

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 11 2019

DEPARTMENT OF  
WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID  
FORFEITURE OF A WATER RIGHT

Section 42-222(4), Idaho Code, provides that a water right holder may apply to protect a valid water right from forfeiture. Upon a showing of reasonable cause, the Director may grant one (1) extension of five (5) years in which to resume use.

1. Water Right No. 35-13855 (one right per application)  
☒ Attach a copy of the water right record, available at <http://www.idwr.idaho.gov>, *Water Right Transfers, Step 1*, or by contacting any Department office.
2. Applicant Orano USA LLC Phone (202) 748-3673
3. Are you the current water right holder of record? Yes ☒ No ☐  
☐ If no, provide documentation of your authority to sign on behalf of the right holder -- OR -- attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee.
4. Mailing address ☒ Same as water right record -- OR -- complete the following information:  
Address \_\_\_\_\_ City \_\_\_\_\_  
State \_\_\_\_\_ Zip code \_\_\_\_\_ Email \_\_\_\_\_
5. Give the last date water was beneficially used unsure
6. Explain your reasons for non-use of the water right and your reasons for requesting an extension of time.  
Attach additional documentation if needed.  
The water right was transferred to irrigation use in 2015, with the intent to put it in such use until needed for industrial purposes. Private rentals have been entered into over the years for irrigation. We are still seeking productive alternative industrial uses for the property, but the pace of project development activities has been slow due to

circumstances outside of our control.

The information contained in this application is true to the best of my knowledge.

Michael A. Woods  
Signature of applicant or authorized agent

Michael A. Woods, VP and General Counsel  
Print name (and title, if applicable)

12/10/2019  
Date

\_\_\_\_\_  
Signature of applicant or authorized agent

\_\_\_\_\_  
Print name (and title, if applicable)

\_\_\_\_\_  
Date

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby \_\_\_\_\_ said application, subject to the following conditions or reasons:

The right holder shall resume beneficial use of water *on or before* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
Title: \_\_\_\_\_

Stamped received ☒ Fee received by RD Date 12/11/19 Receipt # C108083

Michael Woods

General Counsel  
Orano USA

**orano**

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**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: [idwr.idaho.gov](http://idwr.idaho.gov) • Email: [idwrinfo@idwr.idaho.gov](mailto:idwrinfo@idwr.idaho.gov)

**BRAD LITTLE**  
Governor

**GARY SPACKMAN**  
Director

February 14, 2020

ORANO USA LLC  
1155 F ST NW STE 800  
WASHINGTON DC 20004

RE: Extension of Time to Avoid Forfeiture of a Water Right No. 35-13855

Dear Applicant(s):

The Department of Water Resources has received your Extension of Time to Avoid Forfeiture of a Water Right application.

A legal notice of the application has been prepared and is scheduled for publication in the POST REGISTER on 2/20/2020 and 2/27/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley  
Technical Records Specialist

**Hersley, Jean**

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**From:** Hersley, Jean  
**Sent:** Friday, February 14, 2020 9:04 AM  
**To:** PR Legal Notices  
**Subject:** Legal Notice for Application for Extension of Time to Avoid Forfeiture  
**Attachments:** Extension of Time Legal Notice\_35-13855.docx

**Dear LEGAL NOTICE DEPARTMENT:**

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before March 9, 2020,. Your cooperation is appreciated.

Sincerely

Jean Hersley  
Technical Records Specialist II  
IDWR State Office  
322 E Front St  
Boise ID 83720  
208-287-4942  
jean.hersley@idwr.idaho.gov

# NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE

ORANO USA LLC, 1155 F ST NW STE 800, WASHINGTON DC 20004, has filed an Extension of Time to Avoid Forfeiture for water right 35-13855, with a priority date of 02/14/1961 from groundwater in the amount of 0.76 cfs, 526.8 af, and 5 acres of irrigation. Water right 35-13855 was partially decreed on January 31, 2002. A 0.7 cfs portion of the water right is dedicated to mitigation by non-use. The extension is requested to avoid loss of the irrigation portion of the water right due to non-use and to allow the water to be transferred to alternative industrial uses as they are developed on the property. Water right 35-13855 is near Hell's Half Acre and Arco Highway approximately 20 miles east of Idaho Falls, in Bonneville County.

For additional information concerning the property location, contact IDWR State Office at (208) 287-4800, or search under <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Protests may be submitted based on the criteria of Idaho Code §42-203A. Any protest against the approval of the proposed application must be filed with the Department of Water Resources, State Office, 322 E Front St., PO Box 83720, Boise, Idaho, 83720-0098 together with a protest fee of \$25.00 for each application on or before 02/22/2016. The protestant must also send a copy of the protest to the applicant.

Gary Spackman, Director

Published on Feb 20 and February 27



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1155 F. Street, NW  
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Washington, DC 20004  
Tel: (202) 969-3240  
Fax: (434) 260-8480  
@Orano\_USA

RECEIVED  
DEC 11 2019  
DEPARTMENT OF  
WATER RESOURCES

December 10, 2019

State of Idaho  
Department of Water Resources  
322 E. Front Street, Suite 648  
P.O. Box 83720  
Boise, ID 83720-0098

**Re: Application for Extension of Time to Avoid Forfeiture  
of Water Rights: No. 35-13855**

To Whom It May Concern:

In response to the recent notice we received from the IDWR dated October 29, 2019, enclosed please find a completed Application for Extension of Time to Avoid Forfeiture of Water Right No. 35-13855, currently held by Orano USA LLC (formerly known as AREVA Enrichment Services LLC). Also attached is the fee for this application.

Should you have any questions, please do not hesitate to contact me by email at [michael.woods@orano.group](mailto:michael.woods@orano.group) or by phone at (202) 748-3673. Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in black ink that reads "Michael A. Woods".

Michael Woods  
Vice President & General Counsel

Enclosures