

MEMORANDUM

DATE: March 18, 2011

FROM: Jonie Barg

RE: Change of Ownership 13-7633

Bill and Gayle Condi filed an ownership change for water right 13-7633 on March 24, 2008, during a review it was found that a full chain of title and a split would be required, so additional information and fees were requested.

On February 18, 2011 a split was completed by the department, splitting water right number 13-7633 into 13-7781 (Wendell H Smith) and 13-7782 (Wendell H Smith Family Trust), with additional issues, no information regarding the split was ever mailed out.

On February 24, 2011 Walter and Claudia Surber filed an ownership change for a portion of 13-7782, however it was filed under 13-7633, where the new number was unknown to the Surber's. This ownership change brought an additional review of the water right. There were concerns of the place of use of the water right vs. the map originally supplied. A meeting was scheduled with the Condi's and the Surber's in order to correct discrepancies.

On March 18, 2011, Michael Holiday, Water Right Agent in Eastern Region met with William "Bill" and Gayle Condi trustees for the Wendell H. Smith Family Trust and Walter and Claudia Surber. During their review of the all the documentation available at that time it was determined the split completed in February was in error, before an ownership change could be complete an amended claim would be required by Wendell H Smith Family Trust for water right 13-7633; then at a later date the two ownership changes could be filed.

On March 18, 2011 letters were mailed out indicating this decision requiring the Amended Statutory Claim prior to the ownership changes being filed and returning the ownership changes and requesting a refund for receipt numbers E033876 (\$25.00) and E035628 (\$75.00) for Wendell H Smith Marital Trust and E036445 (\$100.00) for Walter and Claudia Surber.