

Cox, Sharla

From: John Marshall <john@jmarshalllaw.com>
Sent: Wednesday, January 03, 2018 3:39 PM
To: Cefalo, James
Cc: Jerry Rigby RAR; Cox, Sharla
Subject: Re: Postponed Status Conference

James, thank you for your emails and staying on top of the scheduling in this matter. Although I'm late to the email string, I wanted to add that Hagenbarth Livestock is agreeable to postponing the status conference and believes it is a good idea to do so because there is nothing new to report. In your first email you indicated that you intend to issue a notice setting the hearing date in early May. Given the continuing uncertainty about applicant's proposal, it is my view that a hearing in early May is next to impossible. I propose waiting to set the hearing until the next status conference.

Thank you,

John

On Wed, Jan 3, 2018 at 11:54 AM, Cefalo, James <James.Cefalo@idwr.idaho.gov> wrote:

Thanks for the feedback. Please let this email confirm that the status conference scheduled for Thursday, January 4th at 9:00 am has been cancelled. The hearing scheduled for February 7-8 has also been cancelled and all of the discovery and disclosure deadlines associated with that hearing date are no longer valid.

James Cefalo

From: Jerry Rigby RAR [mailto:jrigby@rex-law.com]
Sent: Wednesday, January 03, 2018 8:55 AM
To: Cefalo, James <James.Cefalo@idwr.idaho.gov>; john@jmarshalllaw.com; Aaron Dalling <aaron.fmid@myidahomail.com>
Cc: Roger Warner <rog.rmea@gmail.com>; Kristin Moore <kristin.rmea@gmail.com>; Cox, Sharla <Sharla.Cox@idwr.idaho.gov>; Spencer, Steven M -FS <sspencer@fs.fed.us>; Davy, Elizabeth -FS <edavy@fs.fed.us>
Subject: RE: Postponed Status Conference

James,

We are good with the proposed modifications. We are hopeful to have further discussions and resolutions in the mean time.

Thanks

Cefalo, James

From: Cefalo, James
Sent: Wednesday, January 03, 2018 11:54 AM
To: 'Jerry Rigby RAR'; john@jmarshalllaw.com; Aaron Dalling
Cc: Roger Warner; Kristin Moore; Cox, Sharla; Spencer, Steven M -FS; Davy, Elizabeth -FS
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To: Cefalo, James <James.Cefalo@idwr.idaho.gov>; john@jmarshalllaw.com; Aaron Dalling <aaron.fmid@myidahomail.com>
Cc: Roger Warner <rog.rmea@gmail.com>; Kristin Moore <kristin.rmea@gmail.com>; Cox, Sharla <Sharla.Cox@idwr.idaho.gov>; Spencer, Steven M -FS <:sspencer@fs.fed.us>; Davy, Elizabeth -FS <edavy@fs.fed.us>
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Jerry
Rigby, Andrus & Rigby Law, PLLC
25 N. 2nd E.
Rexburg, ID 83440
208-356-3633

From: [Cefalo, James](#)
Sent: Tuesday, January 2, 2018 4:29 PM
To: [Jerry Rigby](#); john@jmarshalllaw.com; [Aaron Dalling](#)
Cc: [Roger Warner](#); [Kristin Moore](#); [Cox, Sharla](#); [Spencer, Steven M -FS](#); [Davy, Elizabeth -FS](#)
Subject: Postponed Status Conference

Dear Parties,

I have had something come up that conflicts with our status conference this Thursday. I will be traveling on Thursday morning. Although I could still participate by phone on the road, I would prefer to postpone the status conference, if there have not been any changes since our last status conference. When we last met (in late October), the applicants requested additional time to meet with Hagenbarth to discuss access to and use of the irrigation ditch which crosses the applicants' property. I don't know if those discussions have taken place. It does not make sense to conduct another status conference until the parties have had a chance to explore settlement options. So, unless any of the parties are opposed, I propose that we postpone the status conference until sometime in February. Sharla Cox will contact you later this month to get your available dates in February.

On Friday of this week, I will issue an order moving the hearing date from February to May 8-9 and shifting all of the deadlines.

James Cefalo
Water Resources Program Manager
IDWR Eastern Region
(208) 525-7161

Cefalo, James

From: Cefalo, James
Sent: Tuesday, January 02, 2018 4:29 PM
To: Jerry Rigby; 'john@jmarshalllaw.com'; 'Aaron Dalling'
Cc: 'Roger Warner'; 'Kristin Moore'; Cox, Sharla; Spencer, Steven M -FS; 'Davy, Elizabeth -FS'
Subject: Postponed Status Conference

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