

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

IN THE MATTER OF PERMIT	)	
NO. 22-13244 IN THE NAME OF	)	PRELIMINARY ORDER
TETON VALLEY GOLF ASSOCIATES	)	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 September 11, 2002, the Department issued the above-captioned permit 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 May 1, 2009. The permit bore the priority date of September 1, 2007.
2. On June 30, 2007, 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 August 22, 2007, 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 September 1, 2012 was set.
4. On June 29, 2012, 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 August 31, 2012, the permit holders filed a request for extension of time to submit proof of beneficial use with the Department.
6. On September 26, 2012, the Department issued an order denying the request for extension of time.
7. On September 1, 2012, the permit lapsed.
8. On September 27, 2012, the Department notified the permit holders that their permit had lapsed, and were given (60) days from this date to submit partial proof for the portion of this permit that had been developed.

9. On October 30, 2012, 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 October 30, 2012 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 22-13244 is **REINSTATED** and the permit's priority date is advanced to May 4, 2002.

DATED this 15th day of November, 2012.



Jeff Peppersack, Chief
Water Allocation Bureau