

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER)
NO. 76182 IN THE NAME OF)
PATRICK E SIMPSON AND/OR)
KAREN JEAN SIMPSON)

**PRELIMINARY ORDER
CORRECTING TRANSFER
APPROVAL**

FINDINGS OF FACT

1. On December 7, 2009, Patrick E Simpson and Karen Jean Simpson filed Application for Transfer No. 76182 (transfer) to change the place of use for water rights 73-127 and 73-12041 as described by Partial Decrees in the Snake River Basin Adjudication.
2. On January 20, 2010 the Department approved the transfer, incorrectly describing the proposed irrigation place of use.
3. The Department has determined that irrigated acres within Section 31 of Township 16N, Range 22E were incorrectly described by the transfer approval.

CONCLUSIONS OF LAW

1. The transfer approval should accurately describe each established water right as changed by the transfer pursuant to Section 42-222, Idaho Code.
2. The transfer approval incorrectly describes the irrigation place of use proposed on the application.
3. The Department should correct the transfer approval to describe the irrigation place of use associated with each right the same as described on the application.

ORDER

IT IS THEREFORE HEREBY ORDERED that Transfer Approval No. 76182 is **CORRECTED** by changing the irrigation place of use to reflect the proposed place of use described on the transfer application and as shown on the amended transfer approval document issued in conjunction with this order.

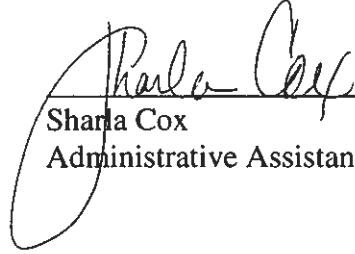
Dated this 19th day of February, 2010.



JAMES CEFALO
Water Resources Program Manager
IDWR Eastern Region

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of February 2010, I mailed a true and correct copy, postage prepaid, of the foregoing AMENDED PRELIMINARY ORDER CORRECTIONG TRANSFER APPROVAL to the person(s) listed below:


Sharla Cox
Administrative Assistant

US MAIL

RE: TRANSFER NO. 76182

KAREN JEAN SIMPSON
PATRICK E SIMPSON
PO BOX 414
HAILEY ID 83333

WATER DISTRICT 73
81 FUREY LANE
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