BEFORE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF LICENSE NOS. 47-8438 & 47-16843 IN THE NAME OF CITY OF FILER	))))	**PRELIMINARY ORDER CORRECTING LICENSES**

This matter having come before the Department of Water Resources (Department) as a result of approval of water right licenses 47-8438 and 47-16843, the Department finds, concludes and orders:

FINDINGS OF FACT

1. On November 5, 2008, the Department approved water right licenses 47-8438 and 47-16843 (licenses) pursuant to the provisions of Section 42-219, Idaho Code.

2. The approved licenses incorrectly identified right 47-16843 in one of the conditions of approval as follows:

   Rights 47-8438, 47-4144, 47-4145, 47-2399, 47-7717, 47-7840 and 47-168**46** when combined shall not exceed a total diversion rate of 9.06 cfs.

CONCLUSIONS OF LAW

1. The license approvals should accurately describe each established water right as confirmed pursuant to Section 42-219, Idaho Code.

2. The license approvals incorrectly list right 47-168**46** instead of 47-168**43** in a condition of approval.

3. The Department should correct the condition to show the correct right number.

ORDER

IT IS THEREFORE HEREBY ORDERED that Licenses 47-8438 and 47-16843 are **CORRECTED** by changing the condition of approval to show right no. 47-16843.

Dated this 29 day of May, 2009.

JEFF PEPPERSACK
Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE # 47-8438