

Attachment No. 4  
Neighbors Correspondence

January 29, 2014

Maria and Elias Rodriguez  
33513 Sierra Drive #A  
Lemon Cove, CA 93244

Dear County of Tulare Officials:

As the home owners of the residence at 33513 Sierra Drive #A in Lemon Cove, CA 93244 we are concerned about the lack water in our water well. After cutting of the water supply from the ditch behind our property we noticed the pumps sucked in air due to the lack of water. We have been struggling with this issue for about a month. This has not only been an inconvenience, but it has also been an extra expense. We have spent about an extra \$200.00, an expense that was not expected. We hope that with your help we will be able to come with a resolution to this issue.

Sincerely,

Maria and Elias Rodriguez

*Elias Rodriguez*  
*Maria Rodriguez*

Joshua B. Packard  
33511 1/2 Sierra Dr.  
Lemon Cove CA 93244

January 30<sup>th</sup> 2014

Tulare County Resource Management Agency

ATTN: Michael Spata

For approximately the last two months I have had a water supply shortage. My well goes dry very quickly and has caused many problems such as sand clogging all of my plumbing fixtures & washing machine. Also I can only do one load of laundry before the water runs out. I cannot water my plants etc... I understand as a part of the agreement with the rock company that a recharge ditch was supposed to be maintained to keep our water levels normal. My neighbors are experiencing the same problems and have already used money out of their pockets to try and remedy the problems themselves to no avail. These problems need to be resolved as soon as possible as we were assured that they would be if any occurred. Please give your cooperation and quick response to this serious matter.

Thank you,

Josh Packard

Robert S. Morton  
33511 Sierra Dr.  
Lemon Cove, Ca. 93244

January 30, 2014

Tulare County Resource Management Agency

Attn: Micheal Spata

When Tulare County issued a permit to the mining company to mine the property adjacent to my property it was with the assurance that my well water would not be affected. The pumps that were pumping water into the recharge trench adjacent to my property to supply my well water have been shut off, consequently my well is going dry and has been pumping air now for over a month. I have spent about \$150- to have Willits Pumping Co. inspect my pump and well and they have verified this. I will have to pay more money to determine if my pump can be lowered as my well is 17 ft. deep and the current water level is at 14 ft. My hope and appeal to you is that you will stand behind and enforce the Conditions of Approval from the Surface Mining Reclamation Plan and take the necessary steps to restore and ensure my well water and my neighbors.

Respectfully -

Robert S. Morton

Robert S. Morton

Orville Cloud  
33481 Sierra Drive  
Lemon Cove, CA 93244

January 30, 2014

Tulare County Resource Management Agency

Attn: Mike Spata

TCRMA

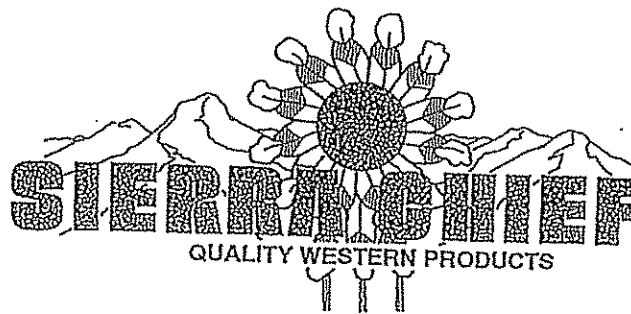
When Tulare County gave permission to the mining company to mine the area around Lemon Cove it was with the assurance that the recharge trench would be kept running to provide water to the wells for the nearby houses. This trench is no longer being turned on and our well is running dry and pumping air. I am appealing to you to stand behind your promises and assurances and turn this recharge trench back on. All homes in the area are being affected and some wells are already dry.

We are counting on you to stand behind your word and do the right thing.

Regards,

  
Orville G. Cloud

P.O. BOX 44009  
LEMONCOVE, CA 93244  
(209) 597-2308  
(800) 722-3049  
FAX (209) 597-2317



- ☐ INJECTION MOLDED PLASTIC PARTS
- ☐ INJECTION MOLDS
- ☐ CNC MACHINE
- ☐ CAD/CAM COMPUTERIZED DESIGN
- ☐ THE LEMONCOVE GRANITE PIT

March 14, 2014

Mr. Michael C. Spata

Tulare County RMA

5961 S. Mooney Blvd.

Visalia, CA. 93277

Dear Mike:

RE: Stillwell mining project

Thank you for your letter and the hydrology report.

The hydrology report does not mention the loss of ground water into the excavation that has been done at the Stillwell site. The excavation is now about 30 acres in size and 50 ft. deep. In order to mine the site, a pumping plant had to be installed to remove ground water flowing from the aquifer that is exposed on the eastern side of the excavation. This aquifer is the source of the water needed to keep water in the wells that are now dry along the south east side of the mine site. This aquifer is located from 8 to 25 ft. under the ground along the perimeter of the mine site.

The hydrology report does not address the loss of water from this aquifer into the abandoned excavation which started when the pumps were not restarted in Sept. 2013. The excavation covers about 30 acres and is 50 ft. deep. The water level in the excavation is now deemed to be about 15 ft. below the ground level along the west side of the excavation, per the hydrology report. Thus, 30 acres by 35 ft. deep water amounts to at least 1000 ACRE FEET of water now drained from the aquifer and this drainage is continuing. This omission from the hydrology report is as serious error. Another way to look at this is to assume you have a pipe carrying the water southward at the site and this pipe has been cut open along about 500 ft. This pipe cannot carry water further south as long as the water has free passage into the excavation site where the water level is still lower than the aquifer.

The conditions of the permit establish the "v" ditch to replenish the water that was lost to the wells along the south and east side of the excavation when the aquifer was opened to the excavation. This fact was omitted as well from the hydrology report. Turning the

pumps off and letting the aquifer fill the excavation is stealing the water from the aquifer. Therefore, the pumps have to be turned on and the "v" ditch recharged.

Time is of the essence here. Rob Morton, for example cannot get enough water from his well to wash ONE load of clothes. This condition has NEVER occurred before now. It is obvious from the hydrology report that the water level in the aquifer has dropped precipitously since October and November 2013. No mention of monitoring levels were included for 2014 which is another omission of the hydrology report. The wells have continued to pump far less water and a lot more air. The lack of rainfall, river flow and climate change have NOTHING to do with this situation, because the aquifer has been systematically drained of at least 1000 acre feet of water while the excavation begins to fill.

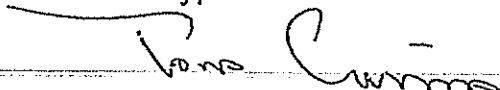
This "v" ditch problem is just as bad along the north side of the existing plant site across the Kaweah River. The pumps were shut off there as well and water monitoring has shown a steady decline in ground water levels. Summer irrigation will drastically affect those wells as well. Frank Callahan will be back to discuss this issue with you very soon.

CEMEX is a multi-billion dollar Mexican company. If they continue to refuse to pump water into both "v" ditches, their permits should be revoked. We do not need another problem here in Tulare County and our citizens need to be backed up with your actions to turn the pumps on.

Potable water sources are required now for at least 5 wells along the Stillwell site. With the drought, where can these homeowners get the water they need? Hauling the water from other aquifers is the worst case scenario. Tanks have to be installed and expensive trucking will be required. All of this will be done in the next two weeks; just to keep their homes with enough water to flush the toilets, wash the clothes and keep a few chickens alive.

This is a total travesty and waste of water being drained into the excavation. Turn the pumps on now!! Thank you for your attention to this matter.

Sincerely,



Tom Cairns

March 21, 2014

(page 1)

Mr. Michael C. Spata  
Visalia, Ca.

Dear Mr. Spata:

RE: Stillwell mining Project

Thank-you sir for your letter & the Hydrology report.

The water level in my well continues to drop. We are unable to wash just one load of clothes per day. I am currently having to haul potable water in two 55 gal. drums, one trip at a time, to do laundry and water a few plants. My wife has kidney failure and is required to do Peritoneal Dialysis at home every evening, consequently cleanliness is extremely important regarding her condition. We are also raising two grandchildren. We NEED WATER. So do our neighbors. Some of them have children also.

The hydrology report does not mention the loss of groundwater into the mining excavation that has been done on the Stillwell site. This is a very large excavation area, 40 to 50 ft. deep. Because the dewatering pumps were not restarted in Sept. 2013, the excavation site is now full of water that has been flowing from the same aquifer that supplies water to my well and my neighbors wells. Our water is now in the excavation site just sitting there evaporating and Tulare County RMA is allowing it to happen! Who authorized the decision to leave the



dewatering pumps off at the Stillwell Quarry in Sept. 2013?

(page 2)

The Hydrology report states on page 5 and on page 8 that of the 5 property owners that submitted complaint letters, only two elected to participate in the groundwater monitoring program. This is misleading and not accurate because two of the three property owners that were not on the program purchased their property after the permit for the Stillwell mining project was issued and did not know anything about the program.

The Hydrology report states on the graph for my well on page 12 that my water level for June, 2006, was about seven feet then drops way down to fifteen feet in July 2006, then raises way up to about seven feet again in August 2006. My personal well water level records indicate 6 feet for June 11 2006, 6 feet 7 inches for July 22 2006, 5 feet 10 inches for August 13 2006. The graph shows the water level at 15 feet four times from June 2006 to December 2013. The graph shows no monitoring levels for 2014. My well has been pumping air since December 2013, when the water level was between 13 and 14 feet, now the water level is at 15 feet and as I stated before, I cannot wash one load of laundry before running out of water. I have never had a issue with my well water prior to December 2013.

(page 3)

I have owned and lived on this property since November 2001. If the graph on page 12 of the hydrology report is correct, I would have had the same well water problems I'm having now 3 times prior to December 2013.

Property owners along the north side of the existing plant site across the Kaweah river are also experiencing declining groundwater levels since the recharge trench V-ditch water pumps were shut off also.

I know that CEMEX is a very large Mexican Company. Why are we and our neighbors, as Tulare County residents, taxpayers and citizens being allowed to suffer like this? The pumps that supply water to both recharge V-ditches need to be turned on immediately.

I thank you for your immediate attention regarding this extremely important matter.

Sincerely -

Robert S. Morton  
~~Robert S. Morton~~

March 24, 2014

Maria and Elias Rodriguez  
33513 Sierra Drive #A  
Lemon Cove, CA 93244

Dear County of Tulare Officials:

As the home owners of the residence at 33513 Sierra Drive #A in Lemon Cove, CA 93244 we are concerned about the lack water in our water well. After cutting of the water supply from the ditch behind our property we noticed the pumps sucked in air due to the lack of water. We have been struggling with this issue for months. This has not only been an inconvenience, but it has also been an extra expense. We have spent about an extra \$200.00, an expense that was not expected.

When we purchased our home in 2003 we were unaware of the water monitoring program available to us. If we had known we certainly would have elected to be on the program.

We are also concerned that the water from our aquifer that supplies water to our well is now filling up the mining excavation sites. We hope that Tulare County will help us be able to come with a resolution as soon as possible.

Sincerely,

Maria and Elias Rodriguez

Michael C. Spata  
Associate Director  
Resource Management Agency

Tulare County  
Resource Management  
Agency

MAR 28 2014

Henry Dong  
Project Planner  
Resource Management Agency

Re: CA Mine ID # 91-54-0034, permit No. PMR 98-003 Groundwater Compliance

Dear Mr. Spata and Mr. Dong:

This letter is regarding to the Hydrogeologic Evaluation of Current Groundwater Conditions at the CEMEX Stillwell Quarry prepared by EMKO Environmental, Inc. My name is Joshua B. Packard. My property related to this matter is located at 33511 1/2 Sierra Drive, Lemon Cove, CA 93244.

There are a few problems that I have noticed upon reading the "Hydrogeologic Evaluation of Current Groundwater Conditions at the CEMEX Stillwell Quarry" represented by EMKO Environmental, INC., neither of the Conditions of Approval, aka Number 46 and Number 49 listed on page 3, have been met or adopted.

Firstly, according to Condition of Approval Number 46: "The project applicant shall notify all owners with wells within 1/2 mile of the property boundaries of the opportunity to participate in the groundwater monitoring program" (Page 3). I have never been notified nor received the opportunity to participate in the Groundwater Monitoring program. My pump has always been easily accessible to be tested on a regular basis. This should have been done prior to the commencement of the mining operation according to the Conditions of Approval requested by the Tulare County Board of Supervisors.

Secondly, Condition of Approval 49 states: "The project shall not affect the water level, yield or quality of any well, both during the mining operations and subsequently as a reclaimed site (Page 3)", however, this condition has been severely ignored by CEMEX. As a result, I'm not able to take a shower without my pump cavitating with air; what's more, the water that is pumped is filled with silt, clogging all my plumbing fixtures. Consequently, due to the limited usage of water available at my property, I am not able to water my yards, use dishwasher, do my laundry, take showers, wash my trucks, or etc.. Therefore, I have had to visit laundry mats, use the shower at my gym rather than my own, and other activities to my great inconvenience because of the lack of usable water.

According to page 4 under "3.0 MINING OPERATIONS AND MONITORING", CEMEX decided to "leave the pumps off and to cease dewatering of the Stillwell Quarry". This does not release them from their responsibility of maintaining the recharge ditch. Henry Dong from RMA, as well as Peter LoCastro and Ronald Wilson from CEMEX, all of them had observed that pumping ceased from the quarry pit, and the quarry pit had filled with water to a depth of approximately 15 feet below ground surface, figures 2 and 3 are stated as evidence (Page 4-5). However, the level of my well is at about 15 feet and according to graphs 4 and 5, so are the wells belonging to Rob Morton and Mr. Cairnes, our wells have equal level with the quarry, this means the quarry lowered our water level to match its level, therefore, our wells cannot pump enough water for our daily usage. According to the graph on Figure 6, the mines onsite wells all appear to be between 16 and 19 feet deep, this level is way lower than the Morton and Cairns wells' levels are. In conclusion, water level being lower at the pit indicates that the water from our aquifer is being drained into the excavation pits.

On page five CEMEX claims that only 2 of 5 of the residents complaining elected to participate in the groundwater monitoring program. This was not required and it does not release CEMEX from their obligation in any way. This seems to be an attempt to damage the home owners' credibility in this matter. As I have written earlier I have no recollection of being notified of this program in the first place which would violate condition number 46 on page 3.

