

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NUMBERS)
63-31311 IN THE NAME OF FALL CREEK OF) **REINSTATEMENT ORDER**
IDAHO INC)
_____)

The Department issued permit No. 63-31311 in the name of FALL CREEK OF IDAHO INC ("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 May 1, 2007.

The Department notified the permit holder on February 28, 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.

The Department sent the permit holder a lapse notice on May 7, 2007 since it had not received acceptable proofs of beneficial use statements, or request for extension of time.

On May 11, 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 the acceptable proof of beneficial use. The permit shall be reinstated based upon the May 11, 2007 filing date.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-31311 be **REINSTATED** with an advance in priority to August 27, 2001.

DATED this 13th day of July, 2007.



Jeff Peppersack, Bureau Chief
Water Allocation Bureau