

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
96-9185 IN THE NAME OF SHERRI L.)
MITCHELL and/or JOHN T. POLARINE)
_____)

REINSTATEMENT ORDER

The Department issued the above-captioned permit with the condition that proof of construction of works and application of water to the permitted beneficial use be submitted to the Department on or before August 1, 2005.

On July 8, 2005, the Department granted a request filed by the permit holder to extend the deadline for filing proof of beneficial use to August 1, 2006.

On August 24, 2006, the Department received a Proof of Beneficial Use ("proof") filed by the permit holder. It was found that an error had occurred and that the Department failed to notify the permit holders of the proof deadline.

Section 42-218a(3), Idaho Code, provides that the Department may reinstate a permit based on department error without advancing the permit's original priority date.

IT IS HEREBY ORDERED that Permit No. 96-9185 is **REINSTATED** with no advance of the April 23, 2004 priority date.

DATED this 24th day of April, 2007.



Jeff Petersack, Acting Bureau Chief
Water Allocation Bureau