

Block, Darla

From: Block, Darla
Sent: Monday, March 22, 2010 3:14 PM
To: Keen, Shelley
Subject: Proof Received for 37-21384

Shelley,

I spoke with Jeff about a proof received 17 days late (within the 60 day period). Permit Condition No.5 requires a mitigation plan approved by the director prior to diversion and use of water under the right. Non compliance of the requirement for mitigation, is cause for the director to cancel or revoke the right. Jeff doesn't want me to reinstate this permit. Jeff asked that I bring this one to you and ask that you put a letter together giving them an opportunity to provide a mitigation plan, then if one can't be provided we would cancel the permit at that time. Jeff feels that we should give them time to submit the mitigation plan due to the fact that the condition on the permit does not say it is to be submitted in connection with the proof of beneficial use.

Darla