



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

April 30, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

MOUNTAIN SHADOWS HOMEOWNERS ASSN
C/O BOARD OF DIRECTORS
3837 N HOLL DR
EAGLE ID 83616

RE: Water Right Permit No. 65-13800

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. 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.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☒ **Point(s) of Diversion**

☒ **Place(s) of Use**

☒ **Other**

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within fourteen (14) days.

The examiner also determined that a beneficial use of water was not developed under water right permit no. 65-22701 above and beyond the use reflected on the enclosed amendment form for water right no. 65-13800. Permits cannot be retained after the authorized development period and used for future water projects. Please complete and return the enclosed Relinquishment of Permit form if you concur with the examiner's determination. If you believe water was applied to beneficial use under the permit at the time proof of beneficial use was submitted for use not covered under water right no. 65-13800, please provide evidence that such development occurred. Upon receipt of such evidence, the Department will reevaluate the extent of beneficial use and may reconsider the examiner's recommendation for permit no. 65-22701. If the Department does not receive the relinquishment form or evidence of additional development within thirty (30) days, I will take action to void your permit.

If you have any questions, please call me at (208) 287-4943.

Sincerely,

Aaron Marshall
Senior Water Resource Agent

Enclosure(s)

c: Steve Hannula – ERO Resources