



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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January 28, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

KEVIN PEPPER
9748 S CHYLENE DR
SANDY UT 84092

RE: Water Right License No. 11-07292

Dear Mr. Pepper:

I am writing to you about Water Right License 11-7292, which was issued to Emerald Beach Home Owner Assoc. on October 4, 1989. The license was recently reviewed by coincidence, when neighboring water rights on the Bear Lake were reviewed, and typographical error was found in the place of use for Water Right License 11-7292. Because Idaho Secretary of State records indicate that you may be the current president of the Emerald Beach Home Owner Assoc, I am writing to you in order to provide the homeowners association an opportunity to address the error in their water right license.

Once a license is issued, the water right becomes appurtenant to the land listed as the place-of-use regardless of the name listed as the right holder on the document. In the case of Water Right License 11-07292, the place of use is listed as Township 12 South, Range 44 East, Section 12, while Emerald Beach subdivision is located at Township 16 South, Range 44 East, Section 12. I have attached a map which was produced by our database software to illustrate for you the licensed place of use compared to the location of Emerald Beach subdivision.

Before the Idaho Department of Water Resources can take action to correct the license, we need a written request from someone who can act on behalf of the right holder, Emerald Beach Home Owner Assoc. If you are no longer president of the association or if you can not act on behalf of the association, I would appreciate it if you would forward this request to the appropriate person for me.

Please contact me at 208-287-4946 or michele.edl@idwr.idaho.gov if you have any questions.

Sincerely,

Michele Edl
Associate Engineer
Water Rights Section

Enclosures

