

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 137452

APPROVED

To appropriate the public waters of the State of Idaho

Derin F. Porter

(208) 852-0883

1. Name of applicant DORIN F PORTER Phone 208 852 0883
5584 E. Cub River Rd. Preston, ID 83263

Post office address PRESTON ID.

2. Source of water supply Sugar Creek which is a tributary of Cub River
Sugar Creek

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____

Sec. 36 Township 15S Range 40E B.M. Franklin County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2 for power 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)

5. Total quantity to be appropriated is (a) 2 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. concrete headgate with 12 inch pipe

b. Height of storage dam _____ 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 _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

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

2 years (minimum 1 year).

* as per telecon with applicant - SM

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

- a. Hydropower; show total feet of head and proposed capacity in KW. 60ft. ~~xxxx~~ *6.2 KW** can produce 8.1 kw at 80% efficiency**
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

**kw 7/26/88

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	
15S	40E	36		P															

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? Dorin Porter

b. Who owns the land to be irrigated or place of use? Dorin Porter

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

12. Remarks: This plant will supply power for remote ranch.

7/26/88

T 15S R 40E

The image shows a grid of graph paper. In the top right corner, there is a handwritten diagram and notes. The diagram consists of a horizontal line labeled "Pipeline" with an arrow pointing to the right. Above the arrow, the text "Point of use" is written. To the right of the arrow, the text "Point of Direction" is written. Above the diagram, the word "sugar" is written. Below the diagram, the number "36" is written. The rest of the grid is empty.

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.

Don F Porter
(Applicant)

Proposed Priority 5/3/88

Received by OW Date 5-03-88 Time 2:20 p Preliminary check by _____

Fee \$ 125⁰⁰ Receipted by E dg # E000185 Date 5-5-88

Publication prepared by dg Date 5-25-88 Published in Preston Citizen ^{6-2 + 6-9-88}

Publication approved dg Date 7-20-88

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. 13-7452, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 90.

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: SEE ATTACHED SHEET FOR CONDITIONS e thru n.

Witness my hand this 19th day of September, 1988.

Director

#875 JUN 22 1988

N^o 3158

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. Warren Ross
being duly sworn,

deposes and says:

That he is the Co-Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with June 1, 1988, and ending with the issue of June 8, 1988.
[Signature]

Fee \$20.13

Subscribed and sworn to before me this 8th day of June, 1988.
[Signature]

Notary Public, Residing at Preston, Idaho
My Commission Expires June 7, 1992

NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
13-7452
PORTER, DORIN F.
5584 EAST CUB RIVER ROAD,
PRESTON, ID 83263
Source: SUGAR CREEK trib. to CUB RIVER
Diversion Pt: NWSENE Sec 36 T 15S R 40E
Use: POWER (2.0 CFS)
Date Filed: 05/03/1988
In: NWNE Sec 36 T 15S R 40E
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Department of Water Resource, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 20, 1988.
R. KEITH HIGGINSON, Director
Legal No. 3158 -22L- Publish June 1, 8, 1988.

RECEIVED
JUL 7 1988
Department of Water Resources
Eastern District Office

FORM 206
1/81

RECEIVED

MAY 3 1988

Department of Water Resources
Eastern District Office

Ident. No. _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

AFFIDAVIT OF RESIDENCY OR QUALIFICATION TO DO BUSINESS
IN AND UNDER THE LAWS OF IDAHO

A. Individual Applicant or Individual Members of a Partnership:

I DORIN F. PORTER of PRESTON, County of
(name) (city)

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

/s/ Dorin F. Porter

Subscribed and sworn to before me this 30 day of April, 19 88

/s/ Yamont M. Joney

Notary Public

Residence Preston

My Commission expires July 8, 1993

B. Corporation:

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

_____, State of Idaho, being first duly sworn, depose and say: That I am the designated
registered agent of the _____;
(name of corporation)

that as such I am in charge of the registered office of the said corporation as required by Section 30-1-12, Idaho
Code, at _____
(city)

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

_____ is a corporation qualified to do business in the
(name of corporation)

State of Idaho under the laws of the State of Idaho.

/s/ _____

Subscribed and sworn to before me this _____ day of _____, 19 _____

/s/ _____

Notary Public

Residence _____

My Commission Expires _____

RECEIVED

MAY 10 1963

Department of Water Resources
Eastern District Office

I, Dorin F. Porter of Preston,
(name) (city)

2. Correlation:

_____ of _____
(name) (city)

and say: That I am the designated registered agent of the

_____: that as such I am in charge of the registered
(name of corporation)

office of the said corporation as required by Section 30-1-12, Idaho Code, at

_____, Idaho, wherein are kept the corporate records required
(city)

by Section 30-1-52, Idaho Code: and that _____
(name of corporation)

is a corporation qualified to do business in the State of Idaho under the laws of the State of Idaho.

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.

David Z. Porter
Applicant

State of Idaho)
County of Franklin) ss.

On this 12th day of May, 1988, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

ve instrument, who duly acknowledged

Edw. H. Lydon
Notary Public residing at
Proctorville

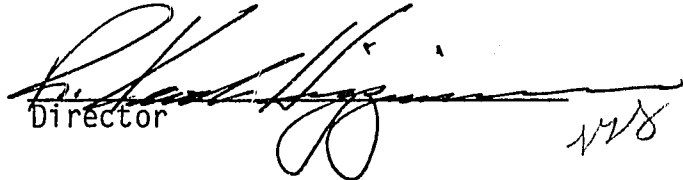
seal

My commission expires:

ATTACHMENT TO CONDITIONS OF APPROVAL
For Permit No. 13-7452

- e. 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.
- f. Use of water under this permit shall be non-consumptive.
- g. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this permit.
- h. The water right acquired under this permit 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 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.
- i. The Director retains jurisdiction of this permit 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.
- j. This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.
- k. Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
- l. This permit does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
- m. Prior to placing water to beneficial use under this permit, the permit holder must determine the rate of loss within his facilities using a procedure approved by the Director of the Department of Water Resources, and provide a source of augmentation water to mitigate all losses.
- n. Use of water under this permit is subject to control by the watermaster of State Water District No. 13A, Cub River.

Witness my hand this 19th day of September, 1988.


Director

STAFF SHEET FOR POWER GENERATION

I Initial Review By: Steve McCormick Application No. _____

Date Requested In File

A. _____ 5-4-88 Form 205/206.

B. _____ 5-4-88 Efficiency is between 85% and 60%.

$$E = \frac{P}{QH} = \frac{(5 \text{ kw})(11.8)}{(2.0)(60)} = .49 \times 100 = 49\%$$

II Post Publication Review By: _____

A. Not Protested

1. 0 to 373 kw (500 Hp)

Date Requested Date Received (one or more)

_____ Engineering feasibility report.

_____ Preliminary design report.

_____ Contracts to construct project.

_____ POWER WILL NOT BE SOLD. Contracts to purchase power.

_____ Verification that an application has been submitted to F.E.R.C.

_____ Other: _____

2. 373 kw (500 Hp) and higher

Date Requested Date Received (all three are required)

_____ Preliminary Engineering Report.

_____ Itemized cost estimate.

_____ Verification of financial ability.

B. Protested

1. 0 to 111 kw (150 Hp)

_____ Supplement information has been submitted.

_____ Hearing should be scheduled.

2. 111 kw (150 Hp) and higher

_____ Supplemental information has been submitted.

_____ Received verification of a F.E.R.C. ruling.

_____ Hearing should be scheduled.



State of Idaho
DEPARTMENT OF WATER RESOURCES
Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

Copy orig sent 5-10-88

10-May-1988

Dorin F. Porter
5584 E. Cub River Road
Preston, Id 83263

Re: Application for Permit for power purposes.

