

Skaggs, Pam

From: Jim Speck [jim@speckandaanestad.com]
Sent: Monday, April 27, 2009 4:09 PM
To: Rassier, Phil
Cc: Skaggs, Pam; 'Skip Kammer'
Subject: RE: RE: Kammer Transfer 73570

Phil,

Please do that! Thank you.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

-----Original Message-----

From: Rassier, Phil
Sent: Monday, April 27, 2009 1:44 PM
To: Jim Speck
Cc: Skaggs, Pam

Jim,

As I recall our stipulation provided that if your client chose not to pursue further judicial review following the ordered remand, we would move to dismiss the appeal. I will be happy to prepare a joint motion for disissal if you wish and forward it to you for filing. Let me know.

Thanks,

Phil

Phillip J. Rassier
Deputy Attorney General
Idaho Department of Water Resources

322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098
Phone: (208) 287-4808
Fax: (208) 287-6700
Email: phil.rassier@idwr.idaho.gov

-----Original Message-----

From: Jim Speck [mailto:jim@speckandaanestad.com]
Sent: Monday, April 27, 2009 12:01 PM
To: Skaggs, Pam; Rassier, Phil
Cc: 'Skip Kammer'; 'Dr. Charles E. Brockway'; 'Erick Powell'
Subject: RE: Kammer Transfer 73570

Pam & Phil,

We have now completed our review of the issues we raised in the appeal and have determined to not pursue it further. Instead, my client will accept the terms and conditions of the amended transfer. Phil, what would you like us to do to resolve the petition for judicial review?

Thank you.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

-----Original Message-----

From: Skaggs, Pam
Sent: Saturday, February 07, 2009 8:39 AM
To: Jim Speck

Jim,

Transfer 73570 was remanded back to IDWR by the District Court a year ago. Shelley Keen contacted you by phone on 02-14-2008 to discuss a plan to address the issue of diversion of greater than 0.02 cfs per acre by pressurized sprinkler system. It was agreed that Dr. Charles Brockway would prepare a report supporting a diversion rate in excess of

0.02 cfs per acre for the Department to consider. Shelley contacted you again on 08-02-2008 requesting status of report and you replied that you were checking with Dr. Brockway.

As of this date we have not received a report from Dr. Brockway or a timeline from you as when it might be submitted. Please advise me of your intent to address the diversion rate issue. If this is no longer an issue with your client, perhaps the appeal to the court should be dismissed and the matter closed. If you do wish to pursue this matter, the report should be submitted for review.

I would appreciate your consideration to resolve this matter at your earliest convenience.

Pam

Pamela S. Skaggs
Water Rights Supervisor
Water Allocation Bureau
Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise ID 83720-0098
Phone (208) 287-4951
Fax (208) 287-6700
pam.skaggs@idwr.idaho.gov