

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
75-7067 IN THE NAME OF)
EDWARD H. CORBETT)
_____)

**ORDER ADVANCING THE
DATE OF PRIORITY**

This matter having come before the Department of Water Resources (Department) as a result of record review, the Department finds, concludes and orders:

FINDINGS OF FACT

1. On April 7, 1976, the Department issued Permit 75-7067 to Edward H. Corbett (permit holder) with the priority date of March 8, 1976.
2. Idaho Code § 42-217, amended in 1986, required permit holders who have submitted proof of beneficial use but not yet had their project examined to confirm beneficial use, to pay a license examination fee or submit a completed beneficial use field report to the Department within sixty (60) days of notification.
3. Idaho Code § 42-217, further states that failure to submit the fee in the time allowed shall be cause for the director to advance the date of priority of the permit one (1) day for each day that the fee is late.
4. On February 10, 1987, the Department sent the permit holder, Edward H. Corbett, an Examination Fee Notice informing him that he had sixty (60) days to submit the required examination fee.
5. Because the sixty (60) day deadline fell on a weekend, the license examination fee or beneficial use field report was due on April 13, 1987.
6. On April 14, 1987, the Department received the license examination fee.

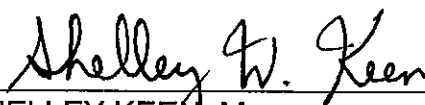
CONCLUSIONS OF LAW

1. The permit holder submitted the license examination fee one day late.
2. The Department should advance the priority date of permit no. 75-7067 one (1) day.

ORDER

IT IS HEREBY ORDERED that the priority date of Permit No. 75-07067 is advanced to March 9, 1976.

DATED this 29th day of September, 2009



SHELLEY KEEN, Manager
Water Rights Section