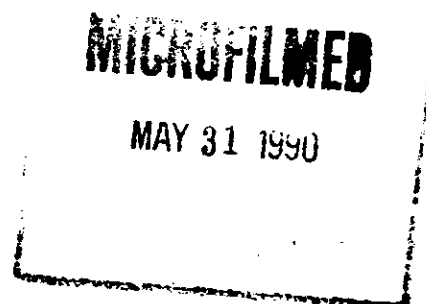
Received by SS Date 1/9/90 Time 10:05 Preliminary check by DRJ
Fee \$ 30.00 Receipted by J. P. Stanton # 5010880 Date 1-9-1990
Publication prepared by M. Baldwin Date 1-15-90 Published in Times News
Publication approved T. Jasper Date 3-6-90

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:



IDAHO POWER COMPANY

DIRECTORS

WAYNE W. ANDERSON, (1987) Boise, Idaho
President and Chief Operating Officer,
Idaho Power Company

ROBERT D. BOLINDER, (1980) Boise, Idaho
President, Robert D. Bolinder Associates
(Financial Consulting)

JAMES E. BRUCE, (1969) Boise, Idaho
Retired Chairman of the Board, Idaho Power Company

GEORGE L. COINER, (1971) Hansen, Idaho
President, Coiner Land & Livestock Co.
(Agriculturalist; Stockman)

A. DALE DUNN, (1985) Boise, Idaho
Retired President and Chief Executive Officer,
J.R. Simplot Company (Food Processing, Chemical
Fertilizer Manufacturing, Mining and Ranching)

JOHN A. ELORRIAGA, [1988] Portland, Oregon
Retired Chairman and Chief Executive Officer, United
States National Bank of Oregon and U.S. Bancorp

ROBERT V. HANSBERGER, (1959) Boise, Idaho
Chairman and Chief Executive Officer, Futura Corp.
(Manufacturing, Distribution, Fabrication and Services)

EVELYN LOVELESS, (1986) Boise, Idaho
President, Global, Inc. dba Global Travel

JON H. MILLER, [1988] Boise, Idaho
President and Chief Operating Officer, Boise Cascade
Corporation (Integrated Forest Products Company)

RICHARD T. NORMAN, (1986) Pocatello, Idaho
Chairman and Chief Executive Officer, H & N
Wholesalers, Inc., dba Norman Supply (Wholesale
Plumbing and Heating Equipment and Supplies)

ROBERT J. O'CONNOR, (1974) Boise, Idaho
Chairman and Chief Executive Officer,
Idaho Power Company

GENE C. ROSE, (1983) Ontario, Oregon
Partner, Yturri, Rose, Burnham, Ebert & Bentz
(Attorney)

PHIL SOULEN, (1971) Weiser, Idaho
President, Soulen Livestock Co. (Rancher and Stockman)

() Year elected to board

[] Year elected by board to fill vacancy

OFFICERS

ROBERT J. O'CONNOR (37)
Chairman and Chief Executive Officer

WAYNE W. ANDERSON (40)
President and Chief Operating Officer

JOSEPH W. MARSHALL (20)
Executive Vice President

CLIFFORD E. BISSELL (42)
Senior Vice President — Power Supply

LOGAN E. LANHAM (37)
Senior Vice President — Public Affairs

DANIEL K. BOWERS (14)
Vice President and Treasurer

LARRY R. GUNNOE (20)
Vice President — Distribution

DUWAYNE D. HAMMOND, JR. (17)
Vice President and Chief Financial Officer

PAUL L. JAUREGUI (19)
Vice President — Human Resources

PAUL R. SARNI (9)
Vice President — Administrative Services

LARRY G. TEPLY (25)
Vice President — Engineering

J. LAMONT KEEN (15)
Controller

ROBERT W. STAHPMAN (11)
General Counsel and Secretary

DIVISION OPERATIONS

LYLE H. ARMSTRONG (27)
Western Division Manager

JACK W. MILLER (37)
Southern Division Manager

J. PATRICK O'CONNOR (39)
Central Division Manager

G.L. OLSON (32)
Eastern Division Manager

() Years of Service

See the attached note for company officer changes.

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NOTE: The following changes have occurred within the list of company officers:

1. Robert J. O'Connor is no longer with the company and has been replaced by Joseph W. Marshall.
2. Larry G. Teply is no longer with the company.
3. Jan B. Packwood has been added as the Vice President of Power Supply.

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MAY 31 1980

OPTION AND RIGHT OF ENTRY

OPTION granted January 2, 1990, by MARK E. MOORMAN and LOLA B. MOORMAN, husband and wife, of 2220 Burton Avenue, Burley, Idaho 83318 ("Optionor") and IDAHO POWER COMPANY, of Box 70, Boise, Idaho 83707 ("Optionee").

OPTION TERMS

1. GRANT OF OPTION: In consideration of the sum of One Hundred Dollars (\$100.00), paid by the Optionee to the Optionor, receipt whereof is hereby acknowledged, the Optionor grants to the Optionee the exclusive option to purchase that real property in Twin Falls County, Idaho, being a part of the SE~~X~~SE~~X~~ and those portions of Government Lots 7 and 8, lying South of the main canal of the Twin Falls Canal Company in Section 30, Township 10 South, Range 21 East, Boise Meridian and which property is depicted on the map attached to this option as Exhibit A and colored yellow. The exact description shall be surveyed by the Optionee and such survey description furnished to the Optionor for approval, herein defined as "Property".

