

RECEIVED
MAY 24 2012
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Water Right No. 02-04005

RECEIVED
MAY 30 2012

WATER RESOURCES
WESTERN REGION

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

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

1. Name of water right holder DAVID M AYARRA JR TRUST
2. Mailing address P.O. Box 247 BEND, OR 97709 Email ayarra@bendbroadband.com
3. The right was obtained or is evidenced by:
 - a. Decree to _____ in Case of _____
 - vs. _____, Dated _____ in _____
(Name of Court)
 - Court, _____ County _____ of _____ Fully _____ describe _____ decree _____
- b. License No. _____ c. Claim No. _____
- d. SRBA No. 02-04005
4. Source of water Snake River tributary to Columbia River
(Name of stream or source)
5. Date of priority of right 07/01/1947
6. Description of Right:
amount .30 for irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
7. Point of Diversion NE 1/4 SW 1/4 of Sec. 07 Twp 05S Rge. 11E County ELMORE

8. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>05S</u>	<u>11E</u>	<u>7</u>									<u>7.080</u>								<u>15.0</u>
											<u>18.29</u>								

Total Acres 15.0

SCANNED

AUG 09 2012

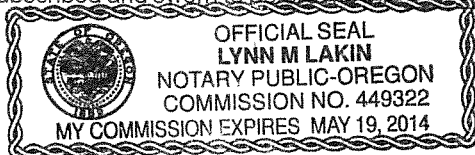
9. Give the last date when water was put to beneficial use 2009
Length of extension of time requested FIVE years, or until 2019 (Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use Currently the acreage is not being farmed. The land owner is in the process of trying to determine the most beneficial use for the acreage and does not wish to jeopardize the water rights. The landowner would like to resume irrigating the acreage once he has established the most beneficial crop for the area.

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

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 18th day of May, 20 12



Lynn M Lakin
(Notary Public)

My commission expires May 19, 2014

Residing at Bend, Oregon

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 APPROVE said application subject to the following conditions or reasons:

The right holder shall resume beneficial use of water on or before October 31, 2017.

Signed this 14th day of September, 20 12

John Weaver, Manager Western Region
Chief Water Allocation Bureau

FOR DEPARTMENT USE ONLY

Date Received 5/24/2012 FEE Received by SR7 Date 5/24/2012 Receipt # C095404
Preliminary T by kw Publication prepared by MP Pub. approved by MP Date 8/28/12
Published in Mountain Home News Dates Published 8/15 & 8/22/12
Protests filed by _____
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for - APPROVAL / DENIAL By _____

SCANNED

AUG 09 2012

05/11/2012

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 2-4005

WATER RIGHT NUMBER: 2-4005

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAVID M AYARRA JR TRUST DATED APRIL 17 2009 PO BOX 247 BEND, OR 97709

Priority Date: 07/01/1947

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.300 CFS	
	<u>Total Diversion:</u>	0.300 CFS	

Location of Point(s) of Diversion

SNAKE RIVER L8 (SE1/4NE1/4SW1/4) Sec. 7, Twp 05S, Rge 11E, B.M.
ELMORE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	11E	7									7.0	8.0							15.0
											L 8	L 9							

Total Acres: 15

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Dates and Other Information:

Decreed Date: 6/15/2009

SCANNED

AUG 09 2012

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 02-04005

NAME AND ADDRESS: MARIE AYARRA
C/O DAVID M AYARRA
PO BOX 247
BEND, OR 97709

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.30 CFS

PRIORITY DATE: 07/01/1947

POINT OF DIVERSION: T05S R11E S07 LOT 8 (SENESEW) Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.30 CFS

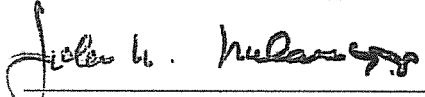
PLACE OF USE: Irrigation Within Elmore County
T05S R11E S07 LOT 8 (NESW) 7.0 LOT 9 (NWSW) 8.0
15.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

SCANNED
JUN 25 2009

SCANNED
AUG 09 2012