

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

IN THE MATTER OF APPLICATION FOR)

PERMIT #63-11874 IN THE NAME OF)

L DARWIN MC KAY)
_____)

WITHDRAWAL OF APPLICATION

PRELIMINARY VOID ORDER

FINDINGS OF FACT

1. On June 9, 2008, a preliminary order was issued from the Idaho Department of Water Resources (IDWR) voiding Application for Permit #63-11874 in the name of L Darwin McKay.

2. On June 23, 2008, L Darwin McKay submitted the requested response to the Western Regional Office. Mr. McKay's response/petition was received for reconsideration within the preliminary order 14 day deadline.

CONCLUSIONS OF LAW

1. Pursuant to Idaho Code § 67-5243 (3) A party may file a petition for reconsideration of the order to IDWR within 14 days of the service date of the order. IDWR will act on a petition for reconsideration within 21 days of its receipt.

2. L Darwin McKay has submitted the requested documentation to IDWR within the parameters of IC 67-5243 (3). The Preliminary Void Order should be withdrawn.

ORDER

IT IS HEREBY ORDERED the Preliminary Order Voiding Application for Permit #63-11874 in the name of L Darwin McKay be **WITHDRAWN**. The application will continue to be processed by IDWR.

Dated this 1st day of July, 2008



John Westra

Manager, Western Regional Office