

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 45-13852 IN THE NAME OF)
SIX S RANCH LLC)
_____)

**ORDER WITHDRAWING
A PRELIMINARY ORDER**

This matter having come before the Department of Water Resources (Department) as a petition to reconsider the issuance of a permit to appropriate water, the Department finds, concludes, and orders:

FINDINGS OF FACT

1. On November 18, 2005, the Department issued Permit to Appropriate Water No. 45-13852 (permit) as a preliminary order (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).

2. On December 2, 2005, 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 a revision to the permit.

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 permit should be revised as requested in the petition.

ORDER

IT IS HEREBY ORDERED that the preliminary order issuing Permit No. 45-13852 is **WITHDRAWN**.

Dated this 23rd day of December, 2005.



GARY SPACKMAN

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