

Permit No: 75-7638

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 75-7638

Exam Date: 7/3/2012

1. Current Owner: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALMON DISTRICT
1206 S CHALLIS ST
SALMON ID 83467
(208)756-5400

2. Accompanied by: Steve Adams, PWS operator for Williams Lake Water & Sewer, Bob Berasi, BLM Salmon (via telephone)

3. **SOURCE**

SPRING(s)

TRIBUTARY

LAKE CREEK

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None
2. Other water rights with the same point of diversion: 75-07589

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**

SPRING	NE1/4SW1/4SE1/4	Sec. 34, Twp 20N, Rge 21E, B.M.
LEMHI County		
SPRING	SW1/4NE1/4SE1/4	Sec. 34, Twp 20N, Rge 21E, B.M.
LEMHI County		

Method of Determination: Field verification, GPS, Air Photos and GIS. Consistent with PLS locations noted in field report for 75-07589 (located by GPS).

2.

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
20N	21E	34		X			X												

Method of Determination: Field verification, GPS, Air Photos and GIS.

3. ☒ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
☒ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
☒ Aerial Photo Attached (required for irrigation of 10+ acres).

☒ Photo of Diversion and System Attached

4.

<u>Well or Diversion ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge Size</u>
See Attached from 75-7589					

D. FLOW MEASUREMENTS

1.

<u>Measurement Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>
6 gal pre-calibrated container used for timed volume measurement from 3 water spigots (3/4") individually.						

2. Measurements: Flow from each spigot was measured 3 times. Flow rate is the average of the 3 measurements for each individual spigot.

Spigot #1 - 6 gallons in 43.77 seconds = 8.22 gpm

Spigot #2 - 6 gallons in 53.26 seconds = 6.76 gpm

Spigot #3 - 6 gallons in 1.37 minutes = 4.38 gpm

NOTE: These 3 spigots can be used simultaneously. Additively, the total rate could not exceed 19.36 gpm. However, if pressure drops that will occur during simultaneous use are considered, the system capacity will be less than this additive rate. These pressure drops are unknown and simultaneous measurement from the 3 spigots was not performed. If simultaneous use resulted in a 25% decrease in production across the system, production capacity could not exceed 14.52 gpm or 0.03 cfs.

E. FLOW CALCULATIONS

Measured Method: Reference Figure 1 (attached). Capacity of a 1" id pipe @ 5 fps velocity is 0.03 cfs

F. VOLUME CALCULATIONS

1. Not calculated, recommend minimum volume allowance of 0.10 AFA

2. According to Bob Berasi of the BLM, there is a totalizing water meter on the system located after the connection to the subdivision mainline. Berasi stated that the average seasonal use is 2000 gallons or less.

G. NARRATIVE/REMARKS/COMMENTS

Water right developed using a common diversion system with 75-07589 (License) the campground connects to the Williams Lake water system mainline with a 1" supply line that is approximately ¼ mile in length. There are 3 water spigots (3/4") located within the BLM campground. BLM reports that there are 11 developed camp sites, see attached.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	03/01 to 11/30	0.030 CFS	0.10 AF
<u>Totals:</u>		0.030 CFS	0.10 AF

2. Recommended Amendments

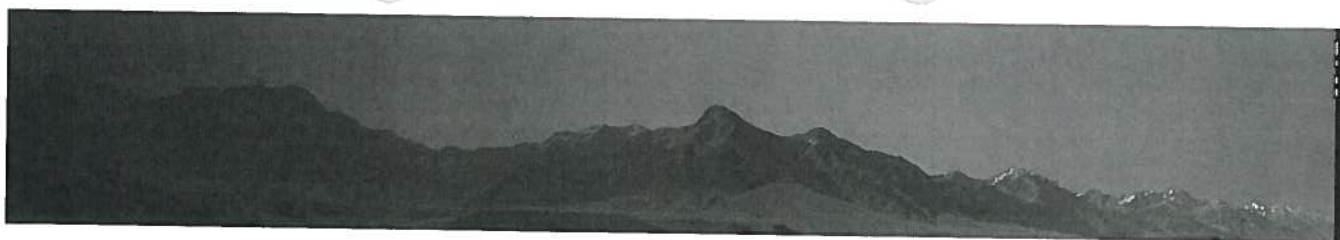
☐ Change P.D. as reflected above ☒ Add P.D. as reflected above ☐ None

☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name RB Whitney Date 11-1-12

Reviewer _____ Date _____



BLM > Idaho > Salmon Field Office > Salmon Recreation > Williams Lake Campground

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Idaho

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Williams Lake Campground

This campground is near Williams Lake. Opportunities abound to hike or ride into the Salmon National Forest or to fish in the nearby lake or creek. The lake can be accessed at the Forest Service boat ramp and day-use area.

Directions: Approximately 13 miles from Salmon, Idaho. From Salmon, travel five miles south on Highway 93, turn right at the Shoup Bridge and then eight miles to the lake. Follow the signs.

Facilities/Fees:

- Developed campground with 11 sites; \$5.00/night
- Drinking water
- Restrooms
- RV sites (no hookups)
- Boat ramp

Idaho Salmon Field Office

Recreation Sites & Activities

Agency Creek
Eightmile Day Use Area
Elevenmile Day Use Area
Kilpatrick Day Use Area
McFarland Campground
Morgan Bar Recreation Site
Sharkey Hot Springs
Shoup Bridge Recreation Site
Smokey Cubs Recreation Site
Tower Creek "Pyramids" Day Use Area
Tower Rock Recreation Site
Williams Lake Campground
Idaho Birding Trail

