

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.	)	
87-10031 IN THE NAME OF	)	REINSTATEMENT ORDER
GARY R HESS	)	
NIKKI J SHOCKLEY	)	
_____	)	

The Department issued permit no. 87-10031 in the name of Gary Hess and Nikki Shockley ("permit holder") with the condition that proof of construction of works and application of water to beneficial use ("proof of beneficial use" or "proof") be submitted to the Department on or before August 1, 2005.

The Department notified the permit holder on May 31, 2005, 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 July 27, 2005, the permit holder filed with the Department an extension request. This extension was approved and granted based on due diligence which extended the proof deadline to August 1, 2007.

The Department notified the permit holder on May 31, 2007, 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 August 2, 2007, the permit holder filed proof of beneficial use.

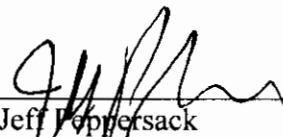
Section 42-218a, *Idaho Code*, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of lapsing.

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 August 2, 2007 filing date.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 87-10031 is **REINSTATED** with an advance in priority to August 30, 2003.

DATED this 8th day of August 2007.



Jeff Poppersack
Bureau Chief, Water Allocation Bureau