BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF LAPSED PERMIT NO. 15-7174 IN THE NAME OF LOYD W. BRIGGS	))))	**REINSTATEMENT ORDER**

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 May 2, 2007, the Department issued an Order Denying Request for Extension of Time and sent the permit holder a lapse notice since the department had not received an acceptable proof of beneficial use statement or extension of time request.

2. On July 2, 2007, the Department received the permit holder's proof. The permit holder's mail was routed to the wrong agency and the receipt date was delayed. The permit holder mailed the proof form on June 27, 2007, therefore, Department will honor the receipt of the proof as if received on June 29, 2007.

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 June 29, 2007 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 15-7174 is **REINSTATED** with an advance in priority to April 23, 2000.

DATED this 12th day of July, 2007.

JEFF PEPPERSACK, Bureau Chief
Water Allocation Bureau