STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76412

This is to certify that: BLACKHAWK PARTNERS LLC
112 N 3RD ST
MC CALL ID 83638
208-634-6050

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
65-2946C	WR/Decreed	05/06/1952	N/A	181.99 af	N/A	226.0	DUFFNER CREEK
65-7052E	WR/Decreed	09/27/1968	6.74 cfs	475 af	N/A	339.0	DUFFNER CREEK
65-7535	WR/Decreed	03/03/1975	N/A	20 af	N/A	10.0	DUFFNER CREEK
65-12136B	WR/Decreed	06/15/1978	N/A	584.4 af	N/A	438.0	DUFFNER CREEK

Associated Water Rights Also Included in Transfer Approval (Conditions Updated)

65-2946B	WR/Decreed	05/06/1952	N/A	0.80 af	N/A	1.0	DUFFNER CREEK
65-2946D	WR/Decreed	05/06/1952	N/A	32.21 af	N/A	40.0	DUFFNER CREEK
65-7052B	WR/Decreed	09/27/1968	0.02 cfs	1.4 af	N/A	1.0	DUFFNER CREEK
65-7052D	WR/Decreed	09/27/1968	0.80 cfs	56.0 af	N/A	40.0	DUFFNER CREEK
65-7052F	WR/Decreed	09/27/1968	0.54 cfs	37.8 af	N/A	27.0	DUFFNER CREEK
65-12136A	WR/Decreed	06/15/1978	N/A	15.6 af	N/A	12.0	DUFFNER CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
65-2946C	NO	NO	YES	NO	NO	YES
65-7052E	YES	NO	YES	NO	NO	YES
65-7535	NO	NO	YES	NO	NO	YES
65-12136B	NO	NO	YES	NO	NO	YES

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
65-2946C	**65-2946C**	N/A	182 af	N/A	N/A		N/A	N/A	N/A	N/A
65-7052E	**65-23423**	N/A	475 af	N/A	NA/	**65-23422**	6.74 cfs	N/A	N/A	339.0
65-7535	**65-7535**	N/A	20 af	N/A	N/A		N/A	N/A	N/A	N/A
65-12136B	**65-12136B**	N/A	584.4 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS		**N/A**	**1261.4 af**	**N/A**	**N/A**		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 25th day of October, 20 10

SUPPORT DATA

IN FILE # 65-2946C

John Westra

John Westra, Western Regional Manager

WATER RIGHT NO. 65-2946C
As Modified by Transfer No. 76412

In accordance with the approval of Transfer No. 76412, Water Right No. 65-2946C is now described as follows.

Right Holder: BLACKHAWK PARTNERS LLC
112 N 3RD ST
MC CALL ID 83638

Priority Date: May 06, 1952

Source: DUFFNER CREEK **Tributary:** NORTH FORK PAYETTE RIVER

BENEFICIAL USE	From		To	Volume
AESTHETIC STORAGE	01/01	to	12/31	182.0 AF
				182.0 AF

LOCATION OF POINT(S) OF DIVERSION:
DUFFNER CREEK SENE Sec. 2 Twp 17N Rge 02E VALLEY County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	02E	2	X	X	X	X	X			X									
			L 1	L 2			L 3												
18N	02E	35												X			X		

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

4. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

5. 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. 65.

6. The impoundment of water under this right is contingent upon the issuance of a certificate of approval per the dam safety provisions of Idaho Code and subsequent written authorization by the dam safety program administered by the Department.

WATER RIGHT NO. 65-2946C
As Modified by Transfer No. 76412

CONDITIONS OF APPROVAL

7. The following rights are served by the point of diversion described above and known as the Blackhawk Lake Dam: 65-2946B, 65-2946C, 65-2946D, 65-7052B, 65-7052D, 65-7052F, 65-12136B, 65-23422 and 65-23423.

8. Place of use is known as Blackhawk Lake, formerly known as Hait Reservoir.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of October, 2010

John Westra

John Westra, Western Regional Manager

WATER RIGHT NO. 65-7535
As Modified by Transfer No. 76412

In accordance with the approval of Transfer No. 76412, Water Right No. 65-7535 is now described as follows.

Right Holder: BLACKHAWK PARTNERS LLC
112 N 3RD ST
MC CALL ID 83638

Priority Date: March 03, 1975

Source: DUFFNER CREEK **Tributary:** NORTH FORK PAYETTE RIVER

BENEFICIAL USE	From	To	Volume
AESTHETIC STORAGE	01/01 to	12/31	20.0 AF
			20.0 AF

LOCATION OF POINT(S) OF DIVERSION:
DUFFNER CREEK NESE Sec. 2 Twp 17N Rge 02E VALLEY County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	02E	2													X				

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

4. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

5. 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. 65.

