

Rushing, Emalee

From: Weaver, Mathew
Sent: Thursday, July 09, 2015 2:52 PM
To: Dave Tuthill; Paul Arrington; Megargle, Doug; Peter Anderson; Travis Thompson; Lawrence Schoen; Marie Kellner; John Simpson; Kevin Lewis; Steve Beevers; Chuck Sr. Brockway; Craig Hobdey; Michael Creamer; Christopher Meyer; Chuck Jr. Brockway; bcc@co.blaine.id.us; <bhurlbutt@advocateswest.org>; pferwin@q.com; Price, Fredric; Baxter, Garrick; Jessica Witt; Sun Country Property Management Laura Or John; Steve Spencer; Walt Poole; Burkhalter, W. Dallas; Jon Marvel; Travis Bruner; Jim Speck; Mark Davidson; Keri York; Patti Lousen; Barry Bevers; Gerald Flaherty; Erick Powell; mpl@givenspursley.com; PeterT@thomas-mack.com; thebrokerage@cox.net; hrinker@rinkercompany.com; hrhagey@gmail.com; peter@petersturdivant.com; Jessica Nielsen; Barker, Albert (IWRB Member); Scott Campbell; seb@msbtlaw.com; Clive Strong; Wigle, Victoria; kristina.fugate@ag.idaho.gov
Cc: Rushing, Emalee; Merritt, Allen; Blades, Emmi
Subject: In the Matter of Applications for Permit No.s 37- 22682 and 37-22852

Good Afternoon,

I want to give a status update to the parties regarding applications for permit 37-22682 and 37-22852 in the names of David R. Tuthill and Innovative Mitigation Solutions LLC respectively.

First, regarding application for permit 37-22852, on May 26, I issued an order granting motion for summary judgment and rejecting the application. I subsequently received a timely petition for reconsideration by the applicant on May 27, after which, on June 16, I issued an order denying the petition for reconsideration. On June 26, I received a letter from the Applicant requesting review of my decision by the Director. Consistent with Rule 730.02 of the Department's Rules of Procedure (IDAPA 37.01.01), the Department will treat the Applicant's June 26 letter as timely filed exceptions to the May 26 order granting summary judgment.

Second, regarding application for permit 27-22682, at the close of the hearing on June 9, the parties agreed to the submittal of post hearing briefs and one round of rebuttal briefs. A deadline of July 1 was agreed to for post hearing briefs and a deadline of July 15 was agreed to for rebuttal briefs. I am in receipt of post hearing briefs from the City of Hailey, Paul Arrington (O'Gara Family Trust et al), the Applicant (Tuthill), the Idaho Conservation League, and the Big Wood Canal Company. I am awaiting rebuttal briefs. After the rebuttal brief deadline of July 15, I hope to have my decision rendered within 60 days (on or near September 12).

Thank you,

Mathew Weaver, PE
Deputy Director
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