

dw#



Melanie Reif <mreif@utah.gov>

**Scheduling Conference in Duncan et al. against Eagles Landing Water Company LLC; Docket No. 132477-02**

5 messages

**Melanie Reif** <mreif@utah.gov> Tue, Nov 19, 2013 at 8:33 AM  
To: Brent & Raeleen Duncan <info@lq8r.com>, John & Mary Gavila <gavila1@cut.net>, Ronald & Phyllis Workman <dworkman2009@gmail.com>, Dustin & Brenda Bates <dandbbates@yahoo.com>, Elmo & Bonnie Richins <bill.richins@gmail.com>, Gene & Betty Allen <bettyborgquist@aol.com>, Gary & Pam Monson <monsongp69@gmail.com>, Chris & Sheri Paulos <candspaulos@hotmail.com>, Bryan & Teresa Young <bryanfitycal@gmail.com>, Trevor & Jessica Butterfield <jessas1108@gmail.com>, "J. Craig Smith" <jcsmith@smithlawonline.com>  
Cc: Patricia Schmid <pschmid@utah.gov>, Justin Jetter <jjetter@utah.gov>, Brent Coleman <brentcoleman@utah.gov>, Michele Beck <mbeck@utah.gov>, William Duncan <wduncan@utah.gov>

Parties:

The Commission will be scheduling a Scheduling Conference in this matter for next Tuesday, November 26, 2013. The Commission's calendar can accommodate a 9:00 a.m. morning or 1:30 p.m. afternoon meeting time, and anyone who is not able to attend personally will have the opportunity to join in by telephone. If you have a conflict with either of these times, please propose an alternate time that is acceptable to all other parties by Noon today. If it is necessary for parties to discuss an alternate time, please communicate among yourselves and then "reply all" to this message so all parties are informed. The Commission anticipates issuing a Notice of Scheduling Conference by the end of the business day today. Thank you.

Melanie A. Reif  
Administrative Law Judge  
Utah Public Service Commission

**Mail Delivery Subsystem** <mailer-daemon@googlemail.com> Tue, Nov 19, 2013 at 8:33 AM  
To: mreif@utah.gov

Delivery to the following recipient failed permanently:

info@lq8r.com

Technical details of permanent failure:  
Google tried to deliver your message, but it was rejected by the server for the recipient domain outbounds9.obsmt.com by outbounds9.obsmt.com. [74.125.148.12].

The error that the other server returned was:  
550 Host not found for domain:lq8r.com - psmt

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

X-Google-DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed;  
d=1e100.net; s=20130820;  
h=x-gm-message-state:mime-version:from:date:message-id:subject:to:cc  
:content-type;  
bh=M/2SvmTpuEU8nzaDMcWHCKbvsS+y4SpMFV68X5JRyvA=;  
b=F7TFbtfn4bWZFL42R/M/TKnR1PliQv30bkTFWs2IZT5pNExVBKF0kppfWLZyb9oGtt  
0uG6uO96wbAApK4fK5x167ue2s777piMaNzCP6Zg2j//R3kRjHNHS4yPA0sCmCY574xr

kWrwLceHeMv5y9PfgxhqisVR43DIL0/WYGyBjp8myW0Co4BBGzdS0tjW2x7ZfBjZ0ZT7  
oFPTQjdPtVAY41buHXacR4EcN49uS822XRJCqH/P1FppsIVJ4i2JDBQvTF5jz8ALBE  
MINpVDwJJ2WpIDj09mAlvyPscT5byzjWsyfIX77kK4tNIEzHROkOsgciHnzIWhG8qyM  
itcg==

X-Gm-Message-State: AL0CoQL5iRn3iQyDhYgIR2x/URyQiOf16d4fxcJ8uIZ+PDg2QleOfXUNrI+sGeY7e111L+  
HcN0zQkplJAXv0h1TIIHilRpjT10AUVwf3rrUcJyqbdS0+yLHBwLN9MxOX/DfmzAGIBq91VAE2C7LWJoJ4vPJGOhM  
w==