On page 5 paragraph 3 it is stated that "since January 2013 that the water levels consistently declined in each of the wells shown on figures 4, 5, and 6. In May 2012 and October 2013 the water level in the well at 33511 Sierra Drive (Figure 4) was actually slightly lower than the level measured in January, 2014." First of all, there is no data recorded on Figure 4 for January 2014, thus, EMKO Environmental, Inc. has made conclusions without substantiation. Secondly, the water levels were clearly maintaining between 5 and 10 feet for the months between August 2012 through August 2013. The severe drop in water level down to 15 feet was concurrent with the incidents concerning the pumps and their eventual illegal shut down from roughly August of 2013 till present. Since then our water levels have maintained at their lowest levels because the recharge ditch was not being maintained.

EMKO suggests "The data on Figures 3 and 5 indicate that the most rapid drawdown in the water levels in the wells at 33511 Sierra Drive and 24822 Avenue 338, respectively, began in August 2013, and that by October 2013 the water levels had stabilized and even recovered slightly" (Page 5). Nevertheless, the recovery was temporary and limited to a couple of inches above fifteen feet. What was called a recovery was not very substantial.

EMKO Environmental, Inc. also states "The data clearly demonstrate that the groundwater level in the area was already dropping rapidly prior to the shutdown on September 4, 2013..." (Page 5). This is not the case as I stated earlier the water level was maintaining between 5 and 10 feet all the way up to August 2013. Also, right after the pumps were shut down, the water dropped quickly down to the 15-foot-mark and even lower which can be seen on Figures 4, 5, and 6. The 15-foot-mark is at the same depth of the water that quarry pits are maintaining. Obviously,

the pumps being shut down has had a major effect on our water levels, yield, and quality.

Page 5 and 6 are concerned with RAINFALL DATA FOR LEMON COVE. The rain fall graphs Figures 7 and 8 are misleading. EMKO Environmental, Inc. uses Figure 8 to state "the last two water years have been two of the driest ever recorded." While Figure 7 proves this is just an exaggeration. Figure 7 shows several other years, for example 1977, 1972, 1967, etc., are years where the water levels have been comparable. Both Figures 7 and 8 are useless for reference and cannot be accurately associated to the well water levels, since there is no depiction of any times concurrent with the shutdown of the recharge trench. Any conclusions made using these graphs cannot be trusted.

The HYDROLOGIC CONDITIONS ON THE KAWEAH RIVER is listed on page 6. EMKO Environmental, Inc. explains that "Flows within the river are expected to have an effect on groundwater levels in the area, as local rainfall and the Kaweah River are the only potential sources of groundwater recharge in the Lemon cove area" (Page 6). If so, we need the recharge ditch more than ever to combat the loss of our natural aquifer correlated to mining. Please note, Figures 10, 11, and 12 indicate Terminus Dam Reservoir Outflow; Figures 4, 5, and 6 show the levels in the varying wells. The wells all seem to maintain similar levels throughout the time periods shown on all the graphs. The Terminus dam reservoir outflows on Figures 10, 11, and 12 seem to be similar, but the wells are not affected by the amount of water released from the dam. This can be proved by comparing the outflow graphs (Figures 10, 11, and 12) to the well level graphs (Figures 4, 5, and 6) that are provided. By examining Figure 11 between March 2012 and September 2012 there is a sizeable release of water from the dam, comparing that data to Figures 4, 5, and 6, there is decrease in the well water levels, showing no correlation between outflow and well water levels. Figure 11 also indicates between July 2012 and November 2012 the water released from the dam was very low while all the wells from Figures 4, 5, and 6 were all within acceptable ranges, again showing no correlation between outflow and well water levels.

According to Figure 12 from July 2013 until Jan 2014 the water output from the dam remained constant. During this time the pumps to the recharge ditch were shut down and the levels in the well water dropped from between 5 and 10 feet to 15 feet, which is the level where we now have our problems.

According to page 7 "6.0 SUMMARY AND CONCLUSIONS", it is stated "In late January 2014, RMA received five complaint letters from residents located to the east of the Stillwell Quarry and the associate recharge trench. Four of the letters allege that the cessation of discharge to the trench is causing a decrease in groundwater levels and a decrease in well yield. The fifth letter states that effects have not been noted in that owners well". The fifth letter was pertaining to the Cairns well it had been reported that the effects had not been noticed in his well. His property is north of the site and higher up the aquifer stream than the other homeowners. He has not seen a problem because he is upstream from the mine; those of us that are having problems are next to the mine and downstream where the water is leaching away into the mining pits. This clearly shows the aquifer has been damaged by the mining project.

It was also concluded by EMKO Environmental, Inc. that the dewatering and discharge to the recharge trench ceased because wiring was stolen from the pumps (Page 7). However, this does not release CEMEX from liability. Rather, it shows negligence on their part and a complete dismissal of liability from the contract made by the RMA and agreed upon by the adjacent homeowners and CEMEX. Steps should have been taken to prevent the thefts, such as, locks and fencing.

EMKO also concluded of having two property owners were elected to participate in the groundwater monitoring program, only one is experiencing problems. The Cairns' well is above the mine and the Morton's well is next to the site. The one above of the mine has no problems yet the one next to the site is out of water. The rest of us reside next to and below the site and are suffering the same fate as the Mortons. We were not given the opportunity to be monitored, and even if we had declined the well monitoring, it would not release CEMEX as far as the fulfillment of the Conditions of Approval. Now we are all out of water. CEMEX agreed to the conditions before commencement of the mining operation and should fulfill them now.

In conclusion, the findings based on the graphs used in this report by EMKO Environmental, Inc. are absolutely unacceptable. These graphs clearly show that once the pumps were taken out of use there was a severe drop in the wells, which in turn clearly shows that the recharge ditch was helping. No correlation can be concluded from the graphs to show the comparison of the release of water from the dam and the water levels in each of the monitored wells. The rain level graphs are misleading and incomplete and the findings made by EMKO are not substantiated. Up to this point, this situation needs an independent hydrogeologist. This is necessary to investigate this matter objectively other than one hired by CEMEX, which in this case is a huge conflict of interest. My neighbors and I need to have a quick resolution. Options can be but are not limited to filling the recharge ditch with water, paying for the drilling of deeper wells, or purchasing the properties that are now worthless because of the lack of water.

Sincerely,



Joshua B. Packard

Owner of property 33511 1/2 Sierra Drive, Lemon Cove, CA 93244

May 21, 2014

Mr. Michael Spata

Tulare County Resource Management Agency

5961 S. Mooney Blvd.

Visalia, CA 93277

Dear Mr. Spata:

RE: The CEMEX Stillwell mine site.

The fact that the water levels in the wells along the Stillwell site property boundary are still dropping was verified by the CEMEX hydrologist at the meeting last Friday. You have the water level data from the surveys done every month by a contractor for CEMEX which supports the hydrologist's statement.

The homeowners wrote to you in January of this year to ask for the permit conditions to be upheld and water put into the "recharge" trench along the south and east side of the Stillwell site. To date, this has not been done. This matter has to be resolved NOW.

The CEMEX personnel have noted that the wiring to a pump was stolen twice and they are not going to put it back. The cost for the wire was said to be \$10,000.00 or more. The pump in question is a 40 HP pump that dewatered the excavation. This pump filled the "recharge" trench and caused it to overflow. So, a bypass "Y" was added to the discharge pipe that allowed most of the dewatering to flow back to the Kaweah River through a pond on the northeast side of the Stillwell property. This 40 HP pump is too big to supply just the "recharge" trench.

The CEMEX personnel have not mentioned a second 10 HP pump in the excavation pond that is piped into the "recharge" trench. Only about 20 ft. of wiring was removed from this pump. This pump was used to fill a water truck while the excavation was in operation. This pump was damaged by CEMEX personnel. Another 10 HP pump can be put into the lake where this old pump operated. The water then can be pumped into the "recharge" trench. Costs to replace the 10 HP pump are estimated to be less than \$4000.00. A timer can be added to this pump that would start it only as needed to keep the "recharge" trench filled. Water well monitoring would govern how often this pump would need to be operated. Electrical costs would be higher in the initial month of operation, and would decrease substantially thereafter. This 10 HP pump replacement is a quick fix to getting the water back into the neighboring water well aquifer at a very minimal cost.

At the Friday meeting, the CEMEX attorney showed everyone a document he had prepared, but still needed CEMEX approval, to provide some funds for a "solution" to the water well problem. This "solution" would be to support some of the cost of drilling a well for the neighbors to use in place of their existing wells. The long term solution for the property owners is to drill new wells to get them water that is from aquifers well



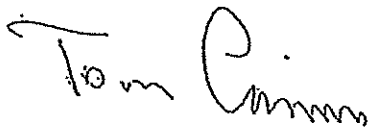
below the one they have used for the past 40 to 50 years. The proposed "solution" by CEMEX will take a very long time to complete due to the over one year backlog of wells to be drilled by the well drilling companies. This "solution" will leave the homeowners without water for at least a year or longer. No offer to haul water to the homeowners was suggested for the interim period. The neighboring well owners will have to have time for their lawyer to negotiate this agreement as well. The proposed "solution" is a step forward in the long term.

The homeowners need water now and the immediate solution is to refill the "recharge" trench with the 10 HP pump. This will give all parties a chance to negotiate, contract for well drilling services, and get the drilling done. This process could take two years or longer, but hopefully sooner. The amount the 10 HP pump costs and the electricity it will use are a small gesture by a good neighbor. This whole plan will then take the pressure off Tulare County RMA. Any help by Tulare County regarding well permit costs and issuance will be greatly appreciated.

Will you please try to get these water wells water now!

Thank you for your help in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Tom Cairns". The signature is written in dark ink and is positioned above the printed name.

Tom Cairns and the homeowners

May 21, 2014

Mr. Michael Spata

Tulare County Resource Management Agency

5961 S. Mooney Blvd.

Visalia, CA 93277

Dear Mr. Spata:

RE: CEMEX Stillwell mine site

The CEMEX hydrology report recently issued on the Stillwell site is not complete and all discussions to date are hearsay until the water levels, referenced to mean sea level (MSL), are included in that report. These measurements are going to be the only basis for a discussion about the "cone of depression", mine excavation, and the neighboring water wells. This water level measurement is included in all hydrology reports, except this one.

The homeowners along the property boundaries of the Stillwell site respectfully ask that you get this water level data completed immediately. This data will be the basis for your decisions regarding permit conditions. All presentations to date, without this data, are hearsay and cannot be considered in making your decisions regarding the permit conditions. The facts will speak for themselves.

Thank you for getting this data.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Cairns", with a stylized flourish at the end.

Tom Cairns with the agreement of the rest of the homeowners.



Patrick Mitchell  
pmitchell@mitchellchadwick.com  
916-462-8888  
916-788-0290 Fax

June 2, 2014

VIA E-MAIL

Aaron Bock  
Tulare County Resource Management Agency  
5961 South Mooney Blvd  
Visalia, CA 93277

Re: Stillwell Project Neighbors' Well Agreement

Dear Aaron,

As we discussed at our May 16, 2014 meeting at your offices, my client Cemex Construction Materials Pacific, LLC ("Cemex") is the operator of the Stillwell Mine Expansion Project ("Stillwell Project") permitted by Tulare County ("County") in 1998, and is interested in exploring voluntary assistance to Stillwell Project neighbors who have complained of depleted water levels in their shallow wells. The attached Agreement for Well Drilling Payment ("Agreement") offers such assistance within certain parameters and is further discussed below. While we had hoped to provide this Agreement within a week of the May 15, 2014 meeting, approval was needed from Cemex headquarters and has only just been received.

Under the Agreement, Cemex will provide up to twelve thousand dollars for drilling and installation of a shared private well for the four neighbors who have complained to the County regarding depletion of their wells. We understand that these neighbors have shallow wells which have been impacted by the severe drought conditions in the region and wish to offer some financial assistance to these neighbors to drill a shared deeper well. Under the Agreement, the shared private well must be drilled by a California-licensed driller, and comply with California and County Environmental Health regulations. The Stillwell Project neighbors would select the well location and driller. Cemex would only provide funding to satisfy an invoice for well drilling meeting these specifications and would neither contract directly with the driller nor perform any work at the neighbors' property. Please refer to the attached Agreement for further details.

As we have discussed with you, Cemex is providing this assistance as a good neighbor and is under no legal obligation to provide such assistance. As we have further discussed, Cemex is not offering assistance to other Stillwell Project neighbors or landowners adjacent to other Cemex-owned projects, such as the Lemon Cove Project.


June 2, 2014

Page 2

We appreciate your consideration of the above information and look forward to further discussions regarding the assistance Cemex, as a good neighbor, wishes to voluntarily provide to Stillwell Project neighbors.

Best regards,

MITCHELL CHADWICK LLP



Patrick G. Mitchell

cc: Ron Wilson

Pete Locastro

## AGREEMENT

This Agreement for Well Drilling Payment ("Agreement") is entered into between Cemex Construction Materials Pacific, LLC ("Cemex") and Joshua Packard, Maria and Elias Rodriguez, Orville Cloud and Robert Morton (each a "Landowner" and collectively the "Landowners") dated as of June \_\_\_\_\_, 2014.

### Recitals

A. Cemex is the operator of the Stillwell Mine Expansion Project ("Stillwell Project"), in Tulare County ("County") for which the County approved a conditional use permit ("Permit") and reclamation plan in 1998. As a condition of the Permit, Cemex was required to establish and maintain a groundwater monitoring program for neighboring wells.

B. In January 2014, Landowners submitted written complaints to the County regarding depleted water levels in their wells. In March 2014 Cemex retained a licensed hydrogeologist to conduct further investigation of these complaints and determine if water level depletion was caused by Cemex's mining or reclamation activities at the Stillwell Project. The investigation report concludes that serious drought conditions unrelated to any of Cemex's mining or reclamation activities at the Stillwell Project are responsible for decreased water levels in neighboring wells. Because these changes in water levels were not caused by Cemex's mining or reclamation activities, Cemex is not required to take any action under the Permit or otherwise.

C. In April, 2014 the California Department of Water Resources ("DWR") issued a report concluding that serious drought conditions exist in California and which are causing water shortages in the locations of the Landowners existing shallow wells. *Public Update for Drought Response, Groundwater Basins with Potential Water Shortages and Gaps in Groundwater Monitoring*, Report to the Governor's Drought Task Force, Department of Water Resources, April 30, 2014.