2. TERM: This option shall expire on June 1, 1990, unless the option shall have previously been exercised.

3. NOTICE OF EXERCISE: This option may only be exercised by the Optionee giving written notice to the Optionor at 2220 Burton Avenue, Burley, Idaho, 83318.

4. PURCHASE PRICE: The purchase price shall be Twenty-Two Thousand Four Hundred Dollars (\$22,400.00) to be paid by the Optionee if this option is exercised in cash at closing.

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45-97669

1 The sum paid for this option shall be credited on account of the
2 cash payment to be made on closing of title as herein provided.

3 5. FAILURE TO EXERCISE OPTION: If the Optionee does
4 not exercise this option the sum of the One Hundred Dollars
5 (\$100.00) paid by the Optionee shall be retained by the
6 Optionor, free of all claims of the Optionee, and neither party
7 shall have any further rights or claims against the other.

8 6. EXERCISE OF OPTION: If this option is exercised,
9 the Optionor and the Optionee will each execute such documents
10 as may be required to carry out the terms and conditions of this
11 option.

12 7. CLOSING: Closing shall be at Security Title
13 Company of Idaho, 311 Second Street North, Twin Falls, Idaho
14 83301, within thirty (30) days after the exercise of the option.
15 All closing costs shall be paid for by the Optionee.

16 8. ASSIGNMENT: This option is nonassignable by the
17 Optionee.

18 9. CONVEYANCE AND TITLE INSURANCE: In the event that
19 the Optionee exercises the option then in such event the
20 Optionor will convey the Property by Warranty Deed free and
21 clear of all liens and encumbrances excepting only the accruing
22 taxes, levies and assessments, assessments and levies of the
23 Milner Low Lift Irrigation District and the rights and powers of
24 said District as provided by law and the rights of the Twin
25 Falls Canal Company for the maintenance of canals and rights of
26 way and the rights of way for ditches, tunnels, telephone and

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1 transmission lines constructed by authority of the United States
2 as granted to the United States under the provisions of Idaho
3 Code § 56-604. The Optionor shall also furnish, at the cost of
4 the Optionee, a policy of title insurance consistent with Order
5 number 8-51810 of Security Title Company dated November 16,
6 1989, subject, however, to the exact description of the Property
7 being ascertained and supplemented in such commitment.

8 10. TAXES AND ASSESSMENTS: All taxes and assessments
9 for the year 1990 of whatsoever kind and nature shall be paid
10 for by the Optionee.

11 11. FURTHER CONDITIONS OF OPTION: The Option is
12 further conditioned upon the following:

13 11.1. In the event of the exercise of the option the
14 execution by the Optionee, in a form acceptable to the Optionor
15 and counsel for the Optionor of an indemnity agreement
16 indemnifying the Optionor and adjacent Property of the Optionor
17 from damage because of the obstruction of water drainage,
18 seepage of water above the projected 4,133.5 foot elevation of
19 the main canal of the Twin Falls Canal Company and other damages
20 caused by the construction, operation and maintenance by the
21 Optionee of the Milner Hydro-electric project facilities.

22 11.2. The execution by the Optionor and the Optionee
23 of a non-exclusive roadway easement from the Optionor to the
24 Optionee of a roadway on, over, or adjacent to the East boundary
25 of the S½SE¼. Such roadway is approximately 40 feet in width
26 and as illustrated on Exhibit A. Such easement shall contain

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1 and an indemnity clause by the Optionee to the Optionor
2 indemnifying the Optionor from all claims arising out of the use
3 of the roadway by the Optionee, its employees, agents, invitees,
4 licensees using the roadway by the direction or permission of
5 the Optionee.

6 11.3. The construction by the Optionee of a culvert at
7 a place designated by the Optionor generally depicted on Exhibit
8 A but subject to the final location after the survey is
9 complete. The purpose of the culvert being to enable the
10 Optionor to transport water under the roadway.

11 11.4. The providing to the Optionor by the Optionee of
12 a survey of the Property and the roadway and the cost of such
13 survey to be paid by the Optionee.

14 11.5. The transfer by the Optionee to the Optionor of
15 all water on the Property to the extent the same can be
16 transferred by law or by the rules and regulations of the Milner
17 Low Lift Irrigation District.

18 11.6. The execution of a license by Optionee to
19 Optionor to allow drainage from adjacent Property of Optionor on
20 the Property. Such water being normal drainage and from
21 irrigation of adjacent lands.

22 12. FURTHER ASSURANCES: In the event of the exercise
23 of the option, the Optionee shall provide the Optionor with such
24 further assurances as may reasonably be required by the Optionor
25 that the use of the Property, to which the Optionee intends for
26 it to be used will not be in violation of any federal or state

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1 laws or regulations that would implicate or render the Optionor
2 liable for such use. Such including, but not limited to
3 environmental assurances, fish and game, county planning and
4 zoning, etc.

