

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 of beneficial use of water. There is a **FILING FEE** of \$50.00 to be included with this form when filed with IDWR.

Permit No. 22-13506
Name(s) of Permit Holder: Fremont-Madison Irrigation District
Address: P.O. Box 15 City St. Anthony State ID Zip 83445
Telephone No. (208) 624-3381 Date Proof is Due: November 1, 2007

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".)

See description of wells entitled "Fremont-Madison Irrigation District Wells"
attached hereto

Costing \$ unknown

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

See "Explanation of Inability to Complete" attached hereto.

Permit holder(s) request an extension to November 1, 20 12

[Signature] 9-18-07
(Signature)* (Date)
*If other than permit holder, Power of Attorney must be supplied.

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 November 1, 2012.

Signed this 23rd day of October, 2007

[Signature]
JEFF PEPPERSACK, Bureau Chief
Water Allocation Bureau

FREMONT-MADISON IRRIGATION DISTRICT WELLS

WELL #	LOCATION	DISCHARGE (cfs)	MOTOR HP	OTHER INFORMATION
#1 (Beaver Dick)	SWNE Sec. 25, T6N, R38E	33.4	300	Well Depth: 685'; Casing Size & Depth: 30", 450.6' Production Zone Thickness (Basalt): 234' Depth to Water When Drilled: 18.05' Pump Bowls set at 70' on 4/18/2005
#2 (Salem)	SESENE Sec. 19, T7N, R40E	22.3	300	Well Depth: 395' Casing Size & Depth: 30", 198.5' Production Zone Thickness (Basalt): 196' Depth to Water When Drilled: 30.83' Pump Set at 90' on 4/18/2005
#3 (Golf Course)	NENE Sec. 23, T6N, R39E	11.1	200	Well Depth: 438' Casing Size & Depth: 24", 245.0' Production Zone Thickness (Basalt): 181' Depth to Water When Drilled: 25.91'
#4 (Egin)	NWNNW Sec. 16, T7N, R39E	16.7	200	Well Depth: 503' Casing Size & Depth: 22", 255.6' Production Zone Thickness (Basalt): 247' Depth to Water When Drilled: 59.51'
#5 (Fisher)	SENWSW Sec. 34, T7N, R39E	26.7	300	Well Depth: 410' Casing Size & Depth: 24", 156.7' Production Zone Thickness (Basalt): 253' Depth to Water When Drilled: 11.35'

Explanation of Inability to Complete

Fremont-Madison Irrigation District ("F/M") has for many years attempted to acquire permit 22-7022 (the original permit number) from the United States of America, its original owner. Although the present five "test wells" were developed under the right held by the United States, no other wells were authorized by the United States and therefore F/M had no control or authority to develop the permit any further than the said test wells. Finally, on September 30, 2003, by act of Congress, and thereafter by deed on September 10, 2004, F/M acquired the legal rights to the original permit which then granted F/M the right to continue the development of wells under the permit. However, at the very time the permit was transferred to F/M, the Snake River Basin Adjudication was proceeding to adjudicate the basin or basins within which the permit is authorized and F/M was required to work with the Idaho Department of Water Resources in order to insure that the permits were postured within the adjudication so as to be recommended by the Director. The end result of this work resulted in a division of the original permit into two permits, namely 22-13505 & 22-13506 (hereinafter "Permits"). The Director's Report which recommends both Permits was just recently filed with the Court in the Adjudication and the objection period has just closed. Furthermore, due to present litigation and objections by downstream water right holders to F/M's water rights and those of the canals which rely upon F/M's water, the extent of what is absolutely necessary to develop of the total Permits was and is presently unknown.

F/M is only now legally postured to proceed to develop the Permits and does not yet know the extent to which it needs to develop the Permits. F/M represents that the delay in the development has been due to the above governmental actions which have been time consuming as well as necessary in order to allow F/M to determine what amount of the Permits are required to accomplish its full needs. The request for five additional years is not unreasonable in light of the above described issues together with the history of Permits and the extension will not injure any other water rights but can have the opposite impact should it be discovered that F/M is not required to develop as much of the Permits as originally believed.