

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

|                                         |                              |
|-----------------------------------------|------------------------------|
| <b>IN THE MATTER OF APPLICATION )</b>   |                              |
| <b>FOR TRANSFER NO. 73647, WATER )</b>  | <b>PRELIMINARY ORDER</b>     |
| <b>RIGHT NO. 63-32159 IN THE NAME )</b> | <b>REJECTING APPLICATION</b> |
| <b>OF ESTHER AND WAYNE CRAIG )</b>      |                              |
| <b>_____ )</b>                          |                              |

**FINDINGS OF FACT**

1. On October 12, 2005, Esther and Wayne Craig filed an application for transfer with the Idaho Department of Water Resources (IDWR).
2. The application was submitted on their behalf by consultant Darwin Vander Stelt. The application directed IDWR to contact the consultant about any questions.
3. On February 21, 2008, IDWR sent the applicants a letter, via their consultant, requesting additional information in order to continue processing the application. A sixty (60) day deadline in which the applicants were to respond was identified in the letter. The letter specified the application would be rejected without a timely response.
4. To date, IDWR has not received a response from the applicants or the consultant.

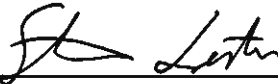
**CONCLUSIONS OF LAW**

1. Section 42-204, Idaho Code, 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 requested information was not provided within the allotted time frame. The application should be rejected.

**ORDER**

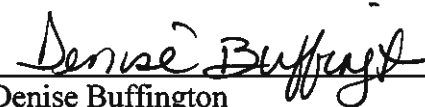
**IT IS HEREBY ORDERED** that Application for Transfer No. 73647 in the name of Esther and Wayne Craig is **REJECTED**.

Dated this 5<sup>th</sup> day of June, 2009

*for*   
\_\_\_\_\_  
John Westra  
Manager, Western Regional Office

**CERTIFICATE OF SERVICE**

I hereby certify that on this 8<sup>th</sup> day of June, 2009, I mailed a true and correct copy of the foregoing Preliminary Order to the person(s) listed below:

  
\_\_\_\_\_  
Denise Buffington  
Administrative Assistant

ESTHER & WAYNE CRAIG  
2200 POEN RD  
KUNA ID 83634

DARWIN VANDER STELT  
16931 STAR RD  
NAMPA ID 83687