Dear Mr. Porter;

The Department has received your application for permit and is in the process of review and advertising.

However, before processing can be completed the enclosed Affidavit of Residency must be completed and returned to this office. This is a newer form than the affidavit submitted earlier. Please remember to sign the affidavit in the presence of a notary public.

The application, as proposed, describes a project which will generate 5 kilowatts of power using 2 cubic feet per second at a head of 60 feet. This yields a system efficiency of 49 percent. The Department can only approve applications for power use which show an efficiency from 60 to 85 percent. You may wish to show on the application that the amount of power to be generated will be between 6.1 and 8.6 kilowatts of power instead of 5 kilowatts.

If you have any questions please feel free to contact me.

Sincerely,

Steve McCormick, P.E.
Water Resource Engineer



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

May 25, 1988

The Preston Citizen
P.O. Box 472
Preston, ID 83263

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 June 20, 1988.

Respectfully submitted,

Deena Green
Office Secretary

Enclosure

13-7452

PORTER, DORIN F.

5584 EAST CUB RIVER ROAD, PRESTON, ID 83263

Source: SUGAR CREEK trib. to CUB RIVER

Diversion Pt: NWSENE Sec 36 T 15S R 40E

Use: POWER (2.0 CFS)

Date Filed: 05/03/1988

In: NWNE Sec 36 T 15S R 40E

*Proofed over phone
5-27-88 - OK/dg*

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 20, 1988.

R. KEITH HIGGINSON, Director

Published 6/02/1988 & 6/09/1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

June 1, 1988

Dorin F. Porter
5584 E. Cub River Rd.
Preston, Idaho 83263

RE: Application for Permit No. 13-7452

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 13-7452. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Preston Citizen. The advertisement will be published 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.

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.

Sincerely,

Ernest Carlsen
Water Rights Supervisor

EC/dg



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

June 1, 1988

Conan Foster
Route 3
Preston, Idaho 83263

RE: Application for Permit No. 13-7452, Porter

Dear Sir:

This office is currently in the process of publishing notices that the above application was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received no later than June 20, 1988. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the application.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

EC/dg
Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

June 20, 1988

The Preston Citizen
P.O. Box 472
Preston, Idaho 83263

RE: Application No. 13-7452

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on June 2 and 9, 1988.

Your cooperation in this matter is greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Deena Green".

Deena Green
Office Secretary

POWER CALCULATIONS FOR APPLICATION NO. 13-7452

6.2
P = Kilowatts .74 X hp
Q = cfs 2.0
H = feet 60
e = efficiency

- none N/A
- ✓ 1.) Affidavit of Residency
 - ✓ 2.) Ownership of Facilities
 - N/A 3.) *Financial Ability
 - N/A 4.) Feasibility of Project
 - a. Plans, drawings
 - b. Economic analysis
 - N/A 5.) *Compliance w/FERC
 - *only for projects of more than 25 cfs or more than 500 horsepower.

$$e = \frac{P(11.8)}{QH} = \frac{6.2(11.8)}{2 \times 60} = \frac{73.16}{120} = 0.609 \approx 0.61 \leftarrow \text{low}$$

$$P = \frac{QHe}{11.8} = \frac{2 \times 60 \times .80}{11.8} = 8.1 \text{ kw at } 80\% \text{ eff.}$$

Based on the above calculations the proposed project must have an _____ % efficiency.

OVERLAP REVIEW per VAX 7/26/88:

P/D none

P/U none

BYPASSED AREA

kw



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

September 29, 1988

RE: Permit No. 13-7452

Dorin F. Porter
5584 E. Cub River Rd.
Preston, ID 83263

Dear Permit Holder(s):

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

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 your rate of diversion.

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 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 Allocation Section

GS:sc
Enclosures

Form 204-p
6/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 13-7452
Name(s) of Permit Holder(s): Darin F. Porter
Post Office Address: 5584 E Cub River Rd.
Preston, ID 83263 Tel. No. 852-0883

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on 10-15-88 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

*Note: A financing difficulty is
not an acceptable reason.

10-31-88
Date

Darin F. Porter
Signature of Permit Holder

DORIN E. PORTER
5584 E. CUB RIVER RD
PRESTON ID 83262

PLACE
STAMP
HERE

RECEIVED

NOV 02 1989



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



138742
May 31, 1990

DORIN F. PORTER
5584 E. CUB RIVER RD.
PRESTON, ID 832630000

RE: PERMIT NO. 13-07452 PROOF DUE NOTICE

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 August 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

Form 217
08/89

RECEIVED
JUL 16 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
Amt. of Fee \$ 125.00
Date 7/16/90
Receipt No. 017673
Received by C. Wong
MS-8-21-90

Department of Water Resources

PROOF OF BENEFICIAL USE

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

Permit No. 13-07452 Telephone No. 852-0883

Name(s) of Permit Holder(s): Dorin F. Porter

Post Office Address: 5584 E. Cub River Road Preston, ID 83263

Source of Water: Sugar Creek

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

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

Total rate and/or volume for which proof is submitted 2 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: Dec. 23 1988

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

Measuring device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No
AND LOCKABLE

OR

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

Fee Enclosed: \$ 125.00 (See License Examination Fee Schedule)

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

Dorin Porter 852-0883
Name Telephone No.

5584 E. Cub River Rd. Preston, ID 83263
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.

7-11-90 Dorin F. Porter Owner
Date Signature (and title if on behalf of a company or organization)

September 7, 1990

DORIN F. PORTER
5584 E. CUB RIVER RD.
PRESTON, ID 832630000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07452

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 EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources

AUG 23 2002

AFFIDAVIT FOR WATER RIGHTS TO BE USED FOR POWER PURPOSES

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

1. Individual Applicant or Individual Members of a Partnership:

I, Lee F. Porter (name) of Preston (city),

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

2. Corporation:

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

County of _____, State of Idaho, being duly sworn, depose and
say: That I am the designated registered agent of the _____

_____ (name of corporation); that as such I am in charge of the registered office of the said

corporation as required by Section 30-1-12, Idaho Code, at _____ (city)

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

_____ (name of corporation) is a corporation qualified to do business in the State of Idaho under the laws
of the State of Idaho.

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

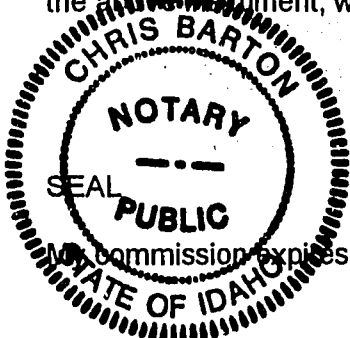
The hydropower facility to be developed pursuant to the attached Application for Permit:

- (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 is the signee of this affidavit.

[Signature]
Applicant

STATE OF IDAHO)
County of FRANKLIN)ss

On this 21ST day of AUGUST, 2002, personally appeared before me the signer(s) of
the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



[Signature]
Notary Public residing at PRESTON, IDAHO

11/99

RECEIVED
AUG 29 2002

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT
To change the ownership of a permit

RECEIVED
AUG 23 2002

Department of Water Resources

For Office Use Only
\$25 filing fee 25.00
Receipt # 0064261
Date 8-29-02

I, Dorin F. Porter, hereby assign to LEE F PORTER
of, 6007 E Lowry Sugar Creek Rd. Preston, ID 83263 (Full Address) (208) 852-2634 (Phone)

All my right, title, and interest in and to Permit No. 13-07452 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

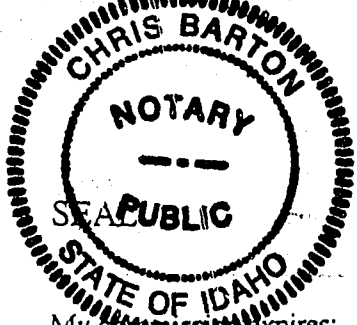
The following described portion of my right, title, and interest in and to for Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre subdivision, point of diversion location, and amount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

Made this 21 day of AUGUST, 2002.