D. DWR's report demonstrates that the drought is having extreme effects on water levels in the area the Landowners' wells are located. The report concludes that groundwater levels have decreased in nearly all areas of California since spring 2013, and more notably since spring 2010. Since spring 2008, groundwater levels have experienced all-time historical lows in most areas of the state and especially in the southern San Joaquin Valley. In many areas of the San Joaquin Valley, recent groundwater levels are more than 100 feet below previous historical lows. Of these areas, the Kaweah and Kings River subbasins, where the Landowners' wells are located, have the greatest numbers of deepened wells in an alluvial groundwater basin.

E. Although it has no obligation to do so, as part of Cemex's good neighbor operations, Cemex is willing to provide the Landowners with financial assistance as contained herein in connection with the installation of a single shared private well.

NOW, THEREFORE, in consideration of the foregoing recitals, and in consideration of the mutual covenants contained herein, Cemex and Landowners agree as follows:

## Agreement

1. **Previous Groundwater Monitoring Agreements.** Nothing in this Agreement shall supersede, revise, or otherwise alter the Groundwater Monitoring Agreements between RMC Pacific Materials, Inc. and property owners Wolford, Weller, Stillwell, Morton, Cairnes, Aksarban, Serrins, Mills, and Hammond, respectively, regarding well monitoring, which shall remain in full force and effect.
2. **Property.** The provision of payment for well drilling shall be applicable only to a single shared private well drilled, at the Landowners' option, on a parcel or parcels owned by one or more of the Landowners in the vicinity of the Stillwell Project (the "Property") to the specifications contained in this Agreement.
3. **Licensed Driller.** Landowners agree that any and all payments made under this Agreement shall be made only directly to a California C-57 Licensed well driller ("Driller") who drills a well on the Property in accordance with the Well Specifications provided below.
4. **Payment Amount.** Cemex agrees to provide up to a total amount of twelve thousand dollars (\$12,000) (the "Payment Amount"), for half of the costs for drilling services incurred to drill and install a single shared private well on the Property which meets the Well Specifications contained in this Agreement.
5. **Payment Terms.** Cemex shall make all payments under this Agreement directly to the Driller (as defined in Section 3, above) only when presented with an invoice for well drilling on the Property. Payment shall be made in an amount up to one half of the cost of the well drilling shown on such invoice, not to exceed the Payment Amount. Requests for payment under this Agreement shall be considered received on the date an invoice from Driller is received by Cemex and Cemex shall satisfy such request for payment to the extent due under this Agreement within a period of ninety (90) days from receipt of the invoice.
6. **Well Specifications.** The Payment Amount shall only be paid to satisfy the costs of well drilling for a single shared private well that is drilled in compliance with California and Tulare County Environmental Health regulations related to well drilling. In general these regulations require drilling to a depth greater than fifty feet and installation of a sanitary seal, in addition to other requirements.
7. **No Additional Services.** Landowners agrees that Cemex, its agents, employees and contractors, shall not incur any obligations beyond those specifically stated herein to Landowners or Driller, that Cemex, its agents, employees and contractors are not agreeing to perform well drilling or other work on the Property, and that Cemex, its agents, employees and contractors are not agreeing to provide additional services beyond payment for one half of the cost of well drilling up to the Payment Amount as specified herein, to the extent due under this Agreement and shall have no obligation of any kind with respect to the well or availability or quality of water from the well.

8. **Indemnification and Release.** Landowners agree to hold harmless and indemnify Cemex, its agents, employees and contractors, against any claims by Driller, including but not limited to, claims for payment in excess of the Payment Amount. Landowners hereby release, indemnify and hold harmless Cemex, its agents, employees and contractors from and against all injuries, claims, damages, causes of action and expenses, including, but not limited to personal injury, property damage, and reasonable attorney's fees arising out of or in any way connected with Cemex's, its agents' employees' and contractors' performance of obligations under this Agreement.

9. **Term.** Cemex shall have no obligation to make payments under this Agreement for any invoice received after December 1, 2015.

10. **Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same instrument.

[Signatures on Following Page]

AGREED AND ACCEPTED

Cemex Construction Materials Pacific, LLC  
5180 Golden Foothills Parkway  
El Dorado Hills, CA 95762

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Robert Morton  
33511 Sierra Drive  
Lemon Cove, CA 93244

By: \_\_\_\_\_  
Date: \_\_\_\_\_

Maria and Elias Rodriguez  
33513 Sierra Drive #A  
Lemon Cove, CA 93244

By: \_\_\_\_\_  
Date: \_\_\_\_\_

Orville Cloud  
33481 Sierra Drive  
Lemon Cove, CA 93244

By: \_\_\_\_\_  
Date: \_\_\_\_\_

Joshua Packard  
33511 1/2 Sierra Drive  
Lemon Cove, CA 93244

By: \_\_\_\_\_  
Date: \_\_\_\_\_





MITCHELL  
CHADWICK

Patrick Mitchell  
pmitchell@mitchellchadwick.com  
916-462-8888  
916-788-0290 Fax

June 19, 2014

VIA E-MAIL

Aaron Bock  
Tulare County Resource Management Agency  
5961 South Mooney Blvd  
Visalia, CA 9327

Re: Response to Tom Cairns' Complaints

Dear Aaron:

As you know, I represent Cemex Construction Materials Pacific, LLC ("Cemex"), the operator of the Stillwell Mine Expansion Project ("Stillwell Project") permitted by Tulare County ("County") in 1998. Your office received two complaint letters on May 21, 2014 from Tom Cairns, a County resident who lives near the Stillwell Project. Mr. Cairns is the owner of the Lemon Cove Granite mine (California Mine ID 91-54-0013) and is a competitor of Cemex's.

Cairns' letters expressed concerns about depleted water levels in the very shallow wells of other Stillwell Project neighbors, but Cairns has made clear that his well is still pumping properly. As explained at our recent meeting, the neighbors' well issues are caused by the extreme drought currently underway. Despite this, as a good neighbor, Cemex is working with your office to voluntarily offer funding to these Stillwell Project neighbors experiencing water level issues to offset the cost of drilling a deeper shared private well. While Cemex appreciates Mr. Cairns' concern for the situation affecting his neighbors, his involvement in this matter is inappropriate, since he is a direct competitor of Cemex's, is himself not experiencing a water shortage and, to Cemex's knowledge, is not the formal representative of the four Stillwell Project neighbors whose wells are severely drawn down. Additionally, Mr. Cairns has provided factually incorrect information and proposes solutions (such as refilling the recharge trench with water despite the fact that no dewatering is being conducted) which will not resolve the water shortage faced by the affected neighbors. This letter responds to Mr. Cairns' allegations. Cemex will continue to work with the four Stillwell Project neighbors who have experienced water shortages to offer a funding solution. However, any further action by the County to require Cemex to address Mr. Cairns' concerns is beyond the scope of the County's regulatory authority, as explained below.

### 1. Stillwell Project Conditional Use Permit Requirements

A conditional use permit ("CUP") was approved for the Stillwell Project by the County in 1998. Under CUP Condition 46, the County is required to act on "a written complaint from an owner of a pre-existing well which details an alleged impact to the well's water level, yield, or water quality." As stated by this condition, the complaint must be made *by the owner of the impacted well* to trigger action under the CUP. Because Mr. Cairns' complaint letters have stated that he is *not* experiencing water supply issues at his own well, the County is under no obligation to further investigate Mr. Cairns' complaints and Cemex cannot be required to address the allegations made by Mr. Cairns.

The County fulfilled its obligation regarding to the four neighbors experiencing a water shortage by asking Cemex to investigate these complaints. Cemex retained EMKO Environmental, Inc. to conduct this investigation and produced a report, *Hydrogeologic Evaluation of Current Groundwater Conditions at the CEMEX Stillwell Quarry*. This report concludes that serious drought conditions unrelated to any of Cemex's mining or reclamation activities at the Stillwell Project are responsible for the decreased water levels in neighbors' wells. This report also concludes that dewatering from the existing mine pit into a groundwater recharge trench, which Cemex ceased in September 2013 due to recurring equipment theft, is not the cause of decreased well levels. Water levels had been declining prior to cessation of dewatering. Per the Stillwell Project CUP conditions, Cemex is only required to take remedial action if well conditions change *as a result of mining or reclamation activities* at the Stillwell Project, and is therefore not required to take any action in this case.

It is important to note that the findings of the EMKO report have been verified by Paul Charpentier of the Tulare County Environmental Health Division. In a telephone call between Mr. Charpentier and Dr. Andrew Kopania of EMKO on May 22, 2014 regarding well permitting requirements, Mr. Charpentier stated that he was not surprised that the shallow wells near the Stillwell Project were experiencing problems because "groundwater levels throughout Tulare County have dropped 100 feet or more due to the drought." (See, May 22, 2014 email message from Dr. Kopania to County Planner Charles Przybylski.) Finally, an April 2014 report by the State Department of Water Resources noted that wells in this part of Tulare County have been severely impacted by the drought. Therefore, based on the findings of the EMKO report and the verification provided by Mr. Charpentier, Cemex is in full compliance with the conditions of the CUP.

### 2. Mr. Cairns' First May 21, 2014 Letter: Recharge Trench Issues

While acknowledging that Cemex's well drilling funding proposal could help provide a long-term solution to the Stillwell Project neighbors' water shortage issues, Mr. Cairns alleges that

Cemex is responsible for the well drawdown because it ceased dewatering of the mine pit into the recharge trench and demands that Cemex resume filling the trench.

Most importantly, as the County understands, because the recharge trench is down-gradient of the Stillwell Project neighbors' wells, adding water to the trench will have no effect on well levels because water cannot flow uphill. If Cemex were to dewater the pit into the recharge trench, the Stillwell Project neighbors would not see a positive change in well water levels. As clearly described in the EIR for the Stillwell Project, the recharge trench does not provide water directly to the neighbors' wells. The recharge trench functions by providing a hydraulic barrier to that natural groundwater flow, whereby water up-gradient of the trench is impeded from flowing onto the Stillwell Project property. However, due to the drought, there is no longer sufficient up-gradient flow to the neighbors' wells, and nothing for the hydraulic barrier to impede. Cemex is not, as Mr. Cairns alleges, attempting to avoid a "quick" solution to the problems experienced by the Stillwell Project neighbors. Unfortunately, such a "quick" solution does not exist because severe drought conditions, rather than any action by Cemex, are responsible for the decreased well levels. The only potentially-viable solution, which Cemex has proposed to offer financial assistance for, is for a deeper well to be drilled. As stated above, Cemex is under no obligation to take any action with regard to the Stillwell Project neighbors' well issues and is offering to provide assistance only as a good neighbor. Furthermore, Mr. Cairns' statement that well drillers in the County are unavailable for one year or more is unproven and was contradicted during recent conversations between Cemex personnel and your office.

In making his argument that the recharge trench should be filled by Cemex, Mr. Cairns misstates a series of facts. Mr. Cairns states that the dewatering pump for the pit is a 40 HP pump which, when pumping, caused the trench to overflow. He alleges that Cemex responded to this overflow problem by installing a "bypass Y" to allow "most of the dewatering to flow back into the Kaweah River through a pond on the northeast side of the Stillwell property." Mr. Cairns further alleges that Cemex owns a second, 10 HP pump previously used to fill water trucks during operations, which is also piped into the recharge trench and that the wiring for this pump could be replaced at a cost of \$4,000. He states that this pump could be used to "keep the recharge trench filled" when needed based on well levels, and that this solution would provide the "quick fix" needed to solve neighbors' water issues.

Mr. Cairns' information is not accurate. The 10 HP pump that Mr. Cairns mentions is owned by Dave Stillwell, the underlying fee owner of Stillwell Project property, not Cemex. This pump is not located in the excavation area, but rather, in a pond adjacent to the mine site. This pump was previously used to irrigate pasture land on the property but failed due to age (rather than wiring theft) and was not replaced by Mr. Stillwell. When dewatering was occurring, Cemex used two 30 HP pumps, which were required to run 24 hours per day to dewater the pit and which cannot pump the capacity needed to cause the trench to overflow. The overflow incident to which Mr.

Cairns refers occurred when a concrete-lined irrigation ditch on the eastern side of the Stillwell Project site maintained by Rocky Hill Corporation failed at its intersection with a runoff ditch near the Stillwell Project site. This failure caused flooding of Stillwell Project neighbors' properties, Lomitas drive, and Rocky Hill's lemon orchard. Rocky Hill asked Cemex to divert some pit water, which would have been pumped into the recharge trench at that time, to allow groundwater levels to stabilize and minimize the effects of oversaturation on its lemon trees. Cemex installed the bypass Y to which Mr. Cairns refers to carry pit water to one of the ponds on Mr. Stillwell's property and cooperate with Rocky Hill's request. This diversion was a temporary solution to a flooding issue and is not customarily used at the Stillwell Project site. Mr. Cairns' allegation that Cemex dewateres the pit into the Kaweah River is false. Cemex does not, and has never, discharged pit water into the Kaweah River.

### 3. Mr. Cairns' Second May 21, 2014 Letter: Groundwater Monitoring Data

Mr. Cairns' second letter alleges that the hydrogeological report produced by EMKO Environmental, Inc. for Cemex which determined the cause of the decreased well water levels (here, severe drought) is "incomplete" because the water levels measured in the Stillwell Project neighbors' wells are not indexed to the mean sea level ("msl"). Mr. Cairns claims that without msl-indexed data, the County cannot make decisions about Cemex's compliance with the CUP.

Mr. Cairns once again misunderstands Cemex's obligations under the CUP and the parameters of the groundwater monitoring program. DellaValle Labs, which conducts the groundwater monitoring program measurements for the Stillwell Project, submits water level data for each well in the monitoring program to the County each month, based on the depth below ground surface. The wells in the monitoring program are not required to be, nor have they ever been, surveyed to the mean-sea-level datum. However, the lack of such indexing does not prevent the monitoring data from providing all necessary and relevant information. The *change* in water levels relative to the ground surface, which is what DellaValle Labs currently measures, is the same as the *change* relative to mean sea level, or any other fixed datum one might select. The facts remain the same: the data shows that, first, in 2012 when the recharge trench pump was still running and the trench was full, the water levels dropped in the neighbors' wells to the same levels that they currently are; and, second, there is no correlation between water levels in the well and times when the recharge trench pumps were running or times when the recharge trench pumps were inoperable due to equipment theft. Furthermore, neither the groundwater monitoring program nor the CUP requires the unnecessary indexing of the water levels to the msl.

