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Form 2-222

10/07

FEE \$100.00

MAY 24 2012

DEPARTMENT OF
WATER RESOURCESWater Right No. 02-07418

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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 _____
- Court, _____ County _____ of _____ Fully _____ (Name of Court) describe decree
- b. License No. _____ c. Claim No. _____
- d. SRBA No. 02-07418
4. Source of water Snake River (Name of stream or source) tributary to Columbia River
5. Date of priority of right 06/26/1985
6. Description of Right:
- amount 0.03 (cfs/ac-ft) for irrigation purposes from 4-01 to 10-31
- amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
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>1.0</u>								<u>1.0</u>
											<u>L8</u>								

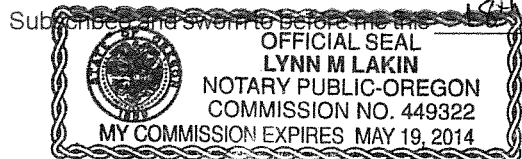
Total Acres 1.0

9. Give the last date when water was put to beneficial use 2009
Length of extension of time requested Five years, or until 2017 (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 The acreage is not being farmed at the present moment. The landowner does not wish to jeopardize the water rights while determining the most beneficial use for the acreage. The landowner would like to resume irrigation once the most beneficial use of the acreage has been determined

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

[Signature]
(Signature of Applicant)



day of May, 20 12

Lynn M Lakin
(Notary Public)

My commission expires May 19, 2014

Residing at Bend, OR 97701

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:

Signed this _____ day of _____, 20 _____.

Chief, Water Allocation Bureau

FOR DEPARTMENT USE ONLY

Date Received 5/24/2012 FEE Receipted by SB7 Date 5/24/2012 Receipt # C095404

Preliminary T by _____ Publication prepared by _____ Pub. approved by _____ Date _____

Published in _____ Dates Published _____

Protests filed by _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____

Recommended for - APPROVAL / DENIAL By _____

05/11/2012

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 2-7418

WATER RIGHT NUMBER: 2-7418

<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: 06/26/1985

Basis: License

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	4/01 to 10/31	0.030 CFS	4.00 AF
	<u>Total Diversion:</u>	0.030 CFS	4.00 AF

Location of Point(s) of Diversion

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

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05S	11E	7									1.0								1.0
											L 8								

Total Acres: 1

Conditions of Approval:

1. Water shall not be diverted under this right when flows in the Snake River are below established minimum flow amounts at any of the following locations: Weiser, 4750 cfs; Johnson Bar, 5000 cfs; Lime Point 13,000 cfs.
2. R68 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Dates and Other Information:

Licensed Date: 11/30/1998

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 02-07418

Priority: June 26, 1985

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

4.0 AF

This is to certify, that MARIE AYARRA
DAVID J AYARRA

RT 1 BOX 17

KING HILL ID 83633

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 26, 1985; and has submitted Proof of Beneficial Use on August 12, 1992. An examination indicates that the works have a diversion capacity of 0.240 cfs of water from:

SNAKE RIVER

tributary to COLUMBIA RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.03 CFS	4.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 8(NESW), Sec. 7, Township 05S, Range 11E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	11E	7	Lot 8(NESW)	1		1

Total number of acres irrigated: 1

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. Water shall not be diverted under this right when flows in the Snake River are below established minimum flow amounts at any of the following locations: Weiser, 4750 cfs; Johnson Bar, 5000 cfs; Lime Point 13,000 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license 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. Signed and sealed this 30th day of NOVEMBER, 1998.

MICROFILMED

DEC 29 1998

Acting for

KARL J. DREHER, Director

SCANNED
APR 12 2002