

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF LAPSED PERMIT)
NO. 63-12507 IN THE NAME OF) **REINSTATEMENT ORDER**
US DEPT OF AGRICULTURE,)
FOREST SERVICE)
_____)

This matter having come before the Idaho Department of Water Resources ("Department"), the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On May 28, 1999, the Department issued Permit No. 63-12507 to the U.S. Department of Agriculture, Forest Service ("permit holder") authorizing the diversion of 0.08 cubic feet per second ("cfs") of ground water for domestic use within Section 21, Township 03 North, Range 04 East, B.M., Ada County. A condition of permit approval required the permit holder to submit proof of beneficial use of water ("proof") to the Department on or before June 1, 2004.
2. On March 31, 2004, the Department notified the permit holder that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof or a Request for Extension of Time ("extension request").
3. On June 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; and
4. 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 the notice of lapsing; and,
5. The permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on August 2, 2004.

IT IS HEREBY ORDERED that Permit No. 63-12507 is **REINSTATED** with an advance in priority to **August 2, 2004**.

DATED this 9th day of June, 2005.



GARY SPACKMAN