

Cefalo, James

From: Cefalo, James
Sent: Thursday, August 3, 2023 8:16 AM
To: Gilbert Kort; David Craig; sadie.barrett@icloud.com; raksland@msn.com; Michelle Mortimer
Subject: Applications 75-15061, 75-15080, 87151, 87242 and SRBA Claims 75-15064 and 75-15065
Attachments: Withdrawal of Protest Form.pdf

Dear Parties:

On June 13, 2023, we met at the Lake Creek Spring to view the community system. After conducting a measurement of the spring flow, I met with the parties at the pond. We discussed settlement options for the various contested cases, but there did not seem to be any interest in settlement. I said goodbye to the group and drove to the Faulkner property where I conducted a measurement of Lake Creek for Mr. Faulkner. As I was loading up the measurement equipment, Sadie and Wade drove by and mentioned that the parties had come to an agreement where all protests and objections would be withdrawn. It has been nearly two months since our meeting, and I have not received any withdrawals of protest. Because I was not present when the settlement was reached, I'm not sure how the group planned to implement the settlement.

Attached is a form used to withdraw protests. Because each withdrawal is contingent on the cross protests also being withdrawn, you can check the box and make the withdrawal conditional on withdrawals from the other parties. For example, Sadie Barrett could withdraw her protest against Application 87151 on the condition that the protests against Application 87242, 75-15061 and the objection against Claim 75-15064 are withdrawn. If the protests against application 87242, 75-15061 and Claim 75-15064 are not withdrawn, then Sadie's withdrawal of protest for Application 87151 would not be effective. In other words, there is not much risk filing a withdrawal conditioned on the other protests also being withdrawn.

Please let me know if any of you are no longer interested in the proposed settlement. If so, I will schedule a joint pre-hearing conference for the contested cases.

James

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