Dorin F. Porter
Permit Holder(s)

State of Idaho)
County of FRANKLIN)ss

On this 21ST day of AUGUST, 2002, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



[Signature]
Notary Public residing at PRESTON ID
E

My commission expires: EXPIRES 11/13/06

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 13-07452

Priority: May 03, 1988

Maximum Diversion Rate: 1.50 CFS
Maximum Diversion Volume: 1,090.0 AF

It is hereby certified that LEE F PORTER
6007 E LOWER SUGAR CREEK RD
PRESTON ID 83263 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 03, 1988; and has
submitted Proof of Beneficial Use on July 16, 1990. An examination indicates that the works have a
diversion capacity of 1.5 cfs of water from:

SOURCE

SUGAR CREEK

Tributary: CUB RIVER

and a water right has been established as follows:

BENEFICIAL USE
POWER

PERIOD OF USE
01/01 to 12/31

DIVERSION RATE
1.50 CFS

**ANNUAL
DIVERSION VOLUME**
1,090.0 AF

LOCATION OF POINT OF DIVERSION:

SUGAR CREEK NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, Twp 15S, Rge 40E, B.M., FRANKLIN County

PLACE OF USE: POWER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	40E	36			X														

CONDITIONS OF APPROVAL

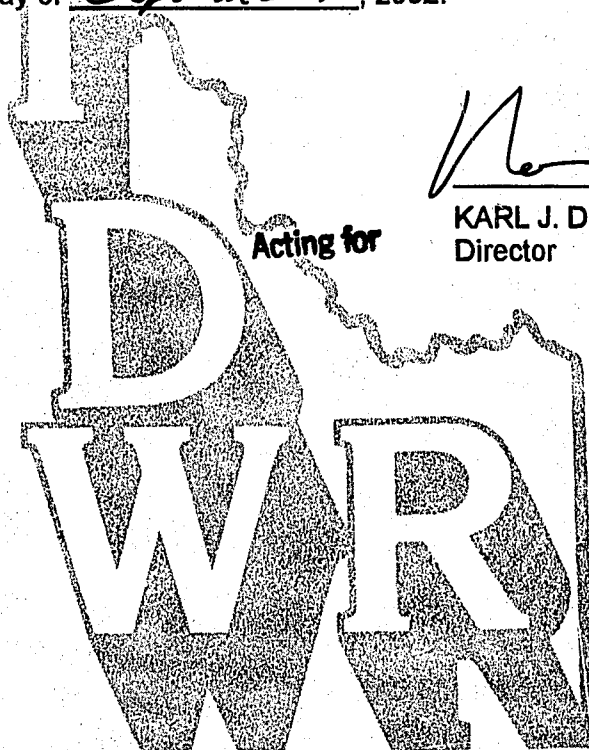
1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 13A.
2. Use of water under this right shall be non-consumptive.
3. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.

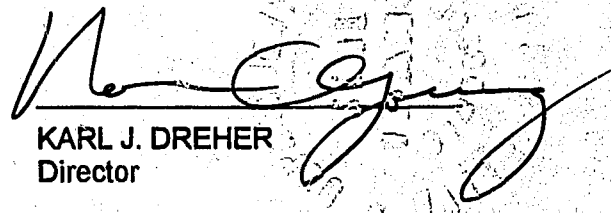
State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 13-07452

6. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after August 1, 2010. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

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

Signed and sealed this 4TH day of September, 2002.




KARL J. DREHER
Director

MEMORANDUM

TO: File 13-07452

FROM: Sharla

DATE: August 20, 1997

RE: Power Use/Recommendation Adjustment(s)

Power use is for an individual power facility which does not require licensing from FERC. Since power is solely used by the right holder and is not sold, there is no power purchase contract. Therefore, the term of years to be listed on the license is not pre-determined by the above. As set forth in Section 42-203B(7), the term of years (once determined) is calculated as commencing at the time of the proof of beneficial use filing. Previously issued licenses falling in this category have had a term set for 10 years. In this case, proof was filed in 1990; the term will expire August 1, 2000.

The examiner did not propose a volume, however, power use requires an annual volume on the license. The volume has been calculated based on continuous diversion.

Per telecon w/rt holder on 12/31/97, water is diverted 24 hrs/day, 365 days/yr. The volume has been calculated accordingly.

Examiner: Don Simpkins
Exam Date: January 27, 1995



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

January 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DORIN F PORTER
5584 E CUB RIVER RD
PRESTON ID 83263

RE: WATER RIGHT NO. 13-07452

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point(s) of diversion and place(s) of use developed are in locations other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the point(s) of diversion and place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MEMORANDUM

DATE: January 9, 1998

TO: Water Right File 13-07452

FROM: Shelley W. Keen *SWK*

RE: Location of point of diversion and place of use

This morning Lee Porter (208-852-2634) called to tell me that he disagrees with the field examiner's findings regarding the place of use and point of diversion for permit 13-07452. We agreed that he would send me information he used to determine the location. Once I have reviewed what he submitted, we will decide what course of action to take next.

RECEIVED

JAN 16 1998

Department of Water Resources

January 14, 1998

Dorin F. Porter
5584 East Cub River Road
Preston, Idaho 83263

Shelley W. Keen
State of Idaho
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

RE: Water Right No. 13-07452

Dear Mr. Keen:

Enclosed is a map indicating the locations of point of diversion and point of use regarding water permit No. 13-07452. It appears to me that the locations that were described on the original application were correct. Please inform us of further action that needs to be taken to issue the license. Thank you.

