

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF LAPSED PERMIT	)	
NO. 96-9296 IN THE NAME OF THE	)	REINSTATEMENT ORDER
LODGE HAVEN WATER CO., 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

1. On September 26, 2006, the Department issued Permit No. 96-9296 in the name of Lodge Haven Water Co., LLC. (“permit holder”) authorizing the diversion of 0.10 cubic feet per second (“cfs”) of ground water for Domestic and Irrigation uses in the NENW of Section 35, Township 54 North, Range 03 West, Bonner County. 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.
2. On June 30, 2007, the Department notified the permit holder 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. 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.
4. On October 15, 2007, the permit holder filed proof of beneficial use.

CONCLUSIONS OF LAW

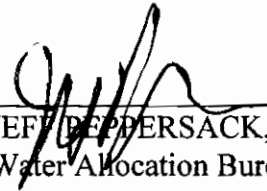
Section 42-218a, *Idaho Code*, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of notice of lapsing.

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 October 15, 2007 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 96-9296 is **REINSTATED** with an advance in priority to September 2, 2006.

DATED this 30th day of October, 2007.



JEFF PEPPERSACK, Bureau Chief
Water Allocation Bureau