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October 13, 2006

Mr. Steven E. Chester, Director
Michigan Department of Environmental Quality
P. O. Box 30473
Lansing, MI 48909-7973

and

Freedom of Information Act Coordinator
Michigan Department of Environmental Quality
P.O. Box 30473
Lansing, MI 48909-7973

RE: MDEQ Public Documents and Records Regarding Any Applications
Preliminary Plans, or Preliminary Discussions Concerning Nestlé Waters North
America Inc. Proposed Water Source Groundwater, Spring Water, or Surface Water
Locations in Newaygo County, Michigan;

Freedom of Information Act Request
MCL 15.231, *et seq.*
Our File N^o: 5099.00

Dear Mr. Chester and FOIA Officer:

Under the provisions of the Freedom of Information Act (FOIA), I request access to and copies of all documents contained in your files, the files of any employee or staff of the MDEQ relating to any proposal, preliminary or otherwise, by Nestlé Waters North America Inc. or its consultants, representatives, or agents, for any **new or proposed** water source and/or water wells for its Michigan water production, marketing, and distribution operations in Newaygo County, or any other County in the State of Michigan. This request is made on behalf of Michigan Citizens for Water Conservation, a Michigan non-profit corporation. **I also request that you exclude correspondence and any materials and documents prepared or submitted by this office that appear in the public record regarding this matter.**

Specifically, I request copies of the following documents related to the above referenced and described matters:

1. All correspondence, minutes, Department, Bureau, Division, or other Section inter- or intra-office communications, electronic mail (including in-box, out-box, trash-box, and sent items), databases and information stored in electronic media (including but not limited to hard drives, computer tapes, computer disks, compact disks, zip files, microfilm and microfiche) and printouts thereof, notes (including handwritten notes and telephone messages), calendar or appointment book entries, memoranda, records, recordings, tables,

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- charts, reports, contracts, agreements, files, studies, or other documents relating to the subject matter of this FOIA request;
2. All notes, emails, memoranda or other documents relating to any communication or meeting with MDEQ officials, employees, and Governor Jennifer M. Granholm or anyone from the Governor's Executive Office;
 3. Any legal descriptions, maps, diagrams, studies, reports or other documents, including preliminary or draft, regarding the location and size in terms of quantity or volume of water of any such proposed water sources;
 4. Any studies, reports, test results, data, calculations, evaluations, or other documents, including preliminary, draft, or memoranda, regarding the testing of any such proposed water sources;
 5. Any studies, reports, test results, data, calculations, evaluations, or other documents, including preliminary, draft, or memoranda, regarding the environmental effects or impacts of any such proposed water sources;
 6. Any hydrogeological reports, studies, findings, test results, analyses, including water and soil sampling results, monitoring or other data, or any related hydrogeological information regarding any such proposed water sources;
 7. Any hydrological reports, studies, findings, test results, analyses, evaluations, monitoring data, or related hydrological information;
 8. Any communication to, with, or from Nestlé Waters North America Inc., it's officials, employees, agents, contractors, experts, attorneys, or consultants, representatives, including representatives or employees of Malcolm Pirnie Inc. and/or Public Sector Consultants, Inc.
 9. Any document or communication with, among, or between any other department of government or unit of government , including their employees and staff, of the State of Michigan pertaining to the subject matter of this request..
 10. Any other documents or communications in any form pertaining to the above-referenced matter which are part of the public record for the time period specified above.

The term "documents" and "communications" as used in this FOIA request is to be construed in the broadest possible manner and includes any written, graphic, or recorded matter, however produced or reproduced, of any kind or description, including both sides of any two-sided writing, drafts and marked copies.

If there are any fees for searching for or copying the records I have requested, please advise and we will remit those fees at once, so long as the cost is within the limits and confines of the Freedom of Information Act. If you believe that the volume of material contained in your file is so great that it would result in costs in excess of \$100.00, please notify me so that I may personally review the file or otherwise attempt to narrow the scope of this request.

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Because our client, Michigan Citizens for Water Conservation, is a non-profit corporation working in the public interest, as demonstrated by its dedication regarding the water law and policy in Michigan, we request that fees be waived pursuant to Section 4 of the Freedom of Information Act (MCL 15.234(1)).

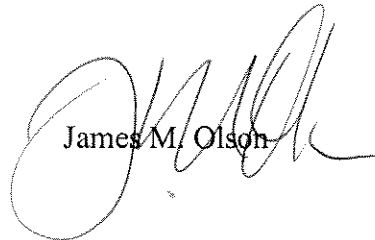
Further, because this request may require assembling the documents and communications requested, we consent to an extension for the MDEQ to fulfill this request from 5 days to 15 days from the date of receipt of this request.

If your file contains large scale plans or drawings, rather than photocopying them piecemeal, please let us know by identifying the contents and/or subject matter, and we will work out a way in which full-size copies can be obtained. Likewise, if your file contains any other "writing," as defined by the FOIA to include photographic films, prints, microfilm, microfiche, cards, disks, or other ways of recording or retaining meaningful information (such as audio or video tapes, CD, DVD, or information stored on computer), please advise, identifying contents and/or subject matter, as well as the format, and suggest some way in which we can obtain usable copies.

If all or any part of this request is denied, please cite the specific exemptions to justify your refusal to release the information, under Section 13 of the Act, and the reason why you have not invoked your discretion to release the requested documents in the public interest. We further request any segregable portion of any document you might otherwise withhold. For each record or portion of a record which you withhold, we specifically request a particularized description of the basis for withholding it.

Thank you for your cooperation and attention to this matter.

Sincerely,


James M. Olson

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xc: T. Swier, President, MCWC

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