

MEMORANDUM

DATE: April 19, 2022

TO: Water Right File 63-34334

FROM: Shelley W. Keen 

RE: Protested Transfer Application 84986

As the appointed hearing officer, I held status conferences by phone for Transfer Application 84986 on five occasions:

- February 9, 2022 – Parties were discussing settlement; parties asked to delay the hearing a month.
- March 15, 2022 – Parties reported they had drafted a term sheet and needed more time to complete a settlement agreement.
- March 22, 2022 – Parties reported they had agreement on the term sheet and were drafting a full-blow agreement.
- April 7, 2022 – Parties reported they were finalizing the details of the settlement agreement; they were confident the agreement would be complete by April 15, 2022.
- April 19, 2022 – Parties reported that Island Highline Ditch Co. had signed the settlement agreement and that Green Head Ranch LLC would sign soon.

Mike Lawrence and Terry Scanlan attended all the conferences. Norm Semanko attended all the conferences except the April 19, 2022, conference. A few minutes after the conference concluded, Norm emailed me and Mike that he “thought it was off, with our client having signed the settlement agreement last week - I assumed the applicant had done the same thing.”

Due to the Parties’ expectation that their settlement agreement will be finalized and submitted to IDWR in the coming days, I have not scheduled another conference.

I reported at the April 19, 2022, status conference that if the settlement agreement is submitted, IDWR will most likely send the transfer application back to Western Region for review and processing. I said that I do not know what the outcome of further review might be, or when it might be concluded.

Keen, Shelley

From: Keen, Shelley
Sent: Tuesday, April 19, 2022 9:21 AM
To: Norman M. Semanko; Michael Lawrence (mpl@givenspursley.com)
Subject: RE: Green Head Ranch transfer application

Norm,

Based on Mike's feedback that your client signed the settlement agreement and that he expects his client to sign it soon, I do not anticipate having another status conference unless there is an unforeseen need.

Shelley Keen
Water Allocation Bureau Chief
Idaho Dept. of Water Resources
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From: Norman M. Semanko <NSemanko@parsonsbehle.com>
Sent: Tuesday, April 19, 2022 9:17 AM
To: Keen, Shelley <Shelley.Keen@idwr.idaho.gov>; Michael Lawrence (mpl@givenspursley.com) <mpl@givenspursley.com>
Subject: Green Head Ranch transfer application

I apologize for missing the status conference this morning. I have to admit that I thought it was off, with our client having signed the settlement agreement last week - I assumed the applicant had done the same thing.

Please let me know if anything further has been scheduled, but I don't know why that would be needed.

Thank you.

Norm



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