

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

applications for resource consents to take and use
water in the Upper Waitaki Catchments

**MEMORANDUM OF COUNSEL ON BEHALF OF
KILLERMONT STATION LIMITED**

3 FEBRUARY 2010

RUSSELL McVEAGH

C N Whata
Phone 64 9 367 8000
Fax 64 9 367 8163
PO Box 8
DX CX10085
Auckland

MAY IT PLEASE THE COMMISSIONERS:

1. This memorandum is filed on behalf of Killermont Station Limited in response to the Commissioners 15th minute dated 28 January 2010 in relation to hearing from interested parties as to whether the Committee can and will now make a determination on water right applications of Southdown Holdings Limited, Williamson Holdings Limited and Five Rivers Limited without resolution of the effluent applications.
2. Killermont Station Limited seeks a determination that these water rights applications be heard, and that, whatever decision is reached, there be no prejudice to the hearing of the Killermont Station Limited applications.

Dated 3 February 2010

C N Whata

Counsel for Southdown Holdings Limited,

Williamson Holdings Limited and Five Rivers Limited