

RECEIVED

JAN 14 2013

DEPARTMENT OF
WATER RESOURCES

Michael R. Kestler

P.O. Box 1183

Twin Falls, ID 83303

State of Idaho, Idaho Department of Water Resources

P.O. Box 83720

Boise, ID 83720-0098

Re: Water Right No. 47-7492

January 10, 2013

Dear Mr. Spackman,

I spoke with Shelley Keen upon first receiving of the letter on Tuesday the 8th of January. He said I need to write you. I received your letter dated Dec. 14, 2012 upon my return from a two week trip to Arizona. I was there the last two weeks of the year and so I did not receive your letter until the 8th of January 2013 regarding filing an objection. I never did receive the first letter that the Dec. 14th letter references. I am requesting a hearing before the Director stating the grounds for the continuance of my permit. My reasons are listed below.

1. My well's priority date, 1979, then when the permit was about to expire IDWR extended the permit 1983-84 and because of the substantial work and investment that had already been done. First; there was the initial consulting fees \$500 with Charles Brockway. Second; over \$12,000 in well pipe casing & valves. Thirdly; \$2000 in backhoe trenching work and Fourthly; \$1000 in 8" and 6" schedule 80 poly pipe. Also, intensive ground work had to be done because of the canyon's rocky environment. Because of all of this IDWR extended the permit.
2. The geothermal aquifer is a separate aquifer from the cold water aquifer according to Charles Brockway, who is an expert in the field.
3. My use of the water is primarily non-consumptive use and actually benefits Idaho Power.
4. I did not receive the first letter.
5. I did not have adequate time to respond to the second letter and I have not had time to obtain adequate counsel. My former attorney, Lloyd J. Walker, who handled this has passed away.

I am writing to request a hearing regarding my geothermal water right. Please respond at your earliest convenience.

Respectfully,



Michael R. Kestler