

MEMORANDUM

DATE: April 28, 2008

TO: Debbie Gibson

FROM: Shelley W. Keen 

RE: Sufficiency of reinstatement request for Permit 87-10019

Permit 87-10019 lapsed because the permit holder did not submit proof of beneficial use by August 1, 2004. The permit holder requested reinstatement of the permit by submitting the following four required items:

1. Statement of Completion – Acceptable
2. Examination Fee of \$50.00 – Sufficient
3. Statement of Reasonable Cause why the proof of beneficial use is late – Sufficient. The permit holder explained that he did not submit a Statement of Completion because he is still working with NRCS to repair construction defects in his reservoir, and he thought, therefore, that it was premature to submit a Statement of Completion.
4. Evidence that diversion of water and application to beneficial use occurred during the authorized development period – Sufficient. According to records submitted by the permit holder, the proposed reservoir has not held water to the extent hoped, but it did fill in the spring of 2003 and the spring of 2004.

I recommend reinstating the permit.