

MEMORANDUM

To: Lapsed Permit No. 37-8894, in the name of Dry Creek Partners
From: Deborah Gibson, Administrative Assistant
Date: August 19, 2008
Re: **Reinstatement of Permit No. 37-8894 based on the development of the permit**

Today, Charles Brockway (Jr.) called me to explain that the permit holder had developed this water right as an on-stream storage right. The permit holder has filed an Amendment of Permit with the Southern region that has eliminated the rate of diversion. The permit holder has filed the proof based on the development of the permit.

I told Mr. Brockway that I would accept the proof and will issue an order reinstating the permit based on department error so that the permit's priority date is not changed since the proof was filed timely. The State Office lapsed the permit before the proof was received from the regional office.