

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF LAPSED PERMIT	)	
NO. 11-7548 IN THE NAME OF THE	)	REINSTATEMENT ORDER
CRAIG F. SEARS	)	
_____	)	

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 April 18, 2006, the Department issued Permit No. 11-7548 in the name of the Craig F. Sears ("permit holder") authorizing the diversion of 0.02 cubic feet per second ("cfs") of ground water for Domestic and Stockwater uses in the SW1/4NE1/4 of Section 15, Township 16 South, Range 43 East, Bear Lake County. A condition of permit approval required the permit holders to submit proof of beneficial use of water ("proof") to the Department on or before April 1, 2007.
2. On January 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. On April 1, 2007, the permit lapsed since the Department had not received an acceptable proof of beneficial use statement or extension of time from the permit holder.
4. On April 4, 2007, the permit holder filed proof of beneficial use.

CONCLUSIONS OF LAW

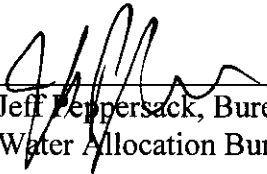
Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the lapsing of a permit.

The permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on April 4, 2007.

ORDER

IT IS HEREBY ORDERED that Permit No. 11-7548 is **REINSTATED** with an advance in priority to **February 25, 2006**.

DATED this 20th day of July, 2007.



Jeff Peppersack, Bureau Chief
Water Allocation Bureau