

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

**IN THE MATTER OF APPLICATIONS)
FOR PERMIT NO. 65-23305 AND)
TRANSFER NO. 74962 IN THE NAME)
OF LAKE RESERVOIR COMPANY)**

**NOTICE OF PROPOSED DEFAULT
ORDER—FAILURE TO RESPOND**

FINDINGS

On August 12, 2009, Lake Reservoir Company filed with the Idaho Department of Water Resources (IDWR) Application for Permit No. 65-23305 for irrigation storage beneficial use and Transfer No. 74962 to change the nature of water use. The applications were protested by the US Bureau of Land Management (Protestant) which argued that public federal land locations were listed on both applications places of use.

On July 26, 2010, the applications were amended by the Company omitting the place of use description (40ac.) tracts that were public Federal lands. Tracts (40ac.) listed that contained both private and Federal public lands will be identified and conditioned with the remark "Place of use does not include federal public lands" on the permit if approved.

On July 28, 2010, a copy of the amended application with cover letter was sent to the Protestant by IDWR. The Protestant was to review the amendment and provide IDWR intentions/status regarding their protest by September 15, 2010.

To date, there has been no response/communication received from the Protestant.

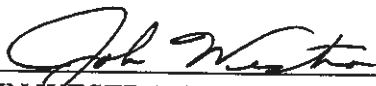
PROPOSED DEFAULT ORDER

Based on the failure of the Protestant, US Bureau of Land Management to respond, it is ordered that the US Bureau of Land Management is dismissed as a party to the contested cases of Applications for Permit No. 65-23305 and Transfer No. 74962 in the name of Lake Reservoir Company.

RIGHT TO CHALLENGE

Pursuant to IDAPA 30.01.01.701, Protestant, US Bureau of Land Management 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 basis why the petitioning party believed that default should not be entered.

Dated this 20th day of September, 2010.



JOHN WESTRA, Manager

CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2010, I mailed a true and correct copy, postage prepaid, of the foregoing NOTICE OF PROPOSED DEFAULT ORDER to the person(s) listed below:

**FREDRIC W PRICE
US BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657**

**LAKE RESERVOIR COMPANY
102 N MAIN ST
PAYETTE ID 83661**



**Jean Hersley
Office Specialist II**