

BEFORE THE DEPARTMENT OF
NATURAL RESOURCES AND CONSERVATION
OF THE STATE OF MONTANA

FILMED

AUG 9 1991

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IN THE MATTER OF THE APPLICATION)
FOR BENEFICIAL WATER USE PERMIT) FINAL ORDER
NO. 70369-s76H BY JERRY AND)
SUSAN WOLF)

* * * * *

Pursuant to the provisions of the Montana Water Use Act and to the contested case provisions of the Montana Administrative Procedure Act, a hearing in the above-entitled matter was scheduled to be held August 5, 1991, immediately following the hearing In the Matter of the Applications for Beneficial Water Use Permits No. 73396-76H and 76041-76H and Application to Change Appropriation Water Right No. G123885-76H by Ronald E. and Janet J. Trulock. Applicants Wolf were objectors to the Trulock applications; therefore, were expected to be at the hearing place immediately after the Trulock hearing.

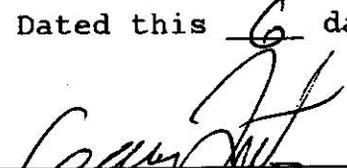
The hearing was convened at approximately 11:30 a. m. Michael McLane, Manager of the Missoula Water Resources Regional Office of the Department of Natural Resources and Conservation (Department); Objectors Ronald E. Trulock, Janet J. Trulock, and Alfred B. Newman; interested person, Susie Birse; and the Hearing Examiner were present. The Applicant was not present. Michael McLane testified that he had contacted Susan Wolf by telephone immediately prior to the hearing and she informed him they had no intention of attending the hearing. She also told Mr. McLane that a letter had been mailed to the Department withdrawing the Application.

CASE # 70369

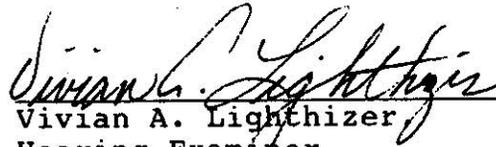
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Accordingly, pursuant to the provisions of ARM 36.12.208, Applicants are declared in default and the captioned Application for Beneficial Water Use Permit is hereby dismissed.

Dated this 6 day of August, 1991.



Gary Feltz, Administrator
Department of Natural
Resources and Conservation
Water Resources Division
1520 East 6th Avenue
Helena, Montana 59620-2301
(406) 444-6605



Vivian A. Lighthizer
Hearing Examiner
Department of Natural
Resources and Conservation
1520 East 6th Avenue
Helena, Montana 59620-2301
(406) 444-6625

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Final Order was duly served upon all parties of record at their address or addresses this 7th day of August, 1991 as follows:

Jerry and Susan Wolf
620 Fish Hatchery Road
Hamilton, MT 59840

Janet and Ron Trulock
856 N. Shoshone Loop
Hamilton, MT 59840

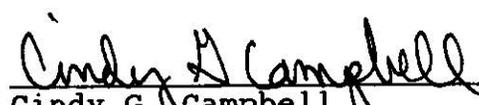
Alfred B. Newman
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Cindy G. Campbell
Hearings Unit Legal Secretary