

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEC 17 2010

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

DEPARTMENT OF
WATER RESOURCES

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 Alpha Mortgage Fund I
2. Mailing address PO Box 140177 Email stevev@alphalendingllc.com
3. The right was obtained or is evidenced by:
a. Decree to Montierth in Case of _____
vs. _____, Dated 5/11/09 in SRBA
Court, _____ County of _____, Fully describe decree
Property now owned by Alpha Mortgage Fund I via non-judicial foreclosure.
b. License No. _____ c. Claim No. 2-10379
d. SRBA No. _____
4. Source of water Snake River tributary to Columbia River
(Name of stream or source)
5. Date of priority of right 1/11/1963
6. Description of Right:
amount 0.542 for irrigation purposes from 3/01 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
7. Point of Diversion SW 1/4 Lot 7 1/4 of Sec. 36 Twp. 01N Rge. 03W Canyon

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	
01N	03W	2					38												38

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WATER RESOURCES
WESTERN REGION

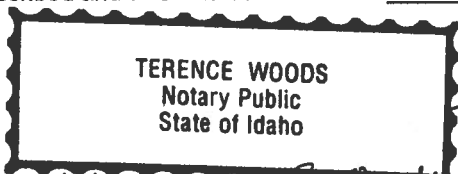
Total Acres 38

9. Give the last date when water was put to beneficial use Dec 31, 2005
Length of extension of time requested 5 years, or until _____ (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 property was foreclosed upon by the current owner in May 2008 and placed on the market for sale. The property is bare ground and does not currently have a distribution system in place to utilize the irrigation water. It is anticipated that a purchaser will develop the property & utilize the water right for irrigation purposes. The property remains on the market for sale.

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

5/3/06
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of December, 20 10.



Terence Woods
(Notary Public)

My commission expires 5-3-10

Residing at Eagle

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 12/17/2010 FEE Received by SR7 Date 12/17/2010 Receipt # C092233
Preliminary T by KW Publication prepared by DB Pub. approved by _____ Date _____
Published in Idaho Press Tribune Dates Published July 21 & 28, 2011
Protests filed by _____
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for - APPROVAL / DENIAL By _____