

Young, Norm

From: Merritt, Allen
Sent: Monday, May 15, 2000 9:43 AM
To: Young, Norm
Subject: RE: BEFORE THE DEPARTMENT OF WATER RESOURCES

This morning I contacted Judy Daubner with Gooding P&Z. She referred me to Phil Brown, the county prosecutor (934-4493). Mr. Brown indicated that nothing is yet resolved. He indicated that the county has requested that Gunning file an application for a CAFO permit but Rob Williams has taken the position that he wants to negotiate cow numbers prior to filing an application with the county since the last application during the earlier lawsuit was denied. Apparently Bettencourt is not operating at this dairy but has sub-leased it to a Mr. Walters. All parties have on that side have come to a number of cows they can live with but the county does not want to negotiate numbers until an application is filed. To Mr. Browns knowledge Mr. Walters is milking at the dairy. Mr. Brown indicated as soon as he catches up on some other matter the county may file an injunction against the dairy similar to what happened to Wybenga.

I don't know if we are going to get much more than this. I would recommend that the order be issued. My only question is if the transfer is pulled they probably could operate in a limited extent up to 13,000 gpd. Shouldn't we require them to report daily use or something like that?

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

From: Young, Norm
Sent: Thursday, May 11, 2000 5:26 PM
To: Merritt, Allen
Subject: BEFORE THE DEPARTMENT OF WATER RESOURCES

<< File: GUNNING.doc >>

Allen:

The attached document is a DRAFT of an order I am thinking of sending to Gunning. Please review and comment. Would it be wise to see if the dairy is still in use? Should we contact Gooding County to see if they now are in compliance? I haven't talked to Rob Williams or Pat Brown about this matter for more than a month. Should we? or will it simply stir up another request for extension that will complicate the matter even more?

Norm