

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 66920 IN THE NAME OF)
BOX CANYON DAIRY)
_____)

**ORDER WITHDRAWING
A PRELIMINARY ORDER**

This matter having come before the Department of Water Resources (Department) as a petition to reconsider the issuance of approval of an application for transfer of a water right, the Department finds, concludes, and orders:

FINDINGS OF FACT

1. On December 7, 2009, the Department issued Approval of Transfer No. 66920 as a preliminary order (order) of the Department pursuant to Idaho Code § 67-5243 and Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730).

2. On December 21, 2009, the Department received a Petition for Reconsideration of the order (petition) pursuant to Rule 730.02.a of the Department's Rules of Procedure (IDAPA 37.01.01.730.02.a). The petitioner seeks a revision to the transfer approval.

CONCLUSIONS OF LAW

1. The Department can withdraw a preliminary order before it becomes final.
2. The Department needs additional information and/or time to determine if the transfer approval should be revised as requested in the petition.

ORDER

IT IS HEREBY ORDERED that the preliminary order approving Transfer No. 66920 is **WITHDRAWN**.

Dated this 30th day of December, 2009.

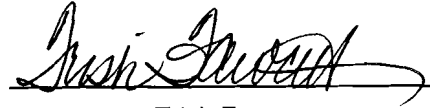


ALLEN MERRITT

ORDER WITHDRAWING A PRELIMINARY ORDER

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of December, 2009, a true and correct copy of the foregoing Order Withdrawing a Preliminary Order was forwarded with all required charges prepaid, by regular U.S. Mail, to the parties listed below:

A handwritten signature in black ink, appearing to read 'Trish Fawcett', written over a horizontal line.

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