6. The impoundment of water under this right is contingent upon the issuance of a certificate of approval per the dam safety provisions of Idaho Code and subsequent written authorization by the dam safety program administered by the Department.

WATER RIGHT NO. 65-7535
As Modified by Transfer No. 76412

CONDITIONS OF APPROVAL

7. The following rights are served by the point of diversion described above and known as the Banana Lake Dam: 65-7535 and 65-12136A .

8. Place of use is known as Banana Lake, formerly known as Lower Hait Reservoir.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of October, 20 10

John Westra

John Westra, Western Regional Manager

WATER RIGHT NO. 65-12136B
As Modified by Transfer No. 76412

In accordance with the approval of Transfer No. 76412, Water Right No. 65-12136B is now described as follows.

Right Holder: BLACKHAWK PARTNERS LLC
112 N 3RD ST
MC CALL ID 83638

Priority Date: June 15, 1978

Source: DUFFNER CREEK **Tributary:** NORTH FORK PAYETTE RIVER

BENEFICIAL USE	From	To	Volume
AESTHETIC STORAGE	01/01 to	12/31	584.4 AF
			584.4 AF

LOCATION OF POINT(S) OF DIVERSION:
DUFFNER CREEK SENE Sec. 2 Twp 17N Rge 02E VALLEY County

PLACE OF USE: AESTHETIC STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	02E	2	X	X	X	X	X			X									
			L 1	L 2			L 3												
18N	02E	35												X			X		

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

4. *The approval of this transfer redefines all of the elements of this water right, and the new use of* water authorized by this approval shall constitute the full extent of the right.

5. 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. 65.

6. The impoundment of water under this right is contingent upon the issuance of a certificate of approval per the dam safety provisions of Idaho Code and subsequent written authorization by the dam safety program administered by the Department.

WATER RIGHT NO. 65-12136B
As Modified by Transfer No. 76412

CONDITIONS OF APPROVAL

7. The following rights are served by the point of diversion described above and known as the Blackhawk Lake Dam: 65-2946B, 65-2946C, 65-2946D, 65-7052B, 65-7052D, 65-7052F, 65-12136B, 65-23422 and 65-23423.

8. Place of use is known as Blackhawk Lake, formerly known as Hait Reservoir.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of October, 20 10

John Westra

John Westra, Western Regional Manager

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WATER RIGHT NO. 65-23422
As Modified by Transfer No. 76412

In accordance with the approval of Transfer No. 76412, Water Right No. 65-23422 is now described as follows.

Right Holder: BLACKHAWK PARTNERS LLC
112 N 3RD ST
MC CALL ID 83638

Priority Date: September 27, 1968

Source: DUFFNER CREEK **Tributary:** NORTH FORK PAYETTE RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	04/15	to	10/15	6.74 CFS
				6.74 CFS

LOCATION OF POINT(S) OF DIVERSION:
DUFFNER CREEK SENE Sec. 2 Twp 17N Rge 02E VALLEY County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N 02E 1							1.0		25.0	22.0	32.0	37.0			1.0		118.0
17N 02E 12					39.0	32.0	36.0	39.0	35.0	40.0							221.0

Total Acres: 339

CONDITIONS OF APPROVAL

1. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

2. The following rights are served by the point of diversion described above and known as the Blackhawk Lake Dam: 65-2946B, 65-2946C, 65-2946D, 65-7052B, 65-7052D, 65-7052F, 65-12136B, 65-23422 and 65-23423.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of October, 20 10

John Westra

John Westra, Western Regional Manager

WATER RIGHT NO. 65-23423
As Modified by Transfer No. 76412

In accordance with the approval of Transfer No. 76412, Water Right No. 65-23423 is now described as follows.

Right Holder: BLACKHAWK PARTNERS LLC
112 N 3RD ST
MC CALL ID 83638

Priority Date: September 27, 1968

Source: DUFFNER CREEK **Tributary:** NORTH FORK PAYETTE RIVER

BENEFICIAL USE	From		To	Volume
AESTHETIC STORAGE	01/01	to	12/31	475.0 AF
				475.0 AF

LOCATION OF POINT(S) OF DIVERSION:
DUFFNER CREEK SENE Sec. 2 Twp 17N Rge 02E VALLEY County

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N 02E 2	X	X	X	X	X			X									
	L 1	L 2			L 3												
18N 02E 35												X			X		

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

4. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

5. 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. 65.

