

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. _____)	
22-13221 IN THE NAME OF _____)	REINSTATEMENT ORDER
ROBERT F. KINCAID _____)	
_____)	

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 June 1, 2004; and

WHEREAS, the Department notified the permit holder on March 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; and

WHEREAS, 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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on June 23, 2004.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 22-13221 is **REINSTATED** with an advance in priority to **April 25, 2002**.

DATED this 30th day of November, 2004.



GARY SPACKMAN