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DEPARTMENT OF
WATER RESOURCES

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January 18, 2011

Idaho Department of Water Resources
Matt Weaver
Cheri Padilla
322 East Front Street
P. O. Box 83720
Boise, Idaho 83720-0098

Dear Matt and Cheri:

Enclosed please find a signed "Withdrawal of Application for Amendment of Permit" and a sketch executed by Terry Scanlon of the proposed response to Condition #9 requiring a system of delivery to the Pancheri property. The four-day test Scanlan performed in 2008 indicated that it will probably be necessary to replenish Pancheri's geothermal water should the geothermal well be used.

Regarding Matt's letter of September 29th, I would appreciate a retraction of the assumption that I am using any of Pancheri's water right, or that their rights are senior to my own. The water I am using at present from the geothermal spring dates from two early 20th century water rights (1901) of Andrew Little. The study done by Bill Carter shows that that water is adequate to heat my home at 610 Cabarton Road. The hot tub there is used infrequently during the non-heating season.

The statement that we did not have a measuring device in place was pre-empted by installation of a flow meter at the point of diversion of the spring in 2008. All of the testing done the summer of 2009 used information from this flow meter under the heading "spring pump."

When you accept the enclosed plan to remedy condition #9, we will submit proof of beneficial use.

Sincerely,



Carol MacGregor

cc: Terry Scanlan

1. Proposed pipeline to be 2-inch diameter polyethylene. Provide means to freeze protect pipe when not in use through burial or drains. Pipe to connect to existing 4-inch connection on well. Pipe to discharge into existing pump station on Pancheri property. Pipeline location shown is approximate. Actual location to be determined in the field based on construction and freeze protection considerations.
2. Flow rate to be controlled using existing 4-inch valve on MacGregor well discharge.
3. Flow rate to be measured using existing 4-inch McCrometer flow meter.

