

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

IN THE MATTER OF APPLICATION FOR )  
TRANSFER NO. 71254 IN THE NAME OF )  
MICKELSEN PROPERTIES, LLC )  
\_\_\_\_\_ )

**ORDER GRANTING**  
**PETITION TO AUGMENT**  
**THE RECORD**

On October 7, 2005, Mickelsen Properties, LLC petitioned the hearing officer to augment the record in this contested case with documents titled "Water Pumping and Transport Agreement." The agreement purportedly affects water rights sought to be transferred by Mickelsen Properties, and water rights that were the subject of protests against the application for transfer.

These documents were apparently reviewed by the Big Lost Irrigation District. Based on this apparent review, on October 4, 2005, Kent Fletcher, Attorney for the Big Lost Irrigation District, withdrew the protest of the Big Lost Irrigation District to the Mickelsen application for transfer. This order acknowledges withdrawal of the Irrigation District's protest.

The mailing certificate attached to Mickelsen's petition to augment the record did not include Lawrence Babcock, a protestant in the contested case. On October 31, 2005, the hearing officer forwarded a copy of the petition to Babcock with a cover letter that requested that Babcock file any objection within seven (7) days of receiving the letter. Babcock did not file an objection.

**ORDER**

IT IS THEREFORE HEREBY ORDERED that the Petition to Augment Record is **GRANTED**.

DATED 7<sup>th</sup> day of December, 2005.



Gary Spackman  
Hearing Officer

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 9<sup>th</sup> day of December, 2005, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

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