

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

IN THE MATTER OF APPLICATION FOR	)	
TRANSFER NO. 70910 IN THE NAME OF THE	)	PRELIMINARY ORDER
ESTATE OF CHARLES W STEINER	)	REJECTING TRANSFER
	)	APPLICATION

FINDINGS OF FACT

1. On November 26, 2002, the Estate of Charles W Steiner (Applicant) filed Application for Transfer No. 70910 with the Idaho Department of Water Resources (IDWR) seeking to change the storage location for water right No. 55-10351.
2. Public notice of the transfer application was made in the Owyhee Avalanche on January 4 & 11, 2004. The transfer was protested by Don Barnhill, Wintercamp Ranch Trust.
3. On March 30, 2004, the Applicant requested IDWR place the application on hold pending decisions.
4. On March 24, 2009, IDWR discussed the status of the application with the Applicant (Mrs. Steiner) by telephone. The Applicant would follow up in a few days regarding their intentions. The Applicant did not follow up.
5. On April 9, 2010, IDWR sent the Applicant a "Notice of Pending Order to Reject." To avoid rejection of the application, the Applicant must provide a written response/directive regarding their intentions for the application by May 1, 2010.
6. To date, no reply has been received from the Applicant.

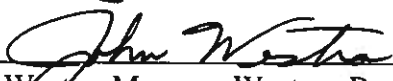
CONCLUSIONS OF LAW

1. Without intentions and instructions requested from the applicant, the Department cannot continue to process the changes proposed in the application consistent with the provisions of Idaho Code §42-222.
2. The Applicant failed or refused to provide IDWR the requested information. The application should be rejected.

ORDER

IT IS HEREBY ORDERED that Application for Transfer No. 70910 in the name of The Estate of Charles W Steiner is REJECTED.

Dated this 5th day of May, 2010



John Westra, Manager Western Regional Office

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of May, 2010, 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

Documents Enclosed: Preliminary Rejection Order, Explanatory Information

Estate of Charles W Steiner
John & Lorna Steiner
24597 Collett Rd
Oreana ID 83650

Wintercamp Ranch Trust
Don Barnhill
PO Box 1
Murphy ID 83650