

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70385

This is to certify that: SILVERWOOD INC
 27843 N HWY 95
 ATHOL ID 83801
 (208)683-3400

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>
96-8593	WR/License	04/05/1990	0.8 cfs	169.5 af			GROUND WATER

Purpose of Transfer (Changes Proposed)

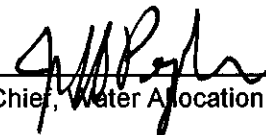
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
96-8593	NO	NO	YES	YES	NO	NO

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>
96-8593	96-8593	0.8 cfs	169.5 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.8 cfs	169.5 af				N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 16 day of April, 2003

For 
 Chief, Water Allocation Bureau

WATER RIGHT NO. 96-8593
As Modified by Transfer No. 70385

In accordance with the approval of Transfer No. 70385, Water Right No. 96-8593 is now described as follows.

Right Holder: SILVERWOOD INC
 27843 N HWY 95
 ATHOL ID 83801

Priority Date: April 05, 1990

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	to 12/31	0.80 CFS	169.5 AF
			0.80 CFS	169.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSESE	Sec. 28 Twp 53N	Rge 03W KOOTENAI County
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PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
53N 03W 28				X									X	X	X	X	

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (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. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. The total instantaneous diversion of water from all points of diversion under Right 96-8593 shall not exceed 0.80 cfs, nor total annual volume of 169.5 af.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. After specific notification by the Department, the right holder shall measure the diversion 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.
7. Commercial use is for Silverwood Theme Park and includes an RV park and the irrigation of 40 acres.

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 16 day of April, 20 03


 For _____
 Chief, Water Allocation Bureau