X-Received: by 10.224.24.201 with SMTP id w9mr3195134qab.103.1384875223721;  
Tue, 19 Nov 2013 07:33:43 -0800 (PST)

X-Received: by 10.224.24.201 with SMTP id w9mr3195099qab.103.1384875223610;  
Tue, 19 Nov 2013 07:33:43 -0800 (PST)

MIME-Version: 1.0

Received: by 10.224.169.137 with HTTP; Tue, 19 Nov 2013 07:33:03 -0800 (PST)

From: Melanie Reif <mreif@utah.gov>

Date: Tue, 19 Nov 2013 08:33:03 -0700

Message-ID: <CALRBLsjzL44rGPutbEt3kFpa-98BFCG0OkxjrUfe-j2HeTH1cg@mail.gmail.com>

Subject: Scheduling Conference in Duncan et al. against Eagles Landing Water  
Company LLC; Docket No. 132477-02

To: "Brent & Raeleen Duncan" <info@lq8r.com>, "John & Mary Gavila" <gavila1@cut.net>,  
"Ronald & Phyllis Workman" <dworkman2009@gmail.com>, "Dustin & Brenda Bates"  
<dandbbates@yahoo.com>,

"Elmo & Bonnie Richins" <bill.richins@gmail.com>, "Gene & Betty Allen" <bettyborgquist@aol.com>,

"Gary & Pam Monson" <monsongp69@gmail.com>, "Chris & Sheri Paulos" <candspaulos@hotmail.com>,

"Bryan & Teresa Young" <bryanfitycal@gmail.com>,

"Trevor & Jessica Butterfield" <jessas1108@gmail.com>, "J. Craig Smith" <jcsmith@smithlawonline.com>

Cc: Patricia Schmid <pschmid@utah.gov>, Justin Jetter <jjetter@utah.gov>,

Brent Coleman <brentcoleman@utah.gov>, Michele Beck <mbeck@utah.gov>,

William Duncan <wduncan@utah.gov>

Content-Type: multipart/alternative; boundary=001a11c2a260c3111f04eb8963c4

[Quoted text hidden]

---

**Melanie Reif** <mreif@utah.gov>

Tue, Nov 19, 2013 at 8:41 AM

To: John & Mary Gavila <gavila1@cut.net>, Ronald & Phyllis Workman <dworkman2009@gmail.com>, Dustin &  
Brenda Bates <dandbbates@yahoo.com>, Elmo & Bonnie Richins <bill.richins@gmail.com>, Gene & Betty Allen  
<bettyborgquist@aol.com>, Gary & Pam Monson <monsongp69@gmail.com>, Chris & Sheri Paulos  
<candspaulos@hotmail.com>, Bryan & Teresa Young <bryanfitycal@gmail.com>, Trevor & Jessica Butterfield  
<jessas1108@gmail.com>, Brent & Raeleen Duncan <info@lq8r.com>, "J. Craig Smith"  
<jcsmith@smithlawonline.com>

Cc: Patricia Schmid <pschmid@utah.gov>, Justin Jetter <jjetter@utah.gov>, Brent Coleman  
<brentcoleman@utah.gov>, Michele Beck <mbeck@utah.gov>, William Duncan <wduncan@utah.gov>

FYI, there was an e-mail address error contained in the prior message. This message should correct that error.  
Thank you.

