

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
63-31340 IN THE NAME OF) **REINSTATEMENT ORDER**
TODD R. SCHAEFER)
_____)

WHEREAS, 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 December 1, 2003; and

WHEREAS, the Department notified the permit holder on September 30, 2003, by certified mail 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 or an extension of time request; and

WHEREAS, the Department sent the permit holder a lapse notice on December 9, 2003, since the department had not received an acceptable proof of beneficial use statement or extension of time request; and

WHEREAS, 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 the notice of lapsing; and

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on January 27, 2004.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-31340 is **REINSTATED** with an advance in priority to **December 27, 2001**.

DATED this 10th day of February, 2004.



GARY SPACKMAN

MICROFILMED

FEB 10 2004