

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

IN THE MATTER OF PERMIT	)	
NOS. 63-31134 63-31135 & 63-31136	)	
IN THE NAME OF STONEBRIAR	)	PRELIMINARY ORDER
HOMEOWNERS ASSOCIATION INC	)	REINSTATING PERMITS
_____	)	

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 July 23, 2009, the Department issued the above-captioned permits 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 August 1, 2010. The permits bore the priority date of January 12, 2001.
2. On May 28, 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 August 1, 2010, the permit lapsed since the Department had not received an acceptable proof of beneficial use statement or request for extension of time.
7. On October 05, 2010, the permit holder filed three Statement of Completions 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 acceptable proofs of beneficial use. The permits shall be reinstated based upon the October 05, 2010 filing date.

ORDER

IT IS HEREBY ORDERED that Permit Nos. 63-31134 63-31135 & 63-31136 are **REINSTATED** and the permit's priority dates are advanced to March 10, 2001.

DATED this 6th day of October, 2010.

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

Jeff Peppersack, Chief
Water Allocation Bureau