

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

IN THE MATTER OF TRANSFER	)	ORDER WITHDRAWING
APPROVAL NO. 81333 IN THE	)	PRELIMINARY ORDER
<u>NAME OF MPH FARMS</u>	)	RESCINDING TRANSFER

On April 5, 2018, the Idaho Department of Water Resources ("Department") issued Transfer Approval 81333, approving changes to water right 35-8932. After an investigation confirming non-compliance with certain conditions on Transfer 81333, the Department issued a *Preliminary Order Rescinding Transfer* on August 3, 2021. American Falls Farm LLC ("AFF"), the current owner of water right 35-8932, filed a Protest and Petition for Hearing on August 13, 2021. The Department granted the Petition for Hearing.

The Department conducted a pre-hearing conference on September 30, 2021 and a status conference on October 22, 2021. Based on statements made by counsel for AFF and information provided by AFF during the conferences, the Department determined that Transfer 81333 should not be rescinded but should be modified to include conditions that will make it easier to verify compliance with the approval conditions in the future. Therefore, the *Preliminary Order Rescinding Transfer* should be withdrawn and replaced with a *Preliminary Order Modifying Transfer Approval*.

ORDER

IT IS HEREBY ORDERED that the *Preliminary Order Rescinding Transfer* issued on August 3, 2021 is WITHDRAWN.

Dated this 25th day of October 2021.



James Cefalo
Regional Manager

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of October 2021, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service postage prepaid and properly addressed to the following:

Document Served: Order Withdrawing Preliminary Order Rescinding Transfer 81333

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