[Quoted text hidden]

---

**J. Craig Smith** <jcsmith@smithlawonline.com>

Tue, Nov 19, 2013 at 10:25 AM

To: Melanie Reif <mreif@utah.gov>, John & Mary Gavila <gavila1@cut.net>, Ronald & Phyllis Workman  
<dworkman2009@gmail.com>, Dustin & Brenda Bates <dandbbates@yahoo.com>, Elmo & Bonnie Richins  
<bill.richins@gmail.com>, Gene & Betty Allen <bettyborgquist@aol.com>, Gary & Pam Monson  
<monsongp69@gmail.com>, Chris & Sheri Paulos <candspaulos@hotmail.com>, Bryan & Teresa Young  
<bryanfitycal@gmail.com>, Trevor & Jessica Butterfield <jessas1108@gmail.com>, Brent & Raeleen Duncan  
<info@lq8r.com>

Cc: Patricia Schmid <pschmid@utah.gov>, Justin Jetter <jjetter@utah.gov>, Brent Coleman  
<brentcoleman@utah.gov>, Michele Beck <mbeck@utah.gov>, William Duncan <wduncan@utah.gov>, Adam Long  
<ALong@smithlawonline.com>, David Olsen <hearthstonedevelopment@hotmail.com>



Melanie Reif <mreif@utah.gov>

---

## Scheduling Conference in Duncan et al. against Eagles Landing Water Company LLC; Docket No. 132477-02

6 messages

---

Melanie Reif <mreif@utah.gov>

Tue, Nov 19, 2013 at 8:33 AM

To: Brent & Raeleen Duncan <info@lq8r.com>, John & Mary Gavila <gavila1@cut.net>, Ronald & Phyllis Workman <dworkman2009@gmail.com>, Dustin & Brenda Bates <dandbbates@yahoo.com>, Elmo & Bonnie Richins <bill.richins@gmail.com>, Gene & Betty Allen <bettyborgquist@aol.com>, Gary & Pam Monson <monsongp69@gmail.com>, Chris & Sheri Paulos <candspaulos@hotmail.com>, Bryan & Teresa Young <bryanfiftycal@gmail.com>, Trevor & Jessica Butterfield <jessas1108@gmail.com>, "J. Craig Smith" <jcsmith@smithlawonline.com>

Cc: Patricia Schmid <pschmid@utah.gov>, Justin Jetter <jjetter@utah.gov>, Brent Coleman <brentcoleman@utah.gov>, Michele Beck <mbeck@utah.gov>, William Duncan <wduncan@utah.gov>

Parties:

The Commission will be scheduling a Scheduling Conference in this matter for next Tuesday, November 26, 2013. The Commission's calendar can accommodate a 9:00 a.m. morning or 1:30 p.m. afternoon meeting time, and anyone who is not able to attend personally will have the opportunity to join in by telephone. If you have a conflict with either of these times, please propose an alternate time that is acceptable to all other parties by Noon today. If it is necessary for parties to discuss an alternate time, please communicate among yourselves and then "reply all" to this message so all parties are informed. The Commission anticipates issuing a Notice of Scheduling Conference by the end of the business day today. Thank you.

Melanie A. Reif  
Administrative Law Judge  
Utah Public Service Commission

---

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

Tue, Nov 19, 2013 at 8:33 AM

To: mreif@utah.gov

Delivery to the following recipient failed permanently:

info@lq8r.com

Technical details of permanent failure:

Google tried to deliver your message, but it was rejected by the server for the recipient domain outbounds9.obsmtmp.com by outbounds9.obsmtmp.com. [74.125.148.12].

The error that the other server returned was:

550 Host not found for domain:lq8r.com - psmtmp

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

X-Google-DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed;

d=1e100.net; s=20130820;

h=x-gm-message-state:mime-version:from:date:message-id:subject:to:cc  
:content-type;

bh=M/2SvmTpuEU8nzaDMcWHCkbvsS+y4SpMFV68X5JRyvA=;

b=F7TFbftn4bWZFL42R/M/TKnR1PIIqV30bkTFWs2IZT5pNExVBKF0kppfWLZyb9oGtt

0uG6uO96wbAApK4K5x167ue2s7/7piMaNzCP6Zg2j//R3kRjHNHS4yPA0sCmCY574xr

kWrwLceHeMv5y9PfgxhqisVR43DIL0/WYGYBlp8myWOC04BBGzdS0tjW2x7ZfBjZ0ZT7  
oFPTQjdPtbVAy41buHXacR4EcN49uS822XRJCrQH/P1FppsIVJ4i2JDBQvTF5jz8ALBE  
MINpVDWjJ2WpIDj09mAlwPscT5byzjWSyfiX77kK4tNIEzHROkOsgciHnzIWvhG8qyM  
itcg==

