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January 18, 2006

Flamborough Springs Inc.  
PO Box 117  
Waterdown, Ontario, L0R 2H0  
Canada

**RE:** Lot: 10, Concession: 10, E. Flamborough  
Hamilton

Reference Number 3600-6JNT4M

Dear Sir/Madam

I have reviewed your application for a Permit to Take Water (PTTW) for well #2 at Lot 10, Concession 10 in the Geographic Township of East Flamborough, dated November 28, 2005 and signed by Ian Hendrie, President.

My understanding is that this application is a requirement of Provincial Officer's Order No. 4335-6GMRAK issued to Flamboro Springs Inc. by Provincial Officer Tina Davies on September 28, 2005 following discrepancies identified in an inspection on August 9, 2005. PTTW # 86-P-2025 is issued to Flamboro Springs for one well at Lot 10, Concession 10 East Flamborough to supply water to the company's production facility at the rate of 50 lpm (11 IGPM) and 50,000 lpd (11,000 IGPD).

It is also my understanding that the company has received at least one complaint (March, 2003) and the Ministry has received several calls relating to potential impacts of any increased taking at this location. Given the widespread interest and concern from both your neighbours and the City of Hamilton, I am not prepared to consider any significant increase in permitted taking until Flamboro Springs Inc. has conducted consultation with the local municipality and with the general public within 1 kilometre of the Lot 10 Concession 10 property. I shall require you to do this consultation prior to any consideration of increase under the authorization of Ontario Regulation 387/04 7.(4)(a). In addition, I shall require information on the issues raised during consultation and their resolution as stipulated in O.R. 387/04 7.(4)(b) and (c).

Based on the application information, including the report by Terraprobe dated November 28, 2005 and the Provincial Officer's inspection report, at this time, I am prepared to renew the

existing water taking specifying well #2 (WWR # 68-11368) as the source and increasing the rate to 454 lpm and the daily amount to 56,000 lpd to correct compliance issues related to the pump capacity and the new flowmeter and to allow Flamboro Springs Inc. to continue operation at current levels. It is noted that, according to your records submitted December 28, 2005, your water taking approached 56,000 lpd on only 20 days in 2005, was half that amount on an additional 89 days and for the remaining 256 days in 2005, no water was taken.

If you wish to proceed with a significant expansion of water taking from this location, please indicate this in writing, identifying the details of the required public and municipal consultation and the timeframe for submission of the information in paragraph 3 above. Please note that this must be completed and submitted prior to March 15, 2006 in order for the Ministry to complete the evaluation process prior to the expiry of your current PTTW on March 31, 2006.

If I receive no response from you by January 31, 2006, I shall assume you do not wish to pursue the indicated expansion at this time and conduct the required consultation and I shall make a decision on proceeding as indicated in paragraph 4 above, and consideration of any public comment relating to continuation of existing activities received under the EBR instrument posting.

Yours truly,

A handwritten signature in black ink that reads "P. Odom". The signature is written in a cursive style with a large, looped "O".

Paul Odom  
Supervisor, Water Resources  
West Central Region

File Storage Number: AP28 EFFL