



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

COUNCIL MOUNTAIN GOLF COURSE
SAM DAVIS
PO BOX 103
COUNCIL ID 83612

SAM DAVIS
1922 HWY 95
COUNCIL ID 83612

JAMES E. RISCH
Governor

KARL J. DREHER
Director

RE: Water Right Permit 67-14496

Dear Mr. Davis:

On June 30, 2006, the Department of Water Resources received an Assignment of Permit for the permit referenced above signed by Margaret Muller and assigned to AIRDOG, LLC. The Department corresponded with AIRDOG LLC on July 7, 2006 indicating that as assignment must come from the permit holder of record. The permit is currently listed in the name of Council Mountain Golf Course and Sam Davis.

Timberline Title & Escrow Company submitted a letter and attached a chain-of-title to the land described as the place of use under the permit. Although your application indicated that you owned the property at the point of diversion and place of use, the deeds show ownership in the name of the Muller Trust through June, 2006. Timberline Title & Escrow Company also indicated that you were leasing the property through an unrecorded and verbal lease and that you were no longer lessee to the property.

The purpose of this letter is to inquire of your intentions regarding the permit. One of the conditions of approval requires that "Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control." If you no longer have access to the land to develop the permit, you may wish to assign the permit to the current owner of the land. You may also seek an amendment or relinquish the permit as you wish. I have enclosed forms for your use.

Please feel free to contact the Department if you have questions regarding this matter.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

Enclosures

cc: Steve Nash