

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	
FOR TRANSFER NO. 77801 IN THE	)	NOTICE OF PROPOSED
<u>NAME OF THE BIG CREEK RANCH LLC</u>	)	DEFAULT ORDER

On February 29, 2012, Big Creek Ranch LLC filed Application for Transfer No. 77801 with the Idaho Department of Water Resources (Department). A protest was filed by Missouri Canal represented by Jim Martiny.

A notice scheduling a prehearing conference was mailed to the applicant and the protestant on June 29, 2012 for the conference to be held on July 11, 2012.

On July 11, 2012, beginning at 10:00 a.m., the Department conducted the prehearing conference for the protested Application for Transfer No. 77801. Protestant Missouri Canal represented by Jim Martiny did not appear at the meeting.

Based upon these facts, the Department hereby notifies protestant, Missouri Canal represented by Jim Martiny, that a default order will be issued dismissing them as a party to the contested case because of the failure of the protestant to appear at the time and place set for the prehearing conference pursuant to IDAPA 37.01.01.700.

PROPOSED DEFAULT ORDER

The following is the relevant portion of the proposed default order:

Based upon the protestant's failure to appear at the time and place set for the prehearing conference, **IT IS HEREBY ORDERED** that Missouri Canal represented by Jim Martiny is dismissed as a party to the contested case.

RIGHT TO CHALLENGE

Pursuant to IDAPA 37.01.01.701, Protestant Missouri Canal represented by Jim Martiny 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. This petition must state the grounds why the protesting party believes that a default order should not be issued.

Dated this 13th day of July 2012.



James Cefalo
Hearing Officer

CERTIFICATE OF SERVICE

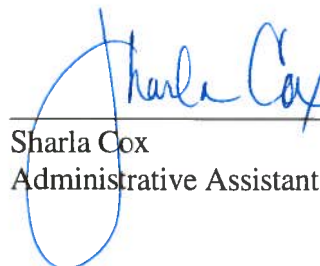
I HEREBY CERTIFY that on this 13th day of July 2012, a true and correct copy of the document(s) described above was served on the following by placing a copy of the same in the United States mail, certified, return receipts requested, postage prepaid and properly addressed to the following:

Missouri Canal
Jim Martiny
159 Hooper Lane
May ID 83253

Water District 73
Ted O'Neal
81 Furey Ln
May ID 83253

Big Creek Ranch LLC
PO Box 5967
Ketchum ID 83340-5987

SPF Water Engineering LLC
C/O Roxanne Brown
300 E Mallard Dr Ste 350
Boise ID 83706



Sharla Cox
Administrative Assistant