

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
AMENDMENT OF PERMIT 37-22436 IN)
THE NAME OF ANIMAL SHELTER OF)
WOOD RIVER VALLEY)
_____)

**ORDER WITHDRAWING
A PRELIMINARY ORDER**

This matter having come before the Department of Water Resources (Department) as a petition to reconsider the issuance of an amendment of permit approval, the Department finds, concludes, and orders:

FINDINGS OF FACT

1. On June 20, 2017, the Department issued a preliminary order (order) approving amendment of permit 37-22436 in the name of Animal Shelter of Wood River Valley. The order limited the diversion of permit 37-22436 to 0.04 cfs and 2,500 gpd. The Department issued the order pursuant to Idaho Code § 67-5243 and Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730).

2. On July 3, 2017, the Department received a Petition for Reconsideration (petition) of the order pursuant to Rule 730.02.a of the Department's Rules of Procedure (IDAPA 37.01.01.730.02.a). The petitioner seeks to limit the diversion rate to 65 gpm (approximately 0.15 cfs) rather than the 0.04 cfs described in the order.

3. On July 20, 2017, the Department received an application for permit in the name of Animal Shelter of Wood River Valley. This application for permit has been assigned number 37-23058 and proposes to divert 0.15 cfs from the same system described by the amendment of permit 37-22436. The 0.15 cfs described on application for permit 37-23058 is the same water described in the petition.

CONCLUSIONS OF LAW

1. The Department can withdraw a preliminary order before it becomes final.
2. The Department needs additional information and/or time to review the connection between the amendment of permit 37-22436, the resulting order, and application for permit 37-23058.

ORDER

IT IS HEREBY ORDERED that the preliminary order approving amendment of permit 37-22436 is **WITHDRAWN**.

Dated this 24th day of July, 2017.



COREY SKINNER
Southern Region Manager

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of July, 2017, I mailed a true and correct copy, postage prepaid, of the foregoing **ORDER WITHDRAWING A PRELIMINARY ORDER** to the person(s) listed below:

**Documents Enclosed: Order Withdrawing a Preliminary Order for Water
Right Permit No. 37-22436, Animal Shelter of Wood River Valley**

**ANIMAL SHELTER OF WOOD RIVER VALLEY
PO BOX 1496
HAILEY ID 83333**

**BROCKWAY ENGINEERING PLLC
C/O ZACH LATHAM
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301**

**WATER DISTRICT 37
KEVIN LAKEY
107 W 1ST ST
SHOSHONE ID 83352**

via e-mail



**Denise Maline
Administrative Assistant**