

BROCKWAY
ENGINEERING
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Hydraulics

Hydrology

Water Resources

June 10, 2010

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

RECEIVED

JUN 14 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

RE: Cottonwood Creek Homeowners Association- Re-Submittal of Amended Transfer of Water Rights Application.

Dear Jeff,

Attached is a re-submittal of the amended transfer of water rights application which was received by IDWR on 4/12/2010 in the name of the Cottonwood Creek Homeowners Association c/o: Robin Taylor for water rights 37-577CG and 37-657E. The water right transfer application seeks to create a 107.5 acre permissible place of use around the subdivision. The re-submitted application package includes water right grant deed and assignment documents which convey portions of each water rights 37-577CG and 37-657E currently on individual lot owners' property to the Cottonwood Creek Homeowners Association.

Additionally, an attached May 30th 2010 letter describes how the Cottonwood Creek Subdivision Declaration of Covenants has been amended to contain language evidencing the consent of individual lot owners for irrigation of individual lots by the HOA. A copy of the amended and signed declaration of covenants will be submitted to IDWR as soon as it is recorded. The grant deeds and forthcoming amended declaration of covenants documents represent proof of ownership of the water rights by the homeowners association and they give consent by individual lot owners to allow the HOA to irrigate all individual lots. These documents should alleviate concerns outlined in your 1/28/10 and 4/13/2010 letters to our office (attached). It is my understanding that based on our telephone on 6/3/10, processing of the transfer application may continue with the submittal of the attached documents.

Also attached is a check from Brockway Engineering PLLC for \$290.00 to cover the cost of the water right transfer application, a limited power of attorney document and associated ownership documents. Please copy our office on all correspondence regarding this water right transfer application. Don't hesitate to call our office should you have any further questions or comments. Thanks for your time and assistance on this matter.

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

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

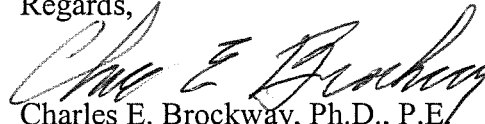
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WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Regards,



Charles E. Brockway, Ph.D., P.E.

Enclosures: (1) Re-Submittal of Amended Water Right Transfer
Application with Map
(1) Amended Declaration of Covenants Letter
(2) IDWR Letters
(2) ISOS Documents
(1) Water Right Grant Deed- Davis to Beard
(6) Water Right Grant Deed Assignments- Individuals to
Cottonwood Creek HOA
(8) Ownership Deeds
(1) Limited Power of Attorney Document
(1) Brockway Engineering Check # 9294 for \$290.00

Cc: Anson Beard
Robin Taylor
Jim Luckman
Ed Lawson