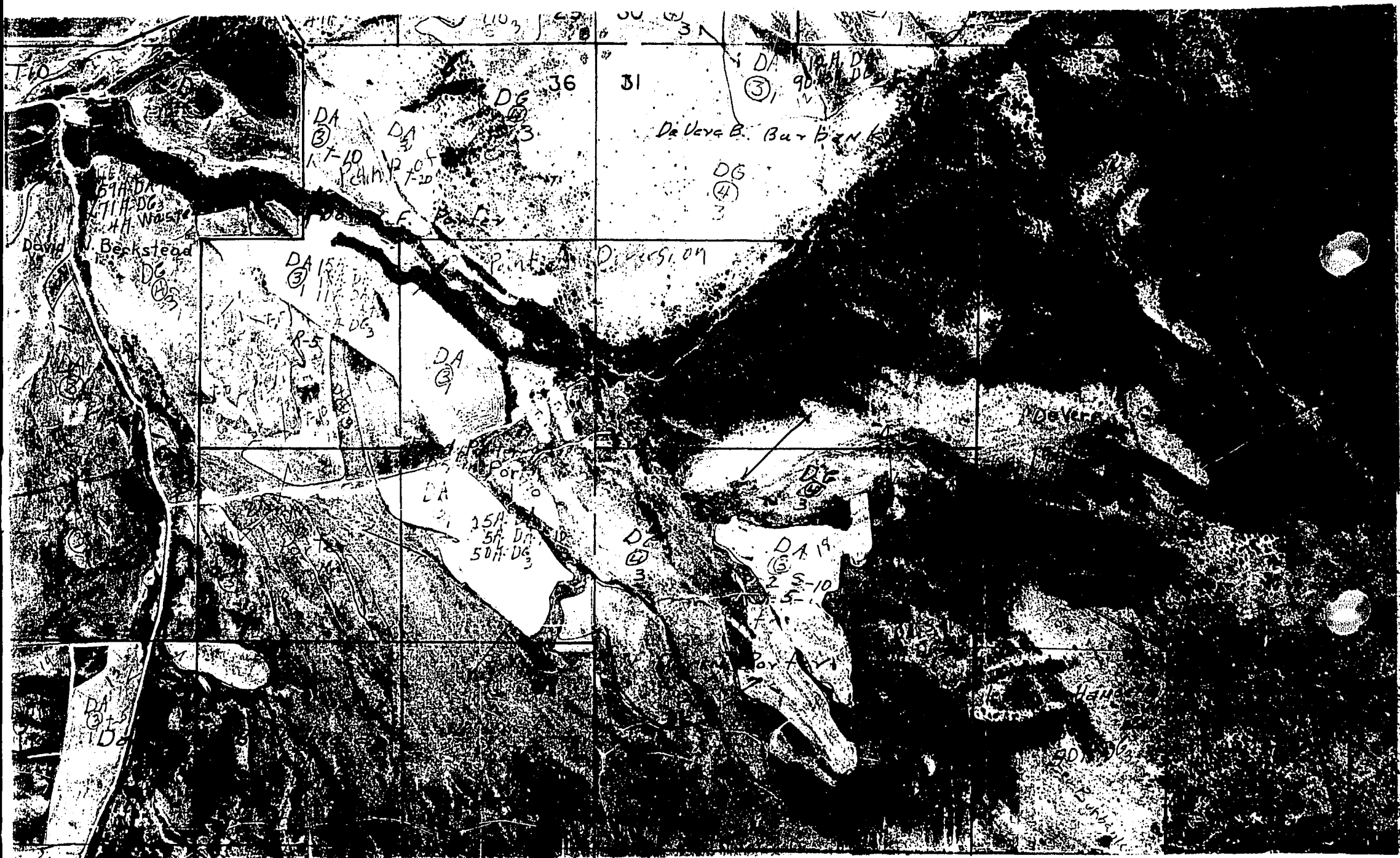
Sincerely,



Dorin F. Porter

Enclosure

T 155



R 40 E

R 41 E

MEMORANDUM

DATE: January 20, 1998

TO: Harold Jones

FROM: Shelley W. Keen *SWK*

RE: Double-checking point of diversion and place of use for 13-07452

I appreciate your offer to double-check the point of diversion and place of use for 13-07452. I have enclosed the original field report and a copy of the permit holder's response to my amendment request. I will tell the the permit holder that someone from your office will contact him.

Thanks again.



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

January 20, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DORIN F PORTER
5584 EAST CUB RIVER ROAD
PRESTON ID 83263

RE: Water Right No. 13-07452

Dear Mr. Porter:

Thank you for sending the information relating to the point of diversion and place of use of your water development. In order to resolve the discrepancy between our field examiner's map and your map, Harold Jones from our Idaho Falls office has offered to have another field examiner meet with you on your property. You will be contacted next time someone from the Idaho Falls office plans to be in the Preston area.

If you have any questions, please contact me at 208-327-7946 or Harold Jones at 208-525-7161.

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

RECEIVED

JUL 11 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

APR 25 1996

Department of Water Resources

Permit No. 13-7452

1. Owner: DORIN F. PORTER Phone No. (208) 852-0883

Phone No. (208) 852-0883

Current Address: 5584 E. CNB RIVER RD., PRESTON, ID. 83263

2. Accompanied by: DORIN PORTER EXAM DATE: 1/22/95

EXAM DATE: 1/27/95

Address: _____ **Phone No.** _____

Phone No.Relationship to Permit Holder: PERMITEE

3. Source: SUGAR CREEK tributary to CUB RIVER

1. Other water rights with the same place of use: NONE

NONE

2. Other water rights with the same point of diversion: NONE

NON E

1. Point(s) of Diversion:

GPS -DC- 7/3/2002

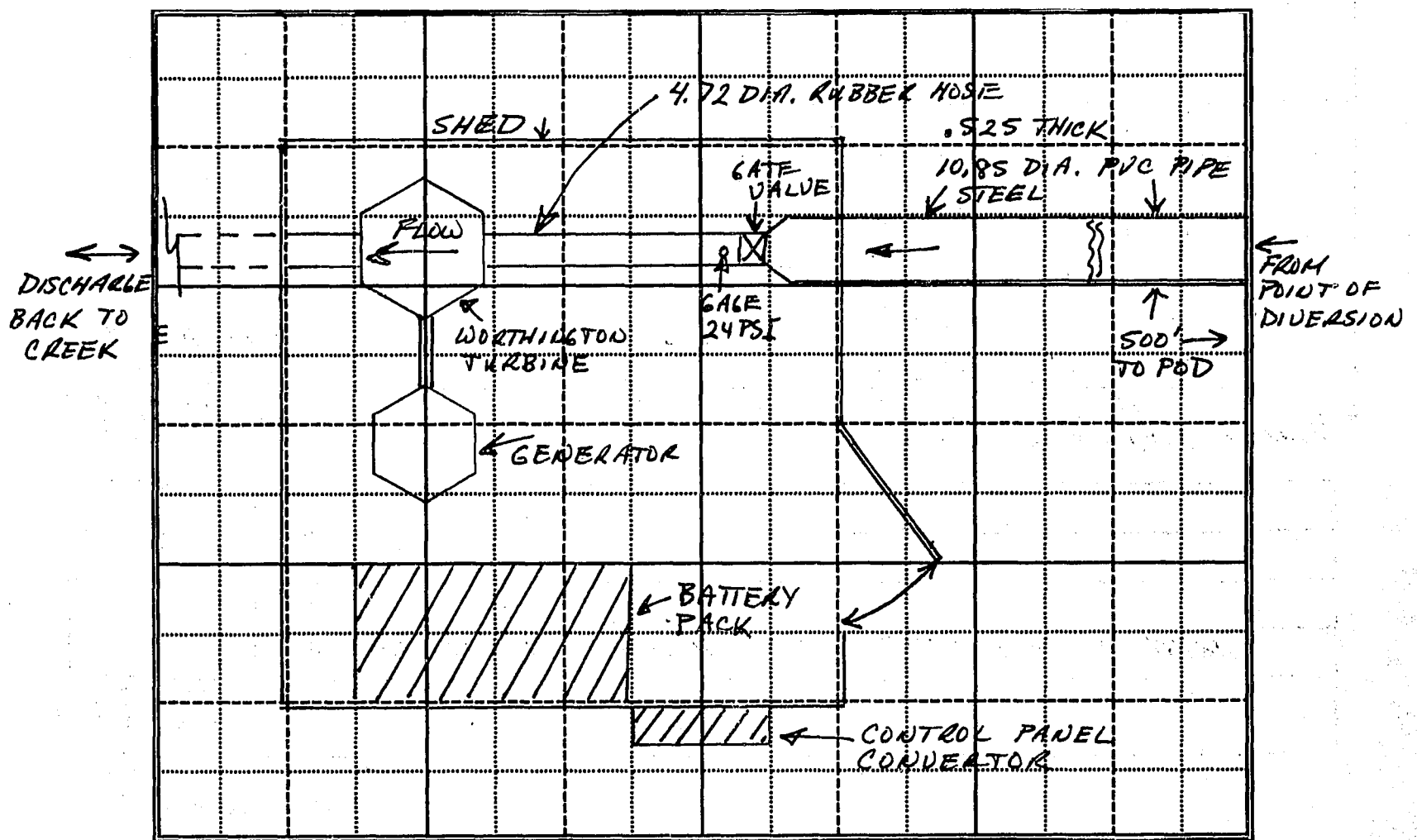
2. Place(s) of Use:

GPS

Indicate Method of Determination ON SITE INSP.

