

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 74947 IN THE NAME OF)
GOLD FORK IRRIGATING CO LTD)
_____)

**PRELIMINARY ORDER REJECTING
APPLICATION FOR TRANSFER**

This matter having come before the Idaho Department of Water Resources ("Department") as a result of an application to transfer water rights, the Department finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On July 3, 2008, Gold Fork Irrigating Co LTD submitted an application for transfer to the Department for authorization to change the nature of use, period of use, and place of use diversion points for surface water under decreed water rights #615-10943 and #65-02256. The transfer application is designated as No. 74947 by the Department.

2. On April 16, 2009, IDWR sent the applicant a letter requesting a meeting to make application corrections/amendments and address issues.

3. On May 8, 2009, IDWR staff met with the applicant's consultant to discuss the corrections/ amendments required for the application. The applicant was to submit the corrections/ amendments to IDWR.

4. On July 27, 2009, IDWR sent the applicant a letter requesting the amended/ corrected application be submitted to IDWR within 30 days of the letter date. To date, the amended/corrected application has not been received.

CONCLUSIONS OF LAW

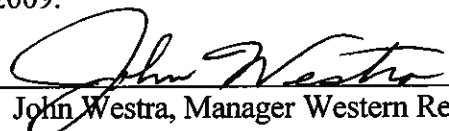
1. Without an accurate complete application, the Department cannot continue to process the changes proposed in the application consistent with the provisions of Idaho Code §42-222.

2. The Department should reject the application.

ORDER

IT IS HEREBY ORDERED that Application for Transfer No.74947 in the name of Gold Fork Irrigation Co LTD is **REJECTED**.

Dated this 15th day of October 2009.


John Westra, Manager Western Region

CERTIFICATE OF SERVICE

I hereby certify that on Oct 1, 2009 I mailed a true and correct copy, postage prepaid of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:



Application for Permit 65-23306 & Application for Transfer #74947
Void and Rejection Preliminary Orders

Roxanne Brown
SPF Water Engineering
300 E Mallard Dr Ste 350
Boise ID 83706

Gold Fork Irrigation Co LTD
PO Box 458
Donnelly ID 83615

Gold Fork River Ranch LLC
PO Box 1001
Eagle ID 83616