

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.)
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))
_____)

DEFAULT ORDER

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

FINDINGS OF FACT

1. On May 13, 2013, the Department served a Notice of Proposed Default Order upon G3 LLC ("protestant") for failure to appear at a pre-hearing conference to discuss holding a single, consolidated hearing to take evidence regarding the water supply available for eight pending applications: Transfer nos. 73811 (renumbered to Transfer no. 78356) and 73834 (renumbered to Transfer no. 78355), and application for permit nos. 61-12095, 61-12096, 61-12256, 63-32499, 63-32703, and 63-33344. The pre-hearing conference was held on October 25, 2011 in Boise, Idaho in the above captioned matter.

2. The protestant did not 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.

CONCLUSIONS OF LAW

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

ORDER

IT IS THEREFORE, HEREBY ORDERED that protestant G3 LLC is in default, and that the protestant is **dismissed** as a party in the contested case.

Dated this 29th day of May, 2013.



GARY SPACKMAN
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of May, 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

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