5 RIGHT OF ENTRY AND ADDITIONAL PROPERTY

6 13. ADDITIONAL PROPERTY: There is illustrated on the
7 map on Exhibit A a parcel colored in orange with the numbers "2-
8 1/2" therein. This is known as "Additional Property". The
9 Optionor grants the Optionee the right to acquire said 2-1/2
10 acres, subject to survey and legal description being provided by
11 the Optionee, for the sum of Three Thousand One Hundred Twenty-
12 Five Dollars (\$3,125.00). This shall be paid in the event of
13 the exercise of the option on the Property. If the Optionee
14 does not exercise the option on the Property as herein provided
15 then it shall not have an option on the Additional Property. In
16 the event of the exercise of the option on the Property and the
17 Additional Property the same provisions shall be applicable as
18 to conveyance and title insurance and the cost thereof as was
19 previously provided in this option agreement on the Property.

20 14. RIGHT OF ENTRY: Prior to the exercise of the
21 option the Optionor grants to the Optionee the right of entry
22 onto the Additional Property for the purpose of providing living
23 accommodations, office and staging areas for equipment. This is
24 upon the express condition that the Optionee indemnifies and
25 holds the Optionor harmless from any injury or property damage
26 that may occur during the use and occupation by the Optionee of

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1 the Additional Property prior to the exercise of any option. If
2 the Optionee does not exercise the option on the Property and
3 therefore not being entitled to exercise the option on the
4 Additional Property it shall within thirty (30) days thereafter
5 restore the Additional Property to its original condition at the
6 time of entry and neither party shall have any further claim
7 against the other by virtue of this Option and Right of Entry
8 Agreement.

9 15. GOVERNMENTAL PERMITS: The Optionee shall provide
10 and pay for all governmental permits that may be necessary by
11 the use of the Additional Property under the right of entry
12 hereby granted by the Optionor. The Optionee shall indemnify
13 and save the Optionor harmless on account of the violation of
14 any laws pertaining to the occupancy of the Additional Property
15 under the right of entry hereby granted.

16 MISCELLANEOUS TERMS

17 16. ATTORNEY FEES: The prevailing party in any action
18 brought by virtue of this Option and Right of Entry Agreement
19 shall be entitled to reasonable attorney fees to be awarded by
20 the court in addition to all other relief to which the
21 prevailing party may be entitled.

22 17. REIMBURSEMENT OF ATTORNEY FEES: The Optionee
23 shall reimburse the Optionor for attorney fees that the Optionor
24 has incurred in the preparation of this option and consultation
25 with counsel for the Optionor. This reimbursement shall be at
26 closing, provided, however, that if closing does not occur

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1 because of the failure to exercise the option by the Optionee
2 the Optionee shall nevertheless be obligated to reimburse the
3 Optionor for such fees.

4 18. PROPERTY UNDER WATER: Certain of the Property may
5 be under water because of the erosion caused by the main canal
6 of the Twin Falls Canal Company. The Optionor shall not be
7 liable to the Optionee nor shall the Optionee be entitled to any
8 credits on the purchase price because of such acreage being
9 thereunder.

10 19. BENEFIT: This option shall inure and be to the
11 benefit and bind the parties and their successors, provided,
12 however, that this provision shall not be a consent to any
13 assignment by the Optionee.

14 20. TITLE CLEARANCE: If the Optionee does not
15 exercise the option hereby granted it shall execute such
16 documents as may be reasonably required by the Optionor to clear
17 any cloud on the title to the Property and Additional Property
18 that may have been created by the exercise of this Option and
19 Right of Entry Agreement.

20 21. ENTIRE AGREEMENT: This Option and Right of Entry
21 Agreement when executed by the parties constitutes the entire
22 agreement and all negotiations are deemed merged herein. This
23 agreement may not be modified orally but only by an instrument
24 in writing signed by the parties.

25 22. CORPORATE AUTHORITY: The Optionee certifies that
26 the officer executing this Option and Right of Entry Agreement

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MAY 31 1990

has been duly authorized by the Board of Directors of the
Optionee.

23. PERMISSION TO SURVEY: The Optionor grants to the
Optionee the right to enter on the Property as well as the
Additional Property for purpose of surveying.

IN WITNESS WHEREOF, the parties have executed this
agreement.

OPTIONOR:

Mark E. Moorman
Mark E. Moorman

Lola B. Moorman
Lola B. Moorman

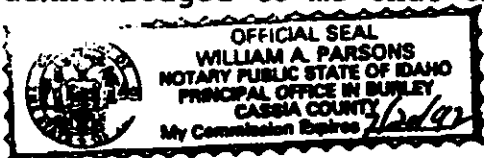
OPTIONEE:

IDAHO POWER COMPANY

BY Douglas H. Johnson
Its Authorized Agent

STATE OF IDAHO)
County of Cassia) ss

On this 2 day of January, in the year 1990,
before me, the undersigned, a Notary Public in and for said
State, personally appeared MARK E. MOORMAN and LOLA B. MOORMAN,
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.



