

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 69332

This is to certify that: TAMARACK ENERGY PARTNERSHIP  
PO BOX H  
NEW MEADOWS ID 83654  
(208)347-2216

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**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 67-7598      | WR/Decreed          | 09/14/1982      | 0.7 cfs     | N/A           | N/A               | N/A                | GROUND WATER  |

**Purpose of Transfer (Changes Proposed)**

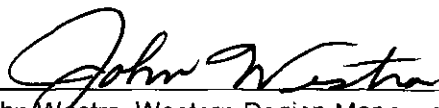
| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 67-7598               | NO           | YES        | YES        | YES            | NO                   | NO                   |

**Summary of Water Rights After the Approved Change**

| <u>Existing Right</u> | <u>New No. (changed portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 67-7598               | <b>67-7598</b>                   | 0.7 cfs              | N/A                    | N/A               | N/A                |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED</b>       |                                  |                      |                        |                   |                    |                                    |                       |                         |                             |                              |
| <b>TOTALS</b>         |                                  | <b>0.7 cfs</b>       | <b>N/A</b>             | <b>N/A</b>        | <b>N/A</b>         |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 23<sup>rd</sup> day of October, 20 09

  
John Westra, Western Region Manager

**WATER RIGHT NO. 67-7598**  
**As Modified by Transfer No. 69332**

In accordance with the approval of Transfer No. 69332, Water Right No. 67-7598 is now described as follows.

**Right Holder:** TAMARACK ENERGY PARTNERSHIP  
 PO BOX H  
 NEW MEADOWS ID 83654

**Priority Date:** September 14, 1982  
**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| INDUSTRIAL            | 01/01       | to 12/31  | 0.70 CFS              |               |
|                       |             |           | 0.70 CFS              |               |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |       |                                      |
|--------------|-------|--------------------------------------|
| GROUND WATER | SE NW | Sec. 30 Twp 19N Rge 01E ADAMS County |
| GROUND WATER | SE NW | Sec. 30 Twp 19N Rge 01E ADAMS County |

**PLACE OF USE:** INDUSTRIAL

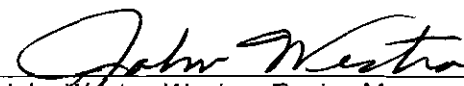
| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 19N 01E 30  |    |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. The right holder shall accomplish the change authorized by this transfer within 1 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. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.
6. Industrial use is for a forest products mill and associated facilities.
7. Place of use does not include lands owned by the State of Idaho.

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 23<sup>rd</sup> day of October, 20 09

  
 John Westra, Western Region Manager