

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

6/11/2020

Water Permit 45-7042

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEORGE M KELLY , ZZ

Status: Lapsed

Source

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
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Source and Point(s) of Diversion

Place Of Use

Conditions of Approval:

Comments:

Dates and Other Information

Water District Number: TBD

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

LAPSED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

RECEIVED

JAN 7 1975

Department of Water Resources  
Southern District Office

IN THE MATTER OF PERMIT NO. 45-7042 )

in the name of GEORGE M. KELLEY : )

ORDER

WHEREAS, on November 14, 1969, George M. Kelley applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 1.6 cubic feet per second of groundwater within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 7, Twp. 12S, Rge. 25E, B.M., Cassia County, to be used for irrigation purposes; and,

WHEREAS, on December 22, 1969, the Department approved said application and issued Permit No. 45-7042 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before December 1, 1974; and,

WHEREAS, on September 30, 1974, the Department notified the permit holder that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on December 9, 1974, the Department notified the permit holder that Permit No. 45-7042 had lapsed for failure to submit proof of beneficial use; and,

WHEREAS, on December 19, 1974, the Department received a request for an extension of time for said permit; and,

WHEREAS, it appears that under the circumstances the permit holder has been proceeding with reasonable diligence, and has given good cause for delay; and,


WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 45-7042 be REINSTATED and the priority advanced to December 2, 1969;

IT IS FURTHER ORDERED that the time within which to submit proof of beneficial use under Permit No. 45-7042 be extended to December 1, 1976.

Dated this 31<sup>st</sup> day of December, 1974.

  
A. KENNETH DUNN, Administrator  
Operations Division

BDF:JG

45-7042