William A. Parsons
Notary Public for Idaho
Residing at _____
My commission expires on _____

STATE OF IDAHO)
County of Ada) ss

On this 5th day of January, in the year 1990,
before me, the undersigned, a Notary Public in and for said

JAN 31 1990

1 State, personally appeared Douglas H Jackson
2 known or identified to me to be the Sr Manager of Corporate Services
3 IDAHO POWER COMPANY, the corporation that executed the
4 instrument or the person who executed the instrument on behalf
5 of said corporation, and acknowledged to me that such
6 corporation executed the same.

Joseph D. Rosenbluth
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires on 4-94

PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

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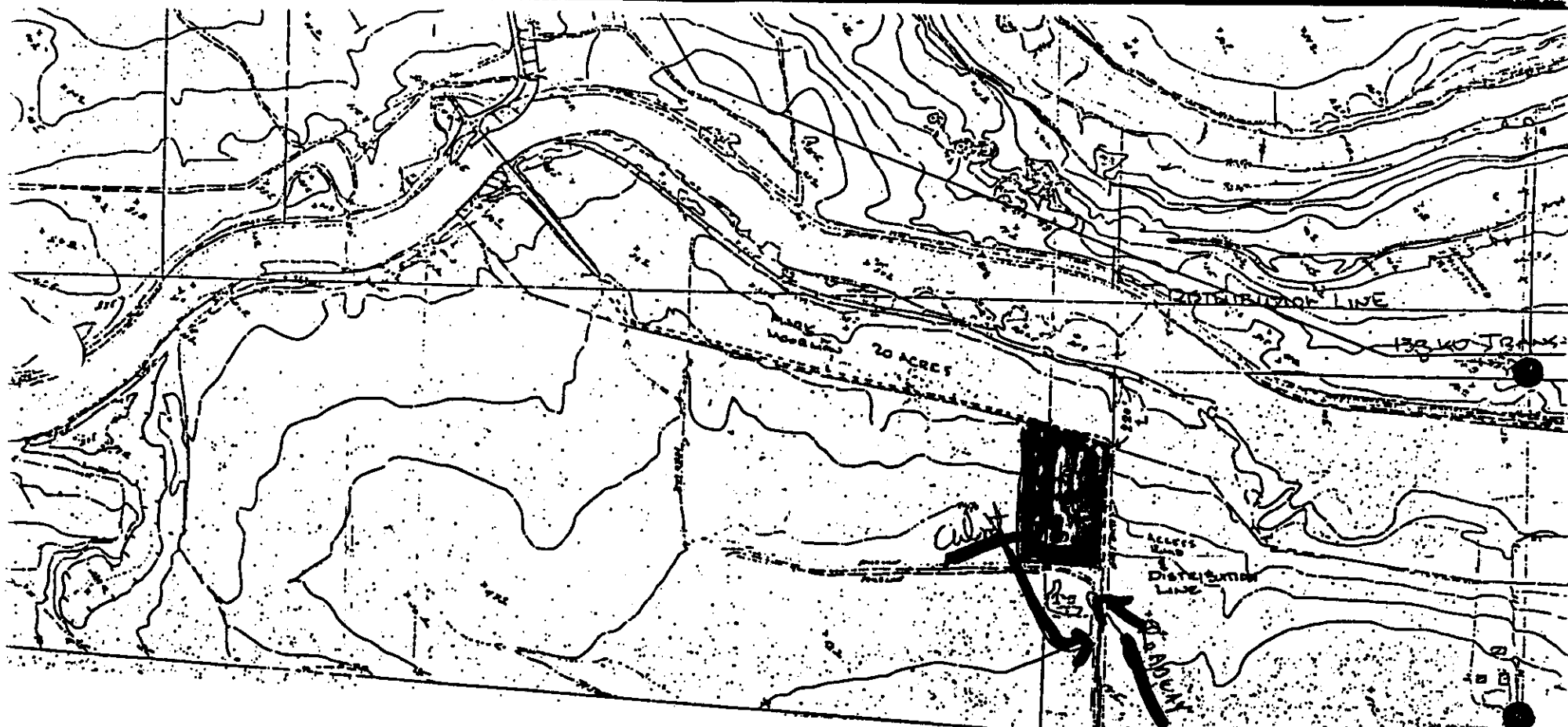


Exhibit A to Option and Right of Entry

UNRECORDED

MAY 31 1990

↑
N



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

May 25, 1995

IDAHO POWER CO
PO BOX 70
BOISE ID 83707

RE: WATER RIGHT NO. 45-07669

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

RECORDED

JUN 07 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 21 1994

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: Idaho Power Company Permit No. 45-07669
Current Address: P.O. Box 70, Boise, ID 83707 Phone No. _____
2. Accompanied by: Brian Martins EXAM. DATE: 7/10/91 93-2-1994
Address: _____ Phone No. _____
Relationship to Permit Holder: Employee
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

