

Keen, Shelley

From: Keen, Shelley
Sent: Sunday, March 1, 2020 10:52 AM
To: 'Roger Warner'
Cc: Jerry Rigby; 'akm@sunnysidegardens.net'
Subject: RE: Petition for Reconsideration - Nest Egg Investments

Roger,

Item 3 of the Feb. 27, 2020, petition for reconsideration suggests that Nest Egg Investments, LLC, unexpectedly had to relocate its main business location in Idaho Falls during the development period for Permit 25-14419. Idaho Code § 42-204 states that the permit holder "must prosecute the work diligently and uninterruptedly to completion, unless temporarily interrupted through no fault of the holder of such permit by circumstances, over which he has no control." If the intent of Item 3 is for IDWR to consider the applicability of the "circumstance over which he has no control" provision, please submit documentation of the circumstances necessitating the relocation -- and the timing of the actual relocation -- in Idaho Falls.

IDWR has 21 days from the submittal of your petition for reconsideration on Feb. 27, 2020, to dispose of the petition.

Regards,

Shelley Keen
Water Allocation Bureau Chief
Idaho Dept. of Water Resources
208-287-4947
shelley.keen@idwr.idaho.gov

From: Roger Warner [mailto:rog.rmea@gmail.com]
Sent: Thursday, February 27, 2020 5:09 PM
To: Keen, Shelley <Shelley.Keen@idwr.idaho.gov>; Spackman, Gary <Gary.Spackman@idwr.idaho.gov>
Cc: 'Jerry Rigby' <jrigby@rex-law.com>; 'Aaron K. McCracken' <akm@sunnysidegardens.net>
Subject: Petition for Reconsideration - Nest Egg Investments

Please see the attached petition filed today at the Eastern Region office.

Warm regards,

Roger

W. Roger Warner, Hydrologist
Vice-President
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