

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF LAPSED PERMIT	)	
NO. 63-12579 IN THE NAME OF THE	)	REINSTATEMENT ORDER
STATE OF IDAHO DEPARTMENT OF	)	
TRANSPORTATION	)	
_____	)	

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 June 1, 2005.

The Department notified the permit holder on March 31, 2005 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 or an extension of time request.

On June 8, 2005, the Department granted a Request for Extension of Time based on due diligence that extended the filing of the proof of beneficial use for this permit to June 1, 2008.

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

On June 1, 2008, the permit lapsed since the Department had not received an acceptable proof of beneficial use statement or extension of time from the permit holder.

On June 3, 2008, the Department received a statement of completion for proof of beneficial use 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 the notice of lapsing.

The permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use.

ORDER

IT IS HEREBY ORDERED that Permit No. 63-12579 is **REINSTATED** with an advance in priority to March 26, 2000.

DATED this 6th day of June, 2008.



Jeff Peppersack, Bureau Chief
Water Allocation Bureau