X-Gm-Message-State: ALoCoQI5iRn3iQyDhYglR2x/URyQiOf16d4fxcJ8ulZ+PDg2QleOfXUNrl+sGeY7e1l1L+  
HcN0zQkplJAxv0hl1TIIHilRpjT10AUVwf3rUcJyqbdS0+yLHBwLN9MxOX/DfmzAGIBq91VAE2C7LWjoJ4vPJGOHm  
w==

X-Received: by 10.224.24.201 with SMTP id w9mr3195134qab.103.1384875223721;  
Tue, 19 Nov 2013 07:33:43 -0800 (PST)

X-Received: by 10.224.24.201 with SMTP id w9mr3195099qab.103.1384875223610;  
Tue, 19 Nov 2013 07:33:43 -0800 (PST)

MIME-Version: 1.0

Received: by 10.224.169.137 with HTTP; Tue, 19 Nov 2013 07:33:03 -0800 (PST)

From: Melanie Reif <mreif@utah.gov>

Date: Tue, 19 Nov 2013 08:33:03 -0700

Message-ID: <CALRBLsjL44rGPutbEt3kFpa-98BFCG0OkxjrUfe-j2HeTH1cg@mail.gmail.com>

Subject: Scheduling Conference in Duncan et al. against Eagles Landing Water

Company LLC; Docket No. 132477-02

To: "Brent & Raeleen Duncan" <info@lq8r.com>, "John & Mary Gavila" <gavila1@cut.net>,  
"Ronald & Phyllis Workman" <dworkman2009@gmail.com>, "Dustin & Brenda Bates"

<dandbbates@yahoo.com>,  
"Elmo & Bonnie Richins" <bill.richins@gmail.com>, "Gene & Betty Allen" <bettyborgquist@aol.com>,  
"Gary & Pam Monson" <monsongp69@gmail.com>, "Chris & Sheri Paulos" <candspaulos@hotmail.com>,  
"Bryan & Teresa Young" <bryanfitycal@gmail.com>,  
"Trevor & Jessica Butterfield" <jessas1108@gmail.com>, "J. Craig Smith" <jcsmith@smithlawonline.com>

Cc: Patricia Schmid <pschmid@utah.gov>, Justin Jetter <jjetter@utah.gov>,  
Brent Coleman <brentcoleman@utah.gov>, Michele Beck <mbeck@utah.gov>,  
William Duncan <wduncan@utah.gov>

Content-Type: multipart/alternative; boundary=001a11c2a260c3111f04eb8963c4

[Quoted text hidden]

---

**Melanie Reif** <mreif@utah.gov>

Tue, Nov 19, 2013 at 8:41 AM

To: John & Mary Gavila <gavila1@cut.net>, Ronald & Phyllis Workman <dworkman2009@gmail.com>, Dustin &  
Brenda Bates <dandbbates@yahoo.com>, Elmo & Bonnie Richins <bill.richins@gmail.com>, Gene & Betty Allen  
<bettyborgquist@aol.com>, Gary & Pam Monson <monsongp69@gmail.com>, Chris & Sheri Paulos  
<candspaulos@hotmail.com>, Bryan & Teresa Young <bryanfitycal@gmail.com>, Trevor & Jessica Butterfield  
<jessas1108@gmail.com>, Brent & Raeleen Duncan <info@lq8r.com>, "J. Craig Smith"  
<jcsmith@smithlawonline.com>

Cc: Patricia Schmid <pschmid@utah.gov>, Justin Jetter <jjetter@utah.gov>, Brent Coleman  
<brentcoleman@utah.gov>, Michele Beck <mbeck@utah.gov>, William Duncan <wduncan@utah.gov>

FYI, there was an e-mail address error contained in the prior message. This message should correct that error.