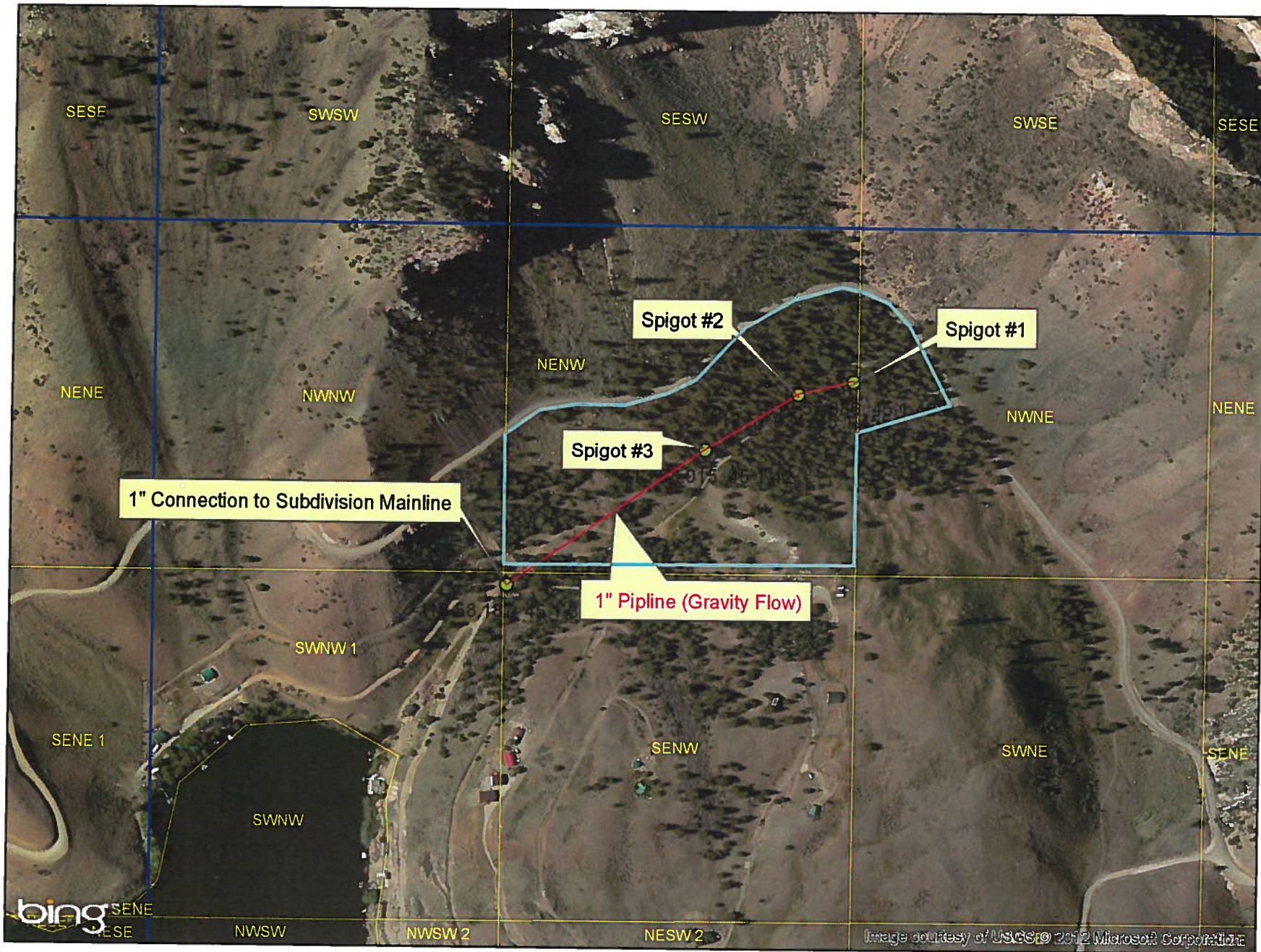


Salmon Field Office | 1206 South Challis Street | Salmon, ID 83467
208-756-5400 | Fax: 208-756-5436 | Office hours: 7:45am - 4:30pm, M-F

Last updated: 12-16-2008

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75-7638 System Design

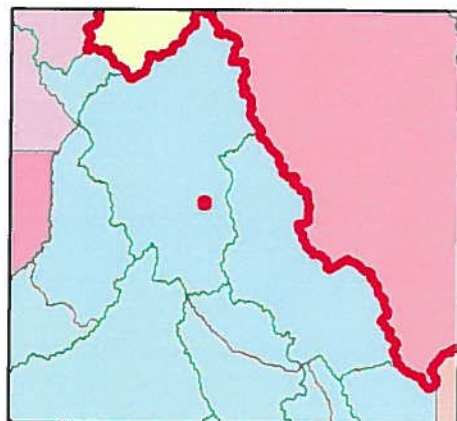




Idaho Department of Water Resources

Water Right
75-7638
(DOMESTIC)

-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75

Prepared by Whitney, Rob

2009 Aerial Photography

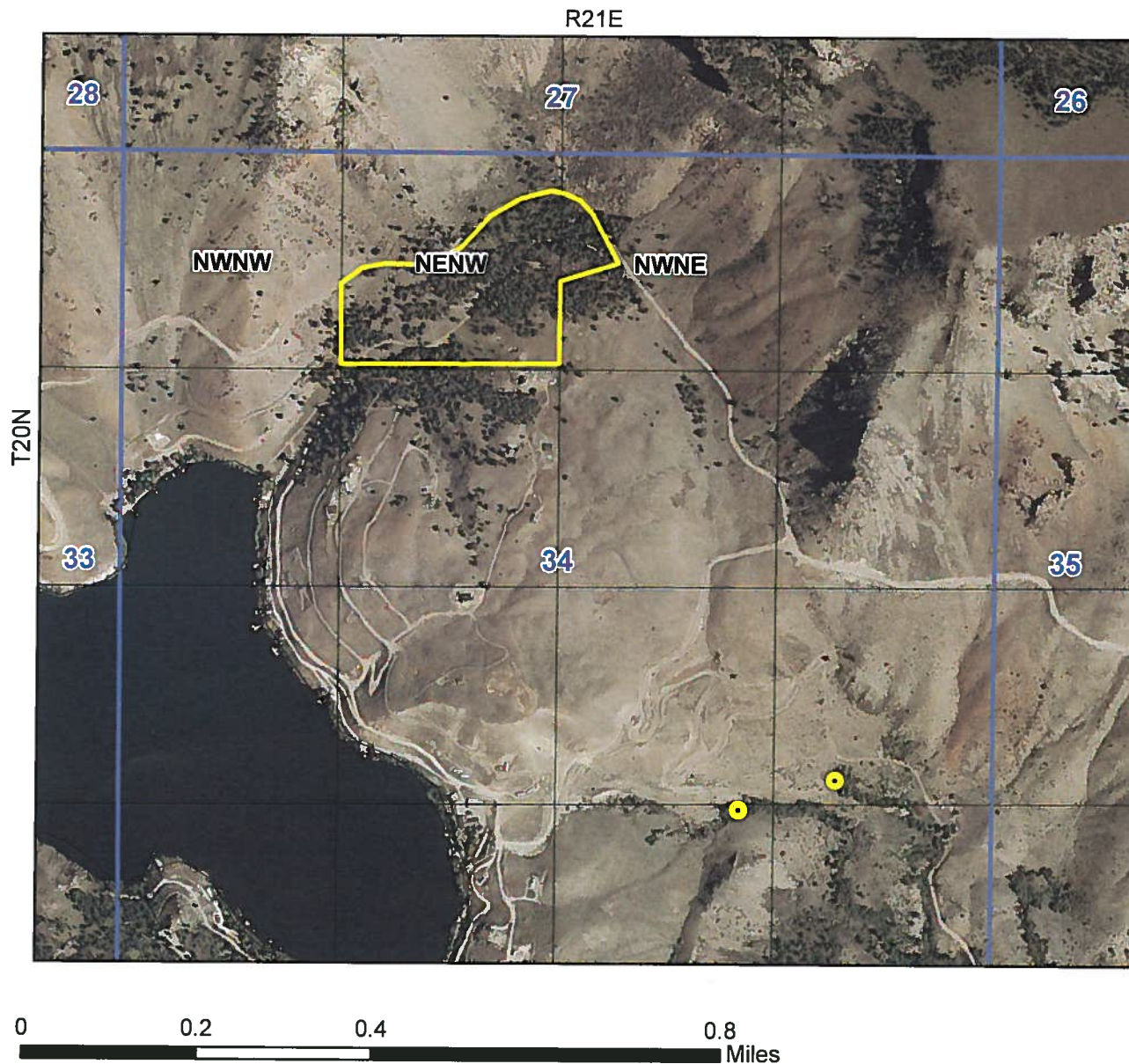


Figure 1
75-7638

PIPE FLOWS -- PUMPING SYSTEMS

[properly designed @ 5 ft. / sec.]

