

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

**IN THE MATTER OF APPLICATION)
FOR TRANSFER # 73755 IN THE)
NAME OF NORMAN A BATT &/or)
ELLEN G BATT &/or FREDERICK C)
BATT &/or ELLEN B BATT)
_____)**

**PRELIMINARY ORDER
REJECTING APPLICATION**

FINDINGS OF FACT

1. On June 4, 2007, Norman A Batt &/or Ellen G Batt &/or Frederick C Batt &/or Ellen B Batt filed an application for transfer with the Idaho Department of Water Resources (IDWR).
2. On May 9, 2008, IDWR sent the Batts a letter requesting additional information. A sixty (60) day deadline from the date of the letter was set. On July 7, 2008, IDWR received a letter from Norm Batt asking for additional time to provide the requested information.
3. On July 7, 2008, IDWR sent Norm Batt a letter approving the additional time requested. A six-month deadline from the date of the letter was set. The new deadline was set as January 9, 2009.

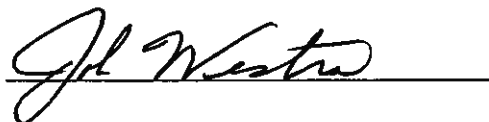
CONCLUSIONS OF LAW

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 Batts failed or refused to provide the requested information to IDWR. The application should be rejected.

ORDER

IT IS HEREBY ORDERED that Application for Transfer # 73755 in the name of Norman A Batt &/or Ellen G Batt &/or Frederick C Batt &/or Ellen B Batt be REJECTED.

Date this 27th day of January, 2009



John Westra
Manager, Western Regional Office

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of January, 2009, I mailed a true and correct copy of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

A handwritten signature in cursive script, reading "Denise Buffington", written over a horizontal line.

Denise Buffington
Administrative Assistant

NORMAN A BATT
ELLEN G BATT
FREDERICK C BATT
ELLEN B BATT
1621 IDAHO AVE
CALDWELL ID 83605