

Cefalo, James

From: Cefalo, James
Sent: Tuesday, August 20, 2019 8:37 AM
To: 'J Fannesbeck'; Rob Harris; 'Shelly Spradlin'
Cc: Cox, Sharla
Subject: RE: Motion for reconsideration

Mr. Fannesbeck,

On August 5, 2019, I issued a *Preliminary Order Approving Transfer*. The order and transfer approval were mailed on August 5, 2019. The order included a document titled *Explanatory Information to Accompany a Preliminary Order*, which describes the process and deadlines for filing appeals. The document states that any petition for reconsideration must be filed within fourteen days of the service date of the order. See Rule 730 (IDAPA 37.01.01). Therefore, in this case, petitions for reconsideration were due on or before August 19, 2019. Aston and the Spradlins filed appeals to the Director on August 19, 2019. Your Petition for Reconsideration was filed on August 20, 2019. There is no provision in the Department's Rules of Procedure or Idaho Code which allows the Department to accept late appeals. This email is meant to notify you that your Petition for Reconsideration cannot be accepted and will not be considered.

James Cefalo
Hearing Officer

From: J Fannesbeck [mailto:jnfannes@gmail.com]
Sent: Tuesday, August 20, 2019 12:01 AM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>; Rob Harris <rharris@holdenlegal.com>; westoncreek . <westoncreek@aol.com>
Subject: Motion for reconsideration