

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

IN THE MATTER OF PERMIT	)	
NO. 95-11055 IN THE NAMES OF	)	
WESLEY L WARREN OR	)	PRELIMINARY ORDER
GENE WARREN	)	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 December 14, 2009, the Department issued the above-captioned permit in the names of Wesley L Warren or Gene Warren, 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 January 1, 2012. The permit bore the priority date of August 24, 2009.
2. On October 31, 2011, 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 January 1, 2012, the permit lapsed since the Department had not received an acceptable proof of beneficial use statement or request for extension of time.
4. On December 12, 2012, 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 January 12, 2012 filing date.

CERTIFICATE OF SERVICE

I hereby certify that on **January 19, 2012** I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Preliminary Order Reinstating A Permit)** to the person(s) listed below:

RE: Water Permit No. **95-11055**

**WESLEY L WARREN
GENE L WARREN
418 N 2ND ST
COEUR D ALENE, ID 83814**

A handwritten signature in black ink, reading "Darla Block". The signature is fluid and cursive, with the first name "Darla" and last name "Block" clearly distinguishable.

Darla Block
Technical Records Specialist