

MEMORANDUM

Date: May 30, 2008
To: Water Right File 37-22250 and 37-22251
From: medl
Re: objection

Brockway Engineering requested identical conditions on both splits in an 4/1/08 email, but the Department can not set the same conditions to both split rights. In my re review, I also found that the decreed shape acreage and my 37-22250 shape acreage did not match in SWSE and SESE of section 17. I adjusted my shape to bring the SWSE down to 16 and the SESE up to 18 maintaining 34 acres total and maintaining the split right math.

Unfortunately, I had not paid attention to the court action on this water right. I phoned Erick Powell of Brockway Engineering, this afternoon (5/30/08), to try and settle the conditions questions and learned that there was an objection to the recommended acreage. The conditions for each split hinges on the recommendation acreage so, until the court makes a decision on that objection, no further action will be taken.

I sent an email on 5/30/08, to the office of the permit holder in California and to Erick Powell at Brockway informing them that these licenses are on hold.