

MEMORANDUM

TO: File

FROM: Steve Lester 

DATE: May 31, 2007

RE: **Termination of Application for Extension of Time to Avoid Forfeiture, Water Right 63-32039**

COPY

Right 63-32039 is a split from original right 63-10207. This memo summarizes an old extension application that is now terminated as explained below.

Extension applications are not yet processed in Workflow at the regional office. This means that an application number does not exist – a new record has not been created.

APPLICATION HISTORY

Filed on 63-10207 in late 1995 by Mooney Land Company.

Amended late 1996, included a proposed split labeled “63-10207A.”

Advertised without protest.

Held for many years along with a similar application by Mooney for right 63-3242. Delays relating to ownership changes for both rights and SRBA issues for 63-3242 continued for many years.

Ownership changes and SRBA factors were finally resolved. One result was split number 63-32039 for Mooney while everything else under both original rights went to Micron.¹

Previous work included a notice of intent to void Mooney’s application. IDWR had considerable difficulty in getting adequate responses from the applicant.

IDWR recently learned Mooney no longer owns the land under 63-32039. A letter requesting an update was sent to Mooney at the address of record on 3/19/2007. The letter was returned as undeliverable (“not at this address 4+ years”). The letter noted the application would be considered void without a timely response.

¹ Extension Application for 63-3242 was assigned to Micron. That application was withdrawn 3/29/2000.

SUPPORT DATA

IN FILE # 63-10207

SCANNED

JUN 01 2007

IDWR sent a letter today to the current landowner regarding a possible ownership change to be filed for 63-32039.

CONCLUSION

IDWR expended considerable resources trying to process Mooney's application.

Mooney no longer owns the P/U for this right.

Mooney made no effort after 1996 to inform IDWR about its intentions regarding the application.

Applications that are not approved or denied are usually withdrawn or voided. The application was not withdrawn. The application does not need to be voided by an order since a new record has not been created by this application. Additionally, an order sent to the address of record would obviously be returned as undeliverable.

The application is therefore terminated without prejudice.