



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 North Skyline Drive, Suite A Idaho Falls Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER - Governor
Gary Spackman - IDWR Director

July 16, 2014

Downata Hot Springs
c/o Bret Downs
PO Box 185
Downey, ID 83234

RE: Amendment of Permit 29-7570

Dear Mr. Downs:

Enclosed is a copy of a letter I sent two months ago. I have also left a voice message, but have yet to receive any response. The May 2014 letter explains that Permit 29-7570 must be amended before a final water right license can be issued. The ground water well was developed in a different location than was described on the permit. Similarly, the actual place of use for the water also differs from the place of use listed on the permit.

If the proposed amendment correctly describes the way that Permit 29-7570 was developed, please sign the amendment and return it to our office along with a \$100 filing fee. Please contact me if you disagree with the proposed amendment or the calculations set forth in the field exam.

Because the ground water well was developed in a different location than is listed on the permit, it is impossible to issue a final water right license without first amending the permit. This is my third attempt to contact you about the proposed license. If I don't receive a response within 30 days, I will assume that you are no longer interested in the water right and will take steps to void the permit.

Sincerely,

James Cefalo
(208) 525-7161



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 North Skyline Drive, Suite A Idaho Falls Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER - Governor
Gary Spackman - IDWR Director

May 16, 2014

Downata Hot Springs
c/o Bret Downs
PO Box 185
Downey, ID 83234

RE: Amendment of Permit 29-7570

Dear Mr. Downs:

Thank you for meeting with me a couple of weeks ago to show me the ground water delivery system at the resort. I used the information collected during the field exam, provided by Darlene, and found on the resort's website to complete a field exam report. A copy of the field exam report is included for you to review. The third page of the report lists a summary of the total rate/volume demand for the resort. Please let me know if you think any of the estimates of use are incorrect.

As you are aware, the water system was developed in a different location than was described in the original permit. The permit stated that the well would be drilled in the SESE of Section 11, T12S, R37E. The well was actually developed in the NENE of Section 14. Similarly, the place of use for irrigation, domestic, and recreation is located within Section 12. The permit described the proposed place of use in Section 11. Therefore, the permit must be amended before a water right license can be issued.

I have included an application for amendment that will correct the legal description for the point of diversion and place of use. If the amendment correctly describes the system that was developed under Permit 29-7570, please sign the amendment and return the signed form with the appropriate filing fee (\$100).

I appreciate your attention to this matter. We will issue the final water right license once the amendment is received. If you would like to discuss this water right in greater detail or believe any of the estimates or calculations are in error feel free to give me a call.

Sincerely,



James Cefalo