$$Q = 5 \pi r^2 (r \text{ in ft.}) \quad Q = 5 \pi R^2 (R \text{ in ft.})$$

$$R = (\text{diameter}/12) / 2 \quad \left(\frac{\text{dia}}{12} \right) \div 2$$

$$\pi = 3.1416$$

PIPE DIAMETER(")	CFS (1/100)	^(1/10) MINER INCH	^(1/10) GALLONS/ MINUTE
1	.03	1.5	13.5
2	.11	5.5	49.4
3	.25	12.5	112.2
4	.44	22.0	197.5
6	.98	49.0	439.8
8	1.74	87.0	780.9
10	2.73	136.5	1225.2
12	3.93	196.5	1763.8
14	5.34	267.0	2396.6
16	6.98	349.0	3132.6
18	8.83	441.5	3962.9
20	10.90	545.0	4891.9
22	13.19	659.5	5919.7
24	15.70	785.0	7046.2

THEORETICAL PSI's

Internal domestic	- 20 psi
Internal/external domestic	- 30 psi
Domestic w/ 5-10 acres	- 40 psi
Medium systems (up to 50 acres)	- 40 psi
Large pivots	- 60 psi

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 75-07589

Priority: June 29, 1992

Maximum Diversion Rate: 0.21 CFS
Maximum Diversion Volume: 42.2 AF

It is hereby certified that WILLIAMS LAKE RECREATIONAL WATER & SEWER DISTRICT
PO BOX 82
SALMON ID 83467 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 29, 1992; and has
submitted Proof of Beneficial Use on January 23, 1998. An examination indicates that the works have a
diversion capacity of 0.21 cfs of water from:

SOURCE

SPRING

Tributary: LAKE CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
MUNICIPAL	01/01 to 12/31	0.21 CFS	42.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, Twp 20N, Rge 21E, B.M. LEMHI County
SPRING NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, Twp 20N, Rge 21E, B.M. LEMHI County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of Williams Lake Recreational Water and Sewer District as provided for under Idaho law. The place of use is generally described as Sections 33 & 34, Township 20N, Range 21E; and Section 3, Township 19N, Range 21E.
2. This municipal right is limited to in-house or potable water for use at Williams Lake Lodge and household in the Williams Lake area. Stockwatering is allowed for stock associated with the households. This right shall not be used for irrigation.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. The right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications. The right holder shall annually report monthly use volumes to the Department by January 15th of each year or at any time upon notice by the Department.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 2nd day of May, 2008.


DAVID R. TUTHILL, JR.
Director

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 75-07052

Priority: March 23, 1990

Maximum Diversion Rate: 0.30 CFS
Maximum Diversion Volume: 34.8 AF

It is hereby certified that WILLIAMS LAKE RECREATIONAL WATER & SEWER DISTRICT
PO BOX 82

SALMON ID 83467 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 01, 1974; and has submitted Proof of Beneficial Use on March 23, 1990. An examination indicates that the works have a diversion capacity of 0.3 cfs of water from:

SOURCE

WILLIAMS LAKE

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
MUNICIPAL	01/01 to 12/31	0.30 CFS	34.8 AF

LOCATION OF POINT(S) OF DIVERSION:

WILLIAMS LAKE L2 (SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) Sec. 34, Twp 20N, Rge 21E, B.M. LEMHI County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of Williams Lake Recreational Water & Sewer District as provided for under Idaho Law. The place of use is generally described as Sections 33 & 34, Township 20N, Range 21E; and Section 3, Township 19N, Range 21E.
2. This right does not grant any right-of-way or easement across the land of another.
3. The right holder shall maintain a measuring device of a type approved by the Department as part of the diverting works.
4. This municipal right is limited to the non-potable water use within the Williams Lake Recreational Water & Sewer District.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 2nd day of May, 2008.


DAVID R. TUTHILL, JR.
Director

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. **75-07589**

RECEIVED
SEP 02 2005
Department of Water Resources

Date of Priority: June 29, 1992

Maximum Diversion Rate: 0.21 CFS
Maximum Diversion Volume: 38.4 AF

Comes now WILLIAMS LAKE RECREATIONAL WATER & SEWER DISTRICT
PO BOX 82

SALMON ID 83467 and represents to the Director of the Idaho Department
of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 75-07589, and requests that the permit be changed as follows:

Source: SPRINGS

Tributary: LAKE CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	0.21 CFS	38.4 AF

LOCATION OF POINTS OF DIVERSION:

SPRING SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, Twp 20N, Rge 21E, B.M., LEMHI County

SPRING NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, Twp 20N, Rge 21E, B.M., LEMHI County

✓ BLM Permit
Add

Permit holder asserts that no one will be injured by such change and that such change will be made at
permit holder's own risk. Signed this 17 day of AUGUST, 2005.

Fred Jacobson
CHAIRMAN

(Signature & Title)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 75-07589

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50⁰⁰ Received by M # C079012 Date 9/2/2005

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 75-07589 with the following:

CONDITIONS OF APPROVAL

1. Subject to all prior rights except subordinated hydropower rights.
2. Use of water under this right shall be limited to in-house use only.
3. Place of use is within the service area of Williams Lake Recreational Water and Sewer District as provided for under Idaho law. The place of use is generally described as Sections 33 & 34, Township 20N, Range 21E; and Section 3, Township 19N, Range 21E.
4. Rights 75-7052 and 75-7589 when combined shall not exceed a total annual maximum diversion volume of 79.2 af.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.

Witness my hand this _____ day of _____, 2005.

KARL J. DREHER
Director

Permit No: 75-7589

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 05 2005
DEPARTMENT OF
WATER RESOURCES

A. GENERAL INFORMATION

Permit No: 75-7589

Exam Date: 12-2-04

1. Current Owner: WILLIAMS LAKE RECREATIONAL WATER & SEWER DIST
PO BOX 82
SALMON ID 83467
(208)756-6124

2. Accompanied by:

Phone No:

Address:

Relationship to Permit Holder:

3. SOURCE

LAKE CREEK

TRIBUTARY

SALMON RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use:
2. Other water rights with the same point of diversion:

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

LAKE CREEK NE1/4SW1/4SE1/4 Sec. 34, Twp 20N, Rge 21E, B.M. LEMHI County

Method of Determination:

2.

