

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.	)	
29-13737 IN THE NAME OF	)	REINSTATEMENT ORDER
MICHAEL J. FOLTZ	)	
KAREN J. FOLTZ	)	
_____	)	

The Department issued permit no. 29-13737 in the name of Dale and Rhonda Miller ("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 April 01, 2007

On April 21, 2006 the Department received an assignment of permit in the name of Mike J. Foltz and Karen J. Foltz ("permit holder")

The Department notified the permit holder on January 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.

The Department issued a lapse notice on April 11, 2007, since it had not received an acceptable proof of beneficial use statement or request for extension of time.

On April 30, 2007, the permit holder filed proof of beneficial use.

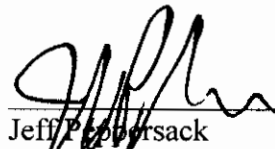
Section 42-218a, *Idaho Code*, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of lapsing.

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 April 30, 2007 filing date.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 29-13737 is **REINSTATED** with an advance in priority to March 22, 2006.

DATED this 16th day of May 2007.



Jeff Peppersack
Bureau Chief, Water Allocation Bureau