6. The impoundment of water under this right is contingent upon the issuance of a certificate of approval per the dam safety provisions of Idaho Code and subsequent written authorization by the dam safety program administered by the Department.

WATER RIGHT NO. 65-23423
As Modified by Transfer No. 76412

CONDITIONS OF APPROVAL

7. The following rights are served by the point of diversion described above and known as the Blackhawk Lake Dam: 65-2946B, 65-2946C, 65-2946D, 65-7052B, 65-7052D, 65-7052F, 65-12136B, 65-23422 and 65-23423.

8. Place of use is known as Blackhawk Lake, formerly known as Hait Reservoir.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of October, 2010

John Westra

John Westra, Western Regional Manager

WATER RIGHT NO. 65-2946B
As Modified by Transfer No. 76412

In accordance with the approval of Transfer No. 76412, Water Right No. 65-2946B is now described as follows:

Priority: May 06, 1952 Maximum Diversion Volume: 0.8 AF

Right Holder: CHARLES THOMPSON Or
MARIETTA THOMPSON
3885 N SADDLEMAN PL
EAGLE ID 83616-2929

Priority: May 06, 1952 Maximum Diversion Volume: 0.8 AF

SOURCE
DUFFNER CREEK **Tributary:** NORTH FORK PAYETTE RIVER

BENEFICIAL USE	PERIOD OF USE	ANNUAL DIVERSION VOLUME
IRRIGATION STORAGE	1/01 to 12/31	0.8 AF
IRRIGATION FROM STORAGE	4/15 to 10/15	0.8 AF

LOCATION OF POINT(S) OF DIVERSION:
DUFFNER CREEK SE1/4NE1/4 Sec. 2, Twp 17N, Rge 02E, B.M.
VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N 02E 12												1.0					1.0

Total Acres: 1

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. The following rights are also diverted through point of diversion described above: 65-2946C, 65-2946D, 65-7052B, 65-7052D, 65-7052F, 65-12136B, 65-23422, 65-23423.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and application rules of the Department of Water Resources.

Signed and sealed this 25th day of October, 2010.

John Westra

John Westra, Western Regional Manager

WATER RIGHT NO. 65-2946D
As Modified by Transfer No. 76412

In accordance with the approval of Transfer No. 76412, Water Right No. 65-2946D is now described as follows:

Priority: May 06, 1952 Maximum Diversion Volume: 32.2 AF

Right Holder: TWIN PINES RIVER RANCH
6874 FAIRVIEW AVE
BOISE ID

SOURCE
DUFFNER CREEK **Tributary:** NORTH FORK PAYETTE RIVER

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL DIVERSION VOLUME
IRRIGATION STORAGE	1/01 to 12/31		32.2 AF
IRRIGATION FROM STORAGE	4/15 to 10/15		32.2 AF

LOCATION OF POINT(S) OF DIVERSION:
DUFFNER CREEK SE1/4NE1/4 Sec. 2, Twp 17N, Rge 02E, B.M.
VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
17N 02E 12											40.0						40.0

Total Acres: 40

CONDITIONS OF APPROVAL

1. Use of this right with Right No. 65-7052D is limited to a total combined annual diversion volume of 120 AF.

2. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

3. The following rights are also diverted through point of diversion described above: 65-2946B, 65-2946C, 65-7052B, 65-7052D, 65-7052F, 65-12136B, 65-23422, 65-23423.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and application rules of the Department of Water Resources.

Signed and sealed this 25th day of October, 2010.

John Westra

John Westra, Western Regional Manager

WATER RIGHT NO. 65-7052B
As Modified by Transfer No. 76412

In accordance with the approval of Transfer No. 76412, Water Right No. 65-7052B is now described as follows:

Right Holder: CHARLES THOMPSON &/or
MARIETTA THOMPSON
3885 N SADDLEMAN PL
EAGLE ID 83616-2929

Priority: September 27, 1968

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 1.4 AF

SOURCE
DUFFNER CREEK **Tributary:** NORTH FORK PAYETTE RIVER

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL DIVERSION VOLUME
IRRIGATION STORAGE	1/01 to 12/31		1.4 AF
IRRIGATION	4/15 to 10/15	0.02 CFS	
IRRIGATION FROM STORAGE	4/15 to 10/15		1.4 AF

LOCATION OF POINT(S) OF DIVERSION:
DUFFNER CREEK SE1/4NE1/4 Sec. 2, Twp 17N, Rge 02E, B.M.
VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
17N 02E 12												1.0					1.0

Total Acres: 1

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

3. The following rights are also diverted through point of diversion described above: 65-2946B, 65-2946C, 65-2946D, 65-7052D, 65-7052F, 65-12136A, 65-23422, 65-23423.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and application rules of the Department of Water Resources.

