

Michiko Martin
Southwest Regional Forester
333 Broadway SE
Albuquerque, N.M. 87107

August 15, 2021

Certified mail: 7020 1290 0002 0595 5861

RE: File Code:1950, Drake Pozzolan Project

Michiko Martin:

Page 16 of the Environmental Assessment, Surface Water, *flow* states: "The site drains to the northwest approximately 5 miles to Red Lake Wash, an ephemeral wash that drains to Red Lake, where water collects and evaporates." This is an incorrect and false statement.

I am the holder of Water Rights in Red Lake and, therefore, hold rights to the surface water that drains into Red Lake from the area of the proposed open pit mine. The paragraph mentioned above further states: "Approximately 12 acres of the slopes and pit of the existing Frenchy Pit do not drain to the southwest but temporally collect in the pit and evaporate." It is interesting to note that locally the area the area of this project is referred to and identified on U.S. Forest Service maps as Frenchy Spring, as there is a spring that does flow, especially during wet years.

The Surface Water Right Certificate I hold is recorded as 36-1557 with the Arizona Department of Water Resources and is also recorded at the Coconino County Hall of Records, Docket 755, pages 191 – 193, date August 24, 1979. For further verification see Coconino County Superior Court Cause No. 31544 recorded August 24, 1979 in Book 755, pages 184 – 190. In addition to this Water Right I hold Water Right Certificates 36-38567 and 36-38566, also situated in Red Lake Wash.

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An additional concern the Pozzolan Project is going to be an open pit mine. It will collect and impound water. Under current Arizona State Statutes an application to impound water is required from the Arizona Department of Water Resources.

All the above information was explained to Jeremy Haines, Project Lead. It is interesting to note that the information provided was not verified. I also find it interesting that no NEPA is required for a project that is going to remove 6 million to 10 million tons of minerals from lands that are supposed to be under the stewardship of the United States Forest Service.

I, therefore, protest and object to this project biased on the information provided in the Environmental Assessment being incorrect and false and projected to having a negative impact on my downstream certified water rights.

Sincerely,



Michael. P. Macauley, Managing Partner
Perrin Ranch, LLC

CC: Arizona Department of Water Resources
Arizona Department of Environmental Quality
Council on Environmental Quality
Jeremy Haines, Kaibab National Forest
Senator Krysten Sinema
Senator Mark Kelly
Representative. Tom O'Halloran