

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

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 71522 IN THE NAME OF)
MIKE AND/OR DENISE MATTHEWS) **PRELIMINARY 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 March 9, 2012, the department served a Notice of Proposed Default Order on Mike and/or Denise Matthews (applicant) at the last known address of record for failure to appear at the pre-hearing conference held March 6, 2012, in Albion, Idaho.
2. The applicant did not timely respond.

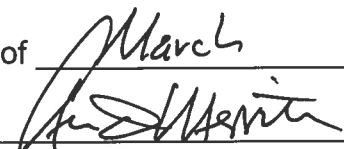
CONCLUSIONS OF LAW

1. IDAPA Rule 37.01.01702 (Rule of Procedure 702) authorizes the department to issue a Default Order for failure to timely respond to a "Notice of Proposed Default Order".
2. The department should enter a Default Order for failure of Mike and/or Denise Matthews to appear at the March 6, 2012, pre-hearing conference scheduled in Albion, Idaho and for failure to timely respond to the Notice of Proposed Default Order in connection with the above captioned matter.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Transfer No. 71522 filed in the name of Mike and/or Denise Matthews is **SET ASIDE** or **VOIDED** as provided in IDAPA Rule 37.01.01702 (Rule of Procedure 702).

Dated this 27th day of March, 2012.



ALLEN MERRITT
Hearing Officer

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of March, I mailed a true and correct copy, postage prepaid, of the attached **PRELIMINARY DEFAULT ORDER** to the following parties:

DENISE MATTHEWS *Certified Mail*
104 WINGED FOOT
JEROME, ID 83338

DENISE MATTHEWS
PO BOX 62
ALBION, ID 83311

NORMAN E DAYLEY
PO BOX 165
ALBION, ID 83311

DONALD GUNDERSON
WATER DISTRICT 45F
1047 E 1000 S
ALBION, ID 83311

A handwritten signature in cursive script, reading "Denise Buffington", is written over a horizontal line.

Denise Buffington
Administrative Assistant