

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

IN THE MATTER OF PERMIT)
NO. 63-32226 IN THE NAME OF)
THORPE FAMILY TRUST)
_____)

**PRELIMINARY ORDER
REINSTATING A PERMIT**

This matter having come before the Idaho Department of Water Resources ("Department"), the Department finds, concludes and orders:

FINDINGS OF FACT

1. On August 28, 2014, the Department issued the above-captioned permit in the name of Parma Ponds, LLC with the condition that proof of construction of works and application of water to beneficial use ("proof of beneficial use") be submitted to the Department on or before September 1, 2015. The permit bore the priority date of September 23, 2005.
3. On June 30, 2015, the Department notified Parma Ponds, LLC that proof of beneficial use was due and instructed Parma Ponds, LLC of the steps to be taken to submit the proof or a Request for Extension of Time ("extension request").
4. On September 1, 2015, the permit lapsed since the Department had not received an acceptable proof of beneficial use statement or request for extension of time.
5. On September 11, 2015, the Department sent Parma Ponds, LLC notice that the permit had lapsed.
6. On October 30, 2015, Parma Ponds, LLC assigned the permit to Thorpe Family Trust ("permit holder").
7. On October 30, 2015, the permit holder filed a Statement of Completion for submitting proof of beneficial use.

CONCLUSIONS OF LAW

1. Section 42-218a, *Idaho Code*, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of notice of lapsing.
2. The permit holder has provided a reasonable showing why this permit should be reinstated, by submitting an acceptable proof of beneficial use. The permit shall be reinstated based upon the October 30, 2015 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 63-32226 is **REINSTATED** and the permit's priority date is advanced to November 21, 2005.

Dated this 28th day of April, 2016.


PAMELA S. SKAGGS
Water Rights Supervisor