

Walker, Kay

From: Tuthill, Dave
Sent: Friday, February 03, 2006 5:00 PM
To: Wilson, Keith
Cc: Blau, Terry; Walker, Kay
Subject: RE: Jan Momchilovich 22-7329

Keith,

Thanks very much for the quick follow-up. I agree with the thrust of what you have written below.

I am reluctant to issue the water right license while a violation is outstanding. By this email I am instructing Kay Walker to continue to hold up on licensing this water right until the diversion works are modified to enable filling of 22-7329 prior to 22-7588, to include removal of the unpermitted pond.

Keith and Terry, please coordinate follow-up on the violation, and please communicate to Kay when the problems are corrected thus enabling licensing.

Thanks, Dave

-----Original Message-----

From: Wilson, Keith
Sent: Friday, February 03, 2006 4:53 PM
To: Tuthill, Dave
Subject: Jan Momchilovich 22-7329

Dave,

I called Terry Blau he is sending out a notice of violation for removal of the lower (smaller) dam. Terry found a draft notice but was unsure why he had not sent it out. He said that he would send the notice out but it covered only the lower dam not the upper dam. I sent Kay Walker a memo to be included in the file for 22-7588 about licensing conditions that should be included in the resulting license. It is my understanding that the memo has been included in the file for 22-7588. I called Jan @ (307)733-7527 and left a message that a notice of violation would be sent out and that I had been waiting on the licensing of 22-7588 to insure that conditions were included as she had requested, and that a letter will be sent out informing them to release water.

I will send a letter to the current owners of 22-7588 and advise that the downstream water right 22-7329 needs to be filled prior to the filling of their right. It would be appreciated if you could give me some words of wisdom on how to draft the letter. What conditions can be placed on their permit/license to insure that water to fill right 22-7329 will be released?

Thanks,
Keith