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### Conclusion

Cemex will continue to work with the Stillwell Project neighbors who are actually experiencing water level problems to provide some assistance as a good neighbor. Cemex is in full

June 19, 2014

Page 5

compliance with the requirements of its CUP and has provided an expert hydrogeological report that proves Mr. Cairns' claims are factually inaccurate. Any further action by the County to require Cemex to address Mr. Cairns' unfounded concerns, including a hearing before the Planning Commission on these issues, is beyond the scope of the County's regulatory authority.

It is very unfortunate that Tulare County and California are experiencing the worst drought in decades. However, the results of that drought are not attributable to Cemex. Please feel free to contact me if you have any further questions.

Sincerely,

MITCHELL CHADWICK LLP



Patrick G. Mitchell

cc: Ron Wilson (Cemex)  
Pete Locastro (Cemex)  
Dr. Andrew Kopania (EMKO Environmental, Inc.)  
Allison Reynolds (Mitchell Chadwick LLP)



MITCHELL  
CHADWICK

Patrick Mitchell  
pmitchell@mitchellchadwick.com  
916-462-8888  
916-788-0290 Fax

Tulare County  
Resource Management  
Agency

JUN 23 2014

June 20, 2014

VIA E-MAIL

Aaron Bock  
Tulare County Resource Management Agency  
5961 South Mooney Blvd  
Visalia, CA 9327

**Re: Complaints from Cemex Lemon Cove Project Neighbors**

Dear Aaron,

As you know, I represent Cemex Construction Materials Pacific, LLC ("Cemex"), the operator of the Stillwell Mine Expansion Project ("Stillwell Project") permitted by Tulare County ("County") in 1998 and the nearby Lemon Cove Mine and Reclamation Project ("Lemon Cove Project"), permitted by the County in 1971 and 1985 [at that time owned by RMC Pacific Materials, Inc. ("RMC")] which is now a wholly-owned subsidiary of Cemex. Due to severe drought conditions, and not because of any action by Cemex, Stillwell Project neighbors have experienced depleted water levels in their shallow wells. As a good neighbor, Cemex is working with these Stillwell Project neighbors to provide limited funding to offset costs of drilling a shared deeper private well.

At our meeting a few weeks ago in Visalia, the landowners located north of the Lemon Cove Project ("Lemon Cove Neighbors") learned of this potential funding agreement with the Stillwell Project neighbors and complained to the County regarding more nominal decreases in their well water levels. It is my understanding that the Lemon Cove Neighbors have encouraged the County to hold a Planning Commission hearing to determine if Cemex's activities at the Lemon Cove Project are responsible for their decreased well levels. A series of similar requests were made by Frank Callahan, a Lemon Cove Neighbor, beginning in 1994. These complaints eventually resulted in a County Board of Supervisors ("BOS") decision in 2001, after multiple BOS hearings on whether the Lemon Cove Project permit should be revoked, in which the BOS unanimously voted to not revoke the Lemon Cove Project permit because the BOS found that the evidence did not support the allegation that RMC's then-active mining activities were responsible for fluctuation in the Lemon Cove Neighbors' wells. Mining activities at the Lemon Cove Project, which Neighbors alleged were responsible for well level fluctuations, have steadily decreased since the time of that decision. Additionally, Tulare County and California are experiencing the worst drought in decades which has depleted well water levels across the

County and state. Therefore another hearing on these same issues would be unnecessary, wasteful, and run afoul of due process (e.g. the principles of double jeopardy and *res judicata*).

This letter briefly summarizes the history of Cemex's coordination with the Lemon Cove Neighbors regarding these issues. Cemex's limited activities at the Lemon Cove Project site are not responsible for any water issues experienced by the Lemon Cove Neighbors and Cemex is under no legal obligation to address these issues.

### 1. History of Lemon Cove Neighbors' Complaints and County Decision

On March 31, 1994 Mr. Callahan formally requested that the Tulare County Planning Commission consider revoking or amending RMC's surface mining permit for the Lemon Cove Project. He alleged that water levels in his wells had decreased after pit dewatering activities commenced near his property, thereby harming irrigation of his citrus trees. In 1995, the Planning Commission determined, without conducting a hydrological evaluation, that RMC's activities could be interfering with Mr. Callahan's well water levels. The Planning Commission recommended that the BOS consider revoking or amending the Lemon Cove Project permit.

Upon the Planning Commission's recommendation, the BOS conducted a series of hearings. At each, County staff recommended that the BOS dismiss Mr. Callahan's complaints, as staff had found inadequate evidence that RMC's activities were negatively impacting neighboring well conditions. The BOS provided ample opportunity for Mr. Callahan to accept accommodations offered by RMC, which included construction of a sand wick and piping water from a nearby pond. RMC voluntarily constructed a recharge trench which artificially increased Mr. Callahan's well levels while mining activities were ongoing, yet this still did not satisfy Mr. Callahan. At the BOS's final hearing on October 3, 2001 the BOS voted not to initiate revocation proceedings. Evidence presented by a hydrogeologist clearly showed that Mr. Callahan's well level fluctuations were due to the increased pumping by his up-gradient neighbors (many of the same Lemon Cove Neighbors at our recent meeting). These Lemon Cove Neighbors had installed additional agricultural wells after the Lemon Cove mine had commenced. When they turned their wells on, the level in Mr. Callahan's wells would drop. Mr. Callahan did not present any evidence showing that RMC's activities were in any way the cause of the relatively nominal decreases in his well level, or that his orchard had been harmed.

The County considered funding further studies to determine the connection between groundwater wells and mining activities in the Kaweah River basin more broadly. After a series of requests for proposals for such studies, which proved to be cost-prohibitive, the County abandoned this effort after RMC agreed to a recharge ditch at the Lemon Cove Project. As noted above, this trench acts, hydrologically, as a dam and artificially props up the water level in Mr. Callahan's wells.

## **2. Lemon Cove Neighbors' Current Well Issues Are Drought-Related**

Once again, Lemon Cove Neighbors including Mr. Callahan, are alleging that Cemex (as successor to RMC and current operator of the Lemon Cove Project) should be required to take action to increase the water levels in their wells. Cemex's mining extraction activities at the Lemon Cove Project ceased almost five years ago while the processing plant was fed from the Stillwell Project. Once again, the Lemon Cove Neighbors have not provided any credible scientific evidence that shows that Cemex's activities under the Lemon Cove Project permits have in any way affected the water levels in their wells.

During a May 22, 2014 telephone call with Dr. Andrew Kopania of EMKO Environmental, Inc., a hydrogeologist and Cemex consultant, Paul Chanterlier of the County Public Health Department, confirmed that groundwater levels throughout the County have decreased by approximately one hundred feet or more due to the severe drought. (See, May 22, 2014 email message from Dr. Kopania to County Planner Charles Przybylski confirming the call.) In fact, Mr. Chanterlier was surprised that the Lemon Cove Neighbors were not experiencing more severe water level problems due to the drought. Furthermore, an April 2014 report by the State Department of Water Resources noted that wells in this part of Tulare County have been severely impacted by the drought. An article in the June 11, 2014 Ag Alert published by the California Farm Bureau (attached hereto as Exhibit A) includes a front-page article discussing the severe impacts of the drought on Tulare County citrus orchards, which includes statements from long-time farmers that this is the worst we have seen in 50 years. It is very unfortunate that Tulare County and California are experiencing the worse drought in decades. However, the results of this drought are not attributable to Cemex.

### **Conclusion**

Cemex can only presume that the Lemon Cove Neighbors have initiated their requests to the County in hopes of receiving funding similar to Cemex's offer to Stillwell Project neighbors. Cemex has provided a funding offer to Stillwell Project neighbors only as a good neighbor due to the serious drought conditions which have eliminated virtually all sources of water for these neighbors. We agree with the County that the Stillwell and Lemon Cove situations are entirely separate, factually and legally. Cemex is under no obligation to assist the Lemon Cove Neighbors and has no plans to do so.

As the Lemon Cove Neighbors have not presented any credible evidence that Cemex's activities at the Lemon Cove Project have harmed their properties, it would be legally inappropriate and wasteful for the County to again consider these same long-decided issues.



Please feel free to contact me if you have any further questions.

Sincerely,

MITCHELL CHADWICK LLP

A handwritten signature in black ink, appearing to read 'P. Mitchell', written over the printed name.

Patrick G. Mitchell

cc: Ron Wilson (Cemex)  
Pete Locastro (Cemex)  
Allison Reynolds (Mitchell Chadwick LLP)

Internet Patrick Mitchell  
From:  
Recipients: ABoock@co.tulare.ca.us, CPrzybyl@co.tulare.ca.us,  
gordonk.brown@cemex.com, pete.locastro@cemex.com,  
ronaldd.wilson@cemex.com, AReynolds@mitchellchadwick.com,  
akopania@sbcglobal.net  
Date: 07/07/2014 5:13:47 PM  
Subject: RE: Letter Regarding Cairns' Complaints

Chuck,

I checked with our team and of the four of us who need to attend only 2 can make each date, i.e. neither date works for us (e.g. I'm in Denver on the 17th and Pete is gone the last 2 weeks of July on vacation, including the 24th). What dates in August work for you? For me the first week in August would work.

Also regarding the proposed meetings. We are willing to meet with the two groups related to Stillwell. We have not heard back from any of the neighbors in response to our offer to assist, despite our follow-up calls to them. As you know based on our expert's review and our review of Tulare County and state records/reports we believe that the neighbors problems are caused by the extreme drought and not by CEMEX. However, CEMEX is willing to meet to discuss the situation as a good neighbor.

Regarding the LemonCove site we do not believe that a meeting is proper. As outlined in my recent letter to Aaron, the groundwater issues at the Lemoncove site were all fully vetted and decided by the Tulare County Board of Supervisors several years ago. We do not believe that it is prudent nor appropriate to reanalyze and redetermine issues already determined after multiple, noticed public hearings involving the same neighbors. Before any Lemoncove meeting is set we first request a meeting between you, us and county counsel to discuss our concerns in that regard.

Thanks,

Pat

From: Charles Przybylski [mailto:CPrzybyl@co.tulare.ca.us]

Sent: Thursday, July 3, 2014 8:46 AM

To: Patrick Mitchell

Cc: Pete Locastro; Aaron Bock; Allison Reynolds; Andrew Kopania

Subject: Re: Letter Regarding Cairns' Complaints

Good Morning Mr. Mitchell,

The County intends to conduct three meetings with the interested parties for the CMEX-Stillwell mine site and the Lemoncove mine site on July 17 or July 24 (whichever is best available for CMEX) to continue discussion of the issues raised by these parties.

The three meetings to be conducted are with the following:

- 1) 4-5 Property owners with extreme well conditions only.
- 2) Remainder of the Stillwell interested parties only.

3) Lemoncove interested parties only.

Please let me or Aaron Bock know your availability or any other attendees for these dates. We can set up specific times once we know the date.

Thank you for your efforts in this matter.

Chuck Przybylski, Planner  
Resource Management Agency  
Planning Branch  
5961 South Mooney Blvd.  
Visalia, CA 93277  
559/624-7000

**ATTACHMENTS:**

None

**Tulare County Board of Supervisors Meeting**  
**Public Comment Period**  
**July 8, 2014**

**Stillwell Mine PMR98-003**

**Rob Morton:** Good morning ladies and gentlemen my name is Rob Morton. I own property at 33511 Sierra Dr. in Lemon Cove. I'm here to discuss the Stillwell Project PMR 98-003 which was approved in 2003. Mining for this project started in 2010. It's currently owned by CMEX. A corporation based in Mexico. The mining excavation is currently 60 feet deep and covers an area approximately 30 acres water has drained into this pit from an aquifer that supplies water to my well and my neighbors wells.

And as a result the water levels in our wells has dropped sharply this year and they are currently dry or nearly dry. There is a recharge trench along our property that has not been filled with water since September of 2013. Which CMEX turned the pumps off to that trench without anybody's authority the county or otherwise.

As a result in February 2014, letters were sent to Tulare County RMA asking for condition of approval of PMR98-003 number 49 to be met. A hydrology report was prepared by CMEX and sent to RMA on February 26. A meeting of the affected property owners, which I am one, was held with the RMA in March of 2014.

At that time, Mr. Spata promised a peer review of the submitted hydrology report. As of date, this date we have not received a copy of that peer review. On May 16, 2014, CMEX personnel and their attorneys met with a large group of well owners, I was one with the RMA staff to discuss this critical issue.

On personal note, my wife has renal failure she does peritoneal dialysis at home which requires extensive sanitary conditions and to be sanitary, you need water. If you're not sanitary, infections can occur, which could result in death.

As a result of our low water levels it has caused an extreme distress for me and my family. As I am having to haul water in at this time. I have asked for water level data for my well, which I'm on the well monitoring list. And the company that does it, say they cannot send it to me, I asked the RMA staff on the May 16 meeting to send me this data, copies of this data and they promised me that they would.

As of this date, I have not received copies of that data. I can stand on the roof of my home and see that excavation pit full of water. And, I haven't received a report; none of us haven't received the report from the peer from the RMA for the peer review. I have not received any copies of my well water level data and it's extremely disturbing for me and my neighbors.

**Chairman:** Mr. Morrison.

**Mr. Morton:** Know I'm out of time

**Chairman:** Can I have you give? Kyria can I have you stand. Can you give your contact information to this young lady here behind you and then I will follow up with you?

**Mr. Morton:** I have the conditions of approval here.

**Chairman:** If you just leave your contract information will be the most important if you can give it to her. We will follow up.

**Dick Polly:** Hello my name is Dick Polly. I'm a resident of Lemon Cove 3355 Road 248 up near the dam. The same project that Rob talked about. I'm a Naval Academy Graduate, a graduate of USC, Masters in systems engineering, and I work for the Air Force in civil engineering and Raytown missile systems, and soil compaction, penetration and liquefaction.

There was a peer review of the commission report, you'll note there's no measurement in that report that she's passing around, there's a copy of that peer report. No measurements were based on a baseline. The report to me is invalid. Its conjecture. Its opinion. Not based on fact. There's no data that can lead to any conclusions. We need a proper hydrology report contains that information every time that a report is issued, that should be in there. There's no geological information in there either.

