

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
37-21294 IN THE NAME OF CAMAS)
DEVELOPERS)
_____)

REINSTATEMENT ORDER

WHEREAS, 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 July 1, 2005; and

1. The Department notified the permit holder on April 30, 2005, by certified mail that proof of beneficial use ("proof") 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.

2. On June 6, 2005, the permit holder filed a Request for Extension of Time to submit proof of beneficial use ("request" or "extension"), with the Department. The Department issued an order approving the request granting an extension for filing proof of beneficial use to July 1, 2006. The Department recognized that the permit holder had provided a new mailing address for this permit.

3. On April 30, 2006, the Department notified the permit holder by certified mail that proof 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. This notice was returned to the department by the post office without delivery to the permit holder.

4. On July 10, 2006, the Department issued a Lapse Notice to the permit holder. The Lapse Notice was returned to the Department by the post office with a forwarding address. On July 21, 2006, the Department mailed the previous Lapse Notice to the permit holder, using the address 2010 Silvercreek Ln., Boise, Idaho, 83706-6019.

5. On August 21, 2006, the Department received a request for extension of time filed by the permit holder. The request was returned to the permit holder with a letter requesting the filing fee and evidence the additional delay the permit holder referenced. The Department's database was checked and updated to reflect the Silvercreek Lane address.

6. On August 31, 2006, the Department received an acceptable request for extension of time with evidence of delay. The Department should grant the extension based on good cause. Additionally, because the Department's mailing address for this permit holder was not current when the proof and the lapse notices were mailed, the Department should reinstate the permit based on Department error.

7. 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. 37-21294 is **REINSTATED** with no advance in priority.

DATED this 16th day of October, 2006.


Gary Spackman