

Conversation Memo

Date: May 17, 2010

To: File 11-7151

From: Craig L. Saxton *CLS*

Re: Re-measurement of 85-7317

I spoke with Michael Danes today. He wanted to know if they made the decision to pay for a re-measurement and it turned out they were diverting less than what was originally measured, then would we use the lesser measurement or would they be able to stick with the 3.84 cfs (see 4-9-10 letter) I said we could support.

I told Mr. Danes that even if it measured less, then I think we would still use the 3.84 cfs arguing that the 3.84 cfs is still closer to what was originally measured.

Then he asked if the measurement came up to be more than 3.84 cfs, would he be guaranteed the greater diversion rate. I told him that as long as the field examiner doesn't go out and find that the system has changed significantly from the historical setup, like finding that the HP of the pumps have been increased, then I didn't foresee a reason that we wouldn't support a greater diversion rate, otherwise, why would we even support a re-measurement as an option.

He told me verbally that he would like to pursue a re-measurement, but I told him that we needed to have that in writing along with the \$250 measurement fee.