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NOV 16 2007

DEPARTMENT OF
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase: 65-12136B

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

CLERK OF DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

NOV 13 2007

Clerk
Deputy Clerk

On April 6, 2007, Blackhawk Partners, LLC, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on July 17, 2007, and the matter was referred to Special Master Theodore R. Booth.

On August 15, 2007, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired. Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated Nov. 13, 2007.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on November 13, 2007, with sufficient first-class postage to the following:

BLACKHAWK PARTNERS, LLC

Represented by:

HILL, TERESA A

STOEL RIVES LLP

101 S CAPITOL BLVD STE 1900

BOISE, ID 83702-5958

Phone: 208-389-9000

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: 65-12136B

Date Received: 11-16-87

Receipt No: C089355

Received By: amb

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s) Blackhawk Partners, LLC Phone: (208)634-6050
112 N. 3rd St.
McCall, ID 83638
2. Date of Priority: June 15, 1978
3. Source: Duffner Creek Trib. to: North Fork Payette River
4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	2E	2	SE NE	Valley	
5. Description of diverting works: 36' earth dam impounding "Hait Reservoir", also known locally as Blackhawk Lake
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
irrigation storage	10/15	06/01		567.6
irrigation from storage	06/01	10/15		567.6
7. Total Quantity Appropriated is: 567.6 afa
8. Total consumptive use:
9. Non-irrigation uses: None

10. Place of use:

TWP	RNG	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
17N	02E	1			23 Lot 5	1 Lot 5				19	40	18	33	40	9 Lot 8	40 Lot 8	28 Lot 9		251
		12		10 Lot 2	14 Lot 3		40	31	33	40	10 Lot 6	9							187

Total number of acres irrigated: 438

11. Place of use in counties: Valley

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used: 65-7653E, 65-2946C, 65-7052E, 65-7535, 65-7576C

14. Remarks:

15. Basis of Claim: License

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Rick L. Luna of
Title
Blackhawk Partners LLC that I have signed the foregoing
Organization
document in the space below as CFO / Partner of
Title
Blackhawk Partners LLC and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent
CFO / Partner Blackhawk Partners LLC
Title and Organization
4/4/07
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 4th of April, 2007

Pamela McEwan
Notary Public

Residing at Boise, ID

My commission Expires 3/30/2011



