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AUG 11 2010

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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AUG 09 2010

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 Orion Holdings, LLC (Contact name is Mr. Don Newell)
2. Mailing address 618 N. Pioneer Oak, Salt Lake City UT 84108 Email ashton.homes@hotmail.com
3. The right was obtained or is evidenced by:
 - a. Decree to See attached profile report in Case of _____
vs. _____, Dated 2/16/2007 in _____
Court, _____ County of _____ Fully _____ (Name of Court) describe decree
 - b. License No. _____
 - c. Claim No. _____
 - d. SRBA No. _____
4. Source of water Boise River tributary to Snake River
(Name of stream or source)
5. Date of priority of right July 21, 1980
6. Description of Right:
amount See attached for profile report 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: See attached profile report.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

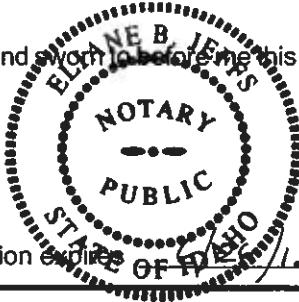
Total Acres _____

9. Give the last date when water was put to beneficial use July 15, 2006 See attached narrative
Length of extension of time requested _____ years, or until July 15, 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 narrative

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

(Signature of Applicant)

Subscribed and sworn to before me this 5th day of August, 20 10.



(Notary Public)

My commission expires 12/31/12

Residing at Nampa, Idaho

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

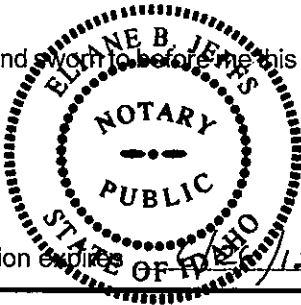
Date Received 8/9/2010 FEE Received by SR7 Date 8/9/2010 Receipt # C091500
Preliminary T by SR Publication prepared by DB Pub. approved by _____ Date _____
Published in IDAHO STATESMAN Dates Published SEPT. 16 & 23, 2010
Protests filed by _____
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for - APPROVAL / DENIAL By _____

9. Give the last date when water ☐ put to beneficial use July 15, 2006 See attached narrative
Length of extension of time requested _____ years, or until July 15, 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 narrative

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

(Signature of Applicant)

Subscribed and sworn to before me this 5th day of August, 20 10



(Notary Public)

My commission expires 12/12 Residing at Nampa, Idaho

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 July 15, 2016.

Signed this 29th day of October, 20 10

Chief, Water Allocation Bureau

FOR DEPARTMENT USE ONLY

Date Received 8/9/2010 FEE Received by SR7 Date 8/9/2010 Receipt # C091500
Preliminary T by SR Publication prepared by DB Pub. approved by _____ Date _____
Published in IDAHO STATESMAN Dates Published SEPT. 16 & 23, 2010
Protests filed by _____
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for - APPROVAL / DENIAL By _____

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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/20/2010

WATER RIGHT NO. 63-31313

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ORION HOLDINGS LLC 618 N PIONEER OAK SALT LAKE CITY, UT 84108 801-381-6950
Directors Report Owner	MARIETTA WROTEN 799 W SOUTH CHANNEL RD EAGLE, ID 83616 (208)939-8444
Directors Report Owner	JAMES L WROTEN 2305 S CHANNEL RD MERIDIAN, ID 83642 (208)939-0137

Priority Date: 07/21/1980

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	07/15	0.1 CFS	17.7 AFA
AESTHETIC STORAGE	01/01	12/31		20.7 AFA
DIVERSION TO STORAGE	04/15	07/15	0.14 CFS	
Total Diversion			0.24 CFS	

Location of Point(s) of Diversion:

BOISE RIVER	SESWSW	Sec. 16	Township 04N	Range 01E	ADA County
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IRRIGATION Use:

Acre Limit: 4.9

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	01E	17		SWSW	39		SESW	31						
				SWSE	8									
		20		NWNE	7									
				NENW	11		NWNW	5						

Place of Use Legal Description: AESTHETIC STORAGE ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	01E	17		SWSW			SESW							

Total Acres: 101

Conditions of Approval:

1.		Rights 63-132, 63-4695, 63-31312 and 63-31313 under Transfer 72596 authorize the combined total diversion of water for aesthetic storage in the amount of 42.2 af to be used for replacement of losses caused by evaporation from 14.5 acres total surface area of seven (7) aesthetic ponds authorized for aesthetic storage under right 63-32235.
2.	T07	The right holder shall accomplish the change authorized by this transfer within three years of the date of this approval.
3.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4.	T09	Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
5.		The period of use for the irrigation and diversion to storage described in this approval may be extended to a beginning date of 3/1 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 7/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

6.	R05	Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
7.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8.	X27	This right is limited to the irrigation of 4.9 acres within the place of use described above in a single irrigation season.
9.	F06	Rights 63-132, 63-133, 63-382B and 63-31312 are also diverted through the point of diversion described above.
10.	R65	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
11.		Use of this right is combined with water from Mace Catlin Ditch Co. and Eagle Island Water Users Irrigation.

Dates:

Licensed Date:

Decreed Date: 02/16/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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