


# MEMORANDUM

**To:** Tim Luke  
**From:** L. Glen Saxton   
**RE:** ATTACHED LETTER FROM HAROLD A. JONES  
**Date:** February 22, 1999

Norm has asked that we prepare a response for him to make in connection with the attached letter from Harold A. Jones. I know a little about this matter, but not much. The following are considerations of which I am aware:

1. On November 7, 1997, the department issued a final order in connection with Permit No. 43-07321 which involved the storage of about 26 AF of water. This final order has been appealed to district court where it has been sitting without any recent action. (See attached pages from the final order).
2. The letter suggests that I wrote the final order. Gary Spackman was the hearing officer and wrote the recommended order. Karl, of course, issued the final order. I signed the transmittal letters for both orders.
3. Phil advises that the filing of the appeal to district court does not stay the effect of the department's final order which required the installation of measuring devices. (See attached pages of final order).

Please coordinate with Allen Merritt relative to the requested measuring device installation. He may have been in contact with these folks recently. Also ask Allen if his dam safety staff have conducted an inspection of the Jeff Sessions dam. Then draft a letter for Norm's consideration.