

MEMORANDUM

DATE: July 16, 2008

TO: Aaron Marshall

FROM: Shelley W. Keen *SWK*

RE: Permits 37-7426 and 37-8165

The right holders, IDWR, and the SRBA court are all anxious to bring Permits 37-7426 and 37-8165 to some final resolution before this fall. I'd like you to see what can be done.

File 37-7426 contains a memorandum recommending that the permit be voided because the beneficial use is covered by Rights 37-4040 and 37-4041, both of which were decreed in 2007. Please evaluate the field examiner's recommendation. If you agree, send the permit holders a notice of intent to void the permit. Because of the apparent ownership uncertainty, you may have to send the notice to several parties. If the owners do not supply information to convince you that IDWR should issue a license, draft an order to void the permit.

Corey Skinner is working on a beneficial use field report for 37-8165, but he is having difficulty confirming the beneficial use because it no longer exists. Let Corey know that you have the file and can assist with policy or technical questions.

Also, talk with Emalee about the difficulties with the ownership change, and see if you can help resolve them in any way.

Finally, please keep Nick Spencer in Legal Services apprised of your progress.