Signed and sealed this 25th day of October, 2010.

John Westra

John Westra, Western Regional Manager

WATER RIGHT NO. 65-7052D
As Modified by Transfer No. 76412

In accordance with the approval of Transfer No. 76412, Water Right No. 65-7052D is now described as follows:

Priority: September 27, 1968

Maximum Diversion Rate: 0.80 CFS
Maximum Diversion Volume: 56.0 AF

Right Holder: TWIN PINES RIVER RANCH
6874 FAIRVIEW AVE
BOISE ID

SOURCE
DUFFNER CREEK **Tributary:** NORTH FORK PAYETTE RIVER

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL DIVERSION VOLUME
IRRIGATION	4/15 to 10/15	0.80 CFS	
IRRIGATION FROM STORAGE	4/15 to 10/15		56.0 AF
IRRIGATION STORAGE	1/01 to 12/31		56.0 AF

LOCATION OF POINT(S) OF DIVERSION:
DUFFNER CREEK SE1/4NE1/4 Sec. 2, Twp 17N, Rge 02E, B.M.
VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
17N 02E 12											40.0						40.0

Total Acres: 40

CONDITIONS OF APPROVAL

1. Use of this right with rights listed below is limited to a total combined diversion rate of 0.80 cfs and to a total combined annual diversion volume of 120 AF. Combined Right Nos.: 65-2946D, 65-7653A, 65-12055.

2. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

3. The following rights are also diverted through point of diversion described above: 65-2946B, 65-2946C, 65-2946D, 65-7052B, 65-7052F, 65-12136B, 65-23422, 65-23423.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and application rules of the Department of Water Resources.

Signed and sealed this 25th day of October, 2010.

John Westra

John Westra, Western Regional Manager

WATER RIGHT NO. 65-7052F
As Modified by Transfer No. 76412

In accordance with the approval of Transfer No. 76412, Water Right No. 65-7052F is now described as follows:

Right Holder: BEATRICE PEREZ
PO BOX 4187
MC CALL ID 83638

Priority: September 27, 1968

Maximum Diversion Rate: 0.54 CFS
Maximum Diversion Volume: 37.8 AF

SOURCE
DUFFNER CREEK **Tributary:** NORTH FORK PAYETTE RIVER

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL DIVERSION VOLUME
IRRIGATION STORAGE	4/15 to 10/15		37.8 AF
IRRIGATION	4/15 to 10/15	0.54 CFS	

LOCATION OF POINT(S) OF DIVERSION:
DUFFNER CREEK SE1/4NE1/4 Sec. 2, Twp 17N, Rge 02E, B.M.
VALLEY County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
17N 02E 12									3.0			24.0					27.0

Total Acres: 27

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

2. The following rights are also diverted through point of diversion described above: 65-2946B, 65-2946C, 65-2946D, 65-7052B, 65-7052D, 65-12136B, 65-23422, 65-23423.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and application rules of the Department of Water Resources.

Signed and sealed this 25th day of October, 2010.

John Westra

John Westra, Western Regional Manager

WATER RIGHT NO. 65-12136A
As Modified by Transfer No. 76412

In accordance with the approval of Transfer No. 76412, Water Right No. 65-12136A is now described as follows:

Right Holder: MARIETTA THOMPSON Or
CHARLES THOMPSON
3885 N SADDLEMAN PL
EAGLE ID 83616-2929

Priority: June 15, 1978 Maximum Diversion Volume: 15.6 AF

SOURCE
DUFFNER CREEK **Tributary:** NORTH FORK PAYETTE RIVER

BENEFICIAL USE	PERIOD OF USE	ANNUAL DIVERSION VOLUME
IRRIGATION STORAGE	10/15 to 6/01	15.6 AF
IRRIGATION FROM STORAGE	6/01 to 10/15	15.6 AF

LOCATION OF POINT(S) OF DIVERSION:
DUFFNER CREEK (Rediversion) NE1/4SE1/4 Sec. 2, Twp 17N, Rge 02E, B.M. VALLEY County
DUFFNER CREEK SE1/4NE1/4 Sec. 2, Twp 17N, Rge 02E, B.M. VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	02E	12												1.0					1.0
17N	02E	13					11.0												11.0
							L 2												

Total Acres: 12

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

2. The following rights are served by the point of diversion described above and known as the Banana Lake Dam: 65-7535 and 65-12136A .

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and application rules of the Department of Water Resources.

Signed and sealed this 25th day of October, 2010.

John Westra

John Westra, Western Regional Manager