

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

IN THE MATTER OF LAPSED PERMIT	)	
NO. 22-133547 IN THE NAME OF THE	)	REINSTATEMENT ORDER
HG DEVELOPMENT, 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 August 24, 2006, the Department issued Permit No. 22-13547 in the name of the HG Development, LLC ("permit holder") authorizing the diversion of 0.04 cubic feet per second ("cfs") of ground water for Domestic use in Government Lot 5 (NW1/4SE1/4), in Section 5, Township 05 North, Range 46 East, Teton 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 August 1, 2007.
2. On May 31, 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 August 9, 2007, because it had not received an acceptable proof statement or extension request.
4. On September 11, 2007, the permit holder filed proof of beneficial use.

CONCLUSIONS OF LAW

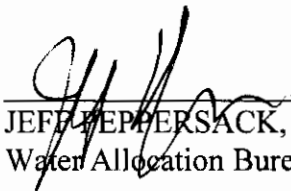
Section 42-218a, *Idaho Code*, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of notice of lapsing.

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 September 11, 2007 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 22-13547 is **REINSTATED** with an advance in priority to August 10, 2006.

DATED this 18th day of September, 2007.



JEFF PEPPERSACK, Bureau Chief
Water Allocation Bureau