

Maline, Denise

From: Muamera Makas <muamera@pblaw.co>
Sent: Tuesday, December 8, 2020 10:26 AM
To: Yenter, Cindy
Cc: Maline, Denise; nfowler@angstman.com; Assistant at PBLAW; sheri@angstman.com
Subject: RE: Linderman contested water right case 47-17664 - Covid-19 Safety Requirements
Attachments: Proposed Order to Vacate and Reset Hearing.pdf

Ms. Yenter:

Attached is the revised proposed *Order Resetting Hearing and Deadlines and for Inspection of Property*. Mr. Brown and Mr. Fowler are available for hearing on March 10, 2021 at 9:00 a.m.

Thank you.

Muamera Makas

PATRICK D. BROWN, P.C.
516 Hansen Street East
P.O. Box 125
Twin Falls, ID 83303
Phone: 208.733.5004
Fax: 208.969.8479
muamera@pblaw.co
www.pblaw.info

The information contained in this communication is solely for the use of the person to whom it is addressed. If you have received this communication in error, please immediately inform the sender that it was received in error and delete the original message and any copy of it. Thank you.

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From: Yenter, Cindy
Sent: Monday, December 7, 2020 11:50:43 AM
To: Muamera Makas ; Patrick Brown ; Mike Hamilton ; jjm@angstman.com ; nfowler@angstman.com
Cc: Maline, Denise ; Assistant at PBLAW ; sheri@angstman.com ; Cefalo, James ; Skinner, Corey
Subject: RE: Linderman contested water right case 47-17664 - Covid-19 Safety Requirements

Parties: This stipulation was received two weeks after I requested it. During that time, my availability has changed. The January 13 date discussed at conference is no longer an alternative date for hearing.

I will vacate the December 10, 2020 hearing date as stipulated and issue a re-scheduling order. However, due to the Department's heavy contested case load in January and February 2021, and my work schedule, the next available hearing date will be in March 2021. Please advise if you are not available for hearing in Twin Falls on any of these dates.

March 10 or 11, 2021
March 17 or 18, 2021

I will issue and distribute the amended scheduling order not later than Wednesday of this week.

Regards,

Cindy Yenter, Hearing Officer
Idaho Dept of Water Resources

Salmon Field Office
102 S Warpath, Salmon ID 83467
cindy.yenter@idwr.idaho.gov
208-742-0655
208-731-0901 cell

From: Muamera Makas [mailto:muamera@pblaw.co]
Sent: Thursday, December 03, 2020 4:31 PM
To: Yenter, Cindy ; Patrick Brown ; Mike Hamilton ; jjm@angstman.com; nfowler@angstman.com
Cc: Maline, Denise ; Assistant at PBLAW ; sheri@angstman.com; Cefalo, James ; Skinner, Corey
Subject: RE: Linderman contested water right case 47-17664 - Covid-19 Safety Requirements

Ladies and gentlemen:

Attached are the following in the above entitled matter:

- (1) Stipulation to Reset Hearing and Deadlines and for Inspection of Property; and
- (2) Proposed Order Resetting Hearing and Deadlines and for Inspection of Property.

Thank you.

Muamera Makas
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From: Yenter, Cindy
Sent: Wednesday, December 2, 2020 9:42:17 AM
To: Patrick Brown ; Mike Hamilton ; jjm@angstman.com ; nfowler@angstman.com
Cc: Maline, Denise ; Muamera Makas ; Assistant at PBLAW ; sheri@angstman.com ; Cefalo, James ; Skinner, Corey
Subject: Linderman contested water right case 47-17664 - Covid-19 Safety Requirements

Parties: I am writing to reiterate and confirm the health and safety requirements that will be in place for the hearing in this case, scheduled next week on Thursday December 10, 9 am at the Twin Falls County West building.

All scheduled deadlines have now expired and there are no external witnesses identified to testify. Accordingly, attendance at this hearing will be strictly limited to Applicants and their counsel, Protestants and their counsel, and essential Department staff. Pursuant to the Idaho Department of Health and Welfare Stage 2 Order, issued November 14, 2020, total attendance at the hearing may not exceed 10 people. Face coverings will be required in the hearing room and distancing guidelines will be enforced.

At this time I am expecting up to 4 attendees for Applicants, and 3 attendees for Protestants. Please advise if these numbers are not correct.

If there are non-participants who would like to listen to the hearing, the Department will make call-in conferencing available during the proceeding (audio only). Please notify Denise Maline at least 48 hours in advance of the hearing to request teleconferencing and to receive call-in instructions.

If there are questions, please contact Denise at 208-736-3033.

Regards,

Cindy Yenter, Hearing Officer
Idaho Dept of Water Resources
Salmon Field Office
102 S Warpath, Salmon ID 83467
cindy.yenter@idwr.idaho.gov
208-742-0655
208-731-0901 cell

This document was submitted by Patrick D Brown.

*Please refer to official Amended Hearing Notice
issued by the Department on December 9, 2020.*

Patrick D. Brown, ISB #4413
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Twin Falls, ID 83303
Telephone: (208) 733-5004
Email: pat@pblaw.co

Attorney for James Michael
Hamilton and Sally Hamilton

RECEIVED

DEC 08 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION
FOR PERMIT NO. 47-17664
IN THE NAME OF:
ROBERT & JANA LINDERMAN

ORDER RESETTING HEARING AND
DEADLINES AND FOR INSPECTION OF
PROPERTY

Consistent with discussions during the November 17, 2020, telephonic conference, the parties in this case have filed a Stipulation to Reset Hearing and Deadlines and for Inspection of Property. The discussions and Stipulation establish good cause to reschedule proceedings and provide for an expeditious and inexpensive hearing on the merits.

IT IS THEREFORE ORDERED, that, under IDAPA 37.01.01, Rule 413, and 513,

1. The hearing set to begin on December 10, 2020, is vacated and shall be reset to begin on March 10, 2021, at 9:00 AM.

2. The inspection of the Applicants' property, any motions to compel and hearings thereon, and the exchange of exhibits shall occur as set forth in the Stipulation.

Dated this ____ of December, 2020.

Cindy Yenter
Hearing Officer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the ____ day of December, 2020, (s)he served a true and correct copy of the within and foregoing document upon the following named person(s) by the method indicated below:

Justin May Nathan Fowler Angstman Johnson 199 S. Capitol Blvd. Ste. 200 Boise, ID 83702 nfowler@angstman.com jjm@angstman.com	☐ U.S. Mail ☐ Facsimile ☐ Hand Delivery ☐ E-mail
Patrick D. Brown Patrick D. Brown, P.C. 516 Hansen Street East P.O. Box 125 Twin Falls, ID 83303 pat@pblaw.co	☐ U.S. Mail ☐ Facsimile ☐ Hand Delivery ☐ E-mail