[illegible]

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: ULTRASONIC FLOWMETER (TYME-FLYTE BY POLYSONIC)
MODEL TF-P

E. NARRATIVE/REMARKS/COMMENTS

THIS PERMIT IS FOR A PRIVATE (SIMPLE OWNER)
POWER TURBINE USING (NON-CONSUMPTIVE) WATER FROM
SHAR CREEK. THE POINT OF DIVERSION IS APPROXIMATELY
1,100 FEET UPSTREAM FROM THE PLACE OF USE. WATER
FROM SHAR CREEK IS DIVERTED VIA A CONCRETE HEADGATE
STRUCTURE INTO A 10 INCH PVC PIPE WHICH PRIOR TO
TURBINE, REDUCES DOWN TO 4 INCH. WATER IS THEN SENT
THROUGH A WORTHINGTON TURBINE AND THEN DISCHARGED
BACK INTO SHAR CREEK. APPROXIMATELY 50' OF DROP
EXISTS FROM PDD TO POU.

PRESSURE GAGE A IN SYSTEM PRIOR TO TURBINE READ 24 PSI.
POWER IS USED FOR HOME AND OIL BUILDINGS OF REMOTE RANCH.

MEASUREMENTS WERE TAKEN DURING REDUCED STREAM FLOW
PERIOD.

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

☒ Additional Computation Sheets Attached

SEE SONIC METEL PRINTOUT.

$$\frac{351.61 \text{ GPM}}{448.8} = .783 \text{ CFS} \quad * \text{ THIS IS A LOW STREAM FLOW MEASUREMENT.}$$

PERMIT TO 2.0 CFS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

$V_{\text{min}} = \text{Smaller of } V_{I,R} \text{ and } V_{D,R} =$ _____

2. Volume Calculations for Other Uses: *SYSTEM CAPACITY*

$$Q = 1.318 \times \left(\frac{170}{4} \right) \left(\frac{17}{4} \right)^{0.63} \left(\frac{4}{4} \right)^{0.54}$$

$$Q = 1.318 \times 140 \left(\frac{3.1416 \times 400}{4} \right) \left(\frac{10}{4} \right)^{0.63} \left(\frac{50}{1100} \right)^{0.54}$$

$$Q = \cancel{1.845} \cdot 184.52 (78.54) (\cancel{1.781}) (\cancel{0.188})$$

$$Q = 4,852.39 / 1,728 \text{ cu in.} = 2.80 \text{ cfs.}$$

See attached
Sheet

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
POWER	1/1	12/31	2.0	
Totals:			2.0	

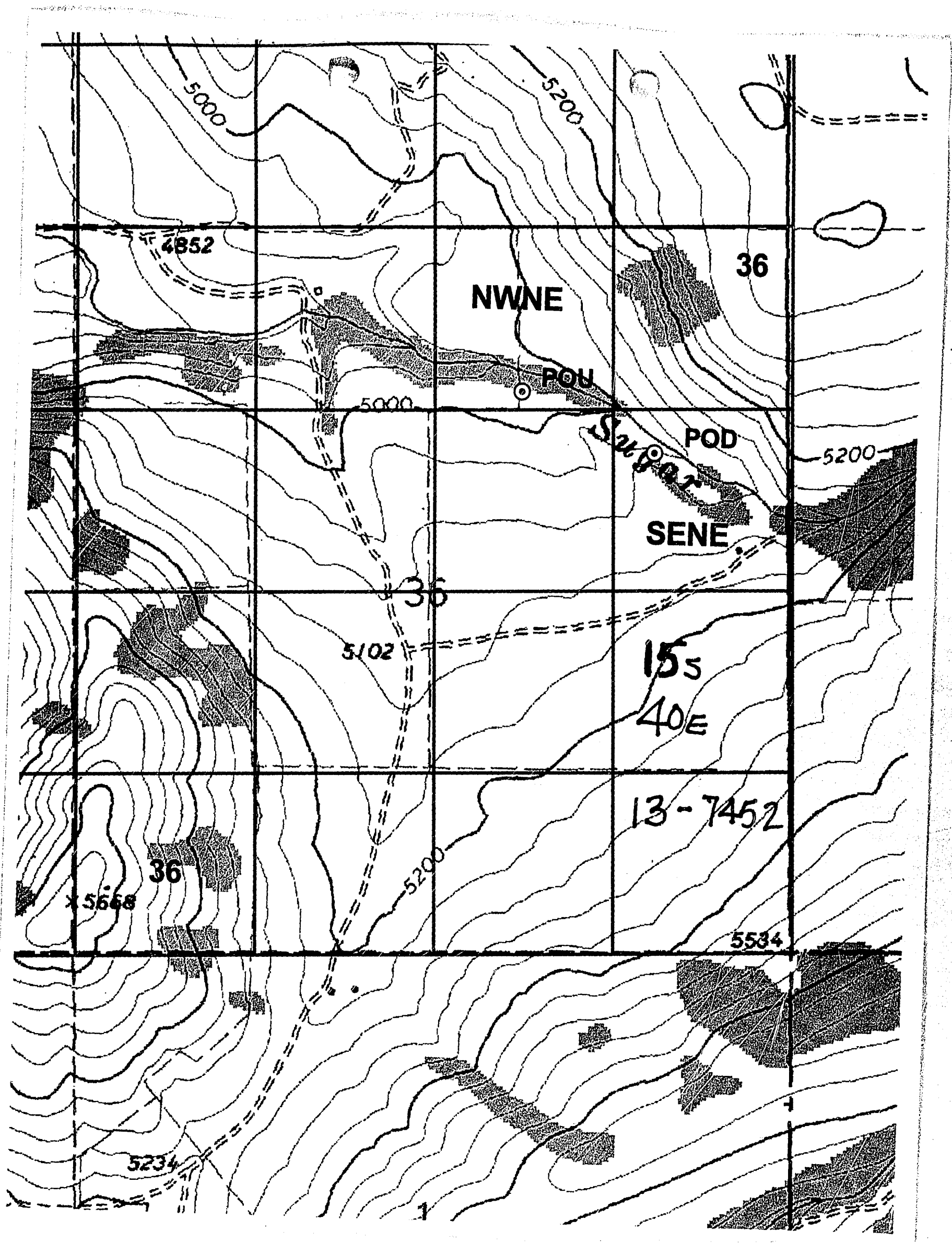
2. Recommended Amendments

☒ 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

I. AUTHENTICATION

Field Examiner's Name SIMPKINS Date 3/6/95

Reviewer 9/1/2011 Date 9/1/2011 SEAL



Hazen-Williams Equation for Closed Pipe Flow

Assumptions: Head Loss due to bends, couplings, & valves is negligible

$$Q_{cfs} = 1.318 C_h (\pi D^2/4) \times (D/4)^{0.63} \times (H/L)^{0.54}$$

Q = Discharge (cfs)

