State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
WATER COUNCIL
6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3434 FAX (603) 271-2982

January 12, 2004

E. Tupper Kinder, Esq.
Nelson, Kinder, Mosseau & Saturely, PC
90 Middle Street
Manchester, NH 03101

Re: Docket No. 04-01 WC – Town of Nottingham Selectmen Appeal

Dear Attorney Kinder:

The Notice of Appeal of the Department of Environmental Services ("DES"), *December 11, 2003 Findings Relative to the DES Final Decision in the USA Springs Application for a Large Groundwater Withdrawal Permit*, which you filed on behalf of the Town of Nottingham Selectmen, was received in my office on January 9, 2004, and has been assigned **Docket No. 04-01 WC**. Please refer to this docket number in all future correspondences relative to this matter. I have forwarded your petition to the NH Water Council, which I expect will decide to accept or dismiss the appeal at its next regular meeting, currently scheduled for January 14, 2004 at 9:00am in Rooms 112-114 of the offices of the Department of Environmental Services, 29 Hazen Drive, Concord, NH.

Please note that any person filing any document with the Council in conjunction with an appeal is required to send a copy to all parties who have filed an appearance with the Council, and to any person who has a motion to intervene pending before the Council. When a party has appeared by a representative, service shall be upon the representative. Every document filed with the Council, and required to be served upon the parties to an appeal, shall be accompanied by a certificate of service, signed by the person making service, attesting to the method and date of service, and the persons served.

If you have any questions, please contact me at (603) 271-6072 or by e-mail at msclafani@des.state.nh.us.

Sincerely,

COPY

Michael Sclafani, Appeals Clerk
NH Water Council

cc: NH Water Council
Harry T. Stewart, Director, Water Division
Mark R. Harbaugh, DES Legal Unit
Richard W. Head, NH DOJ
Gregory H. Smith, Esq.