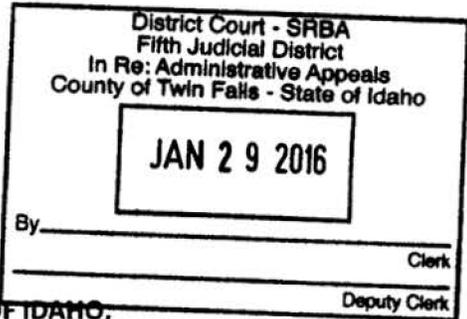


Richard Parrott
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PRO SE

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF STATE OF IDAHO,

IN AND FOR THE COUNTY OF TWIN FALLS

IN THE MATTER OF APPLICATION FOR REVIEW)
 TRANSFER NUMBER 79357 AND 79380 AREA 47)
 TWIN FALLS, COUNTY)
)
 RICHARD PARROTT)
)
 Petitioner,)
)
 vs)
)
 IDAHO DEPARTMENT OF WATER RESOURCES)
 AND Gary Spackman, in his official capacity as Director)
 of IDWR)
)
 Respondents)

Case No. CV-42-2015-4552

 RE: CEDAR RIDGE DAIRY
 MOTION TO CLARIFY

COMES NOW the Petitioner, Richard Parrott, moves the court to rule for petitioner in allowing Transfer Number 79357 to be include with Transfer Number 78380 in judicial review.

FACTUAL BACKGROUND

IDWR responded to Cedar Ridge exceptions to IDWR Hearing Officer Ceflo's decisions.

1. The Ceflo Decision did not grant 1970 priority date from the leno well near Jackpot.
2. The Hearing Officer Ceflo restricted date of use of water transfer to summer time (for cow cooling)
3. Director Spackman overruled the above points. Due to clerical error, the Order was confusing and conflicting in wording. All parties were confused.

4. Protestant Ed Smith and 7 other parties appealed to IDWR Director citing the correctness of Hearing Officer Ceflo's ruling. Cedar Ridge moved for clarification and a second amended order was issued.
5. When second amended order was issued Richard Parrott appealed to IDWR on a Monday, not realizing 14 days for appeal begins to run on date of the written order, not the day it was received via mail.
6. Richard Parrott petitioned for review listing Transfer 79380 in the caption. Knowing 14 days are allowed for amending, he filed on December 21, 2105, documents A-1, A-2, B-3
7. These represented a copy of an email to IDWR appealing the final amended Order and included Petitioner Ed Smith's support of Hearing Officer Ceflo's findings.

CONCLUSION

Petitioner Richard Parrott was timely with IDWR appeal from the date it was received by him. (14 days upon receipt) The final order did not reveal a deadline date.

RESPECTFULLY SUBMITTED, January 29, 2016

RICHARD PARROTT, 208-308-7113



Richard Parrott

Pro-se

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29th day of January, 2016, I served true and correct copies of the foregoing upon the following by the method indicated:

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253 3rd Ave. North
PO Box 2707
Twin Falls, Idaho 83303-2707

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