

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

**IN THE MATTER OF APPLICATION )  
FOR PERMIT NO. 63-33344 IN THE )     **PRELIMINARY ORDER**  
NAME OF ARK PROPERTIES LLC )     **VOIDING APPLICATION**  
AND MAYFIELD TOWNSITE LLC )  
\_\_\_\_\_ )**

**FINDINGS OF FACT**

1. On March 1, 2010, Ark Properties LLC and Mayfield Townsite LLC filed an application for permit with the Idaho Department of Water Resources (IDWR).
2. IDWR sought additional information from the applicants on September 20, 2010. The applicants were provided up to ninety (90) days in which to respond. The request for information specified the application would be voided without a timely response.
3. The applicants failed to provide the requested information.

**CONCLUSIONS OF LAW**

1. Section 42-204, Idaho Code, and Water Appropriation Rule 35.01 authorize IDWR to void an application if an applicant fails to provide the requested information.
2. The application should be voided.

**ORDER**

**IT IS HEREBY ORDERED that Application for Permit No. 63-33344 in the name of Ark Properties LLC and Mayfield Townsite LLC is VOIDED.**

Dated this 30<sup>th</sup> day of December, 2010

  
\_\_\_\_\_  
John Westra  
Manager, Western Regional Office

**CERTIFICATE OF SERVICE**

I hereby certify that on this 30<sup>th</sup> day of December, 2010, I mailed a true and correct copy of the foregoing Preliminary Order to the person(s) listed below:



Denise Buffington  
Administrative Assistant

ARK PROPERTIES LLC  
C/O JOHN MCCALLUM  
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GLENN'S FERRY ID 83623-5033

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