

From: David Baldwin
To: [Mohr, Jason](#)
Subject: Change Application
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Hi Jason,

I know HydroSolutions has provided feedback to you on this issue, but I want to reiterate it as the issue has come up again.

When preparing a new permit in a closed basin, we need to provide mitigation. As you know, this is commonly in the form of a change application to change an existing use to mitigation.

When submitting new permits, applicants typically estimate their uses at the high end because when submitting a project completion, you can never go higher than permitted.

However, when the permit is authorized, it states the mitigation must be equal to the volume in the permit. But if the project is completed at a lower volume, the applicant can still be stuck with the higher mitigation volume.

It seems to me that one resolution would be to have the mitigation volume contingent upon the completed volume. Understanding that mitigation may have to occur prior to project completion, could there still be a mechanism to somehow return the mitigation overage to either the preexisting use, or to marketing for mitigation, instream flow, etc. (could this be pre-approved in the change)?

Thanks

Dave Baldwin MS PG | Sr. Hydrogeologist | Sr. Water Rights Specialist



Tel: 406.443.6169 x 104
Mob: 406.431-7760
dbaldwin@hydrosi.com

303 Clarke Street
Helena, MT 59601
www.hydrosi.com

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