PLACE OF USE:

~~DOMESTIC~~

MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	21E	3		X	X	X	X	X											
20N	21E	34							X	X	X	X	X	X			X		

Method of Determination:

33

X

3. ☐ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☒ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- ☐ Aerial Photo Attached (required for irrigation of 10+ acres).
- ☒ Photo of Diversion and System Attached

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAY - 5 2005

DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 75-75891. Owner: Williams Lake Recreational Water & Sewer District Phone No. (208) 756-6124 (Pres)
(208) 756-3649 (Board)Current Address: P.O. Box 82, Salmon, ID 834672. Accompanied by: Richard Borst (President) EXAM DATE: 12-02-2004
Jim Bob Infanger (Board) (208) 756-6124Address: P.O. Box 82, Salmon, Id 83467 Phone No. (208) 756-3649Relationship to Permit Holder: President & Board member of District

Unnamed

3. Source: SPRING tributary to Lake Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 75-7052, 75-7589 & 75-7590
2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	NE	SE	34	20N	21E	Lemhi	Lower Spring - on site, GPS
		NE	SW	SE	34	20N	21E	Lemhi	Upper Spring - on site, GPS

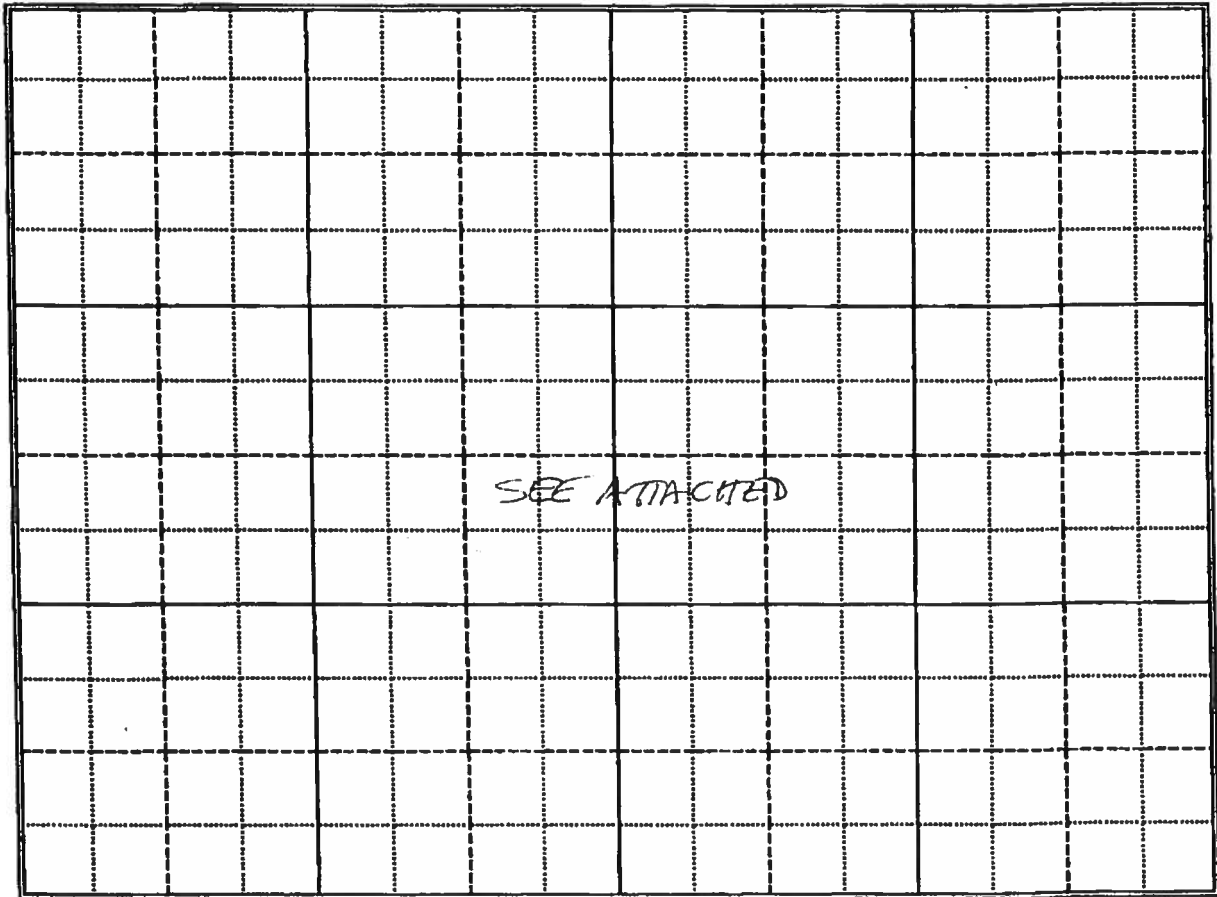
USED WITHIN THE Boundary of Williams Lake Recreational Water & Sewer District
Indicate Method of Determination ON SITE/USGS QUAD

2. Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	21E	3		X			X	X											
				L-2			L-3	L-4											
20N	21E	33																X	
																		L-4	
20N	21E	34							X	X	X	X	X	X			X		
									L-1		L-2	L-2	L-4	L-3					

75-7589

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** OVERFLOW MEASUREMENT
 $5 \text{ gal} / 4.5 \text{ sec} = 66.7 \text{ gpm} = 0.148 \text{ cfs} = 0.15 \text{ cfs}$ only overflow
 measured does not include pumping from collection tank

75-7589

E. NARRATIVE/REMARKS/COMMENTS

SEE ATTACHED MEMO

RECOMMEND ADDING BOTH POINTS OF DIVERSION TO
EACH WATER RIGHT

RECOMMEND CHANGE IN NATURE OF USE TO MUNICIPAL

Have conditions of permit approval been met? ☒ yes ☐ no

75-7589

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: PUMPING TANK OVERFLOW = $5 \text{ gal} / 4.5 \text{ sec} = 66.7 \text{ gpm} = 0.15 \text{ cfs}$

Pumping capacity of 7.5 hp pump: $\text{eff} = 0.70$ TDH = 220 ft

$$Q = \frac{\text{hp} (8.814) (\text{eff})}{\text{TDH}} = \frac{(7.5)(8.814)(0.70)}{220 \text{ ft}} = 0.21 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

$$V_{\text{MUNICIPAL}} = (\text{Pumping Capacity}) (\text{Days / Year}) (1.9835) \\ = (0.21 \text{ cfs}) (365 \text{ days}) (1.9835) = 152.0 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
MUNICIPAL	1/1	12/31	0.21 cfs	152.0 afa
Totals:			0.21 cfs	152.0 afa

2. Recommended Amendments

☐ Change P.D. as reflected above

☒ Change P.U. as reflected above

☒ Add P.D. as reflected above

☐ Add P.U. as reflected above

☐ None

☒ Other

CHANGE NATURE OF USE
To Municipal

I. AUTHENTICATION

Field Examiner's Name

Keith C. Wells Date 4/29/2005

Reviewer

Date

SEAL

75-7589

MEMORANDUM

Date: April 29, 2005
To: Water Right File 75-7589
From: kwilson
Re: Field Report Narrative

Upper Spring (75-7589) Diversion/Collection box gravity flow to pumping tank at Lift Station #1, and Lower Spring (75-7590) Diversion/Collection box gravity flow to pumping tank at Lift Station #1. Three 7.5 hp pumps, in series, (Lift Station #1, Lift Station #2 & Lift Station #3) to two storage tanks with a total storage capacity of 50,850 gallons. (Storage Tank #1 with 9400 gallons and Storage Tank #2 with 41,450 gallons.) From storage tanks gravity feed to distribution system with two booster pumps to maintain pressure for homes at higher elevations. Booster Station #1 in the NENW (L-3) Sec 3, T19N, R21E and Booster Station #2 in the NESW (L-2) Sec 34, T20N, R21E.

For information purposes, as of 12/02/2004, there are 66 homes serviced by the Williams Lake Recreational Water and Sewer District.

Williams Lake Recreational Water and Sewer District has a easement for their system from the BLM for both storage tanks (SENW Sec 3, T19N, R21E), and the lower spring (SWNESE Sec 34, T20N, R21E).

