

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED
APR 06 2009
DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF PERMIT NO. 35-8359)
IN THE NAME OF JOHN B. KUGLER)
_____)

PETITION FOR
RECONSIDERATION

COMES NOW the permit holder, John B. Kugler, and petitions the Department of Water Resources for reconsideration of its Preliminary Order Suspending Action And Prohibiting Development dated March 23, 2009 and posted for mailing on March 24, 2009. This request is on the grounds and for the reason that the hearing officer failed to fully consider mitigating factors as provided by law and further on the grounds and for the reason that the hearing officer failed to consider the law statutes of the State of Idaho and the federal law as it existed at the time of the issuance of the water permit.

Dated this 3rd day of April, 2009.



JOHN B. KUGLER

Certificate of Service

I hereby certify that a copy of this Petition For Reconsideration was served on Gary Spackman, hearing officer, by mailing the same, postage prepaid to him at P.O. Box 83720, Boise, ID 83720-0098 this 3rd day of April, 2009.



JOHN B. KUGLER