

MEMORANDUM

Date: March 17, 2017

To: 37-8856

From Steven Visosky

Re: Phone Conversation regarding submittal of field exam and deadlines for permit 37-8856

The purpose of this memo is to summarize a conference held on March 16, 2017 between IDWR staff members Shelley Keen and Steven Visosky with Roger Warner, vice president of Rocky Mountain Environmental Associates. Roger Warner is representing the water users operating under permit 37-8856 and has been contracted by the water users to complete and submit a field exam for licensing purposes.

Proof of Beneficial Use for permit 37-8856 was received at the Department on 10-22-1999. Since the time Proof of Beneficial Use was submitted, the place of use associated with the permit has been sold and split. In an attempt to collect information related to historical use and compliance of the permit conditions, Roger has attempted to contact and acquire information from people no longer living in the area. He mentioned that it has been a difficult task and one of the possible key persons that may have information related to the permit was not available until they return to the area in early June.

Roger did mention that his clients (two separate properties with two different owners) now better understand the permit and are considering renting local water from the Water Supply Bank. One condition of the permit is that the permit holder shall annually divert 2.5 AF into the gravel pit as mitigation. Roger stated that his clients may consider renting 19 years' worth of water (the amount that should have been diverted for mitigation annually x 19 years). Shelley Keen made it very clear that if Roger's clients rented water from the Water Supply Bank, it may show "good intention" however, it **would not** rectify any permit conditions that were not fulfilled.

Shelley and Roger both agreed that a timeline was needed to complete and submit the field exam for this permit. As both parties understand the difficulties related to acquiring information from nearly twenty years in the past, a discussion was had regarding a fair amount of time to complete the beneficial use field report and collect applicable information. It was agreed upon that July 15, 2017 was reasonable deadline. Rocky Mountain Environmental Associates has a deadline of July 15, 2017 to file the beneficial use field report on behalf of permit 37-8856.