

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 73843 IN THE)
NAME OF CARL F REYNOLDS & SONS)
_____)

**PRELIMINARY ORDER REJECTING
APPLICATION FOR TRANSFER**

This matter having come before the Department of Water Resources ("Department") as a result of an application to transfer water rights, the Department finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On August 10, 2006, Carl F. Reynolds & Sons applied to the Department for authorization to change the nature of use, point of diversion, period of use, and add 2 diversion points for ground water under decreed water rights #61-7207A & B and #61-7306B. The transfer application is designated no. 73843 ("application") by the Department.
2. Notice of the application was published in the Idaho Statesman October 19 & 26, 2006 and in the Mountain Home News October 18 & 25, 2006. There were no protests.
3. On April 5, 2007, the applicant requested the application be held without further action until May 10, 2007. The applicant would provide the Department intentions/instructions for the application at that date.
4. On June 22, 2007, the Department sent a letter to the applicant requesting their intentions regarding the application. The applicant was to provide instructions or withdraw the application.
5. To date, the Department has not received a response from the applicant.

CONCLUSIONS OF LAW

1. Without the instructions requested from the applicant, the Department cannot continue to process the changes proposed in the application consistent with the provisions of Idaho Code §42-222.
2. The Department should reject the application.

ORDER

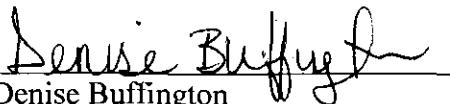
IT IS HEREBY ORDERED that transfer application no. 73843 in the name of Carl F. Reynolds & Sons is **REJECTED** without prejudice.

Dated this 26th day of July, 2007.


John Westra, Manager
Western Region.

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of July, 2007, I mailed a true and correct copy, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:


Denise Buffington
Administrative Assistant

Carl F Reynolds & Sons
General Partnership
6184 Hollilynn Dr
Boise ID 83709

SPF Water Engineering
Attn: Roxanne Brown
600 E River Park Ln, Ste 105
Boise ID 83706