



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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 25, 2016

HEATHERLANDS HOMEOWNERS ASSN INC
PO BOX 3901
KETCHUM, ID 83340-3901

RE: Water Right Permit No. 37-8220, 37-8686 and 37-8831

Dear Permit Holder:

The Idaho Department of Water Resources (Department) issued three permits to the Heatherlands Homeowners Association Inc., 37-8220, 37-8686 and 37-8831. In May 1990, the Department of Water Resources issued permit 37-8220 for irrigation (1.21 cfs), domestic (0.5 cfs) and fire protection (1.114 cfs) to the Heatherlands Homeowners association. This right has a priority date of 1986. According to the application, Heatherlands intended to develop 116 residential lots. The permit authorized irrigation of 60.5 acres only in connection with domestic use. Proof of beneficial use was submitted on September 12, 1994.

In September 1990, Heatherlands filed a second application for permit 37-8686 for the irrigation of 6.5 acres (0.13 cfs), domestic use (0.17 cfs) and fire protection (0.56 cfs). The Department approved this application in 1995. This permit was intended to cover 13 homes within the Sundance subdivision. The domestic portion of the right excludes irrigation. Proof of Beneficial Use was submitted on November 18, 1996.

Heatherlands submitted a third application in August 1994 for domestic use (0.17 cfs). Permit 37-8831 identified 14 lots intended for the development of townhouses. Heatherlands submitted proof of beneficial use for 14 townhouses in November 2003.

At the time of the field examination, June 23, 2016, there were 94 homes and 12 townhouses within the Heatherlands subdivision. There were another 13 lots, with 9 houses, in the Sundance Subdivision. The number of homes actually constructed at the time of the examination was 115. There are 21 undeveloped lots altogether within the Heatherlands and Sundance subdivisions.

By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The license is limited to what took place during the development period. If the Department issues the licenses for domestic and irrigation, Heatherlands HOA would be limited to the 115 existing homes. A change in beneficial use from domestic/irrigation to municipal will allow the subdivision flexibility to move the water within a large place of use. The water will not be regulated by individual lot.

Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

The enclosed Applications for Amendment forms depict the elements of the water rights as they will appear on the licenses when they are issued. Please review each amendment form carefully. If you concur with the information presented, please sign the forms and return them with the \$100.00 filing fee EACH (\$300 total) by December 14, 2016.

If you have any questions, please call me at (208)287-4881.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra Thiel". The signature is fluid and cursive, with the first name "Sandra" and the last name "Thiel" clearly distinguishable.

Sandra Thiel

Enclosure(s): Applications for Amendment
