

Merritt, Allen

From: Spackman, Gary
Sent: Monday, September 17, 2007 12:03 PM
To: Merritt, Allen
Subject: RE: Clarification

Please ask Shelley or perhaps Ernie to call. Thanks. Gary

-----Original Message-----

From: Merritt, Allen
Sent: Monday, September 17, 2007 8:02 AM
To: Spackman, Gary
Subject: FW: Clarification

I received this e-mail. I'm hesitant to respond due to ex parte issues. Do you think it appropriate to have maybe Shelley or someone from Eastern to respond?

Allen

-----Original Message-----

From: Leslie May [mailto:shumate@centurytel.net]
Sent: Sunday, September 16, 2007 11:28 AM
To: Merritt, Allen
Subject: Clarification

I am writing to ask for clarification on two decrees contained in the Preliminary Order on the Williams Lake Recreational Water & Sewer District application for amendment for water right permits 75-7052 and 75-7589...specifically 75-7589.

As a Lake Creek senior water right holder I would like a more specific definition of "a measuring device of a type approved by the Department." Since past department inspectors have been quoted by the Water Board as saying a bucket and a stop watch is all that's needed...I find the "type approved by the Department" to be far too vague. Is there a listing somewhere as to what kind of devices are acceptable? And could that list, or specific devices, be added to the order?

Second. The Water Board has quoted 0.21 as being approximately 120,000 gallons per day and has said currently all that is being used of that amount is about 10,000 gallons per day. The Board has further stated that the present delivery system could not possibly pump 120,000 per day. I therefore question why the Bureau of Land Management has been given additional water usage over and above the 0.21 since currently there appears to be plenty of excess water for all needs.

"...ordered that, the use of water for the BLM campground is not incorporated as a use pursuant to right 75-7589 and shall be dealt with as a separate matter under licensing of permit 75-7638 in the name of BLM."

This in effect is granting permission for the taking of an additional amount of water from the springs located above Lake Creek water right claimants and it puts no limit on how many additional gallons can be taken. It also makes no mention of monitors to measure how much water is being used by the BLM or any other form of accountability.

Why was this added to the order? If a separate permit on the spring was requested by the agency, to my knowledge it was not done during the public hearings or disclosure period. And if the BLM made application for the separate permit was it duly advertised?

I would also like a clarification on what if any means the Water Board will be required to implement in order to determine how much water is being used and how many homes can be added without exceeding the 0.21 permit. Or is that not in your purview?

9/24/2007

And, are weekends included in the 14 day time limit for appeals? According to your count, what is the calendar due date?

If I need to address my questions to someone other than you could you please advise me of the proper procedure?

Thank you.
Leslie May Shumate

9/24/2007