

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)	ORDER GRANTING PETITION
FOR TRANSFER NO. 78948 IN THE)	FOR RECONSIDERATION
NAME OF SUNRISE ORGANIC)	AND PRELIMINARY ORDER
<u>DAIRY LLC</u>)	CORRECTING TRANSFER APPROVAL

This matter having come before the Department of Water Resources ("Department") as a petition to reconsider a preliminary order approving a transfer application, the Department finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On August 19, 2014, the Department issued a preliminary order ("order") approving Application for Transfer No. 78948 ("transfer") in the name of Sunrise Organic Dairy LLC ("applicant").

2. On August 29, 2014, the applicant filed a Petition for Reconsideration ("petition") with the Department in connection with the order. The petition included documents overlooked by the Department to understand the purpose of the transfer.

3. Rule 730.02.a. of the Department's Rules of Procedure (IDAPA 37.01.01.730.02.a.) provides in pertinent part as follows:

Any party may file a petition for reconsideration of this preliminary order with the hearing officer issuing the order within fourteen (14) days of the service date of this order. The hearing officer issuing this order will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

CONCLUSIONS OF LAW

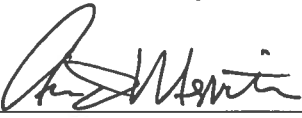
1. The Department should grant the petition for reconsideration of the order pursuant to Rule 730.02.a. of the Department's Rules of Procedure and correct the approval of the transfer.

ORDER

IT IS HEREBY ORDERED that the petition is **GRANTED** pursuant to Rule 730.02.a. of the Department's Rules of Procedure.

IT IS FURTHER ORDERED that the Preliminary Order issued on August 19, 2014, is replaced by the issuance of the attached Preliminary Order Correcting the Transfer Approval dated September 9, 2014.

Dated this 9th day of September, 2014.



Allen Merritt

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of September, I mailed a true and correct copy, postage prepaid, of the foregoing **ORDER GRANTING PETITION FOR RECONSIDERATION** and **PRELIMINARY ORDER CORRECTING TRANSFER APPROVAL** to the person(s) listed below:

SUNRISE ORGANIC DAIRY LLC
329 S 417 E
JEROME, ID 83338

BROCKWAY ENGINEERING
GREG SULLIVAN
2016 N WASHINGTON ST, STE 4
TWIN FALLS, ID 83301

A handwritten signature in cursive script, reading "Denise Maline", is written over a horizontal line.

Denise Maline
Administrative Assistant