

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)	
PERMIT NO. 78-7356 IN THE NAME OF)	
MARSHALL DRYDEN AND/OR)	ORDER WITHDRAWING
MARJORIE DRYDEN)	A PRELIMINARY ORDER
_____)	

This matter having come before the Department of Water Resources (Department) as a request to reconsider the voiding of an application for permit to appropriate water, the Department finds, concludes, and orders:

FINDINGS OF FACT

1. On February 28, 2006, the Department issued a preliminary order voiding Application for Permit No. 78-7356 (application) pursuant to Idaho Code § 67-5243 and Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730).
2. On March 7, 2006, the Department received a Petition for Reconsideration of the order (petition) pursuant to Rule 730.02.a of the Department's Rules of Procedure (IDAPA 37.01.01.730.02.a). The petitioner seeks to "resume" the application.

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 application should be voided.

ORDER

IT IS HEREBY ORDERED that the preliminary order voiding Application for Permit No. 78-7356 is **WITHDRAWN**.

Dated this 24th day of March, 2006.



JOHN WESTRA
Western Regional Manager

ORDER WITHDRAWING A PRELIMINARY ORDER