Thank you.

[Quoted text hidden]

---

**J. Craig Smith** <jcsmith@smithlawonline.com>

Tue, Nov 19, 2013 at 10:25 AM

To: Melanie Reif <mreif@utah.gov>, John & Mary Gavila <gavila1@cut.net>, Ronald & Phyllis Workman  
<dworkman2009@gmail.com>, Dustin & Brenda Bates <dandbbates@yahoo.com>, Elmo & Bonnie Richins  
<bill.richins@gmail.com>, Gene & Betty Allen <bettyborgquist@aol.com>, Gary & Pam Monson  
<monsongp69@gmail.com>, Chris & Sheri Paulos <candspaulos@hotmail.com>, Bryan & Teresa Young  
<bryanfitycal@gmail.com>, Trevor & Jessica Butterfield <jessas1108@gmail.com>, Brent & Raeleen Duncan  
<info@lq8r.com>

Cc: Patricia Schmid <pschmid@utah.gov>, Justin Jetter <jjetter@utah.gov>, Brent Coleman  
<brentcoleman@utah.gov>, Michele Beck <mbeck@utah.gov>, William Duncan <wduncan@utah.gov>, Adam Long  
<ALong@smithlawonline.com>, David Olsen <hearthstonedevelopment@hotmail.com>

Dear Judge Reif,

I am available by telephone at 9:00am on Tuesday, November 26, 2013. Adam Long at attorney in my office will appear along with David Olsen from the Company, in person. I am not available at 1:30pm on that day. Thanks for your consideration in providing alternate times.

*Craig*

**J. Craig Smith, Esq.**



SMITH HARTVIGSEN

PLLC  
Walker Center, Suite 300  
175 S. Main Street  
Salt Lake City, Utah 84111  
801-413-1600  
801-413-1620 fax  
877-825-2064 toll free  
jcsmith@smithlawonline.com  
www.smithhartvigsen.com

*This e-mail may contain privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this communication in error, please immediately notify sender by telephone or reply e-mail, do not use or disclose the contents to others, and delete the message and all attachments from your computer, system, &/or network.*

---

**From:** Melanie Reif [mailto:mreif@utah.gov]  
**Sent:** Tuesday, November 19, 2013 8:42 AM  
**To:** John & Mary Gavril; Ronald & Phyllis Workman; Dustin & Brenda Bates; Elmo & Bonnie Richins; Gene & Betty Allen; Gary & Pam Monson; Chris & Sheri Paulos; Bryan & Teresa Young; Trevor & Jessica Butterfield; Brent & Raeleen Duncan; J. Craig Smith  
**Cc:** Patricia Schmid; Justin Jetter; Brent Coleman; Michele Beck; William Duncan  
**Subject:** Re: Scheduling Conference in Duncan et al. against Eagles Landing Water Company LLC; Docket No.

132477-02

[Quoted text hidden]

---

**Diane Workman** <dworkman2009@gmail.com>  
To: Melanie Reif <mreif@utah.gov>

Tue, Nov 19, 2013 at 10:40 AM

Judge Reif,

Can you explain what the scheduling conference will entail? Is it just to get a feel for the time needed to be set aside for the official hearing?

We're in the process of contacting all neighbors who will be present, but anticipate that either time will be acceptable for us.

