

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 08 2011

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 Sands, LLC
2. Mailing address c/o Steve Loomis 7154 W. State St., #187 Email _____
3. The right was obtained or is evidenced by: Boise, ID 83714
 - a. Decree to 65-3504 in Case of _____
vs. _____, Dated _____ in _____
(Name of Court)
Court, _____ County _____ of _____ Fully _____ describe _____ decree _____
SRBA partial decree issued 6/28/2002
 - b. License No. _____
 - c. Claim No. _____
 - d. SRBA No. _____
4. Source of water Springs tributary to Robbs Creek
(Name of stream or source)
5. Date of priority of right 4/1/1918
6. Description of Right: 0.02/2.4 for Irrigation from 4/1 to 11/1
amount 0.02/0.4 for Stockwater purposes from 1/1 to 12/31
(cfs/ac-ft)
amount 0.04/2.4 for Domestic purposes from 1/1 to 12/31
(cfs/ac-ft)
7. Point of Diversion SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4 Twp. 6N Rge. 2E County Boise
NE NE 8
NW NW 9
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	
6N	2E	4												1					1
														X					
		9					X												

Total Acres 1

9. Give the last date when water was put to beneficial use Partial decree issued 6/28/2002
Length of extension of time requested 5 years, or until 2016
(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 See attached explanation

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

(Signature of Applicant)

For Jones Member

Subscribed and sworn to before me this _____ day of _____, 20____.

(Notary Public)

My commission expires _____ Residing at _____

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

#100.00

Date Received 2-8-11 FEE Received by JRH Date 2-8-11 Receipt # W038981

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

Published in Idaho World Dates Published 10/19 + 10/26/2011

Protests filed by _____

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

Recommended for - APPROVAL / DENIAL By _____

SCANNED

OCT 12 2011

Supportive Information for Water Right 65-3504:

In October, 2004, Steve Loomis, member of Sands LLC, contacted SPF Water Engineering to begin the process of transferring water right that had been retained from property he sold, including water right 65-3504. Because language in the subject warranty deeds was unclear, SPF Water Engineering advised Mr. Loomis to obtain quitclaim deeds from the owners of the property on which the retained water rights showed a place of use. That action led to litigation that was resolved in January, 2011.

The subject water rights were decreed in the SRBA July 18, 2002. Mr. Loomis has not been able to beneficially use these water rights because of the litigation. Mr. Loomis now seeks to make several changes to 65-3504 and wishes to 1) enroll the water right in the Idaho Water Supply Bank and 2) protect the water right from forfeiture for 5 years while accomplishing these changes.