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APR 24 2009

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY:
\$50 Fee Received by 389
Date 4-24-2009
Receipt No. C088538

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right and file proof or beneficial use of water. There is a **FILING FEE** of \$50.00 to be included with this form when filed with IDWR.

Permit No. 96-9310 Date Proof is Due: May 1 2009
Name(s) of Permit Holder: Beverly C Peterson
Address: 46 West High Drive City Spokane State WA Zip 99203
Telephone No. 509 6249663 Email: None

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

NONE
preparation of land ongoing but costs
of pump & electricity exceed \$25,000 with no concept
of when building moratorium will be lifted, expenditures
could escalate. Thus, we wait for the Costing \$
Southside Sewer & Water board.

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Southside Sewer & Water has "moratorium" on building
local citizen board unwilling to provide schedule of
plan to allow building.

Permit holder(s) request an extension to MAY 2012 2012

Beverly C Peterson
(Signature) If other than permit holder, Power of Attorney must be supplied.

(Date)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED AND THE TIME WITHIN WHICH TO SUBMIT PROOF OF BENEFICIAL USE IS EXTENDED TO MAY 1, 2012.

Signed this 15th day of May, 2009

Jeff Peppersack
JEFF PEPPERSACK, BUREAU CHIEF

**INSTRUCTIONS FOR FILING A REQUEST FOR EXTENSION OF TIME
TO SUBMIT PROOF OF BENEFICIAL USE**

If the development of a water right authorized by your permit is not completed and you need more time to finish the development prior to submitting proof of beneficial use, please read the following:

Every permit to appropriate water is issued with a completion deadline called a "proof of beneficial use" due date. The permit holder may file a request for extension of time to submit this proof according to Sections 42-204(1-5) and 42-218, Idaho Code, see the department's website for more information about these statutes: www.idwr.idaho.gov. The Request for Extension of Time must state the extent of development that has occurred, the costs incurred, and the reason(s) the work has not been completed. The department may extend the proof due date of a permit when a permit holder is prevented from proceeding with his work, provided there is good cause for the delay. After a permit holder has had five years to develop a permit, only one extension of time can be granted for good cause.

- Good Cause: You must provide the reason for delay, along with evidence that you have proceeded with due diligence. Evidence of due diligence may include well drilled, pump installed, some acres now irrigated, fish propagation ponds constructed, sprinkler system purchased, etc. *Lack of financial resources, the state of the economy or personal illness usually cannot be considered adequate reasons to approve a Request for Extension of Time.*
- Federal agency action or litigation that qualifies for an extension: A lack of required consent or final approval by a federal government agency, (right-of-way, easement, or land classification such as Desert Land Entry or Carey Act); or, litigation related to ownership of the water that has prevented development of the permit. When basing your extension on delays caused by a federal agency or by litigation, you must provide documentation to establish the time-period that development was delayed. The department can only extend the development period of a permit for the actual time a federal agency or litigation delayed your development based on the evidence of delay submitted with the request for extension. If no documentation is provided, the department will review the request based on good cause.
- Additional basis for granting an extension: The water project is of a large scale -- storage of more than 10,000 acre-feet or diversion of more than 25,000 acre-feet in one irrigation season for an irrigation project of at least 5,000 acres; or when the water right permit is held by the United States of America. A written explanation for these requests must be submitted.

A non-refundable filing fee of \$50.00 must accompany the Request for Extension of Time form.

NOTE: *In no case should a Proof of Beneficial Use form and a Request for Extension of Time form both be submitted. If your water development project is complete, the proof of beneficial use form should be completed and filed. If the project is started, but not finished, then the Request for Extension of Time form should be completed and returned in compliance with the guidelines above. If the project has not been initiated, and does not fit into any of the exceptions listed above, then neither form should be filed with the department and the permit will lapse and shall become of no further force nor effect.*