

Nest Egg Investments, LLC  
C/O Aaron McCracken  
1665 Delmar Dr.  
Idaho Falls, ID 83404

RECEIVED  
FEB 27 2020  
Department of Water Resources  
Eastern Region

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

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IN THE MATTER OF PERMIT NO. 25-14419 IN	)	
THE NAME OF NEST EGG INVESTMENTS,	)	
LLC C/O AARON MC CRACKEN	)	
	)	<b>PETITION FOR</b>
	)	<b>RECONSIDERATION</b>
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Re.: Denial of Water Right Permit 25-14419 by Shelley Keen, Chief Water Allocation Bureau

The Applicant petitions for reconsideration and responds as follows:

1. Applicant received Notice: Statement of Completion Due dated October 31, 2019.

In said statement, it says that a request for extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code.

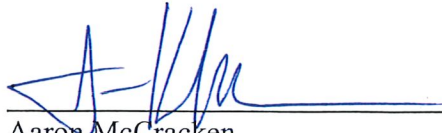
2. Nest Egg Investments LLC c/o Aaron McCracken filed an extension of time on November 14, 2019. On the Extension of Time form, it requests... *"Describe what work has been completed toward the development of this water right: If no work has been completed, show "none".*" The Applicant did put down "None" on the basis of his lay interpretation of physical construction work completed at

the site which was true. However, the Applicant has expended numerous hours of work and money towards development of the water right. This includes:

- a. Purchased and transferred a water right and applied for the permit to divert required to operate the nursery business,
  - b. Pursued and received zone change to C-1 commercial from Jefferson County,
  - c. Pursued a change of the C-1 zoning ordinance to permit a garden/nursery with the C-1 zone,
  - d. Designed a preliminary concept plan in preparation for having construction plans made,
  - e. Worked diligently to complete purchase of the property.
3. As partially explained in the Request For Extension of Time, the Applicant's primary business location lost its lease when the property was sold which required finding another location and constructing new infrastructure and moving. This included transferring a water right and drilling a new well at the new location. Time and money allocated to the Jefferson County location was required that it be set aside temporarily until the main nursery location was re-established.

For this purpose, Nest Egg Investments requests reconsideration and it be granted the extension of time for 5 years to complete the development of the water right permit.

DATED this 27<sup>th</sup> day of February, 2020.

  
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Aaron McCracken  
Nest Egg Investments, LLC

CERTIFICATE OF SERVICE BY MAIL, HAND DELIVERY  
OR FACSIMILE TRANSMISSION

I hereby certify that a true and correct copy of the foregoing document was on this date served upon the persons named below, at the addresses set out below their name, either by mailing, hand delivery or by telecopying to them a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid; by hand delivery to them; or by facsimile transmission.

DATED this 27<sup>th</sup> day of February, 2020.

  
\_\_\_\_\_  
Aaron McCracken

Director, Gary Spackman  
Shelley W. Keen  
Idaho Department of Water Resources  
P.O. Box 83720  
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