

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF LAPSED	)	
PERMIT NO. 15-7267 IN THE	)	REINSTATEMENT ORDER
NAME OF JULI A. GLEED	)	
_____	)	

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 January 21, 2005, the Department issued Permit No. 15-7267 in the name of Juli A. Gleed ("permit holder") authorizing the diversion of 2.00 cubic feet per second ("cfs") of ground water for irrigation of 100 acres in Sections 10, 14 & 15, Township 15 South, Range 35 East, B.M., Oneida County. A condition of permit approval required the permit holder to submit proof of beneficial use of water ("proof") to the Department on or before January 1, 2007.
2. On October 31, 2006, 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 of beneficial use ("proof") or an extension of time request ("extension").
3. On October 17, 2006 the Department received an extension request from the permit holder. The department granted the extension and extended the proof deadline to January 1, 2008.
4. On October 31, 2007, the Department notified the permit holders that proof was due and instructed the permit holders of the steps to be taken to submit proof or an extension request.
5. On January 8, 2008, the Department sent the permit holders a lapse notice since the department had not received an acceptable proof statement or extension request.
6. On June 4, 2008, the Department received proof, three pieces of evidence of the development of the permit, and a letter explaining the reason for filing proof late. Evidence provided to the Department contained documentation that reflects construction of the irrigation system during the active period of the permit, as proof that beneficial use of the water occurred during the period when the permit was active.

CONCLUSIONS OF LAW

1. Section 42-218a.2, Idaho Code, provides as follows:

That upon receipt of proof of beneficial use after sixty (60) days after such notice of lapsing, the director shall require sufficient evidence to be submitted by the permit holder to clearly establish the extent of beneficial use made during the time authorized by the permit and any extensions of time previously approved. Upon finding that beneficial use had occurred during the authorized period and upon a showing of reasonable cause for filing a late proof of beneficial use, the director may reinstate the permit with the priority date advanced to the day that proof of beneficial use was received;

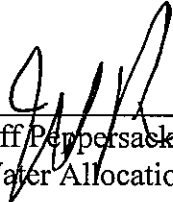
2. The permit holder has provided sufficient information and reasonable cause for the Department to reinstate the permit.

3. The Department should reinstate permit no. 15-7267 with the priority advanced to the date that proof was received.

ORDER

IT IS HEREBY ORDERED, that Permit No. 15-7267, in the name of Juli A. Gleed is **REINSTATED**, with the priority advanced to **June 4, 2008**.

Dated this 16th day of June, 2008.



Jeff Peppersack, Bureau Chief
Water Allocation Bureau