

Memorandum

Date: February 18, 2011

To: File 96-9186

From: Craig Saxton

Subject: Need for amendment of 96-9186

I looked over 96-9186 and after weighing the information, I think we will need an amendment to fix the POU.

It is clear that the map provided by the permit holder when the application was submitted does show that the proposed POU in the NESE, S.8, T56N, R02E, and that the permit holder probably just misinterpreted the POU data entry grid box and accidentally listed the SENE as the POU.

That said, On July 1 and July 8, 2004, the application was advertized with the POU listed in the SENE.

On August 25, 2004, Erin Retelle, of IDWR, found the error and agreed that the POU should be in the NESE and in a memo, indicated that she sent the file back to Northern Region for correction.

On February 15, 2005, Al Beardslee, of IDWR, indicated that the POU error was corrected. Presumably this is in reference to Erin's memo.

The original application if the file clearly shows that changes were made but it is unclear if the applicant made or authorized the changes. Despite whether the changes were authorized by the applicant or not, it appears that the changes were made after the application was advertized.

On March 15, 2005, Permit 96-9186 was issued listing the POU in the SENE.

Because the permit was advertized and issued with the POU described in the SENE, the permit was issued listing the POU in the SENE, and the conflict between the application map and the POU description on the application was not an error made by department, an amended permit is necessary.