

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

IN THE MATTER OF PERMIT NO. _____	)	
96-9364 IN THE NAME OF _____	)	REINSTATEMENT ORDER
THE RANCH AT RIVERBEND, LLC. _____	)	
_____	)	

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 February 6, 2008, 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 February 1, 2010.
2. The Department notified the permit holder on November 30, 2009, by certified mail that proof of beneficial use was due on February 1, 2010, and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request.
3. On February 4, 2010, the Department granted a Request for Extension of Time based on due diligence that extended the filing of the proof of beneficial use for this permit to February 1, 2013.
4. The Department notified the permit holder on November 30, 2012, by certified mail that proof of beneficial use was due on February 1, 2013, and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request.
5. On February 8, 2013, the Department issued the permit holder a lapse notice, because the Department had not received an acceptable proof statement or extension request.
6. On February 14, 2013, the permit holder filed proof of beneficial use with the appropriate license examination fee.

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 the permit should be reinstated, by submitting an acceptable proof of beneficial use. The permit shall be reinstated based upon the February 14, 2013 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 96-9364 is **REINSTATED** with an advance in priority to **November 19, 2007**.

DATED this 14th day of March, 2013.



JEFF PEPPERSACK, Chief
Water Allocation Bureau