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Canterbury Regional Council

PO Box 345

Christchurch

Attention: Donald Fraser

BY EMAIL

Re : Lower Waitaki River Applications (MRNAG)

Please find attached supplementary evidence from the following witnesses:

- Keri Johnson
- Ian McIndoe
- Lynn Torgesson.

The evidence provides further information requested by the Commissioners and secondly, addresses amendments to conditions circulated earlier.

Supplementary evidence will also be filed by Dave Stewart. Mr Stewart is presently overseas and hitherto it has been difficult to communicate with him. That said, I expect his evidence will be available tomorrow. Matt Ross will also file supplementary evidence responding (principally) to Meridian's advice to Commissioners concerning post NBTC minimum flows and actual flows in the Lower Waitaki River. This should also be available tomorrow.

I attach condition sets applicable to each applicant. These condition sets replace the conditions (common and individual) and a table circulated earlier. Amendments have been tracked.

I outline the principle changes below.

Hakataramea Valley

Applicants taking and/or using water in the Hakataramea Valley propose to undertake baseline survey of the existing environment and on-going monitoring throughout the duration of the consent. The purpose of the survey is addressed in Ms Torgesson's evidence.

With the exception of two applicants applying to renew existing consents, all other applicants amend their applications and propose to harvest water when flows in the Hakataramea River are at or above 4.5 cumecs.

While the applicants do not accept Fish and Game's interpretation of Plan provisions in respect of the Hakataramea Valley generally, the renewal applications have been amended to provide two options for cut off flow conditions. Both options reflect the Plan's higher cut off flows in winter.

Dave Stewart provides further information requested by the Commissioners concerning the tributaries minimum flows. He has revised earlier evidence and assesses changes in flow consequent upon granting applications (now as water harvesting). In doing so he sets out his understanding of the riverine environment.

Lower Waitaki Valley

Fencing conditions now apply to all but two applicants identified by Ms Torgesson in her original evidence. A new condition which refers to the Regional Council's *Guide to managing waterways on Canterbury farms* & companion guide *"Lowland Plains, Streams and Drains"* has been included.

All main-stem applicants will, as an alternative, accept a cut off flow condition of 150 cumecs. A condition is proposed to this effect.

However, this is not the applicants preferred option. Such a condition is problematic if NBTC is granted at lower flows. Whatever cut off is proposed this does address MEL's position that it will not release flows (at least prior to NBTC) for downstream abstraction and that what flows are released are incidental to generating electricity.

A condition enabling different performance of the proposed minimum flow conditions is proposed in the event that Water User Group for the main-stem is formed and the consent holder joins the same.

Otherwise some minor amendments are made to the original condition based on variable flows of 110-150 cumec.

Annual Allocation Table

Ms Johnson has revised the annual allocation to delete two out-of-catchment consents wrongly included in the Lower Waitaki River Catchment and secondly, to correct the table by removing the Wainui Station/Station Peak non-consumptive divert.

MRNAG says the total annual allocation for the lower Waitaki River catchment is 150.75Mm³. Only one applicant, Torach Farms Ltd is outside the allocation.

Yours faithfully

A handwritten signature in black ink that reads "Jane" followed by a period.

Jane Borthwick

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