



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

December 11, 2009

BALLENTYNE DITCH CO LTD
C/O JOE KING
170 N SIERRA WAY
EAGLE ID 83616

RE: Amended Transfer No.: 66706
Water Right No(s): 63-264
Amended Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has enclosed an amended Transfer of Water Right(s). The amended approval addresses the number of acres authorized to be irrigated under associated water rights. Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is an amended PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code and Rule 760 of the Departments Rules of Procedure (IDAPA 37.01.01). It can and will become a final order without further action by the Department unless the APPLICANT 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.

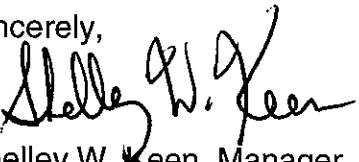
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's homepage on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

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 208-287-4947.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley W. Keen, Manager
Water Right Permits Section

Enclosure(s)

cc: RINGERT CLARK CHARTERED
SPF WATER ENGINEERING LLC

CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2009 I mailed a true and correct copy, postage prepaid, of the foregoing AMENDED TRANSFER APPROVAL to the person(s) listed below:

**RE: TRANSFER NO. 66706
WATER RIGHTS NOS. 63-264**

**RINGERT CLARK CHARTERED
C/O S BRYCE FARRIS
455 S 3RD ST
PO BOX 2773
BOISE ID 83701**

**BALLENTYNE DITCH CO LTD
C/O JOE KING
170 N SIERRA WAY
EAGLE ID 83616**

**SPF WATER ENGINEERING LLC
C/O TERRY SCANLAN
300 E MALLARD DR, STE 350
BOISE ID 83706**

A handwritten signature in cursive script, reading "Danni M. Smith", is written over a horizontal line.

**Danni M. Smith
Office Services Supervisor**