



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER

Governor

3/8/2016

GARY SPACKMAN

Director

JOSH LUNN
RIVENDALE LLC
52356 HWY 78
HAMMETT, ID 83627

RE: Petition for Reconsideration for Transfer no. 79374

Dear Mr. Lunn:

On February 18, 2016 our office received your letter on petitioning the Idaho Department of Water Resources (department) to reconsider the January 25, 2016 preliminary order rejecting Transfer no 79374. Pursuant to 67-5243(3), Idaho Code, any party may petition for reconsideration within 14 days of the service date of a preliminary order. The service date of the order is the date it is deposited in the mail rather than the date it is delivered¹. Your letter was not received by the department within 14 days of the service date, so the department will not accept the petition.

If you have further questions regarding this matter, please contact me at the address/phone number in the letterhead.

Sincerely,

Nick Miller
Manager, IDWR Western Region

¹ See Procedure Rule 55 of the Rules of Procedure of the Idaho Department of Water Resources (IDAPA 37.01.01.55).