

MEMO

TO: File 65-13961

FROM: Cherie Padilla

DATE: November 18, 2010

RE: Clarification of Fees, Request for Extension, and Priority Date

- 9/23/08 , \$50 was received by the Department for proof of beneficial use under receipt #C087553
- 5/13/10, \$50 was received by the Department for Request for Extension of Time under receipt #C090678
- 5/18/10, \$50 was received by the Department for proof of beneficial use because the permit was for 0.90 cfs which requires a fee for proof of \$100 under receipt #C090809 (see Andy Waldera's-attorney letter dated 5/18/10)
- 5/25/10 the Department informed the permit holder's attorney that we could not accept an Extension at this time. A withdrawal was submitted 11/18/10.
- On 7/19/2010 I conducted a field exam and found that the system is only capable of producing 0.14 cfs, making it unnecessary to charge an additional field exam fee of \$50 and advancing the priority date. The priority date remains the original date of 6/29/2000.

To date, the Department owes \$100 to Moffat, the payer of the extension and additional field exam fee.