

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION )  
FOR PERMIT TO APPROPRIATE ) NOTICE OF PROPOSED  
WATER NO. 96-9292 IN THE NAME ) DEFAULT ORDER  
OF STEVE BARNHART )  
\_\_\_\_\_ )

On March 26, 2012, the Idaho Department of Water Resources ("Department") served all parties to this matter, including Linda Williams and Greg Williams, a *Notice of Hearing, Pre-Hearing Order*. The notice included a certificate of mailing showing the parties were duly served. The notice scheduled a hearing to commence at 9:30 a.m. on Wednesday, June 13, 2012, at the Department's northern regional office, 7600 North Mineral Ave., Ste. 100, Coeur d'Alene, Idaho.

On Wednesday, June 13, 2012, the Department's hearing officer waited at the appointed place and time to conduct a hearing for settlement of the protests filed against application for permit no. 96-9292. The protestants, including Protestants Linda Williams and Greg Williams, did not appear for the hearing, and the hearing officer did not conduct a hearing.

**PROPOSED DEFAULT ORDER**

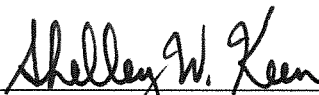
Pursuant to Rule 700 of the Department's Rules of Procedure (IDAPA 37.01.01.700), the Department hereby notifies Linda Williams and Greg Williams that the following default order is proposed to be issued because of their failure to appear at the time and place set for hearing:

Linda Williams and Greg Williams are in default and their protest is **DISMISSED** and will not be further considered by the Department in the above captioned matter.

**RIGHT TO CHALLENGE**

Pursuant to Rule 701 of the Department's Rules of Procedure (IDAPA 30.01.01.701), Scott Spray 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 18<sup>th</sup> day of June, 2012.

  
\_\_\_\_\_  
SHELLEY W. KEEN  
Hearing Officer

**BEFORE THE DEPARTMENT OF WATER RESOURCES**  
**OF THE**  
**STATE OF IDAHO**

|                                      |   |                           |
|--------------------------------------|---|---------------------------|
| <b>IN THE MATTER OF APPLICATION</b>  | ) |                           |
| <b>FOR PERMIT TO APPROPRIATE</b>     | ) |                           |
| <b>WATER NO. 96-9292 IN THE NAME</b> | ) | <b>NOTICE OF PROPOSED</b> |
| <b>OF STEVE BARNHART</b>             | ) | <b>DEFAULT ORDER</b>      |
| <hr/>                                | ) |                           |

On March 26, 2012, the Idaho Department of Water Resources ("Department") served all parties to this matter, including Randy K. Williams and Debra Carter, a *Notice of Hearing, Pre-Hearing Order*. The notice included a certificate of mailing showing the parties were duly served. The notice scheduled a hearing to commence at 9:30 a.m. on Wednesday, June 13, 2012, at the Department's northern regional office, 7600 North Mineral Ave., Ste. 100, Coeur d'Alene, Idaho.

On Wednesday, June 13, 2012, the Department's hearing officer waited at the appointed place and time to conduct a hearing for settlement of the protests filed against application for permit no. 96-9292. The protestants, including Protestants Randy K. Williams and Debra Carter, did not appear for the hearing, and the hearing officer did not conduct a hearing.

**PROPOSED DEFAULT ORDER**

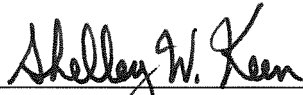
Pursuant to Rule 700 of the Department's Rules of Procedure (IDAPA 37.01.01.700), the Department hereby notifies Randy K. Williams and Debra Carter that the following default order is proposed to be issued because of their failure to appear at the time and place set for hearing:

Randy K. Williams and Debra Carter are in default and their protest is **DISMISSED** and will not be further considered by the Department in the above captioned matter.

**RIGHT TO CHALLENGE**

Pursuant to Rule 701 of the Department's Rules of Procedure (IDAPA 30.01.01.701), Scott Spray 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 18<sup>th</sup> day of June, 2012.

  
\_\_\_\_\_  
SHELLEY W. KEEN  
Hearing Officer

BEFORE THE DEPARTMENT OF WATER RESOURCES

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STATE OF IDAHO

IN THE MATTER OF APPLICATION )  
FOR PERMIT TO APPROPRIATE ) NOTICE OF PROPOSED  
WATER NO. 96-9292 IN THE NAME ) DEFAULT ORDER  
OF STEVE BARNHART )  
\_\_\_\_\_ )

On March 26, 2012, the Idaho Department of Water Resources ("Department") served all parties to this matter, including Susan Bourguignon, a *Notice of Hearing, Pre-Hearing Order*. The notice included a certificate of mailing showing the parties were duly served. The notice scheduled a hearing to commence at 9:30 a.m. on Wednesday, June 13, 2012, at the Department's northern regional office, 7600 North Mineral Ave., Ste. 100, Coeur d'Alene, Idaho.

On Wednesday, June 13, 2012, the Department's hearing officer waited at the appointed place and time to conduct a hearing for settlement of the protests filed against application for permit no. 96-9292. The protestants, including Protestant Susan Bourguignon, did not appear for the hearing, and the hearing officer did not conduct a hearing.

