

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF REQUEST FOR)	
EXTENSION OF TIME FOR PERMIT NO.)	
95-9042 IN THE NAME OF CPM)	ORDER WITHDRAWING
<u>DEVELOPMENT CORP.</u>)	A PRELIMINARY ORDER

This matter having come before the Department of Water Resources (Department) as a petition to reconsider the issuance of an order to deny a request for extension of time, the Department finds, concludes, and orders:

FINDINGS OF FACT

1. On July 17, 2007, the Department issued an Order Denying Request for Extension of Time (order) associated with Permit to Appropriate Water No. 95-9042 (permit) as a preliminary order of the Department pursuant to Idaho Code § 67-5243 and Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). The order was mailed to CPM Development Corp. (permit holder) on July 18, 2007.

2. On August 1, 2007, the Department received a Petition for Reconsideration and/or Request for Hearing (petition) on the order pursuant to Rule 730.02.a of the Department's Rules of Procedure (IDAPA 37.01.01.730.02.a) and Idaho Code § 42-1701A(3) from Stanley M. Schwartz, attorney for the permit holder. The petitioner seeks reconsideration of the Request for Extension of Time submitted by the permit holder.

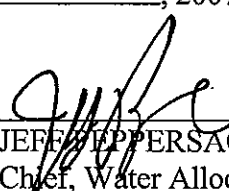
CONCLUSIONS OF LAW

1. The Department can withdraw a preliminary order before it becomes final.
2. The Department needs additional information and/or time to determine if the order should be revised as requested in the petition.

ORDER

IT IS HEREBY ORDERED that the preliminary order Denying Request for Extension of Time associated with Permit No. 95-9042 is **WITHDRAWN**.

Dated this 16th day of August, 2007.



JEFF PIPERSACK
Chief, Water Allocation Bureau

ORDER WITHDRAWING A PRELIMINARY ORDER