Document A includes a cover letter dated August 25, 1994, from Milton A. Slavin, and a signed Voluntary Consent Order prepared by Department of Health and Welfare, Division of Environmental Quality, in which the district name is indicated as being the Williams Lake Recreational Water & Sewer District.

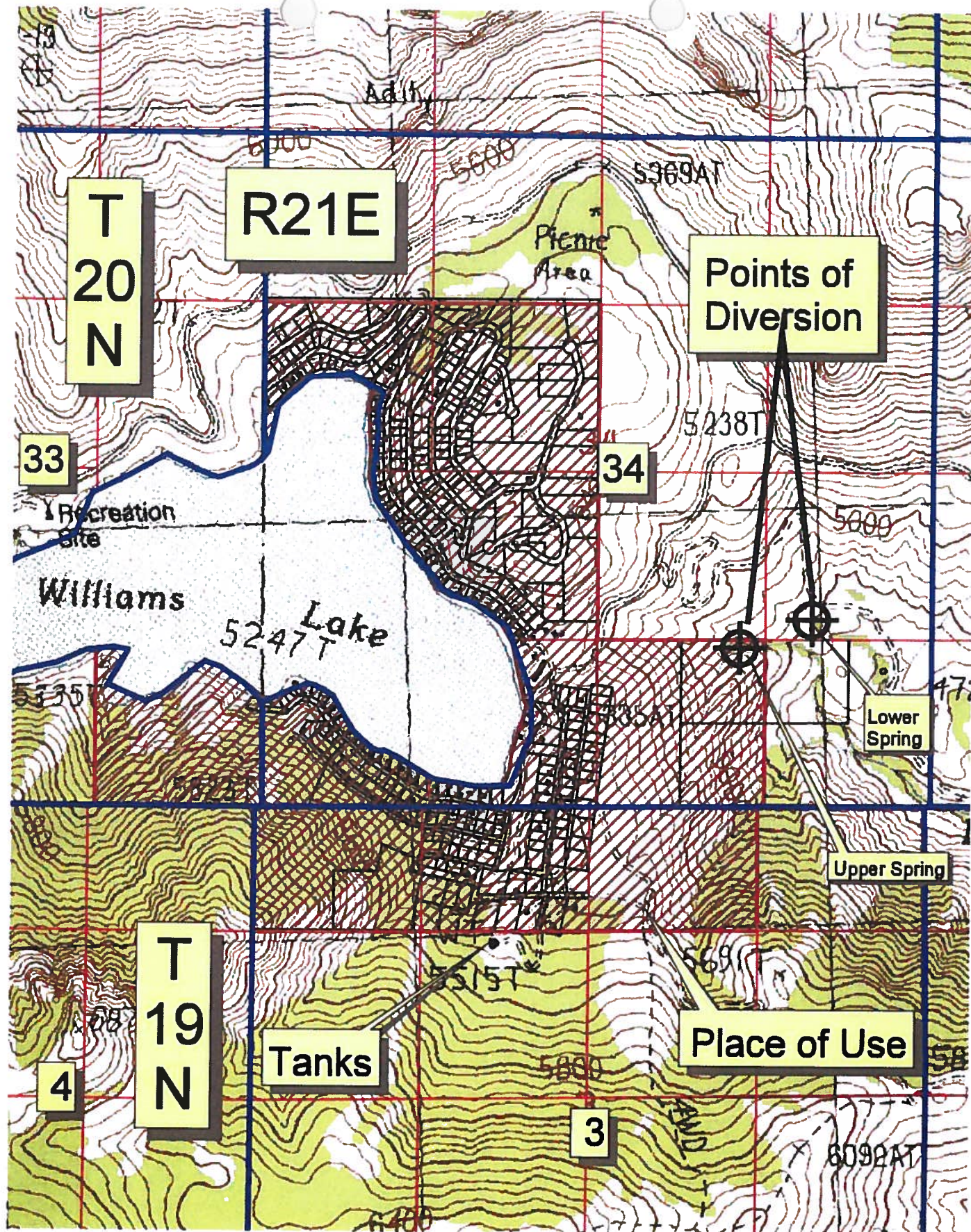
Williams Lake Recreational Water and Sewer District established as a recreational water and sewer district by decree dated April 19, 1994, by Judge James C. Herndon. (See Document B)

Milton A. Slavin, Slavin Law Office, Chartered, 116 N Center Street, Salmon, ID 83467 [(208)756-2030] is currently the attorney for Williams Lake Recreational Water and Sewer District. Mr. Slavin informed this examiner that the order (Document B) is sufficient documentation that authorizes changing the name of the district to the Williams Lake Recreational Water and Sewer District.

Williams Lake Recreational Water and Sewer District qualifies as a municipal provider and has requested that the nature of use under the right be changed from domestic to municipal.

Williams Lake Recreational Water and Sewer District has permits from BLM for any trespass of their system on to BLM ground.

According to Richard Borst, district president, and Milton Slavin, attorney, the Williams Lake Recreational Water and Sewer District is NOT associated with Williams Lake Property Owners Association.