With the geological cross sections of where the data was taken and those should be there also. The lack of rain fall and river flows, yeah we know we're in a drought but that's not the problem or the solution. What water flows downhill goes to the path of least resistance. That big pond you see there is lower the water finds its way into it. That's the reason our wells are dry the aquifer that our wells are on are 12 to 20 feet deep.

My parents drilled their well in the thirties and it's worked just fine for over ninety years. So, it's not the river or the drought. The lake is huge as they said. I expect CMEX to abandon that site at some point and their just going to walk away. It's a big company. They don't care. We live there. We can't plant gardens. Can't water our trees, it's a big deal to us. And what are we going to do we they leave? They should have recharged, put water in that recharge trench. They just walked away. The RMA is ignoring the interface with us and talking to us. We'd sure like to open that interface and get that recharge get water put back in it. Any questions?

**Chairman:** The question I would have would like to have one contact person? Would that be Rob or yourself?

**Mr. Polly:** I think Tom Cairns should be the primary contact.

**Chairman:** Ok. Thank you.

**Mr. Polly:** Sure.

**Mr. Rodriguez:** We are Elias and Maria Rodriguez. We live in 33513 Sierra Drive in Lemon Cove. And we are neighbor of Rob. Three of us receive a proposal solution from CMEX on June 2, 2014, and their solution is to finish up to have the casa to dig one well or \$12,000.00 and that the commence of whole families for further uses.

This is a friendly neighbor offer. Well drilling are backlog of about 2 years and we will have no water till then. And we ask RMA to get water back into the recharge trench and we haven't see any water. And we don't have money to do a well. So, if that long a delay to get well drill. So we don't have water.

**Mrs. Rodriguez:** And we are really angry and upset that we haven't been heard about our situation. So please we need a solution really fast. Thank you.

**Chairman:** Thank you.

**Louise Morton:** Hi, my name is Louise Morton I live at 33511 Sierra Drive I am speaking on behalf of Marian and Orville Cloud. They reside at 33481 Sierra Drive and they are living on social security and cannot afford an expensive well project at this time. They have never had their well go dry until March 2014 and they have lived there for 17 years.

And George Bence lived on his property for thirty years previously without ever seeing the well go dry. They started pumping air instead of water by February; by March there was no water to pump any more. They had to abandon their extensive garden which has cost them a lot more money for food bills. The giant lake on the Stillwell project sure has a lot of water in it since there has been no rain fall or minimal river flows.

Our aquifer is now dry and the lake is slowly filling. No amount of rain fall or river flow will put water in our well again as long as the Cmex lake level is far below the level of the bottom of our well.

**Chairman:** Next person wish to address the board?

**Martin Rodriguez:** Good morning Supervisors. My name is Martin Rodriguez. I own the last property on the south side of Lemon Cove next to the Still Will projects. I had some prepared remarks but I'm just gonna kinda just toss some things out here that I've heard. I've never been in a hall like this before, so thank you for having me. Other than a traffic ticket down the road.

I hear us talking about water which is obviously extremely important. My neighbors are all farmers. I'm not a farmer. I bought this property up here 9 ½ years ago cause I wanted to bring my family way up here to just kinda enjoy the mountain area. Ah, but my family goes back in this valley well over 60 years. Which is why I decided to come up here amongst just the nicest of the people of the community.

We hear about water. I hear about a drought, obviously. We talk about worldwide agriculture here. I read signs that say "Food grows where water flows." "Jobs grow where water flows" and you got a thousand acre feet of water sitting in a hole that was not there 2 ½ years ago. That's not being used. A thousand acre feet is a big chunk a water for an area that lives off water. Your agricultural success is phenomenal. Little pockets of water like this make a difference. It should be utilized. The five families and I'm the south one so as water does travel down so you know how much I have.

The nonuse of this can be aggravating at times because contractually before this all happen it was made clear between Steel Will and CMEX that the water level would be maintained. It hasn't and condition 49 here in the County states that water levels will be maintained. It hasn't been. These just aren't people not being able to water their crops. They can't take showers. They can't bath. This is need to be not just a community but an American right. We're here. We're middle class and I'm proud of being middle class. I enjoy what I do for a living. I enjoy coming up here. But to not be able to have drinking water. To not to be able to take a shower.

And to look out the back side of my property and see that huge lake of water just evaporating is unconscionable certainly in a drought condition. So I can ask you all to please consider this situation. Certainly we're five small families for a small voice in a community that certainly bonds together and tries to build something more than just individual activity or individual accomplishment. I appreciate your time. Thank you.

**George Claussen:** Good morning, my name is George Claussen I reside at 24207 D Lornitas Drive in Woodlake CA and I wish to speak also on a water situation I'm against CEMEX, but I'm referring to permits on 7101 and 85004 those are the one that are opposite from me the mining out of the Stillwell project is process on that particular mine.

I'd also like to let you know or make you aware out of all these mines that have been permitted there is approximately 750 acres of water that is ground water that is evaporating into the air that we do not have, and we will not ever get back until it rains again, and whether it rains here or not depends whether we get it or somebody else, so none of this was ever done 7101 and 85004 were done the 71001 prior to CEQA. There's no EIR done on either one on 85004 for the board. The environmental officer let that go through without a negative declaration. Nothing has ever been said on these projects to take care of water loss by evaporation were just losing it we have none, and today everybody is talking about drought our problems aren't necessary about drought as they are from mismanagement, and where we have lost this water before, these projects are set up and we have projects before Mr. Calahan will follow me to tell you his specific problem were they tried to put in a recharge trench to help alleviate the problem that was fine they stopped pumping water in it. I have measured wells for 19 years once a month with CEMEX or who ever owned the mines at the time the wells have generally held fairly consistent this year there lower and the lower basically because there is no water in this recharge trench to force the water back that mine is nothing but a great big well that is absorbing all of our water that is pulling it out

from under us. Now you need to start thinking about this because there is no reclamation plan for this project 71-01 its written before SMARA or approved before SMARA, and I would like RMA and I have written my letter that was dated on the 12th of April of this year I have asked them to look into this I have asked them to look into the reclamation bond is it sufficient to cover this don't get yourself in the same position as you did with Artesia and let them go bankrupt and leave here and leave the county holding the bag with nothing being done and let us tax payers reclaim or do something so I ask that you get the RMA staff to looking into these problems and do something about it Thank you for your time.

**Frank Callahan:** I'm Frank Callahan. I reside at 25231 Oleatas Dr. in Woodlake. This is a letter I wrote to Supervisor Bill Sanders when he was in office in '01. Complaining about the problems with the rock plant.

I know this is a drought year and so was '77. I irrigated with a centrifugal pump in '77. Right now the water has dropped since they have stopped putting water in the recharge trench and has dropped about 10 feet. I'm irrigating 3 times instead of once. It's exactly what I said what it was going to be in the past years when we were having problems. Thank you.



April 10' 2014

Resource Management Agency  
5961 South Mooney Blvd.  
Visalia, Ca. 93277

Attn: Michael C. Spata

Re: PMR 71-01 and PMR 85- 004

Dear Mr Spata,

I am concerned about the decline of the standing water levels in my four wells that have been measured monthly by George Clausen, Todd Dofflemeyer, and a CMEX employee. The standing water level (SWL) has been very consistent year to year despite variations in annual rainfall amounts. An alarming decline has occurred since CMEX stopped pumping this past November into the recharge moat that runs along the south border of my property. One of my wells, located on the center/south part of the property shows a decline of nearly 2 feet when comparing the February 2013 SWL to the February 2014 SWL. (12'6" vs 14'4"). A decline of over 3 feet (9'8" vs 13') was recorded for my well that is located on the SW side of my property bordering the ditch for the month of Feb 2013 compared to Feb 2014.

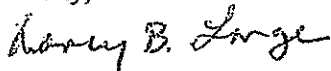
I am attaching a copy of a letter that was written by Luhdorff & Scalmanini in response to written questions I submitted to them in March 1996. LSCE were the consulting hydrologists hired by the former mine owner, RMC Lonestar. In the introduction of their letter to John Rubialas, who was our main contact at RMC Lonestar, LSCE stated that "The conclusions of the investigation indicate that the proposed recharge moat and reclaimed lakes would represent a potentially positive impact to nearby wells through recharge effects similar to those which exist around natural lakes and streams". Later in the letter, LDSE states "the best course of action to prove that your pumping capacity has been impaired by mining or the reclamation plan is to keep comprehensive records of water levels, pump performance, and well capacity. Therefore if your pumping capacity is impacted by some event or changed condition, you will have the necessary hydrological data to assess liability." Further on in that same answer, LSCE stated "The proposed revision to the reclamation plan to include recharge moats will make it highly unlikely that your wells will be damaged".

The final page of the LDSE letter states "if the recharge lakes are not properly designed or constructed properly to achieve the desired water elevations and your wells are adversely impacted, then the design or construction of the lakes will need to be modified by Lonestar".

PM 71-01 was granted and has a vague reclamation plan establishing a series of recharge lakes. The recharge moats have been effective in maintaining the SWL and drawdown levels of our wells. Now CMEX is no longer pumping into the recharge moat. Unfortunately, the recharge moats are a double edged sword; while maintaining a more or less stable SWL, they also were masking the permanent adverse effects of removing the water bearing strata materials of sand, gravel and cobble that conducts our water, affecting our SWL and drawdown.

Without adequate water we cannot farm. Our economic livelihood and the value of our land is ruined. I want to express my hopes that the Resource Management Agency will protect our interests and will work with us to assure that our historic water availability and quantity is maintained.

Sincerely,



Nancy B. Lange. (Formerly Nancy Cutler)



LUHDORFF & SCALMANINI  
CONSULTING ENGINEERS

GROUND-WATER RESOURCES

DESIGN • DEVELOPMENT • MAINTENANCE

April 18, 1996  
File No. 95-1-101

Mr. John Rubiales  
RMC Lonestar  
P. O. Box 5252  
Pleasanton, CA 94566

**SUBJECT: RESPONSE TO QUESTIONS, RMC LONESTAR LEMONCOVE  
OPERATIONS**

Dear Mr. Rubiales:

The following is a written response to questions posed by Ms. Nancy Cutler before and during the March 6, 1996 meeting in Lemoncove. As was noted in the meeting, Luhdorff and Scalmanini, Consulting Engineers (LSCE) was contracted by RMC Lonestar to evaluate the potential impact to ground-water levels from the reclaimed lakes and recharge moats. As part of that investigation, LSCE also assessed whether ground-water levels in the area may also be influenced by factors other than mining. The conclusions of the investigation indicate that the proposed recharge moat and reclaimed lakes would represent a potentially positive impact to nearby wells through recharge effects similar to those which exist around natural lakes and streams. The following are answers to the questions contained in Ms. Cutler's February 29, 1996 letter.

*Does the data verify your hypothesis regarding ground water flows? Are there any tracer studies or other studies of the flow? We would like to see this data if it exists.*

Previous studies have been conducted in this area for the Kaweah Delta Water Conservation District. Foremost is that by Bookman and Edmonston; Investigation of the Water Resources of the Kaweah Delta Water Conservation District (1972 and 1985). Water level data from the Department of Water Resources, Mr. John Fitzpatrick, and RMC Lonestar, in addition to the Bookman and Edmonston report were used to assess ground-water flow gradients. The data is available through the Department of Water Resources and the KDWCD. We would offer our work files for inspection at our offices, if requested.

*Have you mapped the water bearing strata and or bedrock area? If not, what data are you using for assumptions made in your report. If you have data regarding the bedrock and water bearing strata, we'd like to see it.*

Mr. John Rubiales

April 18, 1996

Page 2

The data used in the report regarding depth to bedrock and water bearing strata was derived from analysis of Drillers Reports (well logs) obtained from DWR. Depth to bedrock at the mine site was obtained from Lonestar. In addition, copies of Mr. Callahan's well logs were obtained through Lonestar.

*Your conclusions regarding post-remediation water tables are based on the assumption that there will be continuity between the lake bottom and the water-bearing strata. How will the remediation ensure that there will be continuity? What happens if the ponds silt up and seal off with the passage of time? How can this silting process be prevented. Please provide data that shows that this won't happen or that it can be remediated.*

The conclusions regarding post-remediation water tables are based on continuity between the walls of the lakes and the water-bearing strata. The lake bottom will be bedrock where there will be very little recharge compared to the lake sides and surrounding aquifer, therefore silt buildup on the lake bottom is of little concern. In addition, since the lakes will be ground-waterfed and will not have surface water inflows, the amount of silt and clay in the water that settles on the lake bottom will be limited.

*What happens if the dams break or there is improper maintenance of the ponds resulting in the water being released or stair-stepped water levels are lost? Who is responsible for pond maintenance in other mining situations once mining has ceased? Please provide data from analogous situations that currently exist.*

The depth to ground water at the mine site is approximately 15 to 20 feet below ground surface. If the dams break resulting in the water being released, the resultant water levels should not exceed the top of the lake banks. After RMC Lonestar releases their leases on the properties, the property owners are responsible for their own land.

*What do you calculate will be the equilibrium level of the ponds, relative to current levels and my wells pumping depths? Please-bring your data and research that demonstrates this level.*

We estimate that the average level of the pond nearest your wells will be approximately 445 to 450 feet in elevation based on our knowledge of the natural ground-water table in the general area. Current static water levels in your three wells (the wells which have depth-to-water information) range from approximately 451 to 456 feet in elevation. Pumping water levels in the wells range from 435 to 450 feet in elevation. Elevation of the ground surface at the wellheads is approximately 465 feet, mean sea level, which is based on a USGS topographic map.

*How long do you expect it will take to establish this new equilibrium? Please describe with three scenarios, normal average rainfall, below normal, i.e. drought conditions; and above average conditions. Please supply supporting data for each scenario.*

LSCE was not asked by RMC Lonestar to calculate or estimate how long it will take to establish equilibrium water levels in the lakes. Various opinions estimate approximately several weeks to months to fill the lakes.



Mr. John Rubiales

April 18, 1996

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*Who normally bears the responsibility if, despite the remediation plan, our pumping capacity is impaired or destroyed? Is your company willing to provide a guarantee that the proposed remediation will prevent permanent damage to my wells? How has this situation been handled in analogous situations?*

As stated in the March meeting, the best course of action to prove that your pumping capacity has been impaired by mining or the reclamation plan is to keep comprehensive records of water levels, pump performance, and well capacity. Therefore if your pumping capacity is impacted by some event or changed condition, you will have the necessary hydrologic data to assess liability. LSCE cannot guarantee that the proposed reclamation will prevent permanent damage to your wells because we are not the landowners of the mine site. The proposed revision to the reclamation plan to include recharge moats will make it highly unlikely that your wells will be damaged.

