

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)	NOTICE OF
FOR TRANSFER NO. 72881 IN THE)	PROPOSED
<u>NAME OF THE CITY OF AMMON</u>)	DEFAULT ORDER

On December 5, 2007, the Idaho Department of Water Resources ("Department") served a notice of hearing on all parties to this contested case by certified mail.

The notice scheduled a hearing for January 16, 2008.

On January 16, 2008, beginning at 9:00 a.m., the Department conducted a hearing for protested applications for transfer no. 72881. Protestants Sandi Brown, Fred Adams, Vaughn Adams, James Adams, and intervenor Dennis Kiser did not appear at the hearing.

Based upon these facts, the Department notifies protestants Sandi Brown, Fred Adams, Vaughn Adams, James Adams, and intervenor Dennis Kiser 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 hearing pursuant to IDAPA 37.01.01.700.

PROPOSED DEFAULT ORDER

The following is a portion of the proposed default order:

Based upon the protestants' and intervenor's failure to appear at the time and place set for the hearing, IT IS HEREBY ORDERED that Sandi Brown, Fred Adams, Vaughn Adams, James Adams, and Dennis Kiser are dismissed as parties to the contested case.

RIGHT TO CHALLENGE

Pursuant to IDAPA 37.01.01.701, Protestants Sandi Brown, Fred Adams, Vaughn Adams, James Adams, and intervenor Dennis Kiser 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. The petition must state the grounds why the petitioning party believes that a default order should not be issued.

Dated this 28th day of March, 2008.


GARY SHACKMAN
Hearing Officer

CERTIFICATE OF SERVICE

I FURTHER CERTIFY that on this 31st day of March, 2008, a true and correct copy of the 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

SANDI BROWN
1791 S 52ND EAST
IDAHO FALLS ID 83401

JAMES W ADAMS
648 S 52ND EAST
IDAHO FALLS ID 83401

FRED ADAMS
624 S 52ND EAST
IDAHO FALLS ID 83401

MR. & MRS. DENNIS KISER
2797 S 45TH EAST
IDAHO FALLS ID 83406

VAUGHN W ADAMS
706 S 52ND EAST
IDAHO FALLS ID 83401


Deborah J. Gibson
Administrative Assistant