

BEFORE THE DEPARTMENT OF WATER RESOURCES
FOR THE STATE OF IDAHO

IN THE MATTER OF APPLICATION TO	)	
APPROPRIATE WATER NO. 67-14975 IN	)	NOTICE OF PROPOSED
THE NAME OF TIM AND CAROLYN	)	DEFAULT ORDER
FOLKE	)	
_____	)	

On November 24, 2009, the Idaho Department of Water Resources ("Department") served a *Notice of Hearing* on all parties to this matter, including Tim and Carolyn Folke ("applicants"), Kevin Madsen and Lloyd Brown ("protestants"). The notice contained a certificate of mailing showing the parties were duly served. The notice scheduled a hearing for 9:30 a.m. on April 21, 2010 for protests filed against application to appropriate water no. 67-14975.

On April 21, 2010, the applicants were present for the hearing at the scheduled time and location. Protestants Kevin Madsen and Lloyd Brown did not appear for the hearing.

Based upon these facts, the Department notifies protestants Kevin Madsen and Lloyd Brown that a default order will be issued dismissing them as parties to the contested case for failure to appear at the time and place set for hearing pursuant to IDAPA 37.01.01.700.

PROPOSED DEFAULT ORDER

The following is a portion of the proposed default order:

Based upon protestants' failure to appear at the time and place set for hearing, it is ORDERED that Kevin Madsen and Lloyd Brown are dismissed as parties to the contested case.

RIGHT TO CHALLENGE

Pursuant to IDAPA 37.01.01.701, protestants Kevin Madsen and Lloyd Brown 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 entered. The petition must state the grounds why the petitioning party believes that default should not be entered.

Dated this 22 day of April, 2010.



JEFF PEPPERSACK
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of April, 2010, a true and correct copy of the above and foregoing document described below was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

Document(s) Served: Notice of Proposed Default Order

TIM FOLKE
CAROLYN FOLKE
PO BOX 100
PAYETTE ID 83661

LLOYD J BROWN
PO BOX 535
COUNCIL ID 83612

KEVIN MADSEN
2073 N GALENA RD
COUNCIL ID 83612



Deborah J. Gibson
Administrative Assistant
Water Management Division