75-7589



Location: Sec 3, T19N, R21E
 Sec 33, T20N, R21E
 Sec 34, T20N, R21E

75-7589

FIGURE 1.7
Williams Lake, Idaho
Water Study
Project Site Map

May 2004

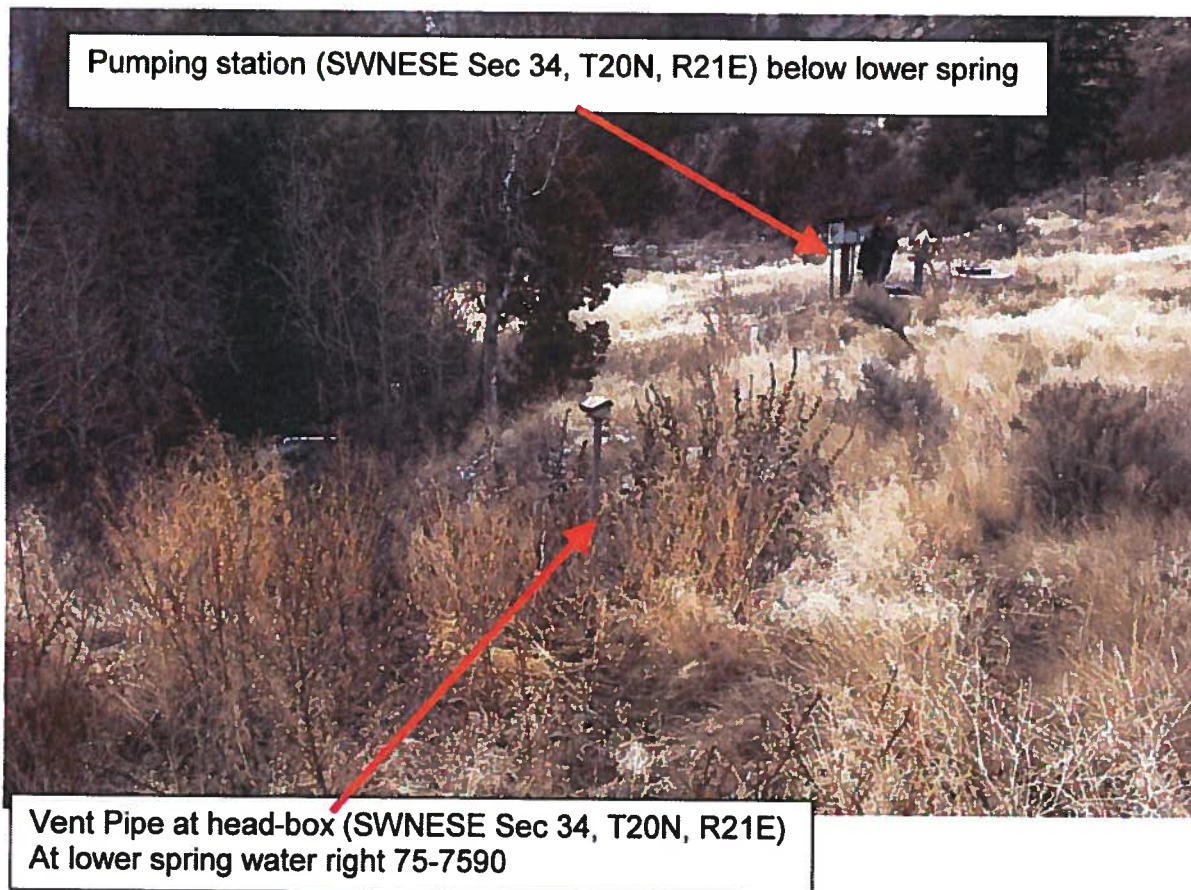


FORSGREN
ASSOCIATES, INC



Vent Pipe for upper spring (NESWSE Sec 34, T20N, R21E) Point of Diversion

75-7589



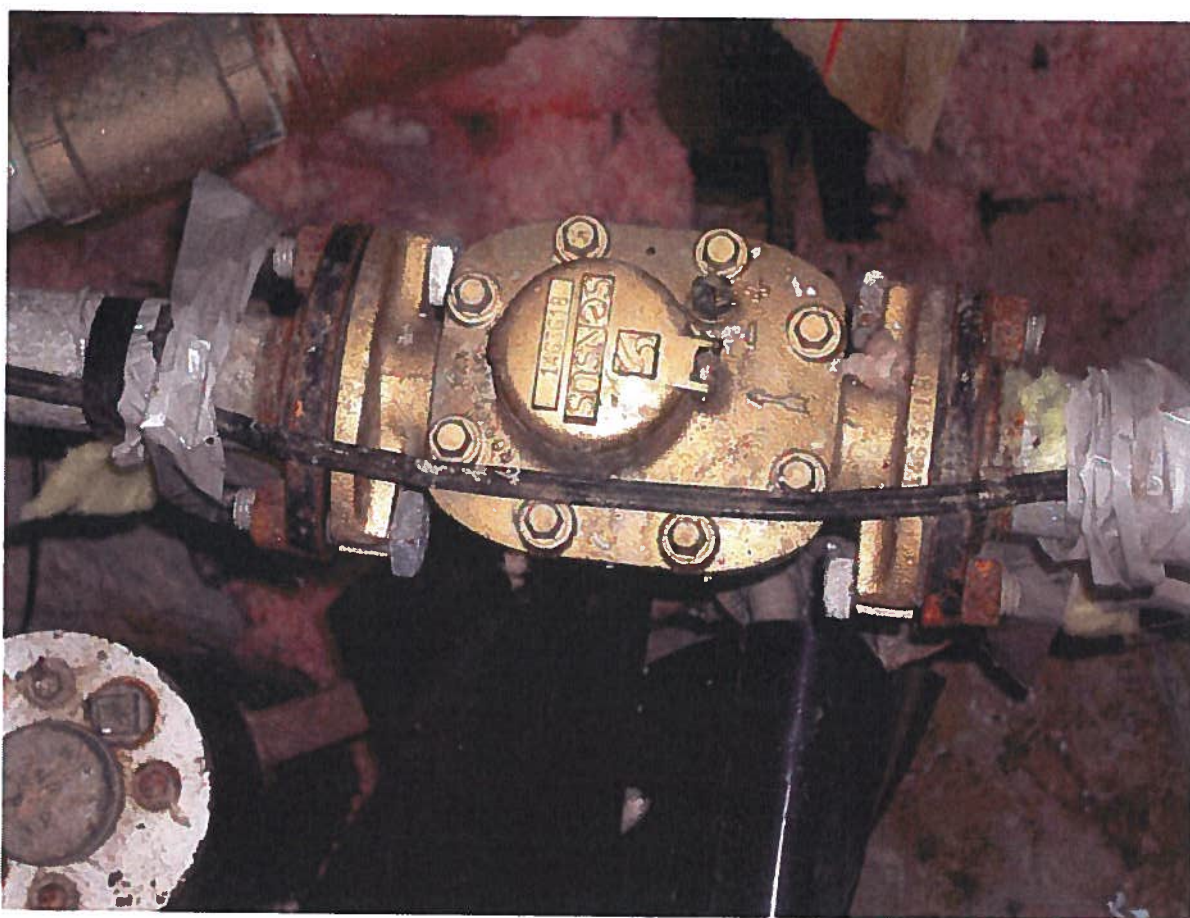
Pump Station for 75-7589

75-7589



Elapsed Time Meter (Units in hours) for Williams Lake Recreational Water & Sewer District for water rights 75-7589 & 75-7590.

75-7589



Water flow meter for Williams Lake Recreational Water & Sewer District for water rights 75-7589 & 75-7590.

75-7589

Please copy and
send original to
Sweeney @ CO
Copy to our files
MILTON A. (JOCK) SLAVIN
ATTORNEY AT LAW

1016 MAIN ST., P.O. BOX 1103, SALMON, IDAHO 83467
208/756-2030

Blaine -
RECEIVED

AUG 29 1994

DIVISION OF
ENVIRONMENTAL QUALITY
EIRO

August 25, 1994

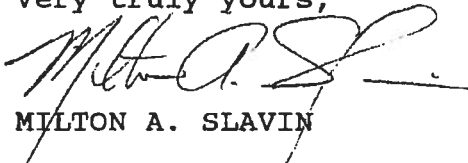
George Spinner
Regional Administrator
Idaho Division of Environmental Quality
224 S. Arthur
Pocatello, ID. 83204

Dear George:

Enclosed please find the Voluntary Consent Order prepared by your office and signed by the Directors of the Williams Lake Recreational Water and Sewer District.

Please return an executed copy to our office for our files. If there is anything further that needs to be done feel free to contact me at your earliest convenience.

