

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

IN THE MATTER OF PERMIT NO. 63-34504)	PRELIMINARY ORDER
IN THE NAME OF JEFF RANSOM)	REINSTATING A 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 August 16, 2018, the Department issued Permit No. 63-34504 (“Permit”) in the name of Jeff Ransom (“Permit Holder”) authorizing the diversion of 0.26 cubic feet per second from ground water for irrigation and stockwater use in the SE¼SW¼ and the SW¼SE¼ and domestic use in the SE¼SW¼ of Section 17, Township 05 North, Range 03 West, B.M., Canyon County. A condition of permit approval required the Permit Holder to submit proof of beneficial use of water to the Department on or before September 1, 2023.
2. On June 30, 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 September 1, 2023, the Permit lapsed because the Department had not received an acceptable Proof or Extension Request.
4. On September 12, 2023, the Department notified the Permit Holder that the Permit lapsed because no Proof or Extension Request had been received.
5. On December 17, 2025, the Department received a *Beneficial Use Field Report* (“Field Report”) prepared by a certified water right examiner (“CWRE”), Proof, a cover letter with a statement of reasonable cause for filing a late Proof, and a reinstatement fee of \$250.
6. The Permit holder “... was undergoing significant medical challenges, ... which limited his ability to manage personal and administrative matters.” Medical issues caused delay in submitting Proof.
7. The CWRE determined the Permit Holder completed the beneficial uses authorized by the Permit within the authorized development period. Finding irrigation of 3.6 acres and domestic use for 1 home.

CONCLUSIONS OF LAW

Idaho Code § 42-218a states, in relevant part:

- (1) 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 or incremental statement, 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...

(3) In connection with a proof of beneficial use statement submitted more than sixty (60) days after such notice of lapsing, the director shall require all of the following items to be submitted to the department:

(a) A report prepared by a certified water right examiner as the result of an examination to clearly confirm and establish the extent of the beneficial use of water established in connection with the permit during the time authorized by the permit and any extensions of time previously approved. The report shall be on the form or forms specified by the director and shall provide the information specified in section 42-217, Idaho Code, for confirming beneficial use and such other information as may be required by the director.

(b) A statement of reasonable cause for filing a late proof of beneficial use.

(c) A reinstatement fee of two hundred fifty dollars (\$250).

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 the proof of beneficial use was received.

Idaho Code § 42-248(2) states, in relevant part:

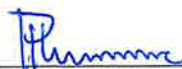
(2) The department may rely on the name and address of the owner of the water right shown in the records of the department when sending notice of any action related to that water right.

The Permit Holder's medical issues and development of beneficial uses within the authorized period are reasonable cause for reinstatement of the Permit. Pursuant to Idaho Code § 42-218a, the Permit should be reinstated based upon the December 17, 2025 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 63-34504 is **REINSTATED** and the Permit's priority date is advanced to December 17, 2025.

DATED this 18th day of February, 2026.



Phill Hummer, Manager
Water Rights Section

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held.)

The accompanying document is a "**Preliminary Order**" issued by the Idaho Department of Water Resources ("Department") pursuant to Idaho Code § 67-5243. **This preliminary order can and will become a final order without further action of the Department, unless a party petitions for reconsideration, petitions for review, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5243(3))

Any party may file a petition for reconsideration of this preliminary order with the Department within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

PETITION FOR REVIEW (EXCEPTIONS)

(See Idaho Code § 67-5245)

Within fourteen (14) days after: (a) the service date of this preliminary order, (b) the service date of a denial of a petition for reconsideration of this preliminary order, or (c) the failure within twenty-one (21) days of the presiding officer to act on a petition for reconsideration of this preliminary order, any party may petition the Director in writing to review any part of this preliminary order by filing exceptions, and any supporting brief, with the Department.¹ Any parties opposing the exceptions shall have fourteen (14) days from the service date of the exceptions to file a brief. If the Director determines that oral argument is to be heard, the Director will provide reasonable notice to the parties of the place, date, and hour for the argument.

The Director will issue a final order on exceptions within fifty-six (56) days of receipt of the written briefs or oral argument, whichever is later, unless extended for good cause. The Director may remand the matter for or hold an evidentiary hearing if further factual development of the record is necessary before issuing a final order.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to Idaho Code § 42-1701A(3). A written petition to the Director contesting the preliminary order and requesting a hearing must be filed with the Department

¹ The Director may decide to review this preliminary order upon his own motion. Should the Director decide to do so, the Director will provide written notice to the parties within the period the parties are allowed to petition the director for review of the preliminary order.

by any aggrieved person **within fifteen (15) days after service of this preliminary order.**

CERTIFICATE OF SERVICE

(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration, petition for review, or a request for hearing of this preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 53 and 202.