

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF LAPSED PERMIT	)	
NO. 22-13249 IN THE NAME OF	)	REINSTATEMENT ORDER
HIGH MEADOWS LLC.	)	
_____	)	

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

On September 11, 2002, the Department issued Permit No. 22-13249 in the name of Highland Meadows, LLC authorizing the diversion of 0.50 cubic feet per second (“cfs”) of ground water for domestic and fire protection uses in the SW½ of Section 10, Township 05 North, Range 45 East, Teton County. After issuance of the permit, the name was changed from Highland Meadows, LLC to High Meadows, LLC (“permit holder”). A condition of permit approval required the permit holder to submit proof of beneficial use of water (“proof”) to the Department on or before September 1, 2007.

On June 30, 2007, 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”). This notice was returned by the post office without a forwarding address or information.

The Department issued the permit holder a lapse notice on September 11, 2007, because it had not received an acceptable proof statement or extension request. The lapse notice was not returned by the post office.

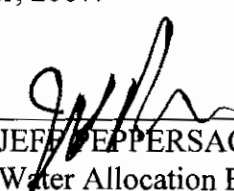
On October 22, 2007, the permit holder filed proof of beneficial use.

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

The permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on October 22, 2007. It was found that an error had occurred at the time the permit was issued using a wrong address and that the Department failed to properly notify the permit holder of the proof deadline.

IT IS HEREBY ORDERED that Permit No. 22-13249 is **REINSTATED** with no advance of the June 18, 2002 priority date.

DATED this 31st day of October, 2007.



JEFF PEPPERSACK, Bureau Chief
Water Allocation Bureau