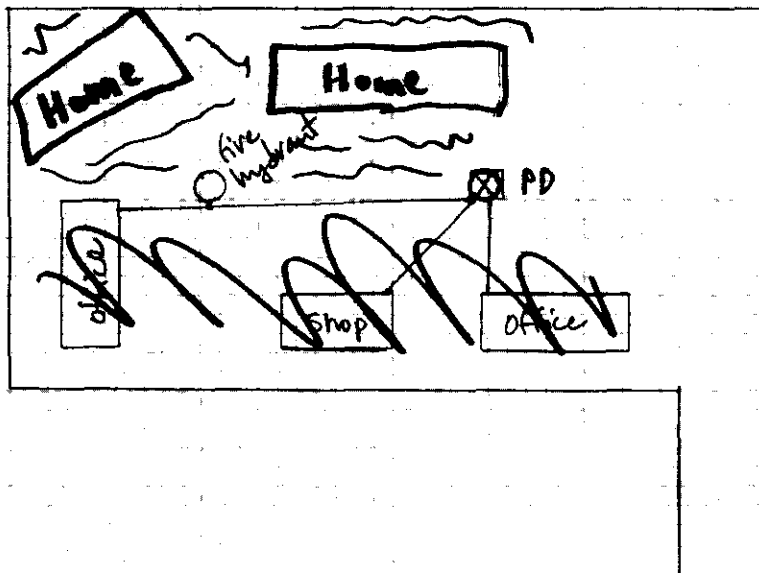
1. Other water rights with same place of use: none

☐ Copies Attached
2. Other water rights with same point of diversion: none

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

MICHAEL MEN
JUN 07 1995

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

well serviced 2 mobile office buildings and a shop. also connected to fire hydrant.

System included 50 gal storage tank and 100 gal pressure tank.

pressure gauge read 50 psi at time of measurement.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	submersible	7.5	21089R	Sta-Rite	

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SE	SE	30	10S	21E	Twin Falls	aerial map / inspection

6. **Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10S	21E	30																	E
																			D

Do not use this space

MICROFILMED

JUN 07 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Not measured.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes: horsepower

Theoretical capacity = 0.11 cfs Allow 0.06 cfs standard rate for 2 homes

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

4 (comm.) = 50 gal. 8 workers 2 shift 365 days 1 JUN 08 1995
325,850

Domestic - Allow 1.2 AFA/home x 2 homes = 2.4 AFA

H. REMARKS AND OVERLAP REVIEW ANALYSIS

calculated capacity is reasonably close
to permitted rate

Offices were removed in 1993 & replaced with 2 homes with lawns
per telecon w/Idaho Power Co. 2-4-94. Confirmed by site visit 3-2-94.
photos taken. Recommend use be changed to domestic for 2 homes with
lawns. Irrigation does not appear to exceed 1/2 acre total for both homes.

I. 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	~~0.10~~	~~0.9~~
Domestic			0.06	2.4
Totals:			~~0.10~~ 0.06	~~0.9~~ 2.4

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 Change use

J. AUTHENTICATION

Field Examiner's Name Brian Block J. Block
Signature Brian Block J. Block
Certification Date _____
Field Report Preparation Date 7/17/91 3-2-94

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

JUN 07 1995

FLOW CALCULATIONS:

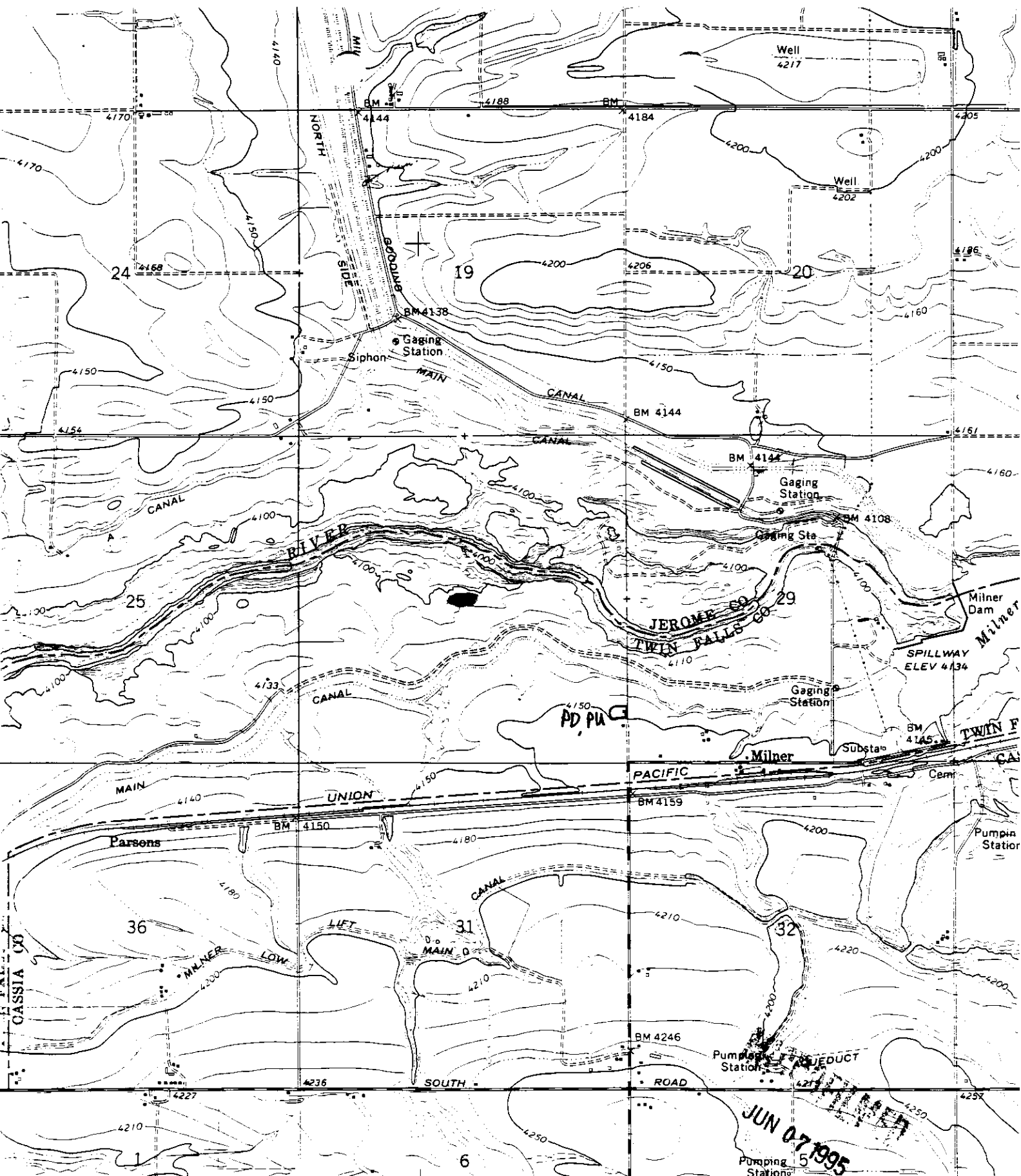
Known data:

