

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.	)	
95-9215 IN THE NAME OF VINCENT	)	REINSTATEMENT ORDER
PATRICK HUGHES & JOAN CATHERINE	)	
HIGHES LIVING TRUST	)	
_____	)	

WHEREAS, the Department issued the above-captioned permits 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 March 1, 2009; and

1. The Department notified the permit holder on December 31, 2008, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to take to submit proof of beneficial use or to request an extension of time.

2. On February 19, 2009 the permit holder filed Proof of Beneficial Use (proof) with the Department for the above referenced permits.

3. On March 11, 2009, the Department inadvertently issued a Lapse Notice to the permit holder for the above referenced permits.

4. Section 42-218a(3), Idaho Code, provides that the Department may reinstate a permit based on department error.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-9215 is **REINSTATED** with no advance in priority.

DATED this 17th day of March, 2009.



Jeff Peppersack, Chief
Water Allocation Bureau