

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	
FOR TRANSFER NO. 76286 IN THE NAME	)	NOTICE OF PROPOSED
<u>OF TELFORD LANDS LLC</u>	)	DEFAULT ORDER

On January 29, 2010, Telford Lands LLC, filed an Application for Transfer No. 76286 with the Idaho Department of Water Resources (department). The application sought to add a point of diversion to a number of existing water rights. The application was protested by Fred Burt, Heather Camille Shosted, Jeffrey Allen, Jerry L. Brown, Jim L. Scouten, Kim W. Baldwin, Kirby A. Jensen, Nathan D. Carpenter, Reuben H. Babcock, Russell Babcock and Wade Waddoups. On March 23, 2010, Moore Water and Sewer Association, represented by Lin Pearson, filed a petition to intervene as a protestant.

A notice scheduling a pre-hearing conference was mailed to the applicant and the protestants on July 28, 2010 for a conference to be held on October 20, 2010.

On October 20, 2010, beginning at 9:00 a.m., the Department conducted a pre-hearing conference for protested Application for Transfer No. 76286. Protestant, Russell Babcock, Fred Burt and Moore Water and Sewer Association did not appear at the pre-hearing conference.

Based upon these facts, the Department hereby notifies protestant Russell Babcock, Fred Burt and Moore Water and Sewer Association that a default order will be issued dismissing them as parties to the contested case because of the failure of the protestants to appear at the time and place set for the pre-hearing pursuant to IDAPA 37.01.01.700.

PROPOSED DEFAULT ORDER

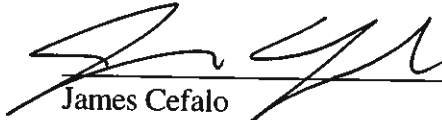
The following is the relevant portion of the proposed default order:

Based upon the protestants failure to appear at the time and place set for the pre-hearing conference, **IT IS HEREBY ORDERED** that Russell Babcock, Fred Burt and Moore Water and Sewer Association are dismissed as parties to the contested case.

RIGHT TO CHALLENGE

Pursuant to IDAPA 37.01.01.701, Protestants Russell Babcock, Fred Burt and Moore Water and Sewer Association have 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 issued. Service is complete three days following the date of mailing this *Notice of Proposed Default Order* as set forth in the Certificate of Service. This petition must state the grounds why the protesting party believes that a default order should not be issued.

Dated this 25th day of October 2010.


James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of October 2010, a true and correct copy of the document(s) described below was served on the following by placing a copy of the same in the United States mail, certified, return receipts requested, postage prepaid and properly addressed to the following:

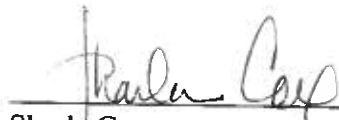
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Sharla Cox
Administrative Assistant