Very truly yours,



MILTON A. SLAVIN

MAS/st

enclosure

RECEIVED

SEP 9 1994

Div. of Environmental Quality
Community Programs

RECEIVED

NOV 09 1994

DIVISION OF
ENVIRONMENTAL QUALITY
EIRO

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Pg 1 of 4

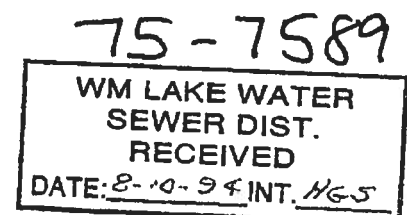
75-7589

IDAHO DEPARTMENT OF HEALTH AND WELFARE

Voluntary Consent Order

1. Pursuant to Idaho Code § 39-108 (Idaho Environmental Protection and Health Act), the Idaho Department of Health and Welfare (Department) enters into this Voluntary Consent Order with Williams Lake Recreational Water and Sewer District.
2. Williams Lake Recreational Water and Sewer District is the owner of the Williams Lake Recreational Water and Sewer public water system, located in Lemhi County, Idaho, identification number 7300061.
3. Williams Lake Recreational Water and Sewer District agrees to the terms and conditions of this Voluntary Consent Order without the issuance of a Notice of Violation or the holding of a compliance conference under Idaho Code § 39-108.
4. The Department has determined that Williams Lake Recreational Water and Sewer District is in violation of the surface water treatment technique requirements of the Idaho Rules For Public Drinking Water Systems, IDAPA 16.01.08.9301.300 (effective June 1, 1994).
5. Williams Lake Recreational Water and Sewer District shall perform the following actions in order to achieve compliance with IDAPA 16.01.08.9301.300 (effective June 1, 1994):
 - a. Provide initial public notification to consumers, in accordance with IDAPA 16.01.08.9301.150.02, no later than July 31, 1994, and every three (3) months thereafter until in full compliance with the treatment technique requirements of IDAPA 16.01.08.9301.300.
 - b. Perform the following interim protective measures to ensure public health protection until the system is in full compliance with IDAPA 16.01.08.9301.300: Maintain continuous chlorination of the current water supply.
 - c. Submit to the Department an engineering report in accordance with IDAPA 16.01.08.9301.551.01 which, among other things, outlines alternatives to bring the system into compliance. The engineering report shall be submitted no later than July 31, 1994.
 - d. Submit a report to the Department no later than August 31, 1994 which outlines how system improvements will be financed.
 - e. Submit plans and specifications to the Department for review and approval in accordance with IDAPA 16.01.08.9301.551.04. Plans and specifications shall be submitted no later than July 31, 1994.

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- f. Complete construction of the supply water system improvements in accordance with plans and specifications approved by the Department no later than December 31, 1995.
 - g. Conduct initial monitoring of the new water source for total coliform and inorganic and organic chemical contaminants listed in IDAPA 16.01.08.9301 Subsections 100.01., 100.03. and 100.04., unless analysis is waived pursuant to Subsection 100.07. Initial monitoring shall be conducted no later than July 31, 1996.
 - h. Discontinue the use of the surface water from Williams Lake as a source of potable water no later than July 31, 1996.
 - i. Complete construction of distribution system improvements in accordance with plans and specifications approved by the Department no later than December 31, 1996.
 - j. Submit as constructed plans and specifications for source water and distribution construction or modifications to the Department in accordance with IDAPA 16.01.08.9301.551.04.c. The as constructed plans and specifications shall be submitted no later than thirty (30) days after completion of the supply water system and distribution system respectively.
 - k. Achieve full compliance with IDAPA 16.01.08.9301.300 by January 31, 1997.
6. The Department agrees to waive civil penalties for the matters covered by this Voluntary Consent Order provided Williams Lake Recreational Water and Sewer District fully complies with the terms of this Voluntary Consent Order. Williams Lake Recreational Water and Sewer District recognizes that failure to comply with the terms of this Voluntary Consent Order may result in disapproval of the water system and district court action pursuant to Idaho Code § 39-108.
7. This Voluntary Consent Order shall not in any way relieve Williams Lake Recreational Water and Sewer District from any obligation to comply with any provision of the Idaho Rules For Public Drinking Water Systems, or any applicable local, state, or federal laws.
8. Upon fulfilling all requirements of this Voluntary Consent Order, Williams Lake Recreational Water and Sewer District may petition the Department in writing for termination of this Voluntary Consent Order. This Voluntary Consent Order shall remain in full force and effect and shall bind Williams Lake Recreational Water and Sewer District, its successors, and assigns until the Williams Lake Recreational Water and Sewer District has fulfilled all requirements of this Voluntary Consent Order and the Department acknowledges in writing that this Voluntary Consent Order is terminated.

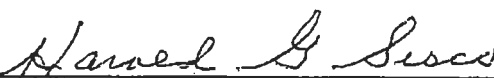
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9. Each undersigned representative to this Voluntary Consent Order certifies that he or she is fully authorized to enter the terms and conditions of this Voluntary Consent Order and to execute and legally bind such party to this document.
10. The effective date of this Voluntary Consent Order shall be the date of signature by the Regional Administrator of the Idaho Division of Environmental Quality.


George Spinner, Regional Administrator
Idaho Division of Environmental Quality

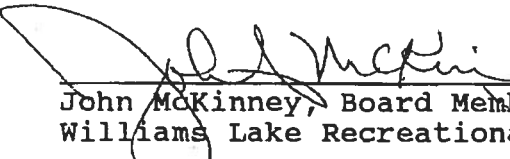
Date: 9/6/94


Harold G. Sisco, Chairman
Williams Lake Recreational Water and Sewer District

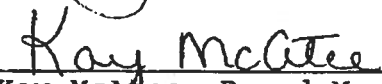
Date: Aug 17, 1994


Mae Mulkey, Board Member
Williams Lake Recreational Water and Sewer District

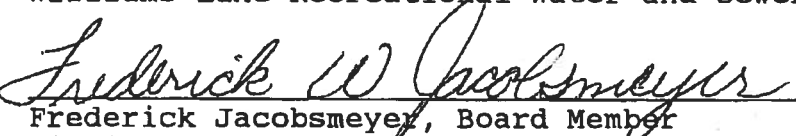
Date: Aug 18, 1994


John McKinney, Board Member
Williams Lake Recreational Water and Sewer District

Date: August 23, 1994


Kay McAtee, Board Member
Williams Lake Recreational Water and Sewer District

Date: August 24, 1994


Frederick Jacobsmeyer, Board Member
Williams Lake Recreational Water and Sewer District

Date: 8/22/94

Received Time Apr 10:30AM

CLERK OF DISTRICT COURT
COUNTY OF LEMHI

Milton A. Slavin
Attorney at Law
P.O. Box 1103
1016 Main Street
Salmon, Idaho 83467
Telephone: 208-756-2030

ALBERTA WEIDENRICK, CLERK OF THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI, DO HEREBY CERTIFY THAT THE FOLLOWING IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE OF THE CLERK OF THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI, THIS 19 DAY OF April 1994.

FILED 4:10 AM

APR 19 1994

ALBERTA WEIDENRICK, CLERK

Alberta Weidenrick
DEPUTY

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

In The Matter Of:

Case No. 5145

WILLIAMS LAKE WATER AND
SEWER DISTRICT

FINDINGS OF FACT, CONCLUSIONS OF LAW,
ORDER AND DECREE CHANGING STATUS TO
A RECREATIONAL WATER & SEWER DISTRICT

A Petition having been filed by the Williams Lake Water and Sewer District to change the status from a regular water and sewer district to a recreational water and sewer district in conformance with the provisions of Idaho Code, §42-3202C.

