

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.	)	
57-11660 IN THE NAME OF	)	REINSTATEMENT ORDER
EAGLE VIEW ESTATES	)	
HOMEOWNERS ASSN. #3	)	
_____	)	

WHEREAS, the Department issued permit 57-7593 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 December 1, 1999.

The Department received an Assignment of Permit assigning a portion of permit no. 57-7593 to Eagle View Estates Homeowners Association No. 3. This assignment created the need for assigning a new permit number for this permit holder. Therefore, permit no. 57-11660 was created in the name of Eagle View Estates Homeowners Assn # 3.

The Department approved a Request for Extension of Time extending the proof of beneficial use deadline to December 1, 2003.

The Department notified the permit holder on September 30, 2003, 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.

The Department sent the permit holder a lapse notice on April 1, 2004, since the department had not received an acceptable proof of beneficial use statement or extension of time request.

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.

The permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on May 10, 2004.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 57-11660 is **REINSTATED** with an advance in priority to **May 10, 2004**.

DATED this 30th day of December, 2004.

A handwritten signature in black ink, reading "Gary Spackman", written over a horizontal line.

GARY SPACKMAN