

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF WATER RIGHT)
PERMIT NO 85-15686 IN THE NAME) **PRELIMINARY ORDER CORRECTING**
OF DARREL STUCKY) **PERMIT APPROVAL**
_____)

This matter having come before the Department of Water Resources (Department) as a result of a request to correct a permit approval, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On August 13, 2008, the Department approved Water Right Permit No. 85-15686 (permit) for irrigation, irrigation from storage, irrigation storage, stockwater, stockwater storage, stockwater from storage and recreation storage purposes.
2. The Maximum Diversion Volume was erroneously listed on the permit. The Maximum Diversion Volume should have been left blank and would only appear when the permit goes to license.

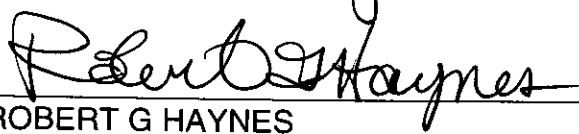
CONCLUSIONS OF LAW

1. The permit approval should accurately describe the water right pursuant to Section 42-219, *Idaho Code*.
2. The Department should correct the permit approval to exclude the stated Maximum Diversion Volume.

ORDER

IT IS HEREBY ORDERED that the approval for Water Right permit No. 85-15686 is **CORRECTED** as set forth in the amended permit approval issued on this date in conjunction with this order

Dated this 23rd day of June, 2009.



ROBERT G HAYNES
Northern Regional Manager