D = Pipe Diameter (ft) = 0.8333 ft

L = Pipe Length (ft) = 1100 ft

H = Elevation Drop (ft) = 50 ft

C_h = Values for Types of Pipe = 150

150	-Plastic (PVC) > 6"	110	-Riveted Steel
140	-Very Smooth, PVC < 6"	100	-Old Cast Iron
130	-Cast Iron	80	-Badly Corroded Cast Iron
120	-Wood, Concrete, Welded Steel		

$$Q_{cfs} = 1.318 \left(\frac{150}{C_h} \right) \left[\pi \left(\frac{0.8333}{D} \right)^2 / 4 \right] \times \left(\frac{0.8333}{D} \right)^{0.63} \times \left(\frac{50}{H} / \frac{1100}{L} \right)^{0.54}$$

$$Q_{cfs} = \underline{7.56} \text{ cfs}$$

Permit # 13-7452

ULTRASONIC FLOWMETER
READ OUT

01-27 14:4400 *R
+002.50 % AI2

0385.1 MMSEC
100.45 % T0

01-27 02:5500 *R
+002.50 % AI2

0385.1 MMSEC
100.44 % T0

01-27 02:5600 *R
+193.902E 2GPH

01-27 02:5700 *R
+351.613E 0GPM

01-27 14:4400 *R
+002.50 % AI2

0385.1 MMSEC
100.45 % T0

01-27 02:5500 *R
+002.50 % AI2

0385.1 MMSEC
100.44 % T0

01-27 02:5600 *R
+193.902E 2GPH

01-27 02:5700 *R
+351.613E 0GPM

13-7452

(2)

1/27/85 Cont

(1350)

Franklin County, Arkansas - Harry Photo Co. Inc.

(1433)

Lorin Porter - Preston - Cub. River

13-7452

Line Thick .525

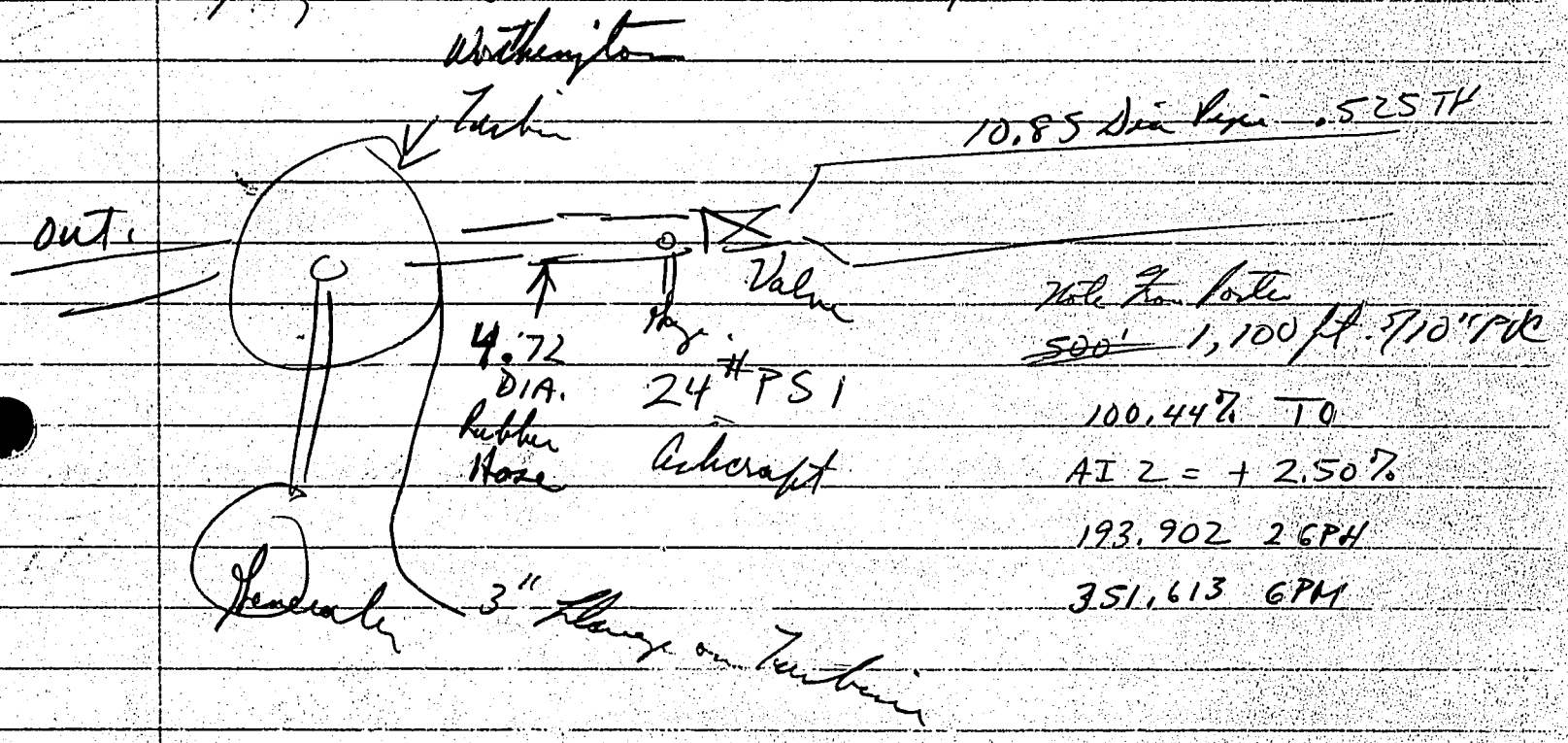
POU ^{SW SW NW 531} ~~SE SE NE S36~~ T15S R40E

