

MEMORANDUM

DATE: 12/22/20
TO: 95-17812
FROM: Phill Hummer, Water Rights Supervisor
RE: Returned Assignment of Permit and Proof Statement

On September 3, 2020 the Department received a proof statement from Dianne Henrickson Revocable Living Trust, which was complete and accepted. Then on September 24, 2020 the Department received an assignment of permit and proof statement for permit no. 95-17812 from Marvin and Erin Louthian. The assignment was accepted and completed by staff at the Northern Regional office. However, the name listed as the current owner on the assignment was Dianne Henrickson and the owner of the permit is Dianne Henrickson Revocable Living Trust. Although it is likely Dianne Henrickson is a trustee of the trust, the permit is in the name of the Trust and therefore only the trust can assign ownership. The assignment should have listed the Trust as the owner. The assignment of permit should not have been accepted and completed. Since the assignment of permit was completed in error it was reversed and the name of the current owner of the permit is the Dianne Henrickson Revocable Trust. The assignment form should be returned and a refund issued. Since the assignment should not have been accepted and a proof had already been received from the permit holder, we did not accept the proof statement from Marvin and Erin Louthian. It was returned on October 7, 2020 and a refund was issued.

Ownership documents from Marvin and Erin Louthian were never received (a correct assignment of permit or ownership change) so the license will be issued in the name of the permit holder, Dianne Henrickson Revocable Living Trust.