

BEFORE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
57-11680 IN THE NAME OF JAMES B)
AND/OR GLENDA JOHNSON)
_____)

**PRELIMINARY ORDER
CORRECTING PERMIT**

This matter having come before the Department of Water Resources (Department) as a result of approval of water right permit 57-11680, the Department finds, concludes and orders:

FINDINGS OF FACT

1. On March 20, 2007 the Department approved water right permit 57-11680 (permit) pursuant to the provisions of Section 42-204, Idaho Code.
2. The approved permit incorrectly identified the proof of beneficial use date in one of the conditions of approval as follows:

Proof of application of water to beneficial use shall be submitted
on or before March 01, 2007.

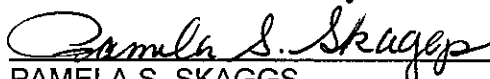
CONCLUSIONS OF LAW

1. The permit approval should identify the date when beneficial use of application of water shall be completed within five (5) years after the date of the approval pursuant to Section 42-204, Idaho Code.
2. The permit approval incorrectly identifies a proof of beneficial use date that does not authorize time to develop the water right.
3. The Department should correct the condition to show a proof of beneficial use date authorizing the development period requested on the application.

ORDER

IT IS THEREFORE HEREBY ORDERED that Permit 57-11680 is **CORRECTED** by changing the condition of approval to show a proof of beneficial use date of March 1, 2008.

Dated this 2nd day of July, 2009.



PAMELA S. SKAGGS
Water Rights Supervisor