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JUN 15 2015

DEPARTMENT OF
WATER RESOURCES

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June 12, 2015

Via Email: craig.saxton@idwr.idaho.gov
Hard Copy Via U.S. Mail

Craig L. Saxton
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

RE: George Katsilometes – Water Permit No. 29-7869

Dear Mr. Saxton:

We are writing in response to your letter dated May 13, 2015, addressing the above-named water permit held by our client George W. Katsilometes. Dr. Katsilometes is not prepared to sign the proposed amendment, or any amendment that reduces the amount of water described in his permits.

We wrote at some length in our letter dated February 6, 2015, on a variety of topics. The May 13th letter acknowledges almost none of that discussion, and instead reflects the Department's current position which appears to have changed slightly based entirely on a "heating requirement analysis." Aside from reiterating the various deficiencies we have identified in the Department's analysis and conclusions, I would note that the May 13th proposed amendment "conditions of approval" states that "[c]ommercial use is for filling and heating a hot pool." Such a finding by the Department, apparently based on the limited nature of the "heating requirement analysis," utterly ignores the other beneficial uses of water under this permit, the most obvious being heating of buildings at

At this point we would typically summarize the legal, technical, and policy flaws that permeate the Department's analysis. We see little point in doing that, and would respectfully ask

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that review our February 6th letter and dignify it with a more thoughtful response. Dr. Katsilometes does not wish to engage in further discussion focused solely on reduction of the rate of diversion for water permit 29-7869.

Sincerely,

MOORE SMITH BUXTON & TURCKE, CHTD.

A handwritten signature in blue ink, appearing to read 'Paul A. Turcke', with a stylized, cursive script.

Paul A. Turcke

PAT: kmd
cc: George Katsilometes