

MEMORANDUM

Date: October 01, 2009
To: Transfer 70893
From: jstanton
Re: Conversation With Tom McCauley

Today I received a call from Tom McCauley regarding this application; he operates the upstream power diversion that Allen is concerned about protecting. Tom told me that the plant diverts up to 150 cfs under its license and one permit; no additional water will be developed for power. Instead of the original bypass requirement of 25 cfs, he said it is now 10 cfs. He had an engineer measure the flow a little ways above the power plant, and it was 31 cfs (10 cfs that they bypass, and 21 cfs of water that enters the stream below the power diversion). If I understood correctly, they are able to run the generator all year.

I explained what the transfer proposed, and Tom said he would come by next week to look at the file. I told him that he could write us a letter expressing any concerns that he might have, even though the protest period was already over. Tom said that he thought the transfer had "gone away" some time ago, so was surprised that it was still being processed. I told him that Allen was concerned about protecting the water rights for the power plant, and were still discussing how to best deal with this issue. Tom also told me that Dave Millard passed away some time ago, and that the commercial fish ponds were not feasible due to the large variation in stream flows in Cedar Draw; the licensed rate of 47 cfs was not available enough of the time to make the system work. I expect that the large silt load carried by Cedar Draw is also a problem here. Tom did not think that the fish farm would be operated in the future; apparently the son of Mr. Millard is now in charge of his estate, but I did not get his name.