



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 28, 2014

GEORGE W KATSILOMETES
PO BOX 670
LAVA HOT SPRINGS, ID 83246

RE: Water Appropriation Permit 29-7869

Notice of Intent to Void Permit

Dear Permit Holders:

On December 20, 1989, IDWR issued permit 29-7869 authorizing you to develop a right to divert 0.50 cfs of ground water within the SE¼SE¼ of Section 21, Township 9 South, Range 8 East, B.M., for commercial use. However, on August 9, 1995, an IDWR field examiner reported that the point of diversion and place of use was developed in the Government Lot 2 (SWSE) of Township 9 South, Range 8 East, B.M.

The final step in the water appropriation process is the issuance of a Water Right License. By issuing a license, IDWR recognizes that you have met the requirements for establishing a water right. Because the point of diversion and place of use was developed differently than permitted, the Department cannot issue a license without an amendment of the permit. The Department has sent correspondence on 4 separate occasions explaining why it cannot move forward without an amended permit.

If you disagree with the Department's findings of the location of the place of use and point of diversion are not in accordance with the permit, please supply information to demonstrate otherwise by **September 29, 2014**. If I do not receive the requested information from you by September 29, 2014, I will have no option but to take action to void your permit under the provision of Section 42-219(8) of the Idaho Code. Another option would be to submit an application to amend permit 29-7869 by September 29, 2014.

If you have any questions, please contact me at 208.287.4916.

Respectfully,

Craig L. Saxton
Adjudication Technical Analyst
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Cc: RIGBY ANDRUS & RIGBY
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