

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
FOR TRANSFER NO. 78878 IN THE)
NAME OF BLF LAND LLC)

**ORDER GRANTING PETITION
FOR RECONSIDERATION**

On January 6, 2014, the Idaho Department of Water Resources ("Department") issued a preliminary order denying Application for Transfer No. 78878 filed in the name of BLF Land LLC ("BLF Land"). The order stated that the transfer application was denied because the 40-acre portion of water right 31-7215 proposed to be transferred had been forfeited for non-use between 2004 and 2008. The order was based on the evidence available to the Department at the time of the order.

On January 20, 2014, the Department received an emailed letter from Steve Vadnais at BLF Land asking the Department to reconsider its preliminary order. The letter stated that the property in question had been irrigated at times between 2004 and 2008. The letter asked for additional time for BLF Land to collect evidence relating to irrigation occurring on the 40-acre parcel.

Pursuant to Idaho Code § 67-5243 and Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01), a timely petition for reconsideration must be filed within 14 days of the service date of a preliminary order. BLF Land's petition for reconsideration was filed in a timely manner.

BLF Land would have had no reason to supply evidence of irrigation occurring in the 2004 to 2008 time period with its original application for transfer. BLF Land should be given an opportunity to collect and provide evidence relating to the frequency and duration of irrigation occurring on the 40-acre parcel.

ORDER

IT IS HEREBY ORDERED that the petition for reconsideration filed by BLF Land is GRANTED. BLF Land shall be given time to collect and organize evidence relating to irrigation occurring on the SENW of Section 7, T08N, R38E, between 2002 and 2013. The evidence should describe irrigation activities with specificity, including the dates of irrigation, the method of irrigation, and the benefit derived from the irrigation.

The evidence shall be provided to the Department on or before April 30, 2014. Once the additional evidence is provided by BLF Land, the Department will determine whether Application for Transfer No. 78878 should be approved, denied, or approved upon conditions.

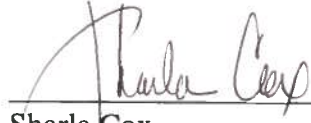
Dated this 3rd day of February, 2014.



James Cefalo
Water Resources Program Manager

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of February 2014, I mailed a true and correct copy of the foregoing ORDER GRANTING PETITION FOR RECONSIDERATION, with the United States Postal Service, postage prepaid and properly addressed to the person(s) listed below:



Sharla Cox
Administrative Assistant

US MAIL

RE: ORDER GRANTING PETITION FOR RECONSIDERATION

**BLF Land LLC
PO Box 188
Hamer, ID 83425**