

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

IN THE MATTER OF PERMIT)
NO. 72-7577 IN THE NAME OF)
SHILOH WARM SPRINGS RANCH LLC)
_____)

**PRELIMINARY ORDER
REINSTATING A PERMIT**

This matter having come before the Idaho Department of Water Resources ("Department"), the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On August 22, 2012, the Department issued the above-captioned permit in the name of Lois Von Morganroth, 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, 2013. The permit bore the priority date of October 4, 1999.
2. On June 28, 2013, the Department notified the permit holder that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof or a Request for Extension of Time ("extension request").
3. On September 1, 2013, the permit lapsed since the Department had not received an acceptable proof of beneficial use statement or request for extension of time.
4. On October 29, 2013, the permit holder filed an assignment of permit to change the ownership of this permit into the name Shiloh Warm Springs Ranch, LLC.
5. On October 29, 2013, the permit holder filed a Statement of Completion for submitting proof of beneficial use.

CONCLUSIONS OF LAW

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.

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 29, 2013 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 72-7577 is **REINSTATED** and the permit's priority date is advanced to November 30, 1999.

DATED this 17th day of January, 2014.



Jeff Peppersack, Chief
Water Allocation Bureau