

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

IN THE MATTER OF PERMIT NO.	)	
65-22922 IN THE NAME OF	)	ORDER CHANGING
STATE OF IDAHO,	)	PROOF DUE DATE
DEPARTMENT OF LANDS	)	
_____	)	

The Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before February 1, 2006; and

On October 14, 2005, the Department received a Proof of Beneficial Use ("proof") form completed by the Idaho State Department of Lands ("Lands" or "permit holder"). The proof form was reviewed and was found to be unacceptable because a filing fee was required in the amount of \$50.00.

On May 12, 2006 the proof form was returned to the permit holder requesting that it be submitted with the filing fee. The permit holder was granted until May 31, 2006 to submit the proof and the filing fee.

According to Idaho Code, Section 42-204, which states:

...Sixty (60) days before the date set for the completion of the appropriation of water under any permit, the department shall forward a notice to the applicant by certified mail at his address of record of the date for such completion, ...

The Department held this matter waiting for a response and did not issue a Proof of Beneficial Use Notice according to Idaho Code Statute 42-204. The Department must issue a Proof Due Notice letter to provide the permit holder 60-day notification that proof is due.

The Department is issuing this order to change the proof due date to October 1, 2007, to give the permit holder time to file a proof of beneficial use or request an extension of time for filing proof.

ORDER

IT IS HEREBY ORDERED that the time in which to submit proof of beneficial use of water for Permit No. 65-22922 is **CHANGED** to **October 1, 2007**.

Dated this 18th day of July, 2007.



JEFF PETERSACK, Bureau Chief
Water Allocation Bureau

ORDER CHANGING PROOF DEADLINE