

BEFORE THE DEPARTMENT OF WATER RESOURCES

FOR THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 78356 (SHEKINAH)
INDUSTRIES); APPLICATION FOR)
TRANSFER NO. 78355 (ORCHARD)
RANCH); APPLICATION FOR PERMIT)
NO. 63-32499 (MAYFIELD TOWNSITE);) **NOTICE OF PROPOSED**
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))
_____)

On April 8, 2013, the Idaho Department of Water Resources (“Department”) served all parties to this matter, including Intermountain Sewer & Water Corporation, a *Notice of Hearing*. The notice contained a certificate of mailing showing the parties were duly served. The notice scheduled a hearing to begin on April 17, 2013.

On April 17, 2013, beginning at 9:00 a.m., Gary Spackman, Director, conducted a hearing regarding the limited issue of the sufficiency of the ground water supply for consolidated applications for transfer/new water rights: Transfer nos. 73356 and 73855, and application for permit nos. 61-12095, 61-12096, 61-12256, 63-32499, 63-32703, and 63-33344. Protestant Intermountain Sewer & Water Corporation did not appear at the hearing.

Based upon these facts, the Department notifies Protestant Intermountain Sewer & Water Corporation that the following default order is proposed to be issued because of the failure of the protestant to appear at the time and place set for hearing pursuant to IDAPA 37.01.01.700.

PROPOSED DEFAULT ORDER

Based upon Protestant Intermountain Sewer & Water Corporation’s failure to appear at the time and place set for hearing, it is ORDERED that the Protestant Intermountain Sewer & Water Corporation is dismissed as party to the contested case.

RIGHT TO CHALLENGE

Pursuant to IDAPA 37.01.01.701, Protestant Intermountain Sewer & Water Corporation has seven (7) days after the service of this *Notice of Proposed Default Order* to file a written petition requesting that a default order not be entered. The petition must state the grounds why the petitioning party believes that default should not be entered.

Dated this 31st day of July, 2013.



GARY SPACKMAN
Director

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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420 BITTERROOT DR
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MICHAEL CREAMER
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BOISE ID 83701-2720

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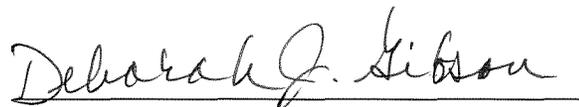
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Deborah J. Gibson
Assistant to the Director