

From: T. J. Budge [tjb@racinelaw.net]
Sent: Saturday, February 18, 2012 3:18 PM
To: Edl, Michele
Cc: lavacity@qwestoffice.net
Subject: Application for Amendment of Permit No. 29-07936 (City of Lava Hot Springs)

Michelle,

Thanks for sending an Application for Amendment of Permit No. 29-07936 along with your recent letter to me dated February 9, 2012. I confirmed that the point of diversion is in fact in Township 9S (as opposed to Township 8S as currently shown in the Permit), so we will be submitting the Application for Amendment. Do we send that to you or to the Eastern Region office?

Also, I note that the Application for Amendment defines a place of use by Township, Section, and Range, whereas the current Permit contains only a remark that says the place of use is "within the city limits of Lava Hot Springs." Given the dynamic nature of city boundaries, we would prefer that this water right be licensed consistent with the Permit with respect to this element. Therefore, I kindly ask that you send me a revised Application for Amendment that does not limit the place of use to specific quarter-sections.

Thanks,

TJ

T.J. BUDGE
RACINE OLSON NYE BUDGE
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