

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT TO)
APPROPRIATE WATER NO. 63-33320)
IN THE NAME OF CITY OF MERIDIAN)
_____)

**GRANTING OF PETITION FOR
RECONSIDERATION**

This matter having come before the Department of Water Resources (Department) as a petition to reconsider the issuance of a permit to appropriate water, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On June 2, 2010, the Department issued Permit to Appropriate Water No.63-33320 (permit) to the City of Meridian (right holder) for the diversion and use of 0.76 cfs of ground water for irrigation beneficial use.
2. The permit was issued as a preliminary order (order) of the Department pursuant to §67-5243, *Idaho Code*, and Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730).
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.

4. On June 09, 2010, the Department received a Petition for Reconsideration from the right holder regarding the permit approval order. The petition asked IDWR to reconsider "*Condition of Approval #10*". The condition states:

Right Nos. 63-33320 and 63-33318 are limited to the irrigation of a combined total of 75 acres in a single irrigation season.

CONCLUSIONS OF LAW

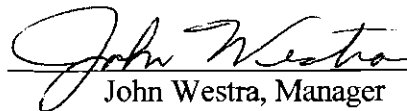
1. The petition was filed timely pursuant to Department Rules
2. The Department has reviewed the petition. The requested change will clarify/correct the intent of the condition. The change meets Department approval guides.

ORDER

IT IS HEREBY ORDERED that the petition for reconsideration of the preliminary order issuing Permit to Appropriate Water No. 63-33320 is **GRANTED** pursuant to §67-5243, *Idaho Code*. *Condition of Approval #10 on Permit to Appropriate Water No. 63-33320* shall be amended to read:

Right Nos. 63-33320 and 63-33318 are limited to the irrigation of a combined total of 77 acres in a single irrigation season.

Dated this 11th day of June, 2010.



John Westra, Manager