power = 7.5 hp
lift = 310 ft
press = 50 psi

$$Q = \frac{8.8(0.7)(7.5)}{310 + 50(2.31)} = \boxed{0.11 \text{ cfs.}}$$

RECEIVED

JUN 07 1995



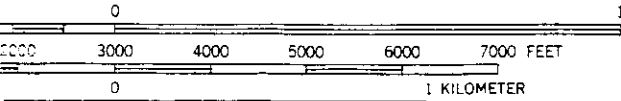
741 (MILNER BUTTE)
3168 / NE

742 R. 20 E. R. 21 E. 743 2'30"

1.4 MI. TO U.S. 30

745 INTERIOR GEOLOGICAL SURVEY, RESTON, VIRGINIA

SCALE 1:24 000



OUR INTERVAL 10 FEET
ELECTRIC VERTICAL DATUM OF 1929

45-07669

T105 R 21 E

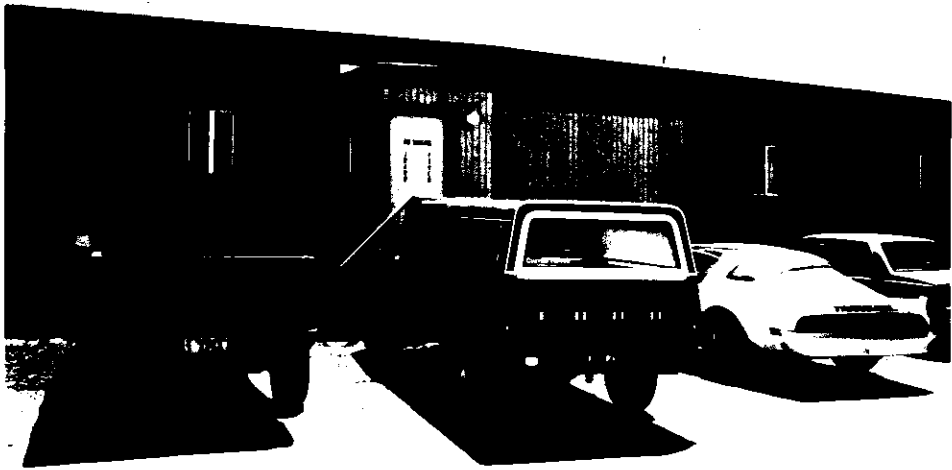
Sec. 30

ROAD CLASSIFICATION

Primary highway, all weather, hard surface
Secondary highway, all weather, hard surface
Light-duty road, improved surface
Unimproved road, weather

Interstate Route U. S. Route

45-7669



P/u



P/D

45-7669



P/u



P/u

45-7669



P/U on 3-2-1994

September 7, 1990

IDAHO POWER CO.
P.O. BOX 70
BOISE, ID 83707

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 45-07669

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 SOUTHERN Regional Office in Twin Falls at (208)734-3578.

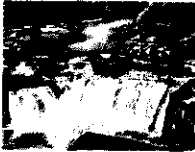
Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
SEP 26 1990

SNAKE RIVER



HYDRO POWER

IDAHO POWER COMPANY

BOX 70 • BOISE, IDAHO 83707

July 3, 1990

State of Idaho
Dept of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

JUL - 5 1990

RE: Proof of Beneficial Use

Department of Water Resources
Southern Region Office

Dear Sir or Madam:

Enclosed please find Idaho Power Company's completed Proof of Beneficial Use form and accompanying payment for the license examination fee.

If you have any questions or correspondence concerning this matter, please direct them to me.

