



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Natural Resources

COMMISSIONER'S OFFICE

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August 28, 2018

Subject: DNR Decision in Response to the Court Order on the remaining application by the Chuitna Citizens Coalition, Inc. for a Reservation of Water on Middle Creek/Stream 2003 – Lower Reach Reservation of Water; LAS 27436

Dear Comment Participant,

We want to thank you for writing to Governor Walker and/or other state officials to share your comments about the Chuitna Citizens Coalition Inc.'s (CCC) Reservation of Water applications on Middle Creek/Stream 2003.

On October 15, 2015, you were notified of a decision by the Department of Natural Resources' (DNR) Water Resources Section Chief on the above referenced reservation application. That decision was the subject of 10 administrative appeals. I remanded that decision to the Division of Mining, Land and Water on December 4, 2017, for further review of the application. At that time, I also indicated that DNR would issue a new decision. Unfortunately, DNR was ordered by the court to make a final decision on the CCC application by August 28, 2018. As you will see in the attached document, I have complied with this court order. However, by the court forcing a decision, I was unable to make the statutory findings necessary to grant the remaining application, and therefore have denied it. Please see this decision on the DNR website at:

<http://dnr.alaska.gov/mlw/water/reservations/chuitna/>

Please note this is a final administrative order and decision for purposes of an appeal to Superior Court. Any appeal of this decision must be made to the Superior Court within 30 days in accordance with the rules of the court, and to the extent permitted by applicable law. This final decision takes effect immediately.

A handwritten signature in blue ink that reads "Andrew T. Mack".

Andrew T. Mack
Commissioner