

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
29-13387 IN THE NAME OF U.S.)
DEPT. OF AGRICULTURE, FOREST)
SERVICE)
_____)

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 October 1, 2004; and

1. The Department notified the permit holder on July 31, 2004, by certified mail 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.

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

3. On October 1, 2004 the permit holder filed Proof of Beneficial Use (proof) with the Eastern Regional office. The proof form was received in the State Office shortly thereafter.

4. 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. 29-13387 is **REINSTATED** with no advance in priority.

DATED this 19th day of May, 2005.



Gary Spackman