

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

IN THE MATTER OF APPLICATION)
FOR TRANSFER OF A WATER RIGHT)
TRANSFER NO. 83238 IN THE)
NAME OF CALVIN AND SUSIE LOW)
_____)

**NOTICE OF PROPOSED
DEFAULT ORDER**

On May 10, 2019, Calvin and Susie Low filed an Application for Transfer of a Water Right Transfer No. 83238 ("Application") with the Idaho Department of Water Resources ("Department"). Thomas DeShazo and/or Castle Creek Ranch LLC protested the Application.

On April 7, 2020, the Presiding Officer spoke via telephone with Thomas DeShazo representing protestant Castle Creek Ranch LLC regarding protested Application for Transfer No. 83238. After this call the Presiding Officer sent an email requesting the protestant respond and clarify their interest in pursuing the protest. The Presiding Officer did not receive a response to the email.

On April 28, 2020, the Presiding Officer mailed the protestant a letter requesting information on their continued interest in pursuing the protest. The letter required a response within fourteen (14) days. The Presiding Officer did not receive a timely response to the information request.

Rule 700 of the Department's Rules of Procedure (IDAPA 37.01.01) allows the presiding officer to provide notice of a proposed default for any party who fails to respond to a written information inquiry.

PROPOSED DEFAULT ORDER

Pursuant to Rule 700 of the Department's Rules of Procedure (IDAPA 37.01.01.700), the Department notifies Thomas DeShazo that the following default order is proposed to be issued because of his failure to respond to an information inquiry:

Thomas DeShazo and/or Castle Creek Ranch LLC are in default and their protest is **DISMISSED** and will not be further considered in the above captioned matter by the Department.

RIGHT TO CHALLENGE

Pursuant to Rule 701 of the Department's Rules of Procedure (IDAPA 30.01.01.701), the protestant Thomas DeShazo 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 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 13th day of May, 2020.



Nick Miller
Presiding Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of May, 2020, true and correct copies of the document described below was served by placing a copy of the same with the United States Postal Service, postage prepaid and properly addressed to the following:

CALVIN & SUSIE LOW
21101 OREANA LOOP RD
MURPHY, ID 83650

SPF WATER ENGINEERING
ATTN: SCOTT KING
300 E MALLARD DR STE 350
BOISE, ID 83706

CASTLE CREEK RANCH LLC
ATTN: THOMAS DESHAZO
1228 S RIVER FLOW WAY
EAGLE, ID 83616

Document Served: Notice of Proposed Default Order for Application for Transfer of a Water Right Transfer No. 83238



Kensie Thorneycroft
Administrative Assistant I



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 13, 2020

CALVIN & SUSIE LOW
21101 OREANA LOOP RD
MURPHY ID 83650

Re: Application for Transfer No: 83238

Dear Applicant:

Enclosed is a Notice of Proposed Default Order for Application for Transfer No: 83238 in the name of Calvin and Susie Low.

If you have questions regarding the enclosed documents, would like additional information, or need to further discuss the process, please feel free to contact the Western Regional Office at 208-334-2190.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft', is written over a light blue circular stamp. The signature is fluid and cursive.

Kensie Thorneycroft
Administrative Assistant
Western Regional Office

Enclosures

CC
SPF WATER ENGINEERING
CASTLE CREEK RANCH LLC