*What research or investigation have you done to support assumptions made in this report? Did your company do any independent investigation? If so what parts of the report were researched exclusively by your company?*

LSCE investigated the geology and water levels in the area through an analysis of data gathered from KDWCD, DWR, Mr. George Clausen, RMC Lonestar, and previous studies conducted by LSCE in the area. The overview of mining, dewatering, and reclamation operations and current mitigation program was provided by RMC Lonestar. The Hydrogeologic Conditions and Hydraulics sections of the report were researched exclusively by LSCE.

*Please give your professional opinion regarding the four following scenarios, and how they each would effect the pumping ability of my wells.*

- a. *mining stops today and there is only reclamation performed according to the guidelines in the Special Use Permit No. PM 71-01.*
- b. *mining continues until the mining allowed in PM 71-01 is completed and then reclamation is performed according to permit guidelines.*

LSCE was contracted by Lonestar to assess the impacts to your wells from the proposed revision (recharge moats) to the current reclamation plan. However, we concluded that the lakes could recharge your wells as they are pumped if the wells draw enough water so that the cone of depression created by pumping is great enough to intercept the lakes.

- c. *all mining allowed by PM71-01 and PMR 85-004 is completed and the proposed reclamation plan included in this report is implemented.*

As stated in the report, LSCE concluded that the proposed reclamation plan would represent a potentially positive impact to nearby wells.



Mr. John Rubiales

April 18, 1996

Page 4

d. *scenario #c, but that the ponds silt up, aren't properly maintained, or are not conceptually correct in how they are designed or implemented.*

This scenario is very hypothetical in nature and therefore it is difficult to assess specific potential impacts to your wells. However, as stated previously, deposition of fine-grained material on the lake bottom will not impact ground-water flow through the lakes so that silting is not a concern. Proper maintenance of the ponds should not be a concern since a portion of the land is owned by the Antelope Heights Water District, which is considered to be a responsible caretaker. If the lakes are not designed or constructed properly to achieve the desired water elevations and your wells are adversely impacted, then the design or construction of the lakes will need to be modified by Lonestar.

If you have any further requests or questions, please contact Mr. Tom Elson or myself.

Sincerely,

LUHDORFF AND SCALMANINI  
CONSULTING ENGINEERS

*William L. Halligan*

William L. Halligan

*Thomas D. Elson*

Thomas D. Elson

WLH/lb

Letter/Rubiales



LHDORFF & SCALMANINI

W. Todd Dofflemyer II  
P.O. Box 787  
Woodlake, CA 93286  
559 737-8723

April 13, 2014

Mr. Michael Spata  
Assistant Director  
Tulare County Resource Management Agency  
5961 South Mooney Blvd.  
Visalia, CA 93277

RE: PM 71-01, PRM 85-04

Thank you for meeting with concerned property owners adjacent to the two Cemex mining sites in Tulare County on Thursday, April 3rd, 2014. Enclosed please find a copy of an October 1, 2001 letter to the Tulare County Board of Supervisors presenting facts concerning a well on a 37 acre parcel serviced by Antelope Heights Water and Irrigating Company immediately North of the Callahan citrus property.

In October of 2008 this well was blown and a 3 horsepower submersible pump installed. Based on the time required to fill spray equipment it seems to pump 35 to 40 gallons per minute. In November of 2011 this parcel was separated from the total 90 acres as was the pipeline connecting the two wells. This 37 acre parcel is now owned by me while the Dofflemyer property to the East and other well located on the North edge of Wutchumna Ditch now belongs to Geneva Shannon.

Also please find well readings from January 2011 to the present for my well. This data is a small portion of the monthly ongoing well readings collected by local rancher George Clausen, an RMC and now Cemex representative, and myself. Points of note include the decline of the standing water level beginning in October of 2011 when this well was no longer assisted by the well to the East. Also note the January 2014 reading after a 14 day irrigation cycle of eight 24 hour sets with six days of recovery ending on January 31, hours before the scheduled reading. I would like to bring it to your attention that in addition to the standing water data for the thirteen wells North of the mining site, record of the flow of the Kaweah River, Wutchumna Ditch, water level in the recharge moat, and monitor well South of the Callahan wells is also recorded.

I look forward to hearing how your scheduled meeting with Cemex representatives went. In that Cemex has ceased operation, removed their equipment and crusher from the plant and are no longer pumping water into the recharge moat, it seems they are finished. Focus now should be on how the site can best be rehabilitated with the utmost thought toward a plan which protects the wells along the northern border.

Sincerely,

W. Todd Dofflemyer II

**John C. Dofflemyer**

**P.O. Box 44320**

**37081 Dry Creek Road**

**Lemon Cove, CA 93244**

**(559) 597-2512 FAX (559) 597-2103**

**e-mail: drycrik@hotmail.com**

October 1, 2001

Tulare County Board of Supervisors  
2900 Burrell Street  
Visalia, CA 93291

RE: PMR 71-01, PMR 85-004, PMR 99-001; Callahan Well

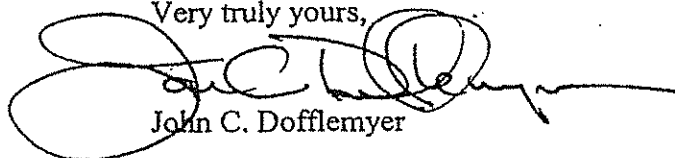
Dear Supervisors:

In your deliberations as how to identify the causes and resolve the impacts to Frank and Karen Callahan's well, please also be aware that our agricultural well on the parcel immediately north of the Callahan citrus property has no longer been in service, due to lack of water, since the 1998 irrigating season. A well test, conducted by Willitts Equipment Co., was curtailed after five minutes when a new pump and suction pipe began sucking air. In May 2000, Marvin Demmers of RMA and Peter Cotter of RMC Pacific Materials, among others, were in attendance when Water Well Specialties placed a video camera in the well to determine that there are no visible problems with the well or casing. Please find enclosed a copy of the original well test performed by W.R. Godfrey which indicates that this well produced 150 g.p.m. for 4.5 hours in June 1948.

We do not know if the problems to our well are related to the Callahan's, or to the mining activities of RMC Pacific Materials, but we do know that one third of our 90 acres of citrus, not served by the Antelope Heights Water & Irrigating Company, now relies solely on one remaining well which is also adjacent to RMC Pacific Materials. The loss of this well and other neighboring wells which depend on this aquifer can not be mitigated with surface water from the Kaweah River as this watershed is already fully appropriated. Secondly, there are times when the Kaweah River does not flow enough to reach the Naranjo District anyway, usually dry years when water is needed most for irrigation and frost protection.

In light of the current lack of answers based in science, we request that the Tulare County Board of Supervisors order that an independent hydrological assessment be conducted by a qualified hydrogeologist on behalf of the County to provide conclusive data, not only to confirm or deny Frank and Karen Callahan's complaint, but also to determine what relationship, if any, this complaint may have to other wells in the area.

Very truly yours,



John C. Dofflemyer

Encl.: W.R. Godfrey Well Test

CC: Bruce George, Kaweah Delta Water Conservation District

Telephone.....

Mailing Address  
Route 1, Box 872, Woodlake, Calif.

W. R. GODFREY

Well Drilling

ELDERWOOD, CALIF.

June 7<sup>th</sup> 1948

Ch Ladd Dafflemisser  
Elderwood  
Calif.

Date		Debit	Credit	Balance
	set 95 ft pump to test well (2) 50	47 50		
	4 1/2 hrs pumping time (2) 6 00	27 00		
		74 50		74 50
	150 G. P. M. Paid 8 6/7/48 W. R. Godfrey			
	Marano Rd.			

W. R. GODFREY

WELL DRILLING

WOODLAKE, CALIFORNIA

WELL LOG

NAME W. Ladd Dafflemisser  
DATE Apr. 13, 1948  
LOCATION Marano Rd.

Depth of Well 127 ft.  
Hardpin .....  
Clay .....  
Joint Clay .....  
Sandy Clay .....  
Sand and Boulders .....  
Sand .....  
Sandstone .....  
Slate Rock .....  
Decomposed Granite 16 to 127 ft.  
Hard Granite 127 ft.  
Casing 2 1/2 ft 12" 14 ga  
Amount Perforated none  
Standing Water Level 10 ft.  
Test Data .....  
Remarks 70 ft 12" hole  
57 ft 8" well



Well Readings, Dofflemyer Property 064-110-008, North of Frank Callahan

	2011	2012	2013	2014
JAN	5' 3"	14' 8"	17' 9"	28' 3"
FEB	7'	15' 11"	18' 3"	19'
MAR	8' 8"	18' 1"	20' 1"	20' 4"
APR	8' 7"	11' 2"	18' 7"	
MAY	9' 8"	17' 8"	16' 8"	
JUNE	9' 4"	15' 9"	16' 10"	
JULY	9' 11"	15' 7"	16' 4"	
AUG	8'	14' 2"	15' 3"	
SEPT	11'	14' 7"	14' 4"	
OCT	11' 2"	19' 4"	12' 10"	
NOV	12' 3"	15' 4"	12' 6"	
DEC	14' 1"	15' 6"	16' 4"	

April 6, 2014

To: Tulare County Resource Management Agency  
Attention: Michael Spata

Regarding: The well re-charge trench on the north edge of Tulare /County Mining  
Permits 71-01 and 85-004

Dear Sir:



When RMC started mining Permit # 85-001, my well's capacity to pump declined. Instead of being able to irrigate my grove in 24 hours/week, it took 96 hours/week. My costs for electricity and labor increased fourfold.

Discussions with the Tulare County Planning Commission and the Board of Supervisors led to a recharge trench being dug and filled with water. This mitigated the problem.

Since CEMEX stopped charging (keeping the trench filled with water) the trench, my wells have been declining in pumping capacity. All indications are that I will be back to a four day irrigation schedule to keep my grove alive.

Once CEMEX stopped pumping water into the recharge trench, our nearby neighbors(who adjoin the Stillwell project (#98-003) have had their wells go completely dry.

History is about to repeat itself if the recharge trench is not filled with water. Why do we have to go through all this again?

Concernedly,  
  
Frank Callahan  
  
Karin Callahan

George G. Clausen  
24207 D Lomitas Drive  
Woodlake, CA 93286

April 12, 2014

To: Resource Management Agency  
5961 South Mooney Blvd.  
Visalia, CA 93277

Attn: Michael C. Spata

Re: PM 71-01 & PMR 85-004

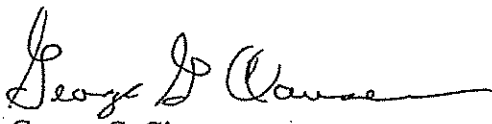
The parties north of the present CMEX mine are concerned over our well levels since CMEX stopped pumping into the "recharge moat" on November 2013. The wells are measured once a month by CMEX, myself and Todd Dofflemyer. As noted from the well logs (attachment #1) for the period January, February and March for years 2012 & 2013, my well readings were constant for that period i.e. 2012 12'4", 2013 13'. My well readings for 2014 are: January 14'3", February 14'5", and March 15'. I conclude this drop is the result of not pumping into the moat during this time; as the water in the "recharge moat" drops, so does our wells. This moat was installed by RMC Pacific Materials to alleviate the Frank Callahan problem (refer to agenda item dated August 30, 2001 BOS meeting September 11, 2001). The moat was extended to the east to charge the Antelope Heights pond (the east end of the ponds). My wells are north of this area.

Approximately 200 acres of citrus are irrigated from these wells. Since 2000, all but 16 acres are irrigated by micro irrigation systems. We have cut our water use in half from previous years when it was flood irrigated (furrows). It takes 2 1/2 acre feet of water per year for citrus. This includes rain and irrigation but irrigation is not 100 % efficient. However, the micro irrigation system is much more efficient than furrows.

It is also time to think about post-mining operations. The reclamation plans are obscure. For PM 71-01 it just suggests three lakes, but does not say how they are to be engineered to ensure proper water maintenance in the aquifer. What is the reclamation bond for this project? Is it ample for what needs to be done and to ensure our water supply is sufficient to meet our present and future needs? PMR 85-004 was to be filled in and returned to farm land. This shut off water from the pits and severely affected Callahan's wells hence the need for the "recharge moat". Has the reclamation plan been modified to reflect this? Also, since the ponds have not filled, water is still draining from under our land to refill the ponds. The "recharge moat" needs to be filled with water until equilibrium is reached.

Thank you for your attention to this matter.

