BEFORE THE DEPARTMENT OF WATER RESOURCES

FOR THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER NO. 78356[1] (SHEKINAH INDUSTRIES); APPLICATION FOR TRANSFER NO. 78355[2] (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 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

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SHEKINAH INDUSTRIES INC
420 BITTEROOT DR
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ERICK POWELL
BROCKWAY ENGINEERING
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

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BRUCE SMITH
MOORE SMITH
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BOISE ID 83702

CLEVELAND CORDER LLC
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SPF WATER ENGINEERING
300 E MALLARD DR STE 350
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DEL KOHTZ
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INTERMOUNTAIN SEWER AND
WATER CORP
C/O GREG JOHNSON
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MERIDIAN ID 83680

MARY FRISCH
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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

DARIN ROY
147 EAST INDIAN CR RD
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