

Cefalo, James

From: smbarnhart5 <smbarnhart5@gmail.com>
Sent: Monday, September 11, 2017 4:34 PM
To: Cefalo, James
Subject: RE: FW: Pre-Hearing Motion to Change Hearing Date

Mr. Cefalo I applied for this application last December it has been long drawn-out with many accusations I would like to get the matter taken care of as quickly as possible and would like to go ahead with the hearing scheduled for September 19th. thank you Steve Barnhart. I also tried to CC Joan Tope but don't know if it worked thank you

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Cefalo, James" <James.Cefalo@idwr.idaho.gov>
Date: 9/11/17 2:11 PM (GMT-08:00)
To: smbarnhart5@gmail.com
Subject: FW: Pre-Hearing Motion to Change Hearing Date

From: Cefalo, James
Sent: Wednesday, September 06, 2017 3:13 PM
To: 'sbarnhart5@gmail.com' <sbarnhart5@gmail.com>
Cc: 'jdjoan@gmail.com' <jdjoan@gmail.com>
Subject: Pre-Hearing Motion to Change Hearing Date

Mr. Barnhart,

I just received the attached letter from Joan Tope, Charlotte Felts and Scott Spray, asking that the hearing on Application for Permit 95-17241 (currently scheduled for September 19th) be delayed for two months. I will treat the letter as a pre-hearing motion to change the hearing date. Motions which ask the hearing officer to take an action in a contested case should be served on all parties to the case. *See* Rules 260 and 302 of the Department's Rules of Procedure (IDAPA 37.01.01). It does not appear that the protestants served you a copy of the motion. Therefore, I am hereby providing you a copy of the motion.

Pursuant to Rule 565 of the Department's Rules of Procedure, opposing parties have 14 days in which to respond to a pre-hearing motion. In this case, 14 days would put us past the hearing date. If you plan to file a

response to the motion, it should be filed prior to the hearing. Please let me know if you plan on responding to the motion to change the hearing date. If so, please let me know when to expect the response. Your response to the motion can be filed with me by email. Please serve a copy of your response on all parties, either by email or by mail.

James Cefalo

Water Resources Program Manager

IDWR Eastern Region

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