

Merritt, Allen

From: Michael C. Creamer [mcc@givenspursley.com]
Sent: Tuesday, December 28, 2004 2:21 PM
To: Merritt, Allen; Travis Thompson (E-mail)
Cc: Spackman, Gary; Peppersack, Jeff
Subject: Re: Koyle Transfer 71178

Thank you Allen. I will share this with the Koyles.

Sincerely,

Mike Creamer

--- Original Message---

To: "Michael C. Creamer (E-mail)" <mcc@givenspursley.com>, "Travis Thompson (E-mail)" <tltp@idahowaters.com>
Cc: "Spackman, Gary" <Gary.Spackman@idwr.idaho.gov>, "Peppersack, Jeff" <Jeff.Peppersack@idwr.idaho.gov>
From: "Merritt, Allen" <Allen.Merritt@idwr.idaho.gov>
Sent: 12/28/2004 2:05PM
Subject: Koyle Transfer 71178

>> I have received the letter from Michael Creamer, attorney for John and
>> Shanna Koyle, confirming earlier phone conversations that the Koyles do not
>> agree with the proposed conditions outlined in "Conditional Withdrawal of
>> Protest" filed by Travis Thompson, attorney for Clear Springs Foods, Inc.
>>
>> I will hold the application until the matter of the protest is resolved. If
>> needed we might set a pre-hearing conference or a formal hearing depending
>> on the outcome of your further negotiations. Please let me know your
>> desire.
>>
>> In Mr. Creamer's letter he suggests the department provide what standard
>> conditions the department include on any approval. As you may or may not
>> know the department for sometime has been processing applications for
>> transfer in what is known as a "parallel process" that involves state office
>> and regional staff. As part of that process in most instances a DRAFT
>> approval is created prior to advertising that contains a first blush of
>> standard conditions. In this particular case such a DRAFT approval document
>> was created. It is attached for your review.
>>
>> PLEASE NOTE that although a DRAFT approval document has been created it does
>> not represent final action of the department. Ultimately the department
>> could change conditions or even deny the application. It is being provided
>> for your review only as a basis for your further negotiations.
>>
>> <<Draft Approval.doc>>
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