Pop Area 10.85

POD 500' SE SW NW 531

Apex 8.916

50' Head from intake



POINT OF DIVERSION

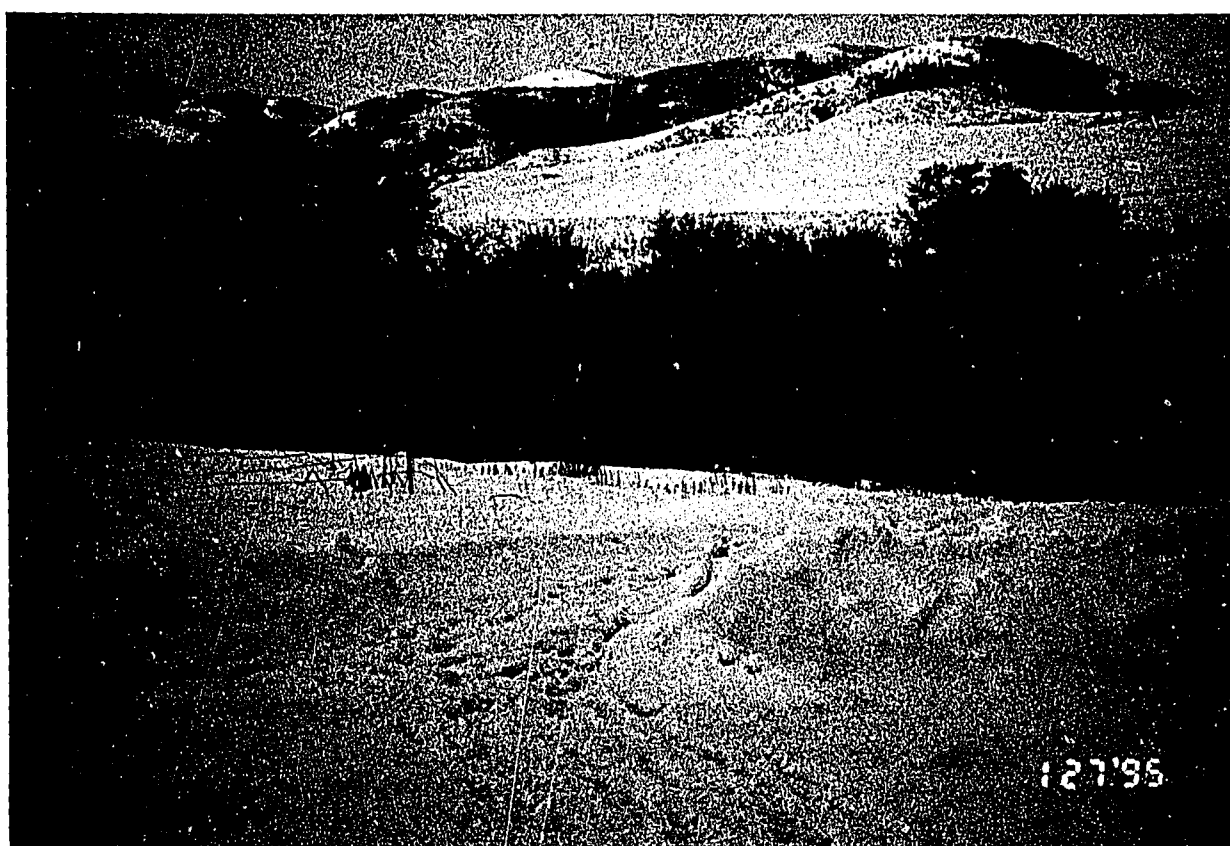


PLACE OF USE - TURBIDE + GENERATOR

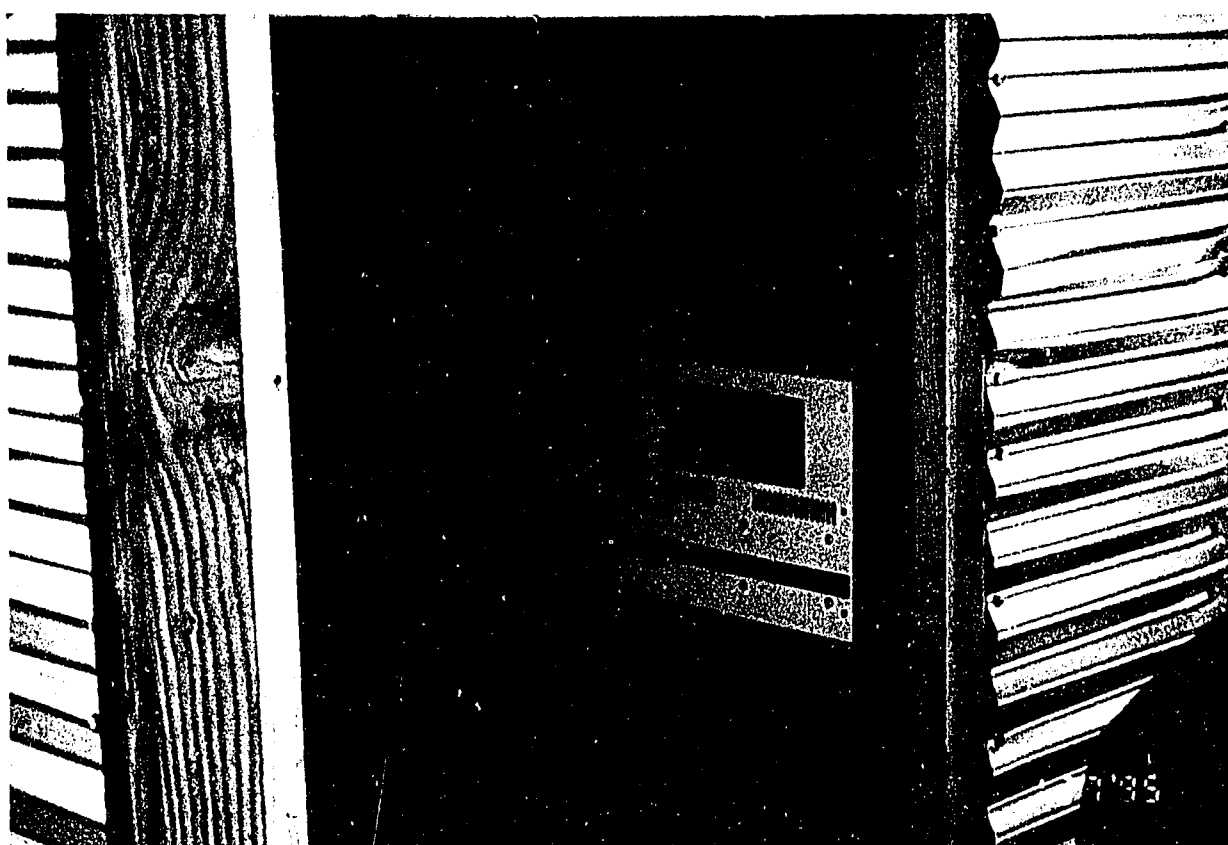


13-7452

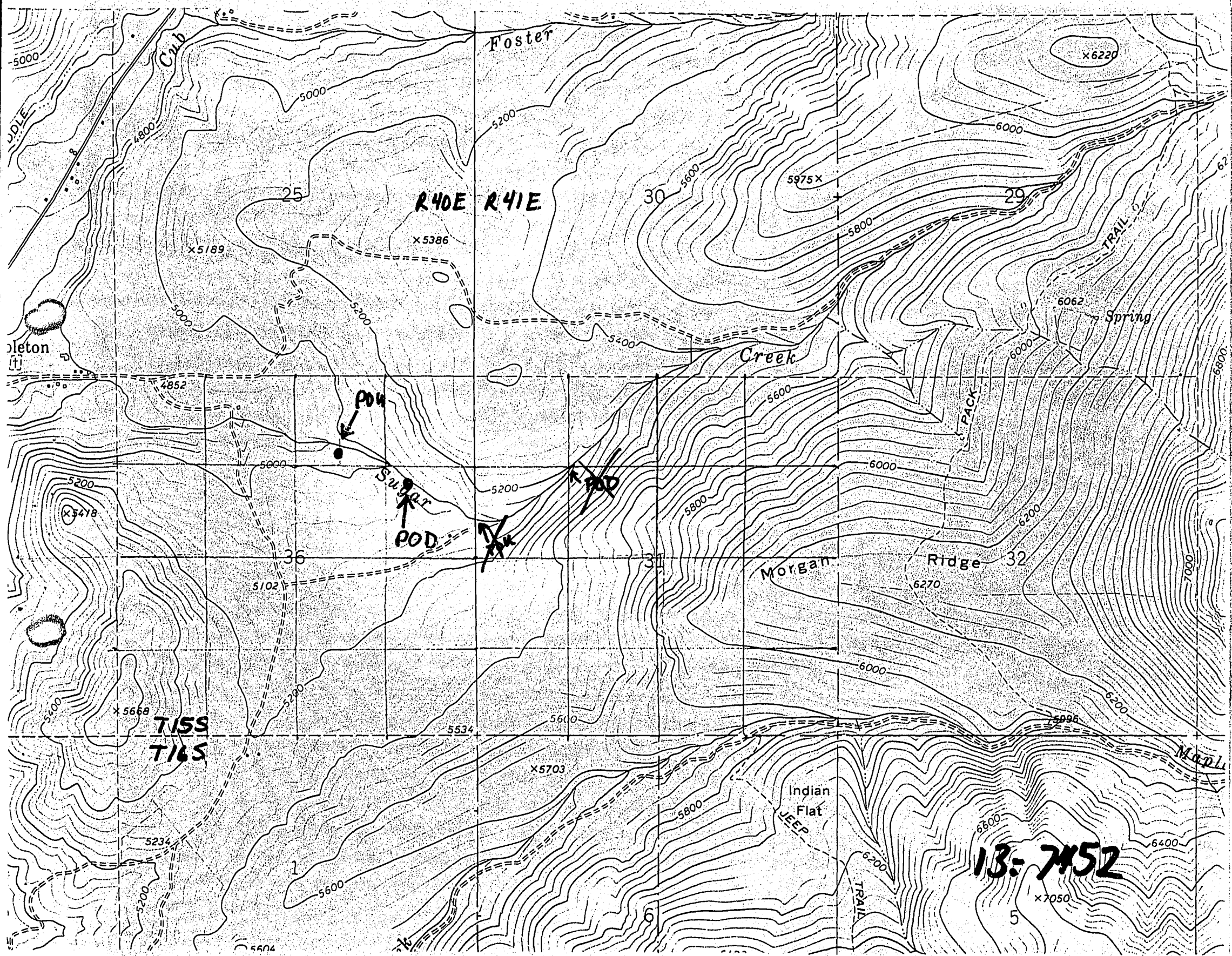
POWER HOUSE - WATER ENTERS FROM RIGHT



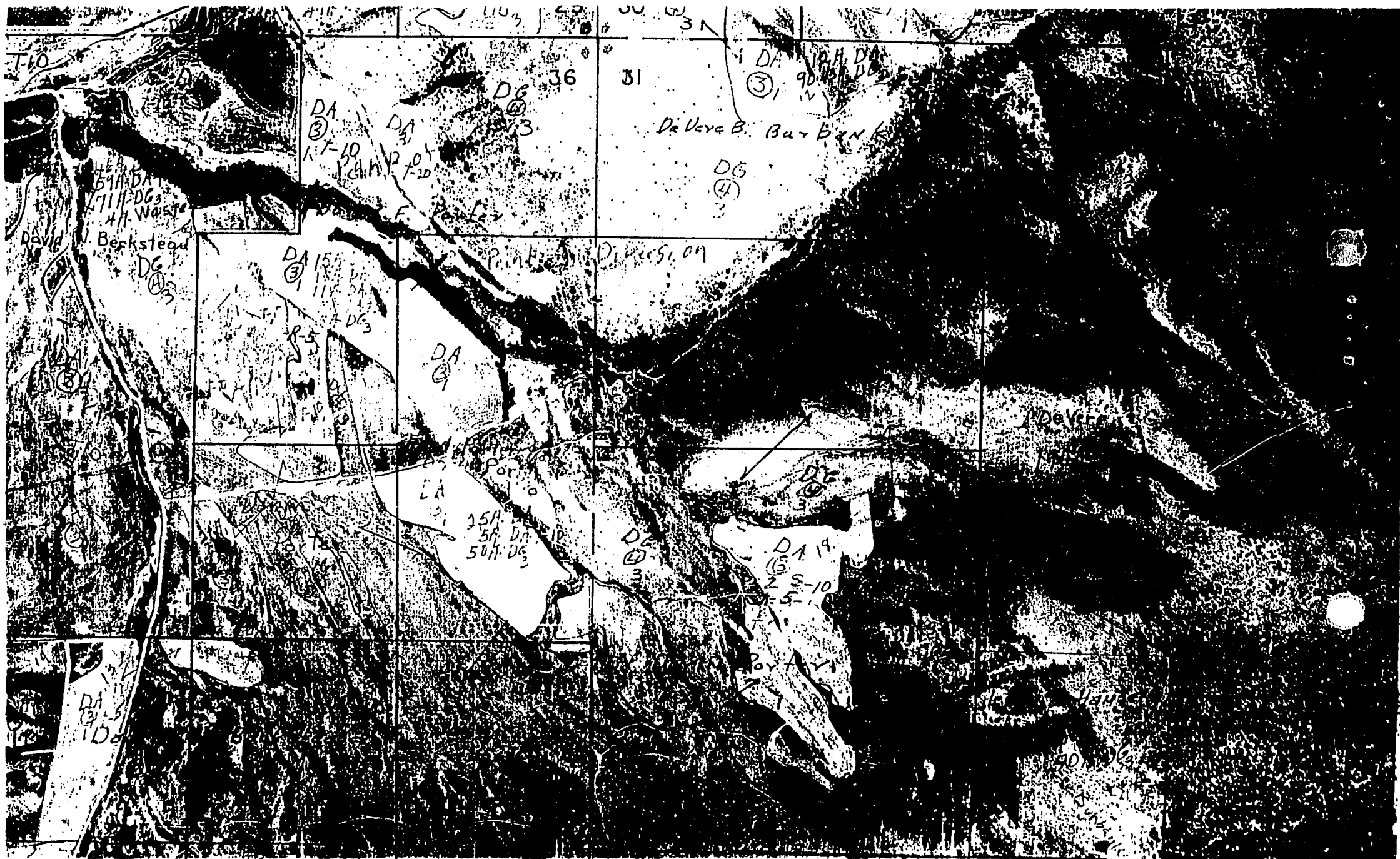
TRACE - POWER CONVERSION CENTER



13-7452



RE: 13-07452



R 40 E

741 E

MEMORANDUM

TO: File 13-7452

FROM: KAY WALKER *KW*

RE: Phone Conversation with Dorin Porter

(208-852-0883)

Date: August 8, 2002

.....

I talked with Dorin Porter this afternoon regarding the system he developed under this permit. He estimated the flow rate in Sugar Creek to be no greater than 1.5 cfs. He has no loss within the facility. The water goes through the turbine then discharges back into Sugar Creek. Since there is no loss in his facility, he has never provided augmentation water under this permit.

Comment Report

13-7452

1. dcarlson 7/5/2002 field report narrative

Comment: private power turbine. water from sugar creek is diverted by a concrete diversion structure into a 10-11" pvc pipeline for 1100 feet, (pipeline necks down to a 4" pipeline prior to the turbine) into a worthington turbine then discharges back into sugar creek. theoretical cal 7.5 cfs

2. kwalker 8/29/2002 Flow Rate

