

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 13-7606)
IN THE NAME OF DAVID W JONES AND/OR)
LYNDA JONES)
_____)

REINSTATEMENT ORDER

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before January 1, 2004; and

The Department notified the permit holder on October 31, 2004, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to take to submit proof of beneficial use or to request an extension of time.

On December 30, 2004 the permit holder filed Proof of Beneficial Use (proof) with the Department's Eastern Regional office for the above referenced permit.

On January 5, 2005, the Department inadvertently issued a Lapse Notice to the permit holder for the above referenced permit, because the State office received the proof at a later time.

Section 42-218a(3), Idaho Code, provides that the Department may reinstate a permit based on department error.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 13-7606, is **REINSTATED** with no advance in priority.

DATED this 20th day of November, 2006.



Gary Spackman