

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

IN THE MATTER OF PERMIT NO. 63-35212     )  
IN THE NAME OF TREY URIZAR                 )  
\_\_\_\_\_)

**PRELIMINARY ORDER  
REINSTATING PERMIT**

This matter having come before the Idaho Department of Water Resources (“Department”), the Department finds, concludes and orders as follows:

**FINDINGS OF FACT**

1. On May 25, 2022, the Department issued Permit No. 63-35212 (“Permit”) in the name of Trey Urizar (“Permit Holder”) authorizing the diversion of 0.14 cubic feet per second from ground water for irrigation use in the NE¼NE¼ of Section 3 of Township 05 North, Range 03 West, Canyon County. A condition of permit approval required submittal of the proof of beneficial use of water to the Department on or before June 1, 2023.
2. On March 31, 2023, the Department notified the Permit Holder by certified mail that proof of beneficial use was due and instructed the Permit Holder of the steps to be taken to submit a *Statement of Completion for Submitting Proof of Beneficial Use* (“Proof”) or a *Request for Extension of Time* (“Extension Request”).
3. On June 1, 2023, the Permit lapsed because the Department had not received an acceptable Proof or Extension Request.
4. On June 7, 2023, the Department notified the Permit Holder the Permit lapsed.
5. On June 13, 2023, the Permit Holder filed an acceptable Proof.

**CONCLUSIONS OF LAW**

Idaho Code § 42-218a(1) states, in pertinent part:

A permit upon which the proof of beneficial use... has not been submitted, or a request for extension of time has not been received on or before the date set for such proof... shall lapse and be of no further force nor effect... Notice of said lapsing shall be sent by the department to the permit holder at the address of record by regular mail.

Idaho Code § 42-218a(2) states, in pertinent part:

Within sixty (60) days after such notice of lapsing, the department may, upon a showing of reasonable cause, reinstate the permit with the priority date advanced a time equal to the number of days that said showing is subsequent to the date set for proof.

**SCANNED**

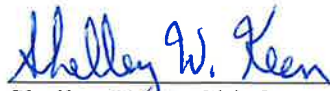
**JUL 06 2023**

The Permit Holder filed an acceptable Proof providing a reasonable showing the Permit should be reinstated. The Permit should be reinstated based upon the January 18, 2023 filing date.

**ORDER**

IT IS HEREBY ORDERED that Permit No. 63-35212 is **REINSTATED** and the Permit's priority date is advanced to April 17, 2022.

DATED this 5<sup>th</sup> day of July, 2023.



Shelley Keen, Chief  
Water Allocations Bureau

## CERTIFICATE OF SERVICE

I hereby certify that on **July 06, 2023** I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (**PRELIMINARY ORDER REINSTATING PERMIT**) to the person(s) listed below:

RE: Preliminary Order in the Matter of Permit No. **63-35212**

**TREY URIZAR 14157 OASIS RD CALDWELL ID 83607**



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**Amanda Veibell**  
**Technical Records Specialist**

**SCANNED**

**JUL 06 2023**

## FOR OFFICE USE ONLY

Amt. of Fee \$ 50.00  
 Receipt No. C116480  
 Received By ICU  
 Date Received 6-13-23

RECEIVED

JUN 13 2023

DEPARTMENT OF  
WATER RESOURCES

STATE OF IDAHO  
 DEPARTMENT OF WATER RESOURCES  
**STATEMENT OF COMPLETION**  
 FOR SUBMITTING PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete a Notice of Change in Water Right Ownership form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

1. Permit No. 03-35212 Name of Permit Holder(s) Trey Urizar  
 Telephone No. 208-095-4508 Email TreyUrizar@gmail.com  
 Mailing Address 14157 Oasis rd City Caldwell State ID Zip 83607

2. Source of Water ground (well) If Ground Water (well), Date Drilled mo. 05 /yr. 2021  
 Drilling Permit/Tag No. \_\_\_\_\_ Drilling Company's Name McClaren Drilling

## 3. Extent of use(s) completed as authorized by the water right permit:

Domestic (No. households) \_\_\_\_\_ Irrigation (No. acres) 6.0 Stockwater (No. and stock type) \_\_\_\_\_  
 Other \_\_\_\_\_

4. Total diversion rate or volume (storage only) for which proof is submitted 0.14 cfs OR \_\_\_\_\_ af  
*If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.*

5. Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)

5 HP pump

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required? Yes No (If "Yes", attach required data, evidence of compliance, or evidence of installation)

- |                          |                          |                          |                                                                       |
|--------------------------|--------------------------|--------------------------|-----------------------------------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Ground water level data, pumping information, or other diversion data |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Mitigation plan                                                       |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Lockable controlling works                                            |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Measuring device                                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Fish screen                                                           |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other requirements of the water right permit _____                    |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Reasonably Anticipated Future Needs ("RAFN") Municipal use            |

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No

7. Fee Enclosed \$ 50.00 or ☐ CWRE field report attached or ☐ No fee required

*See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.*

8. Person to contact to accompany a Department representative during the field examination of the water system:

Name: Shondell Urizar Telephone No. 208-095-4508 Email \_\_\_\_\_  
 Mailing Address 14157 Oasis rd City Caldwell State ID Zip 83607

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Trey B. Urizar  
 SIGNATURE OF PERMIT HOLDER\*

Trey Urizar  
 PRINTED NAME AND TITLE

04.05.23  
 DATE

\*Attach power of attorney if completing on behalf of permit holder.



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098  
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: [idwrinfo@idwr.idaho.gov](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

July 6, 2023

TREY URIZAR  
14157 OASIS RD  
CALDWELL, ID 83607

RE: Preliminary Order in the Matter of Water Appropriation Permit 63-35212

Dear Permit Holder(s):

I have enclosed an order correcting the priority date for Permit 63-35212. The order is a "preliminary order" issued by the department pursuant to Idaho Code §67-5243. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-287-4945.

Sincerely,

Amanda Veibell  
Technical Records Specialist

Enclosures

SCANNED

JUL 06 2023