

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION	)	
FOR PERMIT NO. 65-23156 IN THE	)	PRELIMINARY ORDER VOIDING
NAME OF J & G DEVELOPMENT INC.;	)	AND REJECTING APPLICATIONS
APPLICATION FOR TRANSFER NO.	)	
74309 IN THE NAME OF REED DITCH	)	
CO., AND APPLICATION FOR	)	
TRANSFER NO. 74310 IN THE NAME	)	
OF LETHA IRRIGATION & WATER CO.	)	
_____	)	

FINDINGS OF FACT

1. On August 20, 2007, J & G Development Inc. filed an application for permit with the Idaho Department of Water Resources (IDWR). This application was filed by consultant SPF Water Engineering, on behalf of the applicant. An amended application was received on September 20, 2007.
2. On October 12, 2007, Reed Ditch Co. and Letha Irrigation & Water Company Inc. each filed an application for transfer with IDWR. These applications were also filed by consultant SPF Water Engineering, on behalf of the applicants.
3. On January 5, 2010, IDWR sent the consultant a letter regarding the status of the 3 above referenced applications. The letter stated that the applications had been held without processing, by the department, for over 2 years; per a prior request from the consultant in November, 2007. IDWR indicated that processing should move forward, or the applications should be terminated accordingly, upon a response from the consultant &/or applicant. A thirty (30) day deadline was set from the date of the letter.
4. On January 15, 2010, IDWR received a letter from the consultant stating that, per the applicants, processing should resume &/or continue.
5. On August 13, 2010, IDWR sent the consultant a letter stating that the initial review process was complete on all 3 applications. In addition, IDWR indicated that filing an additional application for transfer would be necessary, before any final action could be taken on these applications.
6. On September 9, 2010, IDWR received a letter from the consultant requesting an extension of (six) 6 months, to submit the additional application for transfer.
7. On October 4, 2010, IDWR granted the additional (six) 6 months. The additional application for transfer was to be submitted to IDWR by April 4, 2011.
8. On October 6 & 13, 2010, the 3 pending applications were advertised in the local newspaper. No protests were received against any of the applications.

8. On April 5, 2011, IDWR contacted the consultant, inquiring about the status of the information requested; and the necessary additional application for transfer. IDWR was informed by the consultant to proceed with voiding &/or rejecting all 3 applications, per the applicant's request; as the associated property is for sale.

CONCLUSIONS OF LAW

1. Idaho Code (IC)§ 42-204 and the Rules and Regulations of IDWR state that if an applicant does not submit requested information to IDWR within the allotted time given, IDWR may void &/or reject the application(s).
2. Per the above information; the applicants wish to terminate these applications. The applications should be voided &/or rejected as necessary.

ORDER

IT IS HEREBY ORDERED that Application for Permit #65-23156 in the name of J & G Development Inc. be VOIDED. IT IS ALSO HEREBY ORDERED that Application for Transfer No(s). 74309 in the name of Reed Ditch Co.; and 74310 in the name of Letha Irrigation and Water Company, Inc. be REJECTED.

Dated this 7th day of April, 2011



John Westra
Manager, Western Regional Manager

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of April, 2011, I mailed a true and correct copy, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

A handwritten signature in black ink, reading "Denise Buffington", is written over a horizontal line.

Denise Buffington
Administrative Assistant

J & G DEVELOPMENT INC.
PO BOX 1400
EAGLE ID 83616

REED DITCH COMPANY
3740 COUNTY LINE RD
EMMETT ID 83617

LETHA IRRIGATION & WATER CO. INC.
400 COSTON ST
BOISE ID 83712

SPF WATER ENGINEERING
ATTN: LORI GRAVES
300 E MALLARD DR, STE 350
BOISE ID 83706