FINDINGS OF FACT

After review of the Petition, the Court made the following findings:

I

That the Petition for change of status was filed with the Court on March 10, 1994;

II

That the Order For Hearing was executed by the Court on March 15, 1994;

Findings of Fact, Conclusions of Law, Order and Decree

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III

That the Notice of Hearing on the Petition for Change of Status was published in the Recorder-Herald on March 24, 1994, in accordance with Idaho Code §42-3206 and an Affidavit Of Publication has been filed herein;

IV

That a hearing having been held on the 19th day of April, 1994 and no objection to the change of status having been given, and several witnesses having testified in favor of the change of status for the purpose of obtaining qualified voters in order to vote in any elections held within the district;

CONCLUSIONS OF LAW

I

That the Hearing for the change of status was held in accordance with the Statutes and the Constitution of the State of Idaho;

II

That there being no objections thereto.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

That the status of Williams Lake Water and Sewer District is hereby changed to that of a recreational district in accordance with the Idaho Code, §42-3202C, and shall comprise all of the lands described as follows:

All platted parts and parcels of land as follows:

Findings of Fact, Conclusions of Law, Order and Decree

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Williams Lake Subdivision - Book of Plats, page 47;
 Williams Lake Subdivision No. 2, Book 2 of Plats, page 10;
 Williams Lake Subdivision No. 3, Book 2 of Plats, page 18;
 Williams Lake Subdivision No. 4, Book 2 of Plats, page 33.

Also, all unplatted parts and parcels of Lot 4 and of the
 W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 20 North, Range 21 East
 Boise Meridian and all unplatted parts and parcels of
 Lots 2, 3, 4, and S $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, Township 19 North,
 Range 21 East Boise Meridian.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the
 following persons be and they are hereby declared to be the elected
 and confirmed Directors of said water and sewer district to serve
 for terms as follows:

Fred Jacobsmeyer	Term ends July 31, 1994;
Kay McAtee	Term ends July 31, 1994;
Mae Mulkey	Term ends July 31, 1996;
Harold Sisco	Term ends July 31, 1998;
John McKinney	Term ends July 31, 1998.

DATED: April 19, 1994.

ORIGINAL SIGNED BY
 JAMES C. HERNDON

JAMES C. HERNDON
 District Judge

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75-7589

BEFORE THE DEPARTMENT OF WATER RESOURCES

FOR THE STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR)
AMENDMENT FOR WATER RIGHT PERMITS)
75-7052 AND 75-7589 IN THE NAME OF)
WILLIAMS LAKE RECREATIONAL)
WATER & SEWER DISTRICT)

PRELIMINARY ORDER

PROCEDURAL BACKGROUND

On August 2, 1974, the Idaho Department of Water Resources ("IDWR" or "Department") approved permit to appropriate water no. 75-7052 in the name of Williams Lake Water and Sewer District (Now "Williams Lake Recreational Water & Sewer District" or "applicant"). Permit no. 75-7052 authorized the appropriation of 0.50 cubic feet per second ("cfs") from Williams Lake for domestic purposes for potentially 442 family units within portions of Section 3, Township 19 North, Range 21 East and Section 34, Township 20 North, Range 21 East in Lemhi County, Idaho. Permit no. 75-7052 required that the permit holder file proof of beneficial use on or before September 1, 1976. On September 10, 1976 IDWR notified the applicant that Permit no. 75-7052 had lapsed since proof of beneficial use had not been filed. On March 23, 1990 the applicant filed a late proof of beneficial use. On June 4, 1990 IDWR reinstated permit no. 75-7052 advancing the priority to March 23, 1990 and limiting the domestic use to 66 households.

On June 29, 1992 Williams Lake Water and Sewer District (Now "Williams Lake Recreational Water & Sewer District" or "applicant") filed applications for permit no. 75-7589 and 75-7590 for development of springs for domestic use of 100 households within the same location of the place of use identified for permit 75-7052. Each application identified a separate spring and each requested 0.50 cfs. These applications were protested. After a hearing was conducted and a preliminary order was issued, IDWR issued on March 1, 1993 a final order approving Permits no. 75-7089 and 75-7090. The approvals allowed conditioned use of these springs and required that proof of beneficial use be filed on or before March 1, 1995. On March 2, 1995 IDWR extended the date required for proof of beneficial use to March 1, 1998. On January 23, 1998 the applicant filed proof of beneficial use for these permits.

On December 2, 2004 IDWR conducted a field examination of the Williams Lake facilities for licensing purposes for Permits 75-7052, 75-7589 and 75-7590. During the licensing process it was proposed that the development resulting from permits 75-7589 and 75-7590 be combined and licensed as 75-7589 with multiple points of diversion for a common developed delivery system. Also during the examination and licensing process, licensing amendments were proposed to change the nature of use of all of these permits from domestic to municipal.

On September 2, 2005 Williams Lake Recreational Water & Sewer District ("applicant") filed applications for licensing amendments ("amendments") for Permits no. 75-7052 and 75-7589. Notice of these amendments were published and protested by Gary M. Mulkey, James Edward Kingston, Kathleen Gliksman, Leslie May Shumate and Thomas James Thompson as individuals. Also Gary and Lindsay Hawkins filed a joint protest. Valeea Steinbruegge and William Steinbruegge III filed a joint protest. Christine Smith and the Bureau of Land Management ("BLM") intervened in this contested case. On April 24, 2006 Christine Smith withdrew participation in these matters.

On June 26, 2007, IDWR conducted a hearing in consideration of these applications and the protests of same. The applicant appeared by and through its attorney, Milton Slavin. Gary M. Mulkey, Kathleen Gliksman, Leslie May Shumate, and Thomas James Thompson appeared and represented themselves. The BLM was represented by David Logan. James Edward Kingston did not appear and was reported to be deceased. Gary and Lindsay Hawkins did not appear at the hearing nor did Valeea Steinbruegge and William Steinbruegge III.

At the hearing, the applicant offered one exhibit into the record. The protestants stipulated to the admission of this exhibit. The exhibit considered by the hearing officer is listed as follows:

Applicant's Exhibits	Description
1	Forsgren Letter

At the hearing, the protestants offered seven exhibits into the record. The applicant stipulated to the admission. The exhibits considered by the hearing officer are listed as follows:

Protestant's Exhibits	Description
A	Gliksman Statement
B	IDWR Comment Report
C	Kingston Comments
D	Slavin Letter
E	Warner Memo
F	Saxton Letter
G	Feasibility Study

At the conclusion of the hearing, the hearing officer took official notice of the subject amendment files including the permit files subject of the amendments, holdings in past decisions and orders by IDWR as they may apply to these protested matters, IDWR water right records, records of stream flows and water measurements, and well logs. Also at the conclusion of the hearing the record was left open for 10 days to allow for the submission of an additional exhibit by Gary Mulkey, if found and circulated to the applicant. This potential exhibit was never submitted and the record is considered closed.

After considering the evidence and testimony, the hearing officer finds, concludes, and orders as follows:

FINDINGS OF FACT

1. All facts set forth in the above "Procedural Background" are incorporated as Findings.
2. Domestic use of water diverted from Williams Lake was established pursuant to permit 75-7052 prior to and/or during the authorized development period of the permit.
3. The initial diversion system from Williams Lake was constructed in approximately 1958 and enlarged thereafter. The diversion consisted of a floating pumping platform with ultimately two pumps on the platform on the lake with a capacity of diversion of 0.30 cfs delivering to a pipeline system with storage tank. The point of diversion from the lake was located within SENWSW¹ (Lt 2), Section 34, T20N, R21E.
4. The established domestic use of water under Permit 75-7052 included use at Williams Lake Lodge and uses for 58 homes located within platