

BEFORE THE DEPARTMENT OF WATER RESOURCES

FOR THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 78356¹ (SHEKINAH)
INDUSTRIES); APPLICATION FOR)
TRANSFER NO. 78355² (ORCHARD)
RANCH); APPLICATION FOR PERMIT)
NO. 63-32499 (MAYFIELD TOWNSITE);)
APPLICATION FOR PERMIT NO.) **DEFAULT ORDER**
61-12095 (NEVID-CORDER);)
APPLICATION FOR PERMIT NO.)
61-12096 (NEVID); APPLICATION FOR)
PERMIT NO. 63-32703 (ORCHARD)
RANCH); APPLICATION FOR PERMIT)
NO. 61-12256 (INTERMOUNTAIN)
SEWER AND WATER); APPLICATION)
FOR PERMIT NO. 63-33344 (ARK)
PROPERTIES-MAYFIELD TOWNSITE))
_____)

This matter having come before the Director (“Director”) of the Idaho Department of Water Resources (“Department”), the Director makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On May 29, 2013, the Department served a *Notice of Proposed Default Order* upon Idaho Water Co LLC (“protestant”) for failure to appear at hearing in the above captioned matter.
2. The protestant did not respond to the *Notice of Proposed Default Order*.

CONCLUSIONS OF LAW

1. IDAPA Rule 37.01.01.702 (Rule of Procedure 702) authorizes the Director to issue a Default Order for failure to timely respond to the Notice of Proposed Default Order.

¹ Transfer no. 78356 was renumbered from Transfer no. 73811.


² Transfer no. 78355 was renumbered from Transfer no. 73834.

2. Because the protestant failed to respond to the *Notice of Proposed Default Order*, the Director should issue a Default Order.

ORDER

IT IS THEREFORE, HEREBY ORDERED that protestant Idaho Water Co LLC is in default, and that the protestant is **dismissed** as a party in the contested case.

Dated this 31st day of July, 2013.


GARY SPACKMAN
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of July, 2013, a true and correct copy of the document described below was served by placing the same in the United States mail, certified with return receipt, postage prepaid and properly addressed to the following:

Document(s) Served: NOTICE OF PROPOSED DEFAULT ORDER

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BOISE ID 83709

MICHAEL CREAMER
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BROCKWAY ENGINEERING
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BRUCE SMITH
MOORE SMITH
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CLEVELAND CORDER LLC
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GARDEN CITY ID 83714

CRAIG HAYNES
G3 LLC
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BOISE, ID 83716

SPF WATER ENGINEERING
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TONYA D BOLSHAW
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MERIDIAN ID 83680

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GRIFFIN HERREN
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DARLA BATEMAN
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BOISE ID 83716

WENDY TIPPETTS
999 N SLATER CREEK
MAYFIELD ID 83716

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JOHN WESTRA
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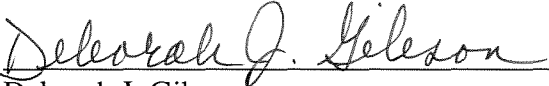
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Deborah J. Gibson
Assistant to the Director