



ARKANSAS HEADWATERS RECREATION AREA

307 West Sackett Avenue • Salida, Colorado 81201 • Phone (719) 539-7289 • FAX (719) 539-3771 • www.parks.state.co.us

March 20, 2009

Certified Letter: 7006 2150 0001 9182 8712

Bill Dvoraks Kayak & Rafting Expeditions, Inc.
Bill Dvoraks
17921 US Hwy 285
Nathrop, CO 81236

Dear Bill:

A Probationary Agreement is issued to a Contractor when the Contractor's performance warrants closer scrutiny of their ability and willingness to operate in compliance with the conditions of the Special Use Agreement (SUA). Following the performance review for the season of 2008, AHRA Managers have determined that Bill Dvoraks Kayak & Rafting Expeditions performance from the last season merits placing Bill Dvoraks Kayak & Rafting Expeditions on probation for 2009. A 2009 Probationary Agreement with a term of one season will be issued and subject to review on December 31, 2009.

On June 29, 2008, Division of Wildlife Manager Randy Hancock issued citation ticket to David Niven c/o Dvorak's Rafting Company for unlawfully providing services for compensation on property owned or managed by DOW without a commercial permit. A second charge was issued under the Wildlife Commission Regulation 002-1, unlawfully entering a State Wildlife Area (Clear Creek SWA) without a habitat stamp. These tickets were issued after being warned a week earlier not to conduct operations without a permit.

Per the AHRA SUA under condition 13, it states:

Knowledge of All Applicable Laws, Rules, and Regulations

The Contractor shall remain fully informed of all State, Federal, and Local laws, ordinances, rules, and regulations that in any manner affects the operation under this Agreement and of all orders and decrees of bodies and tribunals having jurisdiction or authority over the same. The Contractor shall at all times observe and shall cause any of the Contractor's agents, employees, and Clients to observe and comply with, such existing and future laws, ordinances, regulations, orders, and decrees and will protect the Division, and United States Government against any claim or liability arising from or based upon the violation of any such law, ordinance, regulation, order or decree whether by the Contractor, any of the Contractor's agents, employees, or Clients. The Contractor shall procure all permits and licenses, pay all charges, taxes, and fees and give all notices necessary and incidental to the proper lawful operation of this business under this Agreement.

A Contractor shall remain on probation until such time as the Division shall release the Contractor from probationary status based on demonstrated ability and willingness to operate in compliance with all conditions hereof, or until such time as the Division shall determine that the performance of the Contractor under the Probationary Agreement merits



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suspension or revocation. A Probationary Agreement will be issued to a Contractor no more than two consecutive seasons after which time the Agreement will be revoked.

Probationary status does not allow the contractor to sell, buy and/or transfer historical or rationed use.

At the end of the 2009 season your Agreement will be reviewed for the performance and compliance of the conditions outlined in your SUA, Rationing Plan and associated Riders.

Sincerely,

John Kreski
Rationing & Agreement Coordinator