

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

IN THE MATTER OF PERMIT	)	
NO. 95-10768 IN THE NAME OF	)	
CLYDE L EDWARDS AND	)	PRELIMINARY ORDER
TRACIE EDWARDS	)	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 November 5, 2009, 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 November 1, 2010. The permit bore the priority date of July 6, 2009.
2. On August 31, 2010, 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 November 1, 2010, the permit lapsed since the Department had not received an acceptable proof of beneficial use statement or request for extension of time.
4. On November 2, 2010, 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 November 2, 2010 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 95-10768 is **REINSTATED** and the permit's priority date is advanced to July 7, 2009.

DATED this 17th day of November, 2010.

A handwritten signature in black ink, appearing to read 'Jeff', is written over a horizontal line.

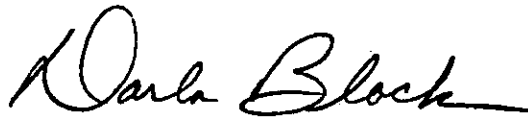
Jeff Peppersack, Chief
Water Allocation Bureau

CERTIFICATE OF SERVICE

I hereby certify that on **November 17, 2010** 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. 95-10768

**CLYDE L EDWARDS
TRACIE M EDWARDS
17484 N WILKINSON RD
RATHDRUM, ID 83858**

A handwritten signature in black ink, reading "Darla Block", written in a cursive style.

**Darla Block
Technical Records Specialist**