



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 21, 2005

M & J ENTERPRISES INC
3701 N HWY 16
EAGLE ID 83616

RE: Permit No. 63-31511

Dear Permit Holder:

Returned is the original Request for Extension of Time (request) form you submitted to the department in connection with the above referenced permit. I am returning the request because the department previously granted an extension based on due diligence, and cannot accept a second request on this basis.

Your request was received by the department on September 1, 2004, 31-days after the proof deadline of August 1, 2004. However, because I failed to respond to your request timely I will grant you 15-days to file Proof of Beneficial Use (proof) to preserve the September 1, 2004 filing date, and reinstate this permit.

According to § 42-217, Idaho Code, the priority date for the above referenced permit established when your application was filed on June 20, 2002. This priority date will be adjusted one day for everyday that either proof or a request for extension is late, past the proof deadline. Because your request was filed late, the June 20, 2002 priority will lose 31-days.

Upon receipt of your proof within the 15-day grace period, the permit will be reinstated with an advance of priority to July 21, 2002. However, if you fail to file proof on or before the 15th day, the actual filing date of the proof will result in a different priority date, and evidence of development will be needed to reinstate this permit.

I am enclosing for your use a Proof of Beneficial Use form, with its instructions and the license examination fee schedule. Should you have any questions regarding this matter, please contact me at (208) 287-4942.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures (2)

c: IDWR – Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

RECEIVED
SEP 03 2004

REQUEST FOR EXTENSION OF TIME

WATER RESOURCES
WESTERN REGION

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

DEPARTMENT OF
WATER RESOURCES

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.

Permit No. 63-31511
Name(s) of Permit Holder: M+J Enterprises, Inc
Address: 3701 N Hwy 16 City Eagle State Id Zip 83616
Telephone No. 286-0566 (10) Date Proof is Due: 5-31-2007

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".)

The Winery, Production Building, Smoke House
The Well is in a water system connected

Costing \$ 800,000
approx

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

The Restaurant has not been completed due to financing
+ time restraints

Permit holder(s) request an extension to 5-31-, 2009.

Mike Kauffman
(Signature)*

*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

Signed this _____ day of _____, 20____.