

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 July 31, 2013, the Department served a *Notice of Proposed Default Order* upon Intermountain Water & Sewer Corporation (“applicant”) for failure to appear at hearing in the above captioned matter.
2. The applicant 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 applicant failed to respond to the *Notice of Proposed Default Order*, the Director should issue a Default Order.

ORDER

Based on the foregoing, IT IS HEREBY ORDERED that applicant Intermountain Sewer & Water Corporation is in default, and that the applicant is **DISMISSED** as a party in the contested case.

IT IS FURTHER ORDERED, because Intermountain Sewer & Water Corporation has been dismissed, application for permit No. 61-12256 is now **VOID**.

DATED this 15th day of August, 2013.


GARY SPACKMAN
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of August, 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: DEFAULT ORDER

MICHAEL PRESTON
SHEKINAH INDUSTRIES INC
420 BITTERROOT DR
BOISE ID 83709

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

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

TIM CONRADS
75 S PRONGHORN RD
BOISE ID 83716

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

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

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

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

CLEVELAND CORDER LLC
622 20 E LN
GARDEN CITY ID 83714

MARY FRISCH
155 S PRONGHORN DR
BOISE ID 83716

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

DARLA BATEMAN
404 E INDIAN CREEK RD
BOISE ID 83716

TONYA D BOLSHAW
PO BOX 16022
BOISE ID 83715

WENDY TIPPETTS
999 N SLATER CREEK
MAYFIELD ID 83716

DANA QUINNEY
SCOTT QUINNEY
160 S PRONGHORN
BOISE ID 83716

LORI ATKINS
602 E MIKE'S PL
BOISE ID 83716

ED VAN GROUW
5089 S DEBONAIR LN
MERIDIAN ID 83642

DARIN ROY
147 EAST INDIAN CR RD
MAYFIELD ID 83716

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
BOISE ID 83702

JAMES C TUCKER
IDAHO POWER COMPANY
PO BOX 70
BOISE ID 83707

ROBERT MAYNARD
ERIKA MALMAN
PERKINS COIE LLP
PO BOX 737
BOISE ID 83701-0737

A handwritten signature in cursive script that reads "Deborah J. Gibson". The signature is written in black ink and is positioned above a horizontal line.

Deborah J. Gibson
Assistant to the Director