

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

IN THE MATTER OF APPLICATION)	
FOR TRANSFER # 75115 IN THE)	
NAME OF LYMAN G &/OR LENA P)	PRELIMINARY ORDER
WINCHESTER)	REJECTING APPLICATION
_____)	

FINDINGS OF FACT

1. On August 29, 2008, Lyman G &/or Lena P Winchester filed an application for transfer with the Idaho Department of Water Resources (IDWR).
2. On January 6, 2009, IDWR sent the Winchesters a letter requesting additional information. A sixty (60) day deadline from the date of the letter was set.
3. To date, IDWR has not received a response from the Winchesters.

CONCLUSIONS OF LAW

1. Idaho Code (IC) § 42-204 and the Rules and Regulations of IDWR state that if an applicant does not submit the requested information to IDWR within the allotted time frame, IDWR may reject the application.
2. The Winchesters failed or refused to provide the requested information to IDWR. The application should be rejected.

ORDER

IT IS HEREBY ORDERED that Application for Transfer # 75115 in the name of Lyman G &/or Lena P Winchester be REJECTED.

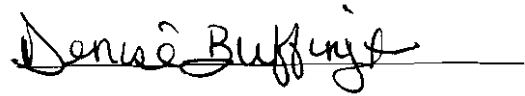
Date this 7th day of April, 2009



John Westra
Manager, Western Regional Office

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of April, 2009, I mailed a true and correct copy of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

A handwritten signature in black ink, appearing to read "Denise Buffington", is written over a horizontal line.

Denise Buffington
Administrative Assistant

LYMAN G WINCHESTER
LENA P WINCHESTER
1003 SUCCOR CREEK RD
HOMEDALE ID 83628