

Cefalo, James

From: Cefalo, James
Sent: Thursday, November 15, 2018 9:28 AM
To: 'TJ Budge'; 'Jerry Rigby'
Cc: Mandy Davis
Subject: Applications 82076, 82369, 82437 (Kinport Management) - Revised Scheduling Order

T.J.,

I apologize for missing that. I simply moved all of the deadlines forward. The February 1st deadline request was clearly stated in the email chain and I just forgot to incorporate it in the amended scheduling order. Rather than issue another amended scheduling order, I will revise the schedule through this email.

Please let this email confirm that the Scheduling Order for Contested Applications 82076, 82369 and 82437 is revised as follows:

On or before February 1, 2019, each party must disclose to the other parties and the hearing officer the following items:

- 1. Any expert report which will be offered for admission into the record.**
- 2. A list of all witnesses that may testify for the party at the hearing.**
- 3. A copy of all exhibits which may be offered at the hearing.**

On or before February 8, 2019, each party must disclose any rebuttal expert reports that will be offered for admission into the record.

All other dates set forth in the November 7th Amended Scheduling Order will remain unchanged.

James Cefalo
Hearing Officer

From: TJ Budge [mailto:tjb@racinelaw.net]
Sent: Wednesday, November 14, 2018 12:23 PM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Cc: Jerry Rigby <jrigby@rex-law.com>; Mandy Davis <mdavis@rex-law.com>
Subject: FW: Kinport Management water right transfers

James, the expert report deadline should be moved to Feb 1.

T.J. Budge
RACINE OLSON
201 E. Center St. | P.O. Box 1391 | Pocatello, Idaho 83204
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From: Mandy Davis <mdavis@rex-law.com>
Sent: Wednesday, November 14, 2018 12:18 PM
To: TJ Budge <tjb@racinelaw.net>; Cefalo, James <James.Cefalo@idwr.idaho.gov>; Jerry Rigby <jrigby@rex-law.com>
Cc: Jake Evans Water Calls Clio Maildrop J 20903 (a24aa049c+matter1041275484@maildrop.goclio.com)

<a24aa049c+matter1041275484@maildrop.goclio.com>

Subject: RE: Kinport Management water right transfers

TJ,

We received ours in the mail yesterday. I have attached a copy for you.

Mandy

From: TJ Budge <tjb@racinelaw.net>

Sent: Wednesday, November 14, 2018 12:08 PM

To: Cefalo, James <James.Cefalo@idwr.idaho.gov>; Jerry Rigby <jrigby@rex-law.com>

Cc: Mandy Davis <mdavis@rex-law.com>

Subject: RE: Kinport Management water right transfers

I didn't see the amended hearing notice come through, has that been done?

T.J. Budge

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

Sent: Monday, November 5, 2018 4:36 PM

To: Jerry Rigby <jrigby@rex-law.com>; TJ Budge <tjb@racinelaw.net>

Cc: Mandy Davis <mdavis@rex-law.com>

Subject: RE: Kinport Management water right transfers

Thanks for your efforts to find dates that work for both groups. We will issue a Notice of Rescheduled Hearing by the end of the week, setting the hearing for February 11-12. The pre-hearing deadlines will also be shifted in relation to the new hearing date.

James

From: Jerry Rigby [<mailto:jrigby@rex-law.com>]

Sent: Monday, November 05, 2018 4:12 PM

To: TJ Budge <tjb@racinelaw.net>; Cefalo, James <James.Cefalo@idwr.idaho.gov>

Cc: Mandy Davis <mdavis@rex-law.com>

Subject: RE: Kinport Management water right transfers

Looks like that date is good to go. We have retained RME to provide their expertise. I'm hoping that when the two experts do their thing, we can get their results together to determine just what impacts there are and how to resolve them.

Thanks

Jerry

Jerry R. Rigby

Rigby, Andrus & Rigby Law, PLLC

P.O. Box 250

Rexburg, ID 83440
208-356-3633

From: TJ Budge <tjb@racinelaw.net>
Sent: Monday, November 5, 2018 8:19 AM
To: Jerry Rigby <jrigby@rex-law.com>; 'Cefalo, James' <James.Cefalo@idwr.idaho.gov>
Cc: Mandy Davis <mdavis@rex-law.com>
Subject: RE: Kinport Management water right transfers

Are we on for Feb 11-12?

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From: Jerry Rigby <jrigby@rex-law.com>
Sent: Tuesday, October 23, 2018 8:48 AM
To: TJ Budge <tjb@racinelaw.net>; 'Cefalo, James' <James.Cefalo@idwr.idaho.gov>
Cc: 'Mandy Davis' <mdavis@rex-law.com>
Subject: RE: Kinport Management water right transfers

Yes, please go on without me – well, maybe not. The only 2 days that work for me would be Feb 11-12. However, receiving the report on the 1st might be cutting it close for both of our experts.

I will have Mandy check with the clients and see what their availability is. I'll also have her check with RME.

Thanks

Jerry

From: TJ Budge <tjb@racinelaw.net>
Sent: Monday, October 22, 2018 5:43 PM
To: Jerry Rigby <jrigby@rex-law.com>; 'Cefalo, James' <James.Cefalo@idwr.idaho.gov>
Subject: RE: Kinport Management water right transfers

Jerry, we'll have to go on without you 😊. Terry Scanlan has a trial in March and is not available that month, but he could make the week of February 11 work if he can have until February 1 to submit his expert report (he has a hearing in January). How about Feb 11-12?

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From: Jerry Rigby <jrigby@rex-law.com>
Sent: Monday, October 22, 2018 4:52 PM
To: 'Cefalo, James' <James.Cefalo@idwr.idaho.gov>; TJ Budge <tjb@racinelaw.net>
Subject: RE: Kinport Management water right transfers

Unfortunately, I will be in China for two weeks beginning the 16th of Feb. -through the 2nd of March. I have the week of March 10th and the Week of March 17th available.

If that works for you all, I will check with my clients to verify.

Thanks

Jerry

From: Cefalo, James <James.Cefalo@idwr.idaho.gov>
Sent: Monday, October 22, 2018 4:01 PM
To: TJ Budge <tjb@racinelaw.net>; Jerry Rigby <jrigby@rex-law.com>
Subject: RE: Kinport Management water right transfers

T.J.,

February 26-27 works for me. If that also works for Jerry and his clients, we can get out an Notice of Rescheduled hearing by the end of the week.

James

From: TJ Budge [<mailto:tjb@racinelaw.net>]
Sent: Monday, October 22, 2018 3:32 PM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>; Jerry Rigby <jrigby@rex-law.com>
Subject: Kinport Management water right transfers

James & Jerry –

I have retained Terry Scanlan with SPF Water Engineering as an expert in this case. Unfortunately Terry is unable to accommodate the January 31-February 1 hearing dates. Does February 26-27 work for you as an alternate? If so, can we move all of the hearing schedule dates back 3 weeks?

Thanks,

T.J. Budge
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