

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER NO.)
70330 IN THE NAME WESTERN TRUCK) **PRELIMINARY ORDER CORRECTING**
STOPS INC) **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 May 16, 2003, the Department approved Application for Transfer No. 70330 (transfer) changing the place of use and adding points of diversion for water right nos. 63-7571 and 63-10372.
2. The water rights involved in the transfer are based on licenses issued by the Department with priority dates of March 21, 1972 for water right no. 63-7571 and July 28, 1986 for water right no. 63-10372.
3. The transfer approval document did not list the priority dates for the water rights involved in the transfer due to a clerical error.

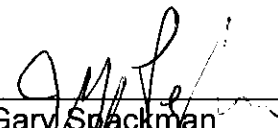
CONCLUSIONS OF LAW

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 dates for each of the water rights involved in the transfer.

ORDER

IT IS HEREBY ORDERED that the approval for Transfer No. 70330 is **CORRECTED** by listing the priority date for water right no. 63-7571 as March 21, 1972 and for water right no. 63-10372 as July 28, 1986.

Dated this 13th day of January, 2005.



For Gary Spackman
Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE # 65-7571