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DEPT. OF WATER RESOURCES
SOUTHERN REGION

October 14, 2008

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Permit 37-8205 Application for Amendment
Project No. 337-07-2000

Dear Allen:

Enclosed is an Application for Amendment for the above-referenced permit in the name of Sun Valley Land & Minerals, a corporation in good standing in the State of Idaho. The application is signed by Donna Kelsey, the President of the corporation. Business entity information on file with the Idaho Secretary of State is readily available via the web site to verify the ownership if necessary.

Permit 37-8205 allows development of geothermal groundwater in the Clarendon Hot Springs area. Proof of Beneficial Use is due on this right on October 17, 2009 and work is proceeding on development of the geothermal resource. The amendment is being filed to modify the location of points of diversion to be utilized, add fish propagation as a beneficial use, and clarify the potential uses of the hot water.

POD change. The permit currently allows six points of diversion within three 40-acre tracts. No additional points of diversion are being requested. The permit amendment would arrange the points of diversion to allow five wells in SWSE Section 27 (two are currently allowed) and one well in NENW Section 34 (three are currently allowed). The attached map shows the proposed points of diversion.

Addition of Fish Propagation. The applicant may develop warm-water fish rearing activities on the property and therefore this use needs to be recorded on the permit. Since the geothermal use is a non-consumptive "cascade" of uses, I do not see a reason to give up any flow under the other two uses to prevent an enlargement. The total diversion would still be limited to 5 cfs.

Clarification of potential uses. The original permit listed "heating" and "recreation" as beneficial uses, and the remarks on the permit further delineate

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

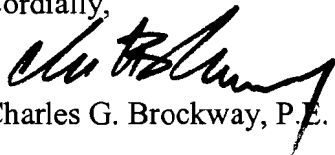
the intended uses. The applicant is hereby providing the following list of potential uses of the heat value of the geothermal water that may be developed under this permit:

- Heating of existing and future dwellings, commercial buildings, greenhouses, or other structures of various kinds.
- Providing heated water to indoor bathing and swimming pools.
- Providing heated water to one or more outdoor ponds for bathing, swimming, and general recreation, including sufficient heat value to maintain a minimum swimming temperature of 85 degrees F during the winter.
- Melting of ice and snow on existing and future roadways, tennis courts, or any other recreational facilities.
- Melting of ice and snow within the reservoir in the vicinity of the pond spillways and headgate. Keeping these hydraulic structures free of ice will assist with maintaining both flood flow capacity and fire department access to the subdivision south of the ponds.

The water usage under groundwater permit 37-8205 will be non-consumptive. Any ancillary consumptive use that may occur due to the proposed uses will be covered by water rights 37-4368B and 37-22128, which are geothermal water rights recommended in the SRBA and which are unrestricted as to consumptive use.

The \$50 fee for the application is enclosed.

Cordially,



Charles G. Brockway, P.E.

Cc: Donna Kelsey