

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

63-33064
IN THE MATTER OF APPLICATION FOR)
PERMIT NO. ~~65-23244~~ IN THE NAME OF) NOTICE OF PROPOSED
LAWRENCE AND KAY HANSEN) DEFAULT ORDER
_____)

On September 2, 2009, the Idaho Department of Water Resources ("Department") served all parties to this matter, including Herbert D. Lloyd, a *Notice of Hearing*. The notice contained a certificate of mailing showing the parties were duly served. The notice scheduled a hearing for December 3, 2009.

On December 3, 2009, beginning at 9:30 a.m., at the Department's state office, Idaho Water Center, 322 E. Front St., Boise, Idaho, the hearing officer conducted a hearing for settlement of the protests file against application for permit no. 63-33064. Protestant Herbert D. Lloyd did not appear at the hearing.

Pursuant to Rule 700 of the Department's Rules of Procedure (IDAPA 37.01.01.700) the Department hereby notifies Herbert D. Lloyd that the following default order is proposed to be issued because of his failure to appear at the time and place set for hearing.

PROPOSED DEFAULT ORDER

Based on the failure of Protestant Herbert D. Lloyd to appear at the time and place set for hearing, it is ORDERED that Herbert D. Lloyd is dismissed as a party to the contested case.

RIGHT TO CHALLENGE

Pursuant to Rule 701 of the Department's Rules of Procedure (IDAPA 30.01.01.701), Herbert D. Lloyd 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 grounds why the petitioning party believes that default should not be entered.

Dated this 8th day of December, 2009.



SHELLEY W. KEEN
Hearing Officer

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of December, 2009, I mailed a true and correct copy, postage prepaid, of the foregoing **NOTICE OF PROPOSED DEFAULT ORDER** to the person(s) listed below:



Danni Smith
Office Services Supervisor I
Water Management Division

Lawrence and Kay Hansen
1440 E Mary Lane
Meridian, ID 83642

Jo Beeman
Beeman & Associates, P.C.
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Fred Nitz
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Herbert D. Lloyd
1360 E Tanya Lane
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Steve Hannula
ERO Resources
3314 Grace St
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