

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
95-9127 IN THE NAME OF)
WILLIAM H HEMMINGS)
_____)

REINSTATEMENT ORDER

WHEREAS, the Department issued permit 95-9127 in the name of William H. Hemmings 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 September 1, 2004.

The Department notified the permit holder on June 30, 2004, 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.

On September 1, 2004, the permit lapsed since the Department had not received an acceptable proof of beneficial use statement or extension of time from the permit holder.

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 acceptable proof of beneficial use on September 9, 2004.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-9127 is **REINSTATED** with an advance in priority to April 11, 2002.

DATED this 3rd day of July, 2005.



GARY SPACKMAN