

**BEFORE THE DEPARTMENT OF WATER RESOURCES**

**FOR THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION )  
FOR TRANSFER NO. 78356<sup>1</sup> (SHEKINAH )  
INDUSTRIES); APPLICATION FOR )  
TRANSFER NO. 78355<sup>2</sup> (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) )  
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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.

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<sup>1</sup> Transfer no. 78356 was renumbered from Transfer no. 73811.

<sup>2</sup> 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 31<sup>st</sup> day of July, 2013.

  
GARY SPACKMAN  
Hearing Officer

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31<sup>st</sup> 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

MICHAEL PRESTON  
SHEKINAH INDUSTRIES INC  
420 BITTERROOT DR  
BOISE ID 83709

MICHAEL CREAMER  
GIVENS PURSLEY LLP  
PO BOX 2720  
BOISE ID 83701-2720

ERICK POWELL  
BROCKWAY ENGINEERING  
2016 N WASHINGTON ST STE 4  
TWIN FALLS ID 83301

JOHN K SIMPSON  
BARKER ROSHOLT & SIMPSON LLP  
PO BOX 2139  
BOISE ID 83701-2139

BRUCE SMITH  
MOORE SMITH  
950 W BANNOCK STE 520  
BOISE ID 83702

CLEVELAND CORDER LLC  
622 20 E LN  
GARDEN CITY ID 83714

CRAIG HAYNES  
G3 LLC  
2136 E LEW ANDOWSKI LN  
BOISE, ID 83716

SPF WATER ENGINEERING  
300 E MALLARD DR STE 350  
BOISE ID 83706

TONYA D BOLSHAW  
PO BOX 16022  
BOISE ID 83715

DANA QUINNEY  
SCOTT QUINNEY  
160 S PRONGHORN  
BOISE ID 83716

NORMAN M SEMANKO  
ATTORNEY AT LAW  
PO BOX 1256  
BOISE ID 83701-1256

TIM CONRADS  
75 S PRONGHORN RD  
BOISE ID 83716

DEL KOHTZ  
IDAHO WATER COMPANY  
1135 VALLEY RD S  
EDEN ID 83325

INTERMOUNTAIN SEWER AND  
WATER CORP  
C/O GREG JOHNSON  
1710 S WELLS AVE STE 110  
MERIDIAN ID 83680

MARY FRISCH  
155 S PRONGHORN DR  
BOISE ID 83716

GRIFFIN HERREN  
719 DESERT WIND RD  
BOISE ID 83716

DARLA BATEMAN  
404 E INDIAN CREEK RD  
BOISE ID 83716

WENDY TIPPETTS  
999 N SLATER CREEK  
MAYFIELD ID 83716

LORI ATKINS  
602 E MIKE'S PL  
BOISE ID 83716

ED VAN GROUW  
5089 S DEBONAIR LN  
MERIDIAN ID 83642

JOHN WESTRA  
IDWR WESTERN REGION  
2735 AIRPORT WAY  
BOISE ID 83705-5082

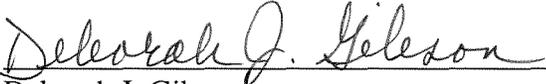
WAYNE SHEPHERD  
DIRECTOR OF PUBLIC WORKS  
CITY OF MOUNTAIN HOME  
PO BOX 10  
MOUNTAIN HOME ID 83647

BROWN FARMS LLC  
ATTN CLIFFORD BROWN ESQ  
HOLZER EDWARDS & HARRISON  
1516 W HAYS ST  
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IDAHO POWER COMPANY  
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PERKINS COIE LLP  
PO BOX 737  
BOISE ID 83701-0737

CITY OF POCATELLO  
C/O JOSEPHINE BEEMAN  
BEEMAN & ASSOCIATES  
409 W JEFFERSON ST  
BOISE ID 83702

  
Deborah J. Gibson  
Assistant to the Director