

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT	)	ORDER WITHDRAWING
NO. 23-11237 IN THE NAME OF	)	PRELIMINARY ORDER
<u>STEPHEN E. MARTIN</u>	)	VOIDING PERMIT

1. On January 31, 2013, the Idaho Department of Water Resources (Department) issued a Preliminary Order Voiding Permit 23-11237. Evidence available to the Department at that time showed that the permit holder, Stephen E. Martin, had not complied with the mitigation condition listed on the permit.

2. On February 5, 2013, Mr. Martin contacted the Department and provided additional evidence regarding the mitigation for the permit. Mr. Martin demonstrated that he currently owns 10 shares in Palisades Water Users stock (storage water) which he holds unused as mitigation for the depletion associated with his recreation pond.

3. Ownership of 10 shares of stock in Palisades Water Users Inc. satisfies the mitigation condition listed on Permit 23-11237.

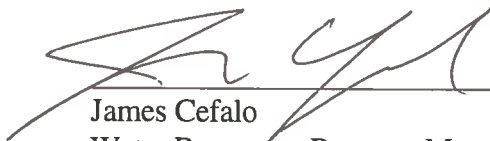
4. Pursuant to Rule 760 of the Department's Rules of Procedure (IDAPA 37.01.01), the Department may withdraw or modify a preliminary order within 14 days of issuance of the order.

5. Based on the new evidence provided to the Department by Mr. Martin, the Preliminary Order Voiding Permit was issued in error. The Department should withdraw the Preliminary Order and should issue water right license 23-11237.

ORDER

IT IS HEREBY ORDERED that the Preliminary Order Voiding Permit (23-11237) is WITHDRAWN.

Dated this 15th day of February, 2013.


James Cefalo
Water Resources Program Manager

CERTIFICATE OF MAILING

I hereby certify that on the 15th day of February 2013, I mailed a true and correct copy, postage prepaid, of the foregoing ORDER WITHDRAWING PRELIMINARY ORDER VOIDING PERMIT, by U.S. Mail to the person(s) listed below:



Judea Jones
Administrative Assistant

US MAIL

RE: ORDER WITHDRAWING PRELIMINARY ORDER VOIDING PERMIT (23-11237)

**Stephen E. Martin
425 South Holmes Avenue
Idaho Falls, ID 83401**

Courtesy copy sent via regular mail to current property owner:

**GST Exempt Sheltered Trust
PO Box 277
Swan Valley, ID 83449**