

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

**IN THE MATTER OF APPLICATION)
FOR PERMIT 63-33063 IN THE NAME)
OF JEAN BROBECK VANCE)
_____)**

**NOTICE OF PRPOSED DEFAULT
ORDER-- FAILURE TO APPEAR**

On June 3, 2008, Jean Brobeck Vance filed with the Idaho Department of Water Resource (IDWR) Application for Permit #63-33063 for irrigation beneficial use. The application was protested by Fred Nitz, Herbert Nitz, John Jobe, and Herbert Lloyd. Protests were later withdrawn by Fred Nitz, John Jobe, and Herbert Lloyd.

A Prehearing Conference was held on May 6, 2009 for the contested case. A 2nd Prehearing Conference was scheduled for 9:30 AM, Wednesday, June 24, 2009 at the Idaho Department of Water Resources Western Regional Office. Conference notices were sent by the Department to the applicant and protestant Herbert Nitz on May 19, 2009. The applicant appeared on the scheduled conference date and place. Protestant Herb Nitz failed to appear at the conference.

Dated this 26th day of June, 2009.



JOHN WESTRA

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of June, 2009, I mailed a true and correct copy, postage prepaid, of the foregoing **NOTICE OF PROPOSED DEFAULT ORDER – FAILURE TO APPEAR** to the person(s) listed below:

A handwritten signature in black ink, reading "Denise Buffington", written over a horizontal line.

Denise Buffington
Administrative Assistant

Notice of Proposed Default Order – Failure to Appear, for 63-33063

Jean Brobeck Vance
5370 S Locust Grove Rd
Meridian ID 83642

Herb Nitz
5445 S Locust Grove Rd
Meridian ID 83642