

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

IN THE MATTER OF APPLICATION)
FOR PERMIT TO APPROPRIATE)
WATER NO. 57-12004 IN THE)
NAME OF GARY G KING)
_____)

**NOTICE OF PROPOSED
DEFAULT ORDER**

On April 29, 2019, Gary G King filed Application for Permit no. 57-12004 with the Idaho Department of Water Resources ("Department"). Thomas DeShazo and/or Castle Creek Ranch LLC protested the application.

On January 14, 2020 the Department served all parties to this matter a Notice of Status Conference by mail. The notice scheduled a telephonic conference to commence at 10:00 a.m., on Tuesday, February 4, 2020 and provided telephone numbers for the conference.

On February 4, 2020, the Department conducted the scheduled conference for protested Application for Permit No. 57-12004. No person representing protestant Thomas DeShazo and/or Castle Creek Ranch LLC appeared at the prehearing conference.

Rule 700 of the Department's Rules of Procedure (IDAPA 37.01.01) allows the Department to provide notice of a proposed default for any party who does not appear at a scheduled prehearing conference.

PROPOSED DEFAULT ORDER


Pursuant to Rule 700 of the Department's Rules of Procedure (IDAPA 37.01.01. 700), the Department notifies Thomas DeShazo and/or Castle Creek Ranch LLC that the following default order is proposed to be issued because of his failure to appear at the time and place set for the prehearing conference:

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 and/or Castle Creek Ranch LL 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 5th day of February, 2020.



Nick Miller
Presiding Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of February, 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:

GARY G KING
30103 HWY 78
OREANA, ID 83630

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 Permit 57-12004



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

February 5, 2020

GARY G KING
30103 HIGHWAY 78
OREANA, ID 83650-5045

Re: Application for Permit No. 57-12004

Dear Interested Parties,

Enclosed is a Notice of Proposed Default Order for Application for Permit No. 57-12004 in the name of Gary G King.

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.

Kensie Thorneycroft
Administrative Assistant

Enclosures

CC:
THOMAS DESHAZO