Sincerely,

  
George G. Clausen

Well Readings July 26, 2011

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	12'11"	12'5"	N	New Well
	2	8"	Unable			
Heldman	1	7"	14'9"	14'2"	P	
Clausen	1	5"	16'	15'7"	P	
Cutler	SW	3'	13'1"	10'1"	N	
	SE	0	10'6"	10'6"	N	
	N	0	13'	13'	N	
	NEW	17"	8'10"	7'5"	N	
Dofflemyer	1	0	19'2"	19'2"	P	
	N	16"	11'3'	9'11"	N	
Crookshanks	E	1'	24'8"	23'8"	P	
	W	18"	20'9"	19'3"	N	
Callahan	NEW	1'	28'1"	27'1"	P	
	OLD	0	31'4"	31'4"	P	
Gordon		1'	Unable			

**Notes**

Moat 2' over top of marker: Piezometer 18'1"  
 Temperature Mid 90'S  
 River @ 2176 CFS  
 Ditch 2/3 Full

Well Readings August 27, 2011

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	13'1"	12'7"	N	New Well
	2	8"	Unable			
Heldman	1	7"	14'9"	14'2"	P	
Clausen	1	5"	15'8"	15'3"	P	
Cutler	SW	3'	13'1"	10'1"	N	
	SE	0	10'6"	10'6"	N	
	N	0	13'1"	13'1"	N	
	NEW	17"	22'3"	20'10"	P	
Dofflemyer	1	0	8'	8'	N	
	N	16"	10'11	9'7"	N	
Crookshanks	E	1'	25'	24'	P	
	W	18"	19'10	18'4"	N	
Callahan	NEW	1'	27'4"	26'4"	P	
	OLD	0	29'7"	29'7"	P	
Gordon		1'	Unable			

**Notes**

Moat 4' over top of marker: Piezometer 18'1"  
 Temperature High 90'S  
 River @ 1604 CFS  
 Ditch 2/3 Full

# Well Readings September 27, 2011

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>
Shiffert	1	6"	14'6"	14'	N
	2	8"	Unable		New Well
Heldman	1	7"	17'1"	16'6"	P
Clausen	1	5"	17'6"	17'1"	P
Cutler	SW	3'	13'9"	10'9"	N
	SE	0	11'4"	11'4"	N
	N	0	13'8"	13'8"	N
	NEW	17"	8'8"	7'3"	N
Dofflemyer	1	0	8'6"	8'6"	N
	N	16"	12'4"	11'	N
Crookshanks	E	1'	24'11"	23'11"	P
	W	18"	20'8"	19'2"	N
Callahan	NEW	1'	32'4"	31'4"	P
	OLD	0	30'7"	30'7"	P
Gordon		1'	Unable		

## Notes

Moat 5' over top of marker: Piezometer 18'6"  
 Temperature Low 90'S  
 River @ 314 CFS  
 Ditch 1/5 Full

# Well Readings October 25, 2011

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>
Shiffert	1	6"	21'5"	20'11"	P
	2	8"	Unable		New Well
Heldman	1	7"	12'2"	11'7"	N
Clausen	1	5"	12'6"	12'1"	N
Cutler	SW	3'	14'7"	11'7"	N
	SE	0	11'1"	11'1"	N
	N	0	13'6"	13'6"	N
	NEW	17"	9'1"	7'8"	N
Dofflemyer	1	0	16'6"	16'6"	P
	N	16"	12'6"	11'2"	N
Crookshanks	E	1'	28'	27'	P
	W	18"	18'6"	17'	N
Callahan	NEW	1'	19'1"	18'1"	N
	Old	0	18'8"	18'8"	N
Gordon		0	Unable		

## Notes

Moat 5' over top of marker: Piezometer 18'6"  
 Temperature High 70'S  
 River @ 59 CFS  
 Ditch Dry

Well Readings November 29, 2011

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	15'1"	14'7"	N	New Well
	2	8"	Unable			
Heldman	1	7"	12'4"	11'9"	N	
Clausen	1	5"	12'5"	12'	N	
Cutler	SW	3'	13'6"	10'6"	N	
	SE	0	11'	11'	N	
	N	0	13'5"	13'5"	N	
	NEW	17"	8'4"	6'11"	N	
Dofflemyer	1	0	7'5"	7'5"	N	
	N	16"	13'7"	12'3"	N	
Crookshanks	E	1'	11'9"	10'9"	N	
	W	18"	15'8"	14'2"	N	
Callahan	NEW	1'	18'	17'	N	
	Old	0	17'8"	17'8"	N	
Gordon		0	Unable			

## Notes

Moat 5' over top of marker: Piezometer 15'  
 Temperature Low 60'S  
 River @ 30 CFS  
 Ditch 1/20 Full

Well Readings December 20, 2011

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	14'10"	14'4"	N	New Well
	2	8"	Unable			
Heldman	1	7"	12'6"	11'11"	N	
Clausen	1	5"	12'7"	12'2"	N	
Cutler	SW	3'	14'4"	11'4"	N	
	SE	0	11'7"	11'7"	N	
	N	0	13'11"	13'11"	N	
	NEW	17"	9'7"	8'2"	N	
Dofflemyer	1	0	9'6"	9'6"	N	
	N	16"	15'5"	14'1"	N	
Crookshanks	E	1'	21'9"	20'9"	P	
	W	18"	16'8"	15'2"	N	
Callahan	NEW	1'	17'7"	16'7"	N	
	Old	0	17'4"	17'4"	N	
Gordon		0	Unable			

## Notes

Moat 5' over top of marker: Piezometer 14'6"  
 Temperature High 50's  
 River @ 514 CFS  
 Ditch 1/15 Full

Well Readings January 31, 2012

**Name**

	<b><u>Well #</u></b>	<b><u>Well Casing Ht.</u></b>	<b><u>Water Depth</u></b>	<b><u>Water Level</u></b>	<b><u>Remarks</u></b>	
Shiffert	1	6"	16'	15'6"	N	New Well
	2	8"	Unable			
Heldman	1	7"	13'2"	12'7"	N	
Clausen	1	5"	12'10"	12'5"	N	
Cutler	SW	3'	14'	11'	N	
	SE	0	11'4"	11'4"	N	
	N	0	13'11"	13'11"	N	
	NEW	17"	9'2"	7'9"	N	
Dofflemyer	1	0	8'6"	8'6"	N	
	N	16"	16'	14'8"	N	
Crookshanks	E	1'	13'5"	12'5"	N	
	W	18"	17'9"	16'3"	N	
Callahan	NEW	1'	20'4"	19'4"	N	
	Old	0	20'	20'	N	
Gordon		0	Unable			

**Notes**

Moat 3' over top of marker: Piezometer 17'  
 Temperature Low 60's  
 River @ 7 CFS  
 Ditch Dry

Well Readings February 28, 2012

**Name**

	<b><u>Well #</u></b>	<b><u>Well Casing Ht.</u></b>	<b><u>Water Depth</u></b>	<b><u>Water Level</u></b>	<b><u>Remarks</u></b>	
Shiffert	1	6"	15'6"	15'	N	New Well
	2	8"	Unable			
Heldman	1	7"	12'11"	12'4"	N	
Clausen	1	5"	12'9"	12'4"	N	
Cutler	SW	3'	16'6"	13'6"	N	
	SE	0	26'6"	26'6"	P	
	N	0	25'1"	25'1"	P	
	NEW	17"	24'7"	23'2"	P	
Dofflemyer	1	0	8'1"	8'1"	N	
	N	16"	17'3"	15'11"	N	
Crookshanks	E	1'	12'7"	11'7"	N	
	W	18"	16'8"	15'2"	N	
Callahan	NEW	1'	19'1"	18'1"	N	
	Old	0	18'10"	18'10"	N	
Gordon		0	Unable			

**Notes**

Moat 3' over top of marker: Piezometer 16'1"  
 Temperature Low 60's  
 River @ 7 CFS  
 Ditch Dry

# Well Readings March 27, 2012

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>
Shiffert	1	6"	15'7"	15'1"	N
	2	8"	Unable		
Heldman	1	7"	12'11"	12'4"	N
Clausen	1	5"	12'9"	12'4"	N
Cutler	SW	3'	14'	11'	N
	SE	0	11'5"	11'5"	N
	N	0	13'9"	13'9"	N
	NEW	17"	8'10"	7'5"	N
Dofflemyer	1	0	7'10"	7'10"	N
	N	16"	19'5"	18'1"	N
Crookshanks	E	1'	12'6"	11'6"	N
	W	18"	17'4"	15'10"	N
Callahan	NEW	1'	19'9"	18'9"	N
	Old	0	19'5"	19'5"	N
Gordon		0	Unable		

## Notes

Moat 3' over top of marker: Piezometer 16'7"

Temperature Mid 60's

River @ 7 CFS

Ditch Dry

# Well Readings April 24, 2012

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>
Shiffert	1	6"	14'9"	14'3"	N
	2	8"	Unable		
Heldman	1	7"	12'	11'5"	N
	1	5"	12'2"	11'9"	N
	SW	3'	14'	11'	N
	SE	0	11'5"	11'5"	N
Cutler	N	0	13'9"	13'9"	N
	NEW	17"	8'1"	6'8"	N
	1	0	7'	7'	N
Dofflemyer	N	16"	18'7"	17'3"	N
	E	1'	12'2"	11'2"	N
Crookshanks	W	18"	16'7"	15'1"	N
	NEW	1'	19'4"	18'4"	N
Callahan	Old	0	19'	19'	N
		0	Unable		

Gordon Moat 3' over top of marker: Piezometer 16'1"

## Notes

Temperature Mid 80's

River @ 24 CFS

Ditch 1/10 Full



# Well Readings May 22, 2012

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>
Shiffert	1	6"	25'9"	25'3"	P
	2	8"	Unable		New Well
Heldman	1	7"	16'6"	15'11"	P
Clausen	1	5"	17'2"	16'9"	P
Cutler	SW	3'	16'8"	13'8"	N
	SE	0	23'2"	23'2"	P
	N	0	23'8"	23'8"	P
	NEW	17"	25'7"	24'2"	P
Dofflemyer	1	0	11'2"	11'2"	N
	N	16"	19'	17'8"	N
Crookshanks	E	1'	24'5"	23'5"	P
	W	18"	20'1"	18'7"	N
Callahan	NEW	1'	21'2"	20'2"	N
	Old	0	20'9"	20'9"	N
Gordon		0	Unable		

Moat 1' over top of marker: Piezometer 17'9"

## Notes

Temperature High 80's

River @421 CFS

Ditch 1/4 Full

# Well Readings June 26, 2012

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>
Shiffert	1	6"	14'5"	13'11"	N
	2	8"	Unable		New Well
Heldman	1	7"	16'4"	15'9"	P
Clausen	1	5"	16'6"	16'1"	P
Cutler	SW	3'	13'	10'	N
	SE	0	10'7"	10'7"	N
	N	0	13'4"	13'4"	N
	NEW	17"	7'9"	6'4"	N
Dofflemyer	1	0	unable		
	N	16"	17'1"	15'9"	N
Crookshanks	E	1'	23'1"	22'1"	P
	W	18"	17'10"	16'4"	N
Callahan	NEW	1'	27'9"	26'9"	P
	Old	0	27'6"	27'6"	P
Gordon		0	Unable		

Moat 4' over top of marker: Piezometer Uable

## Notes

Temperature High 80's

River @1324 CFS

Ditch 1/2 Full

### Well Readings July 31, 2012

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	26'	25'6"	P	New Well
	2	8"	Unable			
Heldman	1	7"	15'4"	14'9"	P	
Clausen	1	5"	15'9"	15'4"	P	
Cutler	SW	3'	14'7"	11'7"	N	
	SE	0	24'	24'	P	
	N	0	24'2"	24'2"	P	
	NEW	17"	20'1"	18'8"	P	
Dofflemyer	1	0	6'8"	6'8"	N	
	N	16"	16'11"	15'7"	N	
Crookshanks	E	1'	12'	11'	N	
	W	18"	16'	14'6"	N	
Callahan	NEW	1'	25'5"	24'5"	P	
	Old	0	22'4"	22'4"	P	
Gordon		0	Unable			

Moat 2' over top of marker: Piezometer 16'1"

### Notes

Temperature Low 100's

River @822 CFS

Ditch Full

### Well Readings August 28, 2012

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	26'	25'6"	P	New Well
	2	8"	Unable			
Heldman	1	7"	16'4"	15'9"	P	
Clausen	1	5"	17'2"	16'9"	P	
Cutler	SW	3'	16'7"	13'7"	N	
	SE	0	27'	27'	P	
	N	0	26'	26'	P	
	NEW	17"	25'	23'7"	P	
Dofflemyer	1	0	9'5"	9'5"	N	
	N	16"	15'6"	14'2"	N	
Crookshanks	E	1'	25'3"	24'3"	P	
	W	18"	20'3"	18'9"	N	
Callahan	NEW	1'	28'4"	27'4"	P	
	Old	0	29'6"	29'6"	P	
Gordon		0	Unable			

Moat 2' over top of marker: Piezometer 16'1"

### Notes

Temperature High 90's

River @ 110 CFS

Ditch 1/20 Full

Well Readings September 25, 2012

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	22'	21'6"	P	New Well
	2	8"	Unable			
Heldman	1	7"	18'9"	18'2"	P	
Clausen	1	5"	19'4"	18'11"	P	
Cutler	SW	3'	15'1"	12'1"	N	
	SE	0	19'	19'	P	
	N	0	25'4"	25'4"	P	
	NEW	17"	26'2"	24'9"	P	
Dofflemyer	1	0	11'9"	11'9"	N	
	N	16"	15'11"	14'7"	N	
Crookshanks	E	1'	28'3"	27'3"	P	
	W	18"	22'1"	20'7"	N	
Callahan	NEW	1'	30'	29'	P	
	Old	0	30'	30'	P	
Gordon		0	Unable			

Moat 1' over top of marker: Piezometer 20'8"

## Notes

Temperature mid 90's

River @ 78 CFS

Ditch 1/20 Full

Well Readings October 30, 2012

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	20'	19'6"	P	New Well
	2	8"	Unable			
Heldman	1	7"	13'2"	12'7"	N	
Clausen	1	5"	13'2"	12'9"	N	
Cutler	SW	3'	15'9"	12'9"	N	
	SE	0	13'5"	13'5"	N	
	N	0	17'4"	17'4"	N	
	NEW	17"	10'8"	9'3"	N	
Dofflemyer	1	0	9'8"	9'8"	N	
	N	16"	20'8"	19'4"	N	
Crookshanks	E	1'	15'6"	14'6"	P	
	W	18"	18'2"	16'8"	N	
Callahan	NEW	1'	20'2"	19'2"	N	
	Old	0	19'9"	19'9"	N	
Gordon		0	Unable			

Moat 2' over top of marker: Piezometer 17'

## Notes

Temperature Low 80's

River @ 55 CFS

Ditch 1/20 Full

Well Readings November 27, 2012

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	28'8"	28'2"	P	New Well
	2	8"	Unable			
Heldman	1	7"	18'8"	18'1"	p	
Clausen	1	5"	19'4"	18'11"	p	
Cutler	SW	3'	14'1"	11'1"	N	
	SE	0	11'7"	11'7"	N	
	N	0	14'	14'	N	
	NEW	17"	9'9"	8'4"	N	
Dofflemyer	1	0	11'1"	11'1"	N	
	N	16"	16'8"	15'4"	N	
Crookshanks	E	1'	14'7"	13'7"	P	Just Started
	W	18"	18'9"	17'3'	N	
Callahan	NEW	1'	21'4"	20'4"	N	
	Old	0	21'	21'	N	
Gordon		0	Unable			

Moat 2' over top of marker: Piezometer 18'

