

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-13962)
IN THE NAME OF SIDNEY E SMITH III AND) **ORDER OF**
KRISTINE A SMITH) **REINSTATEMENT**
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and applications of water to beneficial use (proof of beneficial use) be submitted to the Department on or before March 01, 2009.

WHEREAS, the Department notified the permit holder on December 31, 2009, 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; and,

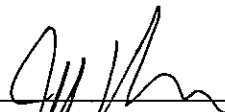
WHEREAS, since the permit holder had not submitted an acceptable proof of beneficial use or request for extension of time to the department on or before March 01, 2009, and,

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 an acceptable proof of beneficial use and fee on May 07, 2009,

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-13962 is REINSTATED with an advance in priority to September 17, 1999.

Dated this 12th day of May, 2009.



Jeff Peppersack, Chief
Water Allocation Bureau