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DEPARTMENT OF
WATER RESOURCES

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF APPLICATION
FOR TRANSFER 89232 IN THE NAME
OF GOOD TIMBER RANCH, LLC

**THE GOOD NEIGHBORS' MOTION
TO STAY PROCEEDINGS**

The Protestants of Transfer 89232 collectively known as the “Good Neighbors” (Georgie Stanley, Susan Miller, the Maguire Family Trust, Rafe Rivers, Ainsley Rivers, and Gregory Collins) hereby request that Transfer 89232 (the applicant is Good Timber Ranch, LLC) be stayed pending the outcome of the following:

- (1) On May 28, 2025 a *Notice of intent to sue Good Timber Ranch LLC, Nathan Godfrey, Jared Smith, and the Jared Smith Revocable Living Trust over violations of the Clean Water Act and their Nationwide Permit #27 at Good Timber Ranch in Victor, Idaho* was served upon the transfer applicant in this proceeding, and relevant state agencies. The notice states that the Good Neighbors will seek a declaratory judgment, injunctive relief, civil penalties, costs, and any other relief the court deems appropriate. See Exhibit A to *Declaration of Counsel in Support of Good Neighbors' Motion to Stay*.
- (2) The 60-day letter also gave notice of the Good Neighbors' intent to file a Trespass

with Damages suit to recover for the damage caused to Little Warm Creek by the transfer applicant in this proceeding, and seek other injunctive relief.

- (3) Also on May 28, 2025, the *Good Neighbors' complaint and request to revoke Nationwide Permit 27 authorization for Good Timber Ranch NWW-2021-303-I02, under 33 CFR 330.5 for egregious noncompliance* was served to the US Army Corps of Engineers, and cc'd to United States Environmental Protection Agency, the Idaho Department of Environmental Quality, the Idaho Department of Water Resources, and Teton County, Idaho. The complaint asks the US Corps to revoke Good Timber's Nationwide Permit #27, issue a cease and desist order, and mandate comprehensive remediation. See Exhibit B to *Declaration of Counsel in Support of Good Neighbors' Motion to Stay*.

The rules governing this transfer proceeding are found in IDAPA 37.01.01 *et seq.* Rule 514 allows orders resulting from a prehearing conference to be modified: "A prehearing order will control the course of subsequent proceedings **unless modified** by the presiding officer for good cause." Rule 780 provides that: "Any party may petition the agency **to stay any order**, whether interlocutory or final." This motion requests that the February 26, 2025 interlocutory *Notice of Hearing and Scheduling Order* for this contested case be stayed because the outcome of any one of the three disputed legal issues listed above has the potential to moot this transfer proceeding by eliminating the requested place of use and purpose of use for Transfer 89232. Judicial economy and the avoidance of contradictory rulings necessitates this transfer proceeding be stayed pending the outcome of these other proceedings.

Both a brief and a declaration of counsel in support of this motion have also been filed.

Dated this 3rd day of June, 2025.

TRENTADUE LAW OFFICE PLLC.

BY 

Anna Trentadue
Attorney for the Good Neighbors

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of June, 2025, I served the foregoing documents on the persons below via email or as otherwise indicated:

BY 
Anna Trentadue
Attorney for the Good Neighbors

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