## Notes

Temperature Mid 60's

River @ 22 CFS

Ditch 1/40 Full

Well Readings December 18, 2012

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	14'4"	13'10"	N	New Well
	2	8"	Unable			
Heldman	1	7"	12'	11'5"	N	
Clausen	1	5"	12'	11'7"	N	
Cutler	SW	3'	13'4"	10'4"	N	
	SE	0	10'8"	10'8"	N	
	N	0	13'1"	13'1"	N	
	NEW	17"	8'9"	7'4"	N	
Dofflemyer	1	0	8'8"	8'8"	N	
	N	16"	16'10"	15'6"	N	
Crookshanks	E	1'	12'10"	11'10"	N	
	W	18"	18'6"	17'	N	
Callahan	NEW	1'	18'8"	17'8"	N	
	Old	0	18'4"	18'4"	N	
Gordon		0	Unable			

Moat 4' over top of marker: Piezometer 15'6"

## Notes

Temperature Mid 50's

River @ 466 CFS

Ditch 1/6 Full

# Well Readings January 29, 2013

Name	Well #	Well Casing Ht.	Water Depth	Water Level	Remarks
Shiffert	1	6"	16'5"	15'11"	N
	2	8"	Unable		New Well
Heldman	1	7"	13'6"	12'11"	N
Clausen	1	5"	13'5"	13'	N
Cutler	SW	3'	15'3"	12'3"	N
	SE	0	12'6"	12'6"	N
	N	0	15'	15'	N
	NEW	17"	11'1"	9'8"	N
Dofflemyer	1	0	10'10"	10'10"	N
	N	16"	19'1"	17'9"	N
Crookshanks	E	1'	13'5"	12'5"	N
	W	18"	15'10"	14'4"	N
Callahan	NEW	1'	17'10"	16'10"	N
	Old	0	17'6"	17'6"	N
Gordon		0	Unable		

Moat 4' over top of marker: Piezometer 14'10"

## Notes

Temperature Mid 50's

River @ 4 CFS

Ditch Dry

# Well Readings February 28, 2013

Name	Well #	Well Casing Ht.	Water Depth	Water Level	Remarks
Shiffert	1	6"	16'8"	16'2"	N
	2	8"	Unable		New Well
Heldman	1	7"	13'4"	12'9"	N
Clausen	1	5"	13'5"	13'	N
Cutler	SW	3'	15'3"	12'3"	N
	SE	0	12'6"	12'6"	N
	N	0	15'	15'	N
	NEW	17"	11'1"	9'8"	N
Dofflemyer	1	0	10'11"	10'11"	N
	N	16"	19'7"	18'3"	N
Crookshanks	E	1'	13'	12'	N
	W	18"	15'4"	13'10"	N
Callahan	NEW	1'	17'4"	16'4"	N
	Old	0	17'	17'	N
Gordon		0	Unable		

Moat 5' over top of marker: Piezometer 14'3"

## Notes

Temperature Mid 60's

River @ 1 CFS

Ditch Dry

### Well Readings March 28, 2013

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	16'9"	16'3"	N	New Well
	2	8"	Unable			
Heldman	1	7"	13'4"	12'9"	N	
Clausen	1	5"	13'6"	13'1"	N	
Cutler	SW	3'	14'8"	11'8"	N	
	SE	0	12'4"	12'4"	N	
	N	0	14'9"	14'9"	N	
	NEW	17"	9'7"	8'2"	N	
Dofflemyer	1	0	9'8"	9'8"	N	
	N	16"	21'5"	20'1"	N	
Crookshanks	E	1'	23'2"	22'2"	P	
	W	18"	17'10"	16'4"	N	
Callahan	NEW	1'	18'8"	17'8"	N	
	Old	0	18'3"	18'3"	N	
Gordon		0	Unable			

Moat 4' over top of marker: Piezometer 15'6"

### Notes

Temperature Mid 70's

River @ 24 CFS

Ditch 1/30 Full

### Well Readings April 30, 2013

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	21'	20'6"	P	New Well
	2	8"	Unable			
Heldman	1	7"	19'7"	19'	P	
Clausen	1	5"	22'	21'7"	P	
Cutler	SW	3'	15'8"	12'8"	N	
	SE	0	13'4"	13'4"	N	
	N	0	16'1"	16'1"	N	
	NEW	17"	8'	6'7"	N	
Dofflemyer	1	0	11'	11'	N	
	N	16"	19'11"	18'7"	N	
Crookshanks	E	1'	16'2"	15'2"	N	
	W	18"	17'11"	16'5"	N	
Callahan	NEW	1'	18'10"	17'10"	N	
	Old	0	18'6"	18'6"	N	
Gordon		0	Unable			

Moat 4' over top of marker: Piezometer 16'

### Notes

Temperature Mid 90's

River @ 28 CFS

Ditch 1/30 Full

Well Readings May 28, 2013

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	16'10"	16'4"	N	New Well
	2	8"	Unable			
Heldman	1	7"	18'6"	17'11"	P	
Clausen	1	5"	18'6"	18'1"	P	
Cutler	SW	3'	16'6"	13'6"	N	
	SE	0	27'6"	27'6"	P	
	N	0	27'	27'	P	
	NEW	17"	24'2"	22'9"	P	
Dofflemyer	1	0	9'2"	9'2"	N	
	N	16"	18'	16'8"	N	
Crookshanks	E	1'	25'6"	24'6"	P	
	W	18"	16'9"	15'3"	N	
Callahan	NEW	1'	26'	25'	P	
	Old	0	23'6"	23'6"	P	
Gordon		0	Unable			

Moat 4' over top of marker: Piezometer 14'8"

## Notes

Temperature Mid 80's

River @ 397 CFS

Ditch 1/10 Full

Well Readings June 25, 2013

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	20'	19'6"	P	New Well
	2	8"	Unable			
Heldman	1	7"	16'4"	15'9"	P	
Clausen	1	5"	17'2"	16'9"	P	
Cutler	SW	3'	14'3"	11'3"	N	
	SE	0	11'5"	11'5"	N	
	N	0	13'8"	13'8"	N	
	NEW	17"	8'5"	7'	N	
Dofflemyer	1	0	9'5"	9'5"	N	
	N	16"	18'2"	16'10"	N	
Crookshanks	E	1'	22'5"	21'5"	P	
	W	18"	16'4"	14'10"	N	
Callahan	NEW	1'	25'4"	24'4"	P	
	Old	0	22'6"	22'6"	P	
Gordon		0	Unable			

Moat 4' over top of marker: Piezometer 14'4"

## Notes

Temperature Low 90's

River @ 763 CFS

Ditch 2/3 Full

Well Readings July 30, 2013

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	23'	22'6"	P	New Well
	2	8"	Unable			
Heldman	1	7"	16'4"	15'9"	P	
Clausen	1	5"	17'5"	17'	P	
Cutler	SW	3'	14'	11'	N	
	SE	0	11'9"	11'9"	N	
	N	0	14'4"	14'4"	N	
	NEW	17"	9'6"	8'1"	N	
Dofflemyer	1	0	9'4"	9'4"	N	
	N	16"	17'8"	16'4"	N	
Crookshanks	E	1'	22'4"	21'4"	P	
	W	18"	28'4"	26'10"	P	
Callahan	NEW	1'	25'8"	24'8"	P	
	Old	0	22'9"	22'9"	P	
Gordon		0	Unable			

Moat 4' over top of marker: Piezometer 14'4"

## Notes

Temperature High 90's

River @ 109 CFS

Ditch 1/25 Full

Well Readings August 27, 2013

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>	
Shiffert	1	6"	20'	19'6"	P	New Well
	2	8"	Unable			
Heldman	1	7"	16'7"	16'	P	
Clausen	1	5"	17'9"	17'4"	P	
Cutler	SW	3'	14'2"	11'2"	N	
	SE	0	11'8"	11'8"	N	
	N	0	14'8"	14'8"	N	
	NEW	17"	9'	7'7"	N	
Dofflemyer	1	0	9"	9'	N	
	N	16"	16'7"	15'3"	N	
Crookshanks	E	1'	22'5"	21'5"	P	
	W	18"	28'4"	26'10"	P	
Callahan	NEW	1'	24'5"	23'5"	P	
	Old	0	21'2"	21'2"	P	
Gordon		0	Unable			

Moat 5' over top of marker: Piezometer 14'1"

## Notes

Temperature High 90's

River @ 150 CFS

Ditch 1/4 Full



Well Readings September 24, 2013

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>
Shiffert	1	6"	15'9"	15'3"	N
	2	8"	Unable		New Well
Heldman	1	7"	17'	16'5"	P
Clausen	1	5"	18'	17'7"	P
Cutler	SW	3'	14'2"	11'2"	N
	SE	0	11'5"	11'5"	N
	N	0	13'7"	13'7"	N
	NEW	17"	9'	7'7"	N
Dofflemyer	1	0	9"	9'	N
	N	16"	15'8"	14'4"	N
Crookshanks	E	1'	20'6"	19'6"	P
	W	18"	15'4"	13'10"	N
Callahan	NEW	1'	25'	24	P
	Old	0	22'	22	P
Gordon		0	Unable		

Moat 5' over top of marker: Piezometer 14'1"

## Notes

Temperature Mid 80's

River @ 94 CFS

Ditch 1/8 Full

Well Readings October 30, 2013

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>
Shiffert	1	6"	20'	19'6"	P
	2	8"	Unable		New Well
Heldman	1	7"	12'6"	11'11"	N
Clausen	1	5"	12'9"	12'4"	N
Cutler	SW	3'	10'8"	7'8"	N
	SE	0	11'	11'	N
	N	0	13'5"	13'5"	N
	NEW	17"	9'	7'7"	N
Dofflemyer	1	0	9'6"	9'6"	N
	N	16"	14'2"	12'10"	N
Crookshanks	E	1'	22'1"	21'1"	P
	W	18"	16'	14'6"	N
Callahan	NEW	1'	16'8"	15'8"	N
	Old	0	16'4"	16'4"	N
Gordon		0	Unable		

Moat 5' over top of marker: Piezometer 14'1"

## Notes

Temperature High 60's

River @ 98 CFS

Ditch 1/8 Full

Well Readings November 27, 2013

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>
Shiffert	1	6"	16'1"	15'7"	N
	2	8"	Unable		
Heldman	1	7"	13'	12'5"	N
Clausen	1	5"	13'4"	12'11"	N
Cutler	SW	3'	14'2"	11'2"	N
	SE	0	11'7"	11'7"	N
	N	0	13'11"	13'11"	N
	NEW	17"	9'1"	7'8"	N
Dofflemyer	1	0	8'10"	8'10"	N
	N	16"	13'10"	12'6"	N
Crookshanks	E	1'	11'9"	10'9"	N
	W	18"	14'5"	12'11"	N
Callahan	NEW	1'	16'6"	15'6"	N
	Old	0	16'1"	16'1"	N
Gordon		0	Unable		

Moat 5' over top of marker: Piezometer 14'1"

## Notes

Temperature Mid 60's

River @ 16 CFS

Ditch 1/30 Full

Well Readings December 23, 2013

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>
Shiffert	1	6"	16'	15'6"	N
	2	8"	Unable		
Heldman	1	7"	13'6"	12'11"	N
Clausen	1	5"	13'10"	13'5"	N
Cutler	SW	3'	15'9"	12'9"	N
	SE	0	13'3"	13'3"	N
	N	0	15'7"	15'7"	N
	NEW	17"	11'6"	10'1"	N
Dofflemyer	1	0	11'6"	11'6"	N
	N	16"	17'8"	16'4"	N
Crookshanks	E	1'	14'1"	13'1"	N
	W	18"	16'2"	14'8"	N
Callahan	NEW	1'	19'2"	18'2"	N
	Old	0	18'10"	18'10"	N
Gordon		0	Unable		

Moat 3' over top of marker: Piezometer 15'9"

## Notes

Temperature High 50's

River @ 17 CFS

Ditch 1/20 Full

Well Readings January 31, 2014

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>
Shiffert	1	6"	16'9"	16'3"	N
	2	8"	Unable		New Well
Heldman	1	7"	14'4"	13'10"	N
Clausen	1	5"	14'8"	14'3"	N
Cutler	SW	3'	16'10"	13'10"	N
	SE	0	14'4"	14'4"	N
	N	0	17'	17'	N
	NEW	17"	13'5"	12'	N
Dofflemyer	1	0	14'10"	14'10"	N
	N	16"	29'7"	28'3"	N
Crookshanks	E	1'	16'1"	15'1"	N
	W	18"	19'5"	17'11"	N
Callahan	NEW	1'	21'4"	20'4"	N
	Old	0	21'	21'	N
Gordon		0	Unable		N

Moat 2' over top of marker: Piezometer 18'

## Notes

Temperature High 50's

River @ 21 CFS

Ditch 1/30 Full

Well Readings February 27, 2014

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>
Shiffert	1	6"	16'6"	16'	N
	2	8"	Unable		New Well
Heldman	1	7"	14'8"	14'1"	N
Clausen	1	5"	14'10"	14'5"	N
Cutler	SW	3'	17'	14'	N
	SE	0	14'4"	14'4"	N
	N	0	16'6"	16'6"	N
	NEW	17"	14'5"	13'	N
Dofflemyer	1	0	14'5"	14'5"	N
	N	16"	20'4"	19'	N
Crookshanks	E	1'	17'	16'	N
	W	18"	20'3"	18'9"	N
Callahan	NEW	1'	22'2"	21'2"	N
	Old	0	21'9"	21'9"	N
Gordon		0	Unable		N

Moat 2' over top of marker: Piezometer 18'10"

## Notes

Temperature High 60's

River @ 8 CFS

Ditch 1/60 Full

Well Readings March 27, 2014

<u>Name</u>	<u>Well #</u>	<u>Well Casing Ht.</u>	<u>Water Depth</u>	<u>Water Level</u>	<u>Remarks</u>
Shiffert	1	6"	17'	16'6"	N
	2	8"	Unable		New Well
Heldman	1	7"	15'2"	14'7"	N
Clausen	1	5"	15'5"	15'	N
Cutler	SW	3'	17'7"	14'7"	N
	SE	0	15'	15'	N
	N	0	18'3"	18'3"	N
	NEW	17"	26'	24'7"	P
Dofflemyer	1	0	14'5"	14'5"	N
	N	16"	21'8"	20'4"	N
Crookshanks	E	1'	17'7"	16'7"	N
	W	18"	21'4"	19'10"	N
Callahan	NEW	1'	22'8"	21'8"	N
	Old	0	22'4"	22'4"	N
Gordon		0	Unable		

Moat 1' over top of marker: Piezometer 19'7"

## Notes

Temperature High 60's

River @ 22 CFS

Ditch 1/30 Full