

MEMORANDUM

Application for Transfers #70890 & 70887

To: Shelley Keen, Hearing Officer

From: J. Westra

Date: 2/27/09

RE: Pre hearing Notes/Comments

There are several information items that need to be noted prior to the hearing. Listed below are the following:

-Mr. Pridgen (Brackett Attorney) is not licensed to practice in Idaho. See Department letter of 11/20/09, advised by Garrick Baxter.

-Basically the last issues center on the transfers conditions of approval. A draft set of conditions based on a previous Brackett transfer #70694 was used for negotiations. After several letter arguments from both sides regarding the conditions, a settlement was never reached. It appears that parties are caught on measurement &/or future water district regulation.