

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 72-16601 IN THE NAME OF)
TAIT P. JOHNSON)
_____)

**ORDER WITHDRAWING
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 March 3, 2006, the Department issued a preliminary order voiding Application for Permit No. 72-16601 (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 9, 2006, the Department received a letter from Tait P. Johnson being treated as 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.

ORDER

IT IS HEREBY ORDERED that the preliminary order voiding Application for Permit No. 72-16601 is **WITHDRAWN**.

Dated this 30th day of March, 2006.



Allen Merritt, PE
Southern Regional Manager

ORDER WITHDRAWING A PRELIMINARY ORDER

CERTIFICATE OF MAILING

I hereby certify that on the day of 30th day of March, 2006 a true and correct copy of the above and foregoing Order Withdrawing a Preliminary Order was forwarded with all required charges prepared, by Regular U.S. Mail to the parties listed:

A handwritten signature in cursive script, reading "Mary Baldwin", is written over a horizontal line.

Mary A. Baldwin
Administrative Assistant I

TAIT JOHNSON
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