

Keen, Shelley

From: Keen, Shelley
Sent: Thursday, December 18, 2008 8:46 AM
To: 'MICHAEL MENDOZA'
Subject: RE: Irving ray Inc.

Mr. Mendoza,

After you left yesterday we reviewed the permit file and saw that the permit is in the name of Irving J. Ray, the individual, not Irving J. Ray, Inc. The original application was signed "Irving J. Ray". There is no indication on the application that Mr. Ray intended the application to be owned by the corporation. The assignment you submitted is from Michael P. Hitchcock, in his capacity as president of Irving J. Ray, Inc. There is no evidence in the file, however, that Irving J. Ray, Inc., ever acquired the permit from Irving J. Ray.

Unlike licensed or decreed water rights, which are real property, permits to establish new water rights are personal property. With licensed or decreed water rights, a deed for the land where the water is used is usually evidence of ownership of the water right. For permits, however, there must be an assignment or some other legal conveyance of the permit holder's personal property. For Irving J. Ray, Inc., to assign the permit to you, it must demonstrate that it acquired the permit from Irving J. Ray.

IDWR will hold the assignment you submitted for 30 days to allow you to provide the missing assignment or other legal distribution of personal property from Irving J. Ray to Irving J. Ray, Inc., and the statutorily required filing fee of \$25.00.

Please call or email if you have additional questions.

Shelley Keen
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From: MICHAEL MENDOZA [mailto:mike_kerim@msn.com]
Sent: Thursday, December 18, 2008 6:13 AM
To: Keen, Shelley
Subject: Irving ray Inc.

Hi Shelley, this Michael Mendoza we talked yesterday about putting the water rights in my name from Irving Rays. Michael Hitchcock is the president of Ivring ray Inc. He is the one who pulled and signed the request for extended time on the permit. What do you need from me or him to complete this action? He say's the permit is in Ivring Ray inc. Thank You Mike

12/18/2008