Phyllis Workman

On Tue, Nov 19, 2013 at 8:33 AM, Melanie Reif <mreif@utah.gov> wrote:

[Quoted text hidden]

---

**Melanie Reif** <mreif@utah.gov>

Tue, Nov 19, 2013 at 10:57 AM

To: Diane Workman <dworkman2009@gmail.com>

Cc: John & Mary Gavila <gavila1@cut.net>, Dustin & Brenda Bates <dandbbates@yahoo.com>, Elmo & Bonnie Richins <bill.richins@gmail.com>, Gene & Betty Allen <bettyborgquist@aol.com>, Gary & Pam Monson <monsongp69@gmail.com>, Chris & Sheri Paulos <candspaulos@hotmail.com>, Bryan & Teresa Young <bryanfiftycal@gmail.com>, Trevor & Jessica Butterfield <jessas1108@gmail.com>, Brent & Raeleen Duncan <info@lqd8r.com>, "J. Craig Smith" <jcsmith@smithlawonline.com>, Patricia Schmid <pschmid@utah.gov>, Justin Jetter <jjetter@utah.gov>, Brent Coleman <brentcoleman@utah.gov>, Michele Beck <mbeck@utah.gov>, William Duncan <wduncan@utah.gov>

The scheduling conference serves as the basis for the Scheduling Order in the docket. Parties should come prepared to discuss a schedule for the case, including a hearing date, filing dates for testimony or prehearing motions, and a cut-off for intervention of interested parties. Typically, the parties discuss these issues before the scheduling conference and, at the scheduling conference, propose a mutually agreed upon schedule for the Commission to then review and approve or otherwise alter where necessary. Where this does not occur, the scheduling conference takes much longer than it would otherwise, but it still covers all the issues needed to address the deadlines contained in the scheduling order.

Please let me know if you need any further clarification. Also, as a reminder to all parties in this docket, please "reply all" when communicating to the ALJ. That way all parties are privy to the communication(s) taking place and thereby avoiding any appearance of *ex parte* communication.

Thank you.

Melanie A. Reif  
Administrative Law Judge  
Utah Public Service Commission

[Quoted text hidden]

Dear Judge Reif,

I am available by telephone at 9:00am on Tuesday, November 26, 2013. Adam Long at attorney in my office will appear along with David Olsen from the Company, in person. I am not available at 1:30pm on that day. Thanks for your consideration in providing alternate times.

*Craig*

**J. Craig Smith, Esq.**



SMITH HARTVIGSEN

PLLC  
Walker Center, Suite 300

175 S. Main Street

Salt Lake City, Utah 84111  
801-413-1600

801-413-1620 fax

877-825-2064 toll free  
jcsmith@smithlawonline.com  
www.smithhartvigsen.com

*This e-mail may contain privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this communication in error, please immediately notify sender by telephone or reply e-mail, do not use or disclose the contents to others, and delete the message and all attachments from your computer, system, &/or network.*

---

**From:** Melanie Reif [mailto:mreif@utah.gov]

**Sent:** Tuesday, November 19, 2013 8:42 AM

**To:** John & Mary Gavril; Ronald & Phyllis Workman; Dustin & Brenda Bates; Elmo & Bonnie Richins; Gene & Betty Allen; Gary & Pam Monson; Chris & Sheri Paulos; Bryan & Teresa Young; Trevor & Jessica Butterfield; Brent & Raeleen Duncan; J. Craig Smith

**Cc:** Patricia Schmid; Justin Jetter; Brent Coleman; Michele Beck; William Duncan

**Subject:** Re: Scheduling Conference in Duncan et al. against Eagles Landing Water Company LLC; Docket No.

132477-02

[Quoted text hidden]

---

**Diane Workman** <dworkman2009@gmail.com>  
To: Melanie Reif <mreif@utah.gov>

Tue, Nov 19, 2013 at 10:40 AM

Judge Reif,

Can you explain what the scheduling conference will entail? Is it just to get a feel for the time needed to be set aside for the official hearing?

We're in the process of contacting all neighbors who will be present, but anticipate that either time will be acceptable for us.

Phyllis Workman

On Tue, Nov 19, 2013 at 8:33 AM, Melanie Reif <mreif@utah.gov> wrote:  
[Quoted text hidden]