Very truly yours,

Casey Sprouse
Real Estate Specialist
Real Estate Department
PH: 383-2497

CDS:emv

Enclosures

RECORDED

SEP 26 1990

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.

1. WELL OWNER Name <u>Idaho Power (Chubb Asset)</u> Address <u>Box 70 Boise, Id 83707</u> Owner's Permit No. <u>45-90-S-003 dh</u>		7. WATER LEVEL Static water level <u>302'</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ of, Quality _____ Describe stratum or temperature zones below: _____																																																									
2. NATURE OF WORK ☒ 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 _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td></td><td><u>no test</u></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped		<u>no test</u>																																																			
Discharge G.P.M.	Pumping Level	Hours Pumped																																																									
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG <table border="1"><thead><tr><th>Bore Diam.</th><th>Depth From To</th><th>Material</th><th>Water Yes No</th></tr></thead><tbody><tr><td>10"</td><td>0 2</td><td>gravel & dirt</td><td>✓</td></tr><tr><td>10"</td><td>2 12</td><td>clay & dirt</td><td>✓</td></tr><tr><td>10"</td><td>12 19</td><td>grey lava</td><td>✓</td></tr><tr><td>8"</td><td>19 113</td><td>grey lava</td><td>✓</td></tr><tr><td>8"</td><td>113 117</td><td>Red cinders & some clay</td><td>✓</td></tr><tr><td>8"</td><td>117 193</td><td>grey lava</td><td>✓</td></tr><tr><td>8"</td><td>193 190</td><td>lodge grey cinders</td><td>✓</td></tr><tr><td>8"</td><td>190 210</td><td>Hard grey lava</td><td>✓</td></tr><tr><td>8"</td><td>210 235</td><td>Red lava cinders</td><td>✓</td></tr><tr><td>8"</td><td>235 310</td><td>Grey lava</td><td>✓</td></tr><tr><td>8"</td><td>310 330</td><td>Red cinders</td><td>✓</td></tr><tr><td>8"</td><td>330 350</td><td>grey lava</td><td>✓</td></tr><tr><td>8"</td><td>350 365</td><td>lava cinders</td><td>✓</td></tr></tbody></table>		Bore Diam.	Depth From To	Material	Water Yes No	10"	0 2	gravel & dirt	✓	10"	2 12	clay & dirt	✓	10"	12 19	grey lava	✓	8"	19 113	grey lava	✓	8"	113 117	Red cinders & some clay	✓	8"	117 193	grey lava	✓	8"	193 190	lodge grey cinders	✓	8"	190 210	Hard grey lava	✓	8"	210 235	Red lava cinders	✓	8"	235 310	Grey lava	✓	8"	310 330	Red cinders	✓	8"	330 350	grey lava	✓	8"	350 365	lava cinders	✓
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dig ☐ Other _____		RECEIVED MAR 2 9 1990 Department of Water Resources RECEIVED MAR 27 1990 Department of Water Resources Southern Region Office MICROFILMED SEP 26 1990																																																									
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>1.350 inches</td><td>8"</td><td>1 foot</td><td>19 feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> 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 <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> 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 <u>19'</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Pudding clay ☐ _____ Sealing procedure used: ☐ Sherry pit ☐ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld _____ ☐ Connected between struts Describe access port <u>well cap</u>				Thickness	Diameter	From	To	1.350 inches	8"	1 foot	19 feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet																								
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6. LOCATION OF WELL Sketch map location <u>must</u> agree with written location. <table border="1"><tr><td>N</td><td></td><td></td><td></td><td></td></tr><tr><td>W</td><td></td><td></td><td></td><td>E</td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr></table> Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Twin Falls</u> <u>SE 1/4 SE 1/4 Sec 30 T. 10S. N. 8. R. 21E W.</u>		N					W				E											10. Work started <u>2-11-90</u> finished <u>3-21-90</u>																																					
N																																																											
W				E																																																							
11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Denton Drilling Co.</u> Firm No. <u>83</u> Address <u>Box 299 Paul, Id 83247</u> Date <u>3-22-90</u> Signed by (Firm Official) <u>Robert E. Denton</u> and (Operator) <u>William H. Hough</u>																																																											

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
May 1, 1990

IDAHO POWER CO.
P.O. BOX 70
BOISE, ID 83707

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P45-07669

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the

MICROFILMED

MAY 31 1990

permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED

MAY 31 1990

15-Jan-1990

Idaho Power Co.
Attention: Ralph Graham, OP-2
P.O. Box 70
BOISE ID 83707

Re: Application for Permit No. 45-07669

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Times News on 2/1 & 2/8/90. 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.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

MICROFILMED

MAY 31 1990

**NOTICE OF
APPLICATION
FOR WATER RIGHT**

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

DATE FORWARDED
TO: [illegible]
BY: [illegible]

Source: GROUNDWATER
Diversion Pt: NESESE
Sgs 30' TO 4' TIP

Use: DOMESTIC (.060 CFS)

COMMERCIAL (.040
CF8)

Total Diversion:
(100 CFB)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

The products may be subject to all prior water

rights. Protests must be
filed with the Director.

