

Cefalo, James

From: Randy Budge <randy@racineolson.com>
Sent: Wednesday, December 18, 2019 4:24 PM
To: Cefalo, James
Cc: Mandy Davis; Jerry Rigby; Morris, Buffi
Subject: Application for Permit 13-8038

James,

Based on the Amended Application providing for a 0.04 CFS domestic use, please consider the protest filed by Bear River Water Users Association, Inc. hereby withdrawn and the proposed permit approved.

Randy

Randall C. Budge
Attorney



201 E. Center Street / P.O. Box 1391
Pocatello, Idaho 83204
(208)232-6101 - Phone
(208)232-6109 - Fax

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From: Jerry Rigby <jrigby@rex-law.com>
Sent: Wednesday, December 18, 2019 12:33 PM
To: Randy Budge <randy@racineolson.com>; Morris, Buffi <Buffi.Morris@pacificorp.com>
Cc: Mandy Davis <mdavis@rex-law.com>
Subject: FW: Application for Permit 13-8038

Randy and Buffi,

As per James' email containing the Amended Application and proposed Draft Permit, please let me know if we could get your clients to dismiss their protests as to this matter.

As Randy and I spoke and as I understand Pacificorp's objection to be that the original Application included water rights beyond those ordinarily granted under the domestic purposes exemption. Therefore, I believe that the proposed amendments should allay those concerns.

There is a pending sale that we would like to like to accomplish prior to the end of the year. If we receive word from you all that the proposed attachments are good to go, we might be able to close even if we haven't yet received the final Permit.

Please let me know if this is now acceptable.

Thanks

Jerry

Jerry R. Rigby
Rigby, Andrus & Rigby Law, PLLC
25 N. 2nd E.
Rexburg, Idaho 83440
208-356-3633

From: Cefalo, James <James.Cefalo@idwr.idaho.gov>

Sent: Friday, December 13, 2019 9:34 AM

To: Richard Stewart <rcstew@plmw.com>; Ryan Olsen <ryanolsen@gmail.com>; Jerry Rigby <jrigby@rex-law.com>;
Morris, Buffi <Buffi.Morris@pacificorp.com>; Randy Budge <randy@racineolson.com>

Subject: Application for Permit 13-8038

Dear Parties,

On August 5, 2019, we conducted a pre-hearing conference for the above-referenced contested case. During the conference, the applicants agreed to file an amended application, removing stockwater as a proposed beneficial use and limiting the proposed permit to in-house, domestic use at three homes.

I just received the attached amended application. Please note that one of the original applicants, Blue Skies Ranch LLC, recently sold its property to Sparrow Farms LLC. Blue Skies Ranch has been replaced by Sparrow Farms on the amended application. The amended application incorporates the changes discussed at the pre-hearing conference.

I have also prepared a draft permit approval for your review. Please notify me if there are issues of protest that are not resolved by the amended application and draft permit. If there are unresolved issues with the application, we will schedule a follow-up pre-hearing conference.

James Cefalo
Regional Manager
IDWR Eastern Region
(208) 525-7161

Cefalo, James

From: Cefalo, James
Sent: Friday, December 13, 2019 9:34 AM
To: Richard Stewart; 'Ryan Olsen'; Jerry Rigby; 'Morris, Buffi'; 'Randy Budge'
Subject: Application for Permit 13-8038
Attachments: Amedned Application 13-8038.pdf; Draft Permit 13-8038.pdf

Dear Parties,

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