

Richard Dean Fowler
5121 East 21 South
Ammon, ID 83406

State Of Idaho
Department of Water Resources
% Gary Spackman
322 EAST From Street
P. O. Box 83720
Boise, ID 83720-0098

RECEIVED

DEC 10 2007

DEPARTMENT OF
WATER RESOURCES

Dear Mr. Spackman:

I received certified mail from you 12/7/07. It has to do with "Notice of Proposed Default Order" "In The Matter Of Application For Transfer Nos. 72881 In The Name Of The City Of Ammon."

Per your letter, the proposed default order is based upon the fact that I failed to show up for a prehearing conference that had been scheduled for August 20, 2007.

I admit that I did not attend the prehearing. I could have attended but I failed to remember it. Approximately mid June my wife Jeanette and I attended an appointment with Dr. Gorman concerning her rapidly declining health. We were informed that without open heart surgery (to be her third; previously in 1969 and again in 1992) she had at most three months to live. As we decided we had no choice, Dr. Gorman made arrangements for surgery with Dr Millar in St. George.

We left Ammon, ID for St. George, UT on July 29 and surgery was performed on August 2. She received two porcine valves, a bypass, and a pacemaker. She was released from the hospital in St. George on August 13. At Dr. Millar's request we spent one night on the road and arrived back in Ammon on August 14. At this point she had to have continuous surveillance and assistance. I had help some evenings, however I was her sole help during the day. So, even if I had remembered the prehearing I would most likely have not attended it as I was not going to leave her with anyone else at that time. At the time of this writing she is steadily regaining her health.

The above may sound more like an excuse, than a good reason for 'NOT having the default order issued. Nonetheless I (Richard D. Fowler) is requesting that the default order not be issued.' And the only reason that I can state is that under the circumstances stated above I was not paying enough attention to other things.

Sincerely,

