

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

IN THE MATTER OF APPLICATION FOR)	
PERMIT NO. 65-23244 IN THE NAME OF)	NOTICE OF PROPOSED
DAVID DEAN)	DEFAULT ORDER -
_____)	FAILURE TO RESPOND

On November 27, 2007, David Dean filed with the Idaho Department of Water Resources (IDWR) an application for Permit no. 65-23244 for stockwater storage beneficial use. Chris Bryson protested the application.

A prehearing Conference was held on October 13, 2009, at the site of the stockwater pond. At the prehearing conference, the applicant and protestant agreed to take the following actions in lieu of setting a hearing date:

- (1) The Deans were to provide measurements of the pond to IDWR, and install a pipe and trench by 12/31/2009.
- (2) By June 1, 2010, the parties were to meet to observe the flow in Coon Creek, take pictures, and write a short letter report as to the status of water available to fill the Link rights.
- (3) By June 1, 2010, Chris Bryson was to either withdraw the protest or the matter will be set for a hearing.

The parties failed to meet the June 1, 2010, deadline. On July 26, 2010, Sr. Water Resource Agent, Vicky Music, sent a letter to the applicant and protestant setting a second deadline of August 6, 2010, for actions agreed to by the parties. Mr. Dean submitted information on August 6, 2010. Ms. Bryson did not take the actions she previously agreed to nor did she contact the Department by the August 6, 2010 deadline.

Based on these facts, the Department notifies Christine Bryson that the following default order is proposed to be issued because of the failure of the protestant to respond to the June 1, 2010, deadline set at the prehearing conference and the August 6, 2010, deadline set in the communication from Department dated July 26, 2010, pursuant to IDAPA 37.01.01.700.

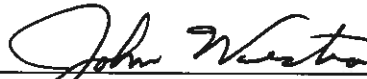
PROPOSED DEFAULT ORDER

Based on the failure of Protestant Chris Bryson to respond, it is ORDERED that Chris Bryson is dismissed as a party to the contested case.

RIGHT TO CHALLENGE

Pursuant to IDAPA 30.01.01.701, Protestant Chris Bryson 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 ground why the petitioning party believed that default should not be entered.

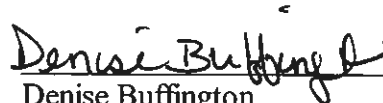
Dated this 9th day of August, 2010.



John Westra
Regional Manager
IDWR Western Region

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of August, 2010, I mailed a true and correct copy, postage prepaid, of the foregoing **NOTICE OF PROPOSED DEFAULT ORDER** to the person(s) listed below:



Denise Buffington
Administrative Assistant

David Dean
1746 E Dunwoody Ct.
Meridian ID 83646

Christine Bryson
9450 Liberty Rd.
Sweet, Id 83670