

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER NO.)
66602 IN THE NAME OF CAPITOL) **PRELIMINARY ORDER CORRECTING**
WATER CORP) **TRANSFER APPROVAL**
_____)

This matter having come before the Department of Water Resources (Department) as a result of an application for transfer of water rights, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On March 12, 2003, the Department approved Application for Transfer No. 66602 (transfer) changing the nature of use, place of use and adding points of diversion for water right nos. 63-11528, 63-3152, 63-3002, 63-3071, 63-3166 and 63-7108.
2. The water rights involved in the transfer are based on licenses issued by the Department. Water right no. 63-11528 was licensed with a priority date of May 1, 1991.
3. The transfer approval document did not list the priority date for water right no. 63-11528 due to a clerical error.

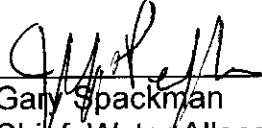
CONCLUSIONS OF LAW

1. The transfer approval should accurately describe each established water right as changed by the transfer pursuant to Section 42-222, *Idaho Code*.
2. The Department should correct the transfer approval to show the priority date for water right no. 63-11528.

ORDER

IT IS HEREBY ORDERED that the approval for Transfer No. 66602 is **CORRECTED** by listing the priority date for water right no. 63-11528 as May 1, 1991.

Dated this 13th day of January, 2005.

for 

Gary Spackman
Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE # 63-3002