

MEMO TO FILE: 65-22931

FROM: Darla Block

DATE: March 25, 2010

RE: Phone Conversation with Michael Kelley

On February 4, 2010 Mr. Kelley filed a proof of beneficial use statement with the \$50.00 license exam fee, which was considered timely based on a proof due date of March 1, 2010. However, item no. 4 of the proof statement was incomplete. According to I.C. 42-217, the proof statement shall include the source of the water used.

On February 18, 2010, I returned the proof statement with a proof deficiency letter requesting that Mr. Kelley complete item no. 4 of the proof form.

On March 25, 2010, I had not received the completed proof statement back from Mr. Kelley. I called Mr. Kelley on March 25, 2010, to inquire into whether or not he had received my letter. Mr. Kelley had received my letter, and explained that he has not developed in order to use the water from the Payette River for irrigation purposes. He informed me that he would like to file for an extension of time in lieu of the beneficial use statement he submitted in error. I informed Mr. Kelley that he could do that, and I would have the \$50.00 license examination fee he paid reapplied upon receipt of the Request for Extension of Time.

On March 25, 2010, I mailed a Request for Extension of Time form to Mr. Kelley's temporary address of 5881 HWY 20 UKIAH CA 95482. Mr. Kelley informed me that he would be residing at this address for about 6 more weeks, which means that he should be back at his regular address by May 10th.