

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF LAPSED PERMIT	)	
NO. 37-21456 IN THE NAME OF CLIFTON	)	
E. JENSEN, SUZANNE K. JENSEN, AND	)	REINSTATEMENT
AMY RUTH JENSEN TESTAMENTARY	)	ORDER
TRUST	)	
_____	)	

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

The Department issued permit no. 37-21456 on April 23, 2007, 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 November 1, 2008.

1. On August 31, 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").

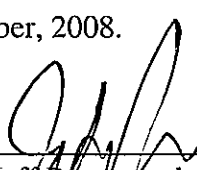
2. On September 12, 2008, the permit holder filed proof of beneficial use with a \$100.00 license examination fee.

3. On November 14, 2008, the Department sent the permit holder a lapse notice. The Department's records do not reflect a reason for the issuance of the lapse notice, therefore, the notice appears to be an error.

4. Section 42-218a(3), Idaho Code, provides that the Department may reinstate a permit based on department error without advancing the permit's original priority date.

IT IS HEREBY ORDERED that Permit No. 37-21456 is **reinstated** with no advance of the April 20, 2005 priority date.

DATED this 15th day of December, 2008.



Jeff Peppersack, Bureau Chief
Water Allocation Bureau

REINSTATEMENT ORDER