

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO.76427 IN THE)
NAME OF COLUMBIA RIVER)
FARMS)
_____)

**PRELIMINARY ORDER GRANTING
PETITION FOR RECONSIDERATION**

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

FINDINGS OF FACT

1. On February 24, 2011, the Department issued a preliminary order rejecting Application for Transfer No. 76427 in the name of Columbia River Farms (Applicant). The order was issued for failure of the Applicant to respond to a January 7, 2011 Department letter requesting an application amendment and additional information. A 30 day deadline was set for the information and amendment.

2. On March 2, 2011, a petition for reconsideration e-mail was received with a formal letter follow up on March 8, 2011 from the Applicant. The show of cause for the non response was an oversight by the Applicant. The petition requested an additional 6 months to compile the requested information.

CONCLUSIONS OF LAW

1. Rule 730.02.a. of the Department's Rules of Procedure (IDAPA 37.01.01.730.02.a.) in part states:

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.

2. A timely petition for reconsideration was filed with the Department. The Department should grant the petition for reconsideration.

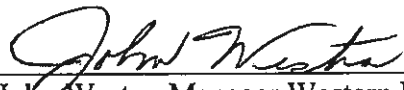
ORDER

IT IS HEREBY ORDERED the Petition for Reconsideration submitted by the Applicant is **GRANTED** pursuant to Rule 730.02.a. of the Department's Rules of Procedure.

IT IS FURTHER ORDERED the preliminary order voiding Application for Transfer No. 76427 is **WITHDRAWN**. The application is **REINSTATED** and will continue to be processed.

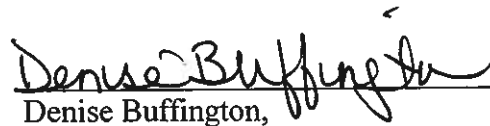
IT IS FURTHER ORDERED, the request by the Applicant for an additional 6 months of time to compile the requested information is **GRANTED**

Dated this 11th day of March, 2011


John Westra, Manager Western Region

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of March, 2011, I mailed a true and correct copy, postage prepaid, of the foregoing **ORDER** to the person(s) listed below:


Denise Buffington,
Administrative Assistant

Columbia River Farms
4182 W Braveheart LN
Eagle ID 83616