

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 25-07669

Priority: February 23, 1999

Maximum Diversion Rate: 1.05 CFS

This is to certify, that BLACKHAWK VENTURES LLC
GEORGE Z MC DANIEL
4973 E 21 S
IDAHO FALLS ID 83401

has applied for an amendment of a permit and the amendment is APPROVED for development of water as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	1/01 to 12/31	1.05 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE¼SE¼ Sec. 11, Twp 01N, Rge 38E, B.M. BONNEVILLE County

GROUND WATER NW¼SW¼ Sec. 12, Twp 01N, Rge 38E, B.M. BONNEVILLE County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 38E 11													X		X	X	
01N 38E 12										X	X						
01N 38E 13					X												

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 1, 2009**.
2. Subject to all prior water rights.
3. Domestic use is for 65 homes.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
6. Places of use are located within Blackhawk Subdivision No. 2 and No. 3.
7. Points of diversion are located within Lots 2, Blk. 2; and between Lots 1 & 2, Blk. 1; Blackhawk Subdivision No. 2.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

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10. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
11. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
12. This right does not grant any right-of-way or easement across the land of another.

This amendment of permit is issued pursuant to the provisions of Section 42-211, Idaho Code. Witness the signature of the Director, affixed at Boise, this 27th day of January, 2006.


for KARL J DREHER, Director