**PROPOSED DEFAULT ORDER**

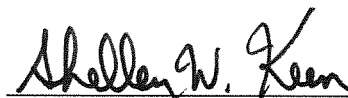
Pursuant to Rule 700 of the Department's Rules of Procedure (IDAPA 37.01.01.700), the Department hereby notifies Susan Bourguignon that the following default order is proposed to be issued because of her failure to appear at the time and place set for hearing:

Susan Bourguignon is in default and her protest is **DISMISSED** and will not be further considered by the Department in the above captioned matter.

**RIGHT TO CHALLENGE**

Pursuant to Rule 701 of the Department's Rules of Procedure (IDAPA 30.01.01.701), Susan Bourguignon 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 18<sup>th</sup> day of June, 2012.



SHELLEY W. KEEN  
Hearing Officer

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

|                               |   |                    |
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| IN THE MATTER OF APPLICATION  | ) |                    |
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| WATER NO. 96-9292 IN THE NAME | ) | DEFAULT ORDER      |
| OF STEVE BARNHART             | ) |                    |
| _____                         | ) |                    |

On March 26, 2012, the Idaho Department of Water Resources ("Department") served all parties to this matter, including Scott Spray, a *Notice of Hearing, Pre-Hearing Order*. The notice included a certificate of mailing showing the parties were duly served. The notice scheduled a hearing to commence at 9:30 a.m. on Wednesday, June 13, 2012, at the Department's northern regional office, 7600 North Mineral Ave., Ste. 100, Coeur d'Alene, Idaho.

On Wednesday, June 13, 2012, the Department's hearing officer waited at the appointed place and time to conduct a hearing for settlement of the protests filed against application for permit no. 96-9292. The protestants, including Protestant Scott Spray, did not appear for the hearing, and the hearing officer did not conduct a hearing.

**PROPOSED DEFAULT ORDER**

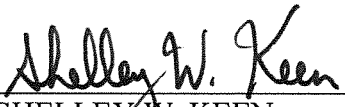
Pursuant to Rule 700 of the Department's Rules of Procedure (IDAPA 37.01.01.700), the Department hereby notifies Scott Spray that the following default order is proposed to be issued because of his failure to appear at the time and place set for hearing:

Scott Spray is in default and his protest is **DISMISSED** and will not be further considered by the Department in the above captioned matter.

**RIGHT TO CHALLENGE**

Pursuant to Rule 701 of the Department's Rules of Procedure (IDAPA 30.01.01.701), Scott Spray 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 18<sup>th</sup> day of June, 2012.

  
\_\_\_\_\_  
SHELLEY W. KEEN  
Hearing Officer

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| <b>OF STEVE BARNHART</b>             | ) | <b>DEFAULT ORDER</b>      |
| <hr/>                                | ) |                           |

On March 26, 2012, the Idaho Department of Water Resources ("Department") served all parties to this matter, including Barbara J. Spray, a *Notice of Hearing, Pre-Hearing Order*. The notice included a certificate of mailing showing the parties were duly served. The notice scheduled a hearing to commence at 9:30 a.m. on Wednesday, June 13, 2012, at the Department's northern regional office, 7600 North Mineral Ave., Ste. 100, Coeur d'Alene, Idaho.

On Wednesday, June 13, 2012, the Department's hearing officer waited at the appointed place and time to conduct a hearing for settlement of the protests filed against application for permit no. 96-9292. The protestants, including Protestant Barbara J. Spray, did not appear for the hearing, and the hearing officer did not conduct a hearing.

**PROPOSED DEFAULT ORDER**

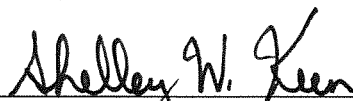
Pursuant to Rule 700 of the Department's Rules of Procedure (IDAPA 37.01.01.700), the Department hereby notifies Barbara J. Spray that the following default order is proposed to be issued because of her failure to appear at the time and place set for hearing:

Barbara J. Spray is in default and his protest is **DISMISSED** and will not be further considered by the Department in the above captioned matter.

**RIGHT TO CHALLENGE**

Pursuant to Rule 701 of the Department's Rules of Procedure (IDAPA 30.01.01.701), Barbara J. Spray 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 18<sup>th</sup> day of June, 2012.

  
\_\_\_\_\_  
SHELLEY W. KEEN  
Hearing Officer

## **CERTIFICATE OF SERVICE**

I hereby certify that on June 19, 2012, I mailed a certified true and correct copy, postage prepaid, of the foregoing **NOTICE OF PROPOSED DEFAULT ORDER** to the person (s) listed below:

**RE: NOTICE OF PROPOSED DEFAULT ORDER APPLICATION FOR PERMIT NO.  
96-9292**

**SUSAN BOURGUIGNON  
1201 SUNSET RD  
ATHOL ID 83801**

**SCOTT SPRAY  
2272 SUNSET RD  
ATHOL ID 83801**

**RANDY K WILLIAMS  
DEBRA CARTER  
2117 SUNSET RD  
ATHOL ID 83801**

**GREG & LINDA WILLIAMS  
PO BOX 403  
BAYVIEW ID 83803**

**BARBARA J SPRAY  
2132 SUNSET RD  
ATHOL ID 83801**

A handwritten signature in cursive script, reading "Jean Hersley", is positioned above a horizontal line.

**Jean Hersley  
Technical Records Specialist I**