Comment: In review the field exam for this permit, I found two measurements for the system. First examiner did a sonic meter measurement and found 0.783 cfs. Second examiner used the Hazen Williams calculation and came up with 7.56 cfs. Initial review of the measurements found such different flow rates, I contacted permit holder to find out what he thought flow through his system was. He estimated that the flow was no greater than 1.5 cfs at any time. We are recommending that flow rate for this proposed license.

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 this 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 fourteen (14) 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 this 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.



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

September 6, 2002

LEE F PORTER
6007 E LOWER SUGAR CREEK RD
PRESTON ID 83263

RE: License No. 13-7452 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or 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 forms and instructions.

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

Sincerely,

Shelley W Keen
Water Rights Supervisor

SWK:klf

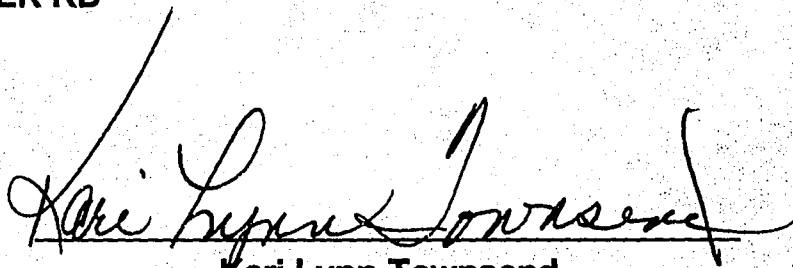
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 13-7452

**LEE F PORTER
6007 E LOWER SUGAR CREEK RD
PRESTON ID 83263**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**