



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

August 4, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

CHARLES E BROCKWAY
BROCKWAY ENGINEERING
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

RE: Permit No. 37-8388

Dear Mr. Brockway:

The field report you submitted on 07-07-2008 for Permit 37-8388 needs additional information to be complete. Beneficial Use Rule 35-01.j. exempts only municipal and fire protection from identification of a total volume requirement. No annual volume of water used for heating or recreation use was identified.

The volume should be determined by actual diversion and use within the system. A calculation of flow rate running 24 hours a day is not acceptable unless supported by evidence that water was used in that manner.

The Department will proceed in accordance with Beneficial Use Rule 35.2.c since proof of beneficial use has been received and acknowledged. Please provide the additional information within thirty 30 days of the date of this request. The priority date of the permit will be advanced one (1) day for each date the additional information is late. Failure to submit the additional information within one (1) year of this request is cause for the director to take action to cancel the permit.

Recently IDWR staff accompanying the watermaster, went to Warfield Hot Springs area to investigate a complaint. While on-site of the property described in this field report, it was noted that the pond created by discharge from the hot pool had a pump house adjacent. The equipment appeared to be relatively new and the groundskeeper indicated that water from the pond was pumped out of the pond for landscaping and fire protection. These appear to be additional uses that are not authorized under this permit or addressed in your field report. The right holder should be aware of the constraints of his water right.

If you have any questions in regard to this matter, please do not hesitate to contact me.

Sincerely,

PAMELA S SKAGGS
Water Rights Supervisor
IDWR, State Office

Cc: SDRTR LLC
James P Speck