

MEMO

FROM: Allen Merritt

DATE: 4/29/04

TO: ~~170929~~ Re-numbered 12/2012 to 78325

SUBJECT: Phone Call From Applicant

Scott Smith called and indicated that after consulting with his attorney they decided not to withdraw the application but leave it on file. They intend to attempt to get water from the current well and work with the protestants to do so. If this fails they may wish to proceed with the application. He indicated they do not want to go to a conference or hearing at this time.