SECRET

THE UNIVERSITY OF CHICAGO

1950

PUBLISH THE TRUTH

February 14, 1968

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

№ 20804

Department of Water Resources
Southern Region Office

I, Linda Lynn McSwain, being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated February 1, 1990, and ending with the issue dated February 8, 1990.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 9 day of February in the year of 1990, before me,
Notary Public, personally appeared Terrie Capps McNeers,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sheva R. Feltman
Notary Public for Idaho
Residing at Twin Falls County
My commission expires: 5/19/94

MAY 31 1990

RECEIVED

MAR 1990

No 20304

NOTICE OF APPLICATION FOR WATER RIGHT

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

45-07669
IDAHO POWER CO.
P.O. BOX 70
BOISE, ID 83707
Source: GROUNDWATER
Diversi on Pt: NESESE
Sec 30 T 10S R 21E
Use: DOMESTIC (.060 CFS)
COMMERCIAL (.040 CFS)

Total Diversion:
(.100 CFS)
Date Filed: 1/90/1990
In: T10S R21E S30 SESE
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before FEBRUARY 20, 1990.
R Keith Higginson,
Director
PUBLISH: Thursday
February 1 & 8, 1990

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } ss.

Department of Water Resources

being first duly sworn upon oath, depose

I, Shirley R. Feltman of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for three consecutive days, commencing with the issue dated February 1, 1990, and ending with the issue dated February 3, 1990.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 19 day of February in the year of 1990, before me, Shirley R. Feltman Public, personally appeared Shirley R. Feltman known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Shirley R. Feltman
Notary Public for Idaho

Residing at Twin Falls County

My commission expires: 5/19/94

MAY 31 1990

(STATE OF IDAH)
DEPARTMENT OF WATER RESOURC.
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

JANUARY 15, 1990

TIMES NEWS
P.O. BOX 548
TWIN FALLS, ID 83303-548

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 FEBRUARY 20, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

MAY 31 1990

45-07669

IDAHO POWER CO.
P.O. BOX 70
BOISE, ID 83707

Source: GROUNDWATER

Diversion Pt: NESESE Sec 30 T 10S R 21E

Use: DOMESTIC (.060 CFS)
COMMERCIAL (.040 CFS)
Total Diversion: (.100 CFS)

Date Filed: 1/09/1990

In: T10S R21E S30 SESE

MICROFILMED

MAY 31 1990

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The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before FEBRUARY 20, 1990.

R. KEITH HIGGINSON, Director

Published 2/01/1990 & 2/08/1990

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MAY 31 1990

9/89

Drilling Permit N 45-90-S-003Water Right Permit No. 45-07669

Injection Permit No. _____

RECEIVED

JAN 9 1990

Department of Water Resources
Southern Region OfficeState of Idaho
Department of Water Resources

DRILLING PERMIT

RECEIVED

JAN 9 1990

Department of Water Resources
Southern Region Office

1. Applicant Idaho Power Company
2. Mailing Address P O Box 70, Boise, Idaho 83707
Attn: Ralph Graham, OP-2 Telephone (208)383-2845
(X) Well Owner () Well Operator () Other, specify _____
3. Proposed well location SE 1/4 SE 1/4, or Gov't lot No. _____,
Sec. 30, Twp. 10S, Rge. 21E, County Twin Falls,
Street Address of Well Site None,
Lot, block and subdivision None
4. Proposed use of well:
() Single family or stockwater use (less than 13,000 gallons per day)
() Irrigation (more than 1/2 acre)
() Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: _____
(X) Other (describe fully) Temporary use - 2 construction office trailers and a small materials testing laboratory. Permanent - 2, 3 bedroom homes (less than 13,000 GPD)
5. Well construction information:
A. (X) New well () Deepen () Replace - See Condition 9.
B. Proposed surface diameter 6 inches Maximum depth None
Estimated depth 300 feet
C. Anticipated bottom hole temperature:
(XX) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Construction Start Date January 12, 1990
7. Anticipated Well Driller Denton Well Drilling P O Box 290 Paul, Idaho 83318
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature C. E. Bissell Date Jan 8, 1990
Title So. Vice President
C E Bissell
(Owner, Firm Representative, Other)

MICROFILMED

MAY 31 1990

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved Date 1/9/90

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

RECEIVED

MAY 31 1990

Loren O'Halloran
Signature of Authorized Department Representative

Southern Region Asst
Title

Receipt No. 5010882 Received by JP Fee \$10 Date 1-9-1990

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension is good for 60 days beyond the above extension approval date.

Drilling permit No. 45-90-S-003

Water right No. 45-07669

REQUEST FOR EXPEDITED ISSUANCE OF A DRILLING PERMIT

Idaho Power Company, Applicant, requests issuance of a drilling permit prior to approval of a water right to withdraw water from the well.

The request is made for the following reason(s):

Idaho Power Company is currently making arrangements to construct access roads, sewage systems and temporary building foundations at the site. Drilling the well at this time will allow Idaho Power Company to include the construction of the well house and foundation in this initial construction phase.

Applicant understands that the drilling permit does not constitute a water right and does not authorize diversion or use of water from the well.

Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.

Date January 8, 1990

Signature

C. E. Bissell

Applicant

MAY 31 1990

45-07669