

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
NO. 65-13392 IN THE NAME OF	)	REINSTATEMENT ORDER
TINA MARIE HOVEN AND/OR.	)	
SHIRLEY C. HOVEN	)	
_____	)	

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 December 4, 2000, 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, 2005. The permit bore the priority date of June 12, 1992.
2. On September 30, 2005, the Department notified the permit holder 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 or a Request for Extension of Time ("extension request").
3. On November 29, 2005, the permit holder filed a request for extension of time for filing proof of beneficial use. The request was accepted and the proof deadline was extended to December 1, 2008.
4. On September 30, 2008, the Department notified the permit holder 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 or a Request for Extension of Time ("extension request").
5. On December 5, 2008, the Department sent the permit holder a lapse notice because it had not received an acceptable proof of beneficial use statement or extension of time request.
6. On December 31, 2008, the permit holder filed a Statement of Completion for submitting proof of beneficial use ("proof") 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 December 31, 2008 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 65-13392 is **REINSTATED** and the permit's priority date is advanced to July 12, 1992.

DATED this 6th day of January, 2009.



JEFF PEPPERSACK, Chief
Water Allocation Bureau