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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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AUG 09 2010

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

WATER RESOURCES
WESTERN REGION

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 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 4/2/07 in _____
Court, _____ County of _____ Fully (Name of Court) describe decree
 - b. License No. _____
 - c. Claim No. _____
 - d. SRBA No. _____
4. Source of water Groundwater (Name of stream or source) tributary to N/A
5. Date of priority of right March 1, 1963
6. Description of Right:
amount See attached profile report 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: 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 _____

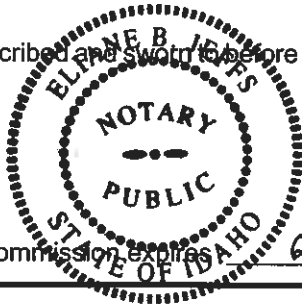
9. Give the last date when water was put to beneficial use Nov. 15, 2006 See attached narrative
Length of extension of time requested _____ years, or until November 15, 2016
(Date)
10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use See attached narrative

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

(Signature of Applicant)

MANAGER

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



(Notary Public)

My commission expires 6/26/12 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 _____

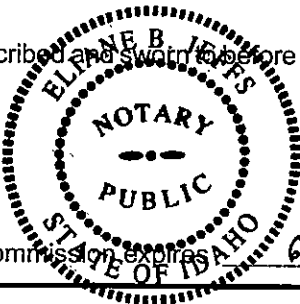
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The information contained in this application is true to the best of my knowledge.

(Signature of Applicant)

MANAGER

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



(Notary Public)

My commission expires 6/26/12 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 November 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 RL 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. 63-17863

<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	KAY R JOHNSON
Directors Report Owner	ANN JOSLIN 1750 W WASHAM RD EAGLE, ID 83616-3746 (208)939-6857
Original Owner	STEVEN A LA TULIPPE 844 W CHANNEL RD EAGLE, ID 83616 (208)939-8836

Priority Date: 03/01/1963

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.1 CFS	22.5 AFA
STOCKWATER	01/01	12/31	0.02 CFS	
DOMESTIC	01/01	12/31	0.02 CFS	
Total Diversion			0.14 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NESWSW	Sec. 17	Township 04N	Range 01E	ADA County
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IRRIGATION Use:

Acre Limit: 5

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: STOCKWATER ADA County

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

Place of Use Legal Description: DOMESTIC ADA County

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

Total Acres: 101

Conditions of Approval:

1.	T07	The right holder shall accomplish the change authorized by this transfer within three years of the date of this approval.
2.	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.
3.	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.
4.	01M	After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5.	X27	This right is limited to the irrigation of 5 acres within the place of use described above in a single irrigation season.
6.	WB5	Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
7.	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.
8.	N14	The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.
9.	N09	The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
10.	X36	Right 63-4695 is also diverted through the point of diversion described above.
11.		Use of this right is combined with water from the Mace Catlin Ditch Company.

Dates:

Licensed Date:

Decreed Date: 04/02/2007

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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