April 6,2017

Charley:

I received your email concerning Casa del Norte's illegal diversion of Cold Springs Creek basin water. I forwarded a copy to Casa del Norte and asked them to address these issues and review them with me on my next water call. On Monday April 3rd, I met with Casa del Norte to address these issues.

John McCallum and I drove to the place where the unnamed stream (Rock House Spring) crosses the 4-mile ditch. Mr. McCallum had the gate removed from the headgate and inserted downstream blocking the 4-mile ditch. All spring water was flowing freely down its designated channel to Cold Spring Creek. Mr. McCallum had no explanation how/why the water had been diverted since he had no need for any water to go down the 4-mile ditch and had raised the gate to allow all water to proceed down the designated channel. Casa del Norte has 2 water rights that pertain to this unnamed spring but wasn't utilizing either of them. The spring is now running a substantial amount of water into Cold Springs Creek. Casa del Norte is well aware that work needs to be done to make the 4-mile ditch usable.

Some ponding in the area is due to the high-water table. Water in your figure 4 is used to sub-irrigate the 65 acres to the South.

Unfortunately, Hydro Logic personnel are not able to observe the stream bed between their two monitoring points. If they could they would find an undefined stream bed in many areas meandering over a relatively level coarse gravel bed. I have had experience in the past with the amount of water that is lost under such circumstances. I again walked this stretch of the creek and have included several pictures of the creek. Casa del Norte doesn't necessarily question the competence of Hydro Logic personnel but to verify their figures he is hiring his own person to measure this same area.

I hope I have addressed all your concerns and want you to know I am sending copies of this letter to Tim Luke and Nick Miller.

Sincerely,

Rich Neal, WM 61E Cold Springs Creek
Cc: Tim Luke, Nick Miller









