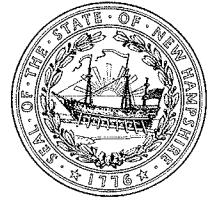


The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner



*Celebrating 25 Years of Protecting
New Hampshire's Environment*

October 10, 2013

Deborah Farnsworth
MyKroWaters, Inc.
PO Box 1088
Concord, Massachusetts 01742

Dear Ms. Farnsworth:

I am writing in response to your letter dated August 14, 2013 regarding the renewal of the large groundwater withdrawal permit (LGWP 2004-0003). Your letter asks the Department of Environmental Services (DES) for specific information and instructions for renewing the large groundwater withdrawal permit. The applicant/permittee is responsible for submitting information that demonstrates compliance with the large groundwater withdrawal/new source of bottled water rules and statutes (Env-Wq 403, RSA 485-C, Env-Dw 303, and RSA 485:3, XI).

In addition to meeting all of the statutory and regulatory requirements associated with large groundwater withdrawals and bottled water, two issues must be addressed by USA Springs:

- 1) Unless USA Springs complies with Administrative Order WD 02-31, DES would deny any application for renewal, pursuant to Env-C 209.03(c). A Certified Wetland Scientist would need to assess the current condition of the property relative to the clear requirements of the order and provide this information to USA Springs so that appropriate action can be taken and compliance with the order can be achieved.
- 2) Unless USA Springs complies with the rule for the protection of instream flow pursuant to Env-Wq 1900 and RSA 485-C:21,V-c,f, DES would deny the application for renewal. USA Springs declined to comply with the rule for the protection of instream flow in a letter dated January 13, 2010.

Please contact me at 271-0660 or Brandon.Kernen@des.nh.gov with any questions.

Sincerely,

Brandon Kernen
Hydrology and Conservation
Drinking Water and Groundwater Bureau

cc: Timothy B. Smith, Chapter 7 Trustee, USA Springs Inc.
Town of Nottingham, Board of Selectmen
Town of Barrington, Board of Selectmen
Evan Mulholland, NH Department of Justice
Sarah Pillsbury, NH Department of Environmental Services
Harry T. Stewart, NH Department of Environmental Services
Ted Diers, NH Department of Environmental Services
Linda Magoon, NH Department of Environmental Services

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
Telephone: (603) 271-2513 • Fax: (603) 271-5171 • TDD Access: Relay NH 1-800-735-2964