

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

IN THE MATTER OF PERMIT	)	
NO. 15-7254 IN THE NAMES OF	)	PRELIMINARY ORDER
WELTON E WARD OR LELAND A WARD	)	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 December 18, 2003, the Department issued the above-captioned permit in the names of Welton E. Ward or Leland A. Ward, 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 December 1, 2008. The permit bore the priority date of November 6, 2003.
2. On September 30, 2008, the Department notified the permit holders that proof of beneficial use was due and instructed the permit holders of the steps to be taken to submit the proof or a Request for Extension of Time (“extension request”).
3. On November 20, 2008, the permit holders filed an extension request with the department. This extension was approved and granted based on due diligence or good cause. A proof of beneficial use deadline of December 1, 2013 was set.
4. On September 30, 2013, the Department notified the permit holders that proof of beneficial use was due and instructed the permit holders of the steps to be taken to submit the proof or a Request for Extension of Time (“extension request”).
5. On December 1, 2013, the permit lapsed since the Department had not received an acceptable proof of beneficial use statement or request for extension of time.
6. On December 16, 2013, the permit holders filed a Statement of Completion for submitting proof of beneficial use.

CONCLUSIONS OF LAW

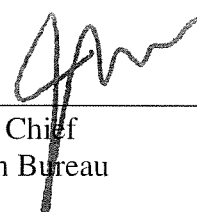
Section 42-218a, *Idaho Code*, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of notice of lapsing.

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 December 16, 2013 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 15-7254 is **REINSTATED** and the permit's priority date is advanced to November 20, 2003.

DATED this 15th day of January, 2014.



Jeff Peppersack, Chief
Water Allocation Bureau