

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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MAY 04 2010

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 Billie Peck et al
2. Mailing address _____ Email _____
3. The right was obtained or is evidenced by:
- a. Decree to _____ in Case of _____
- vs. _____ Dated _____ in _____ (Name of Court)
- Court, _____ County _____ Fully describe decree
- b. License No. see attached c. Claim No. _____
- d. SRBA No. proof report
4. Source of water _____ tributary to _____
(Name of stream or source)
5. Date of priority of right _____
6. Description of Right:
- amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
- amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
7. Point of Diversion _____ 1/4 _____ 1/4 of Sec. _____ Twp. _____ Rge. _____ County _____
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	

Total Acres _____

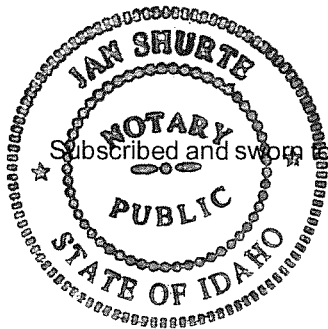
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9. Give the last date when water was put to beneficial use 4/08 July - 20/07
 Length of extension of time requested 5 yrs years, or until 2015 (Date)
10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use Building business down
I owned O. Peak, 14 small Doves
partners died, I have a partner
Billie Peak, Lynda Doves we
will use in future.

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

Billie A. Peak
 (Signature of Applicant)



Subscribed and sworn to before me this 4TH day of May, 20 10.

Jan Shurte
 (Notary Public)

My commission expires 12-12-12 Residing at Mendocino, CA

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 23 day of January, 20 12.

[Signature]
 Chief, Water Allocation Bureau

FOR DEPARTMENT USE ONLY

Date Received 5-4-10 FEE Received by Jmh Date 5-4-10 Receipt # W038322
 Preliminary T by VLM Publication prepared by DB Pub. approved by _____ Date _____
 Published in Idaho World Dates Published Feb. 2 & 9, 2011
 Protests filed by _____
 Copies of protests forwarded by _____ Hearing held by _____ Date _____
 Recommended for APPROVAL / DENIAL By J. Wister, Manager Water Reg.

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-320B

WATER RIGHT NUMBER: 63-320B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BILLIE A PECK 1409 B MAPLE AVE MERIDIAN, ID 83642 (208)888-5557
Current Owner	JERALD O PECK 1409 B MAPLE AVE MERIDIAN, ID 83642 (208)888-5557
Current Owner	WENDIL C DAVIS 424 W CHERRY LN #49 MERIDIAN, ID 83642 (208)887-4704
Current Owner	LYNDA LEE DAVIS 424 W CHERRY LN #49 MERIDIAN, ID 83642 (208)887-4704
Original Owner	FRANCES LUTTRELL

Priority Date: 01/18/1911

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ROBIE CREEK	MORES CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.096 CFS	
	<u>Total Diversion:</u>	0.096 CFS	

Location of Point(s) of Diversion

ROBIE CREEK	NE1/4NW1/4SE1/4	Sec. 24, Twp 04N, Rge 03E, B.M.
BOISE 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	
04N	03E	24																	3.2
																			3.2

Total Acres: 3.2

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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-320B

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.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates and Other Information:

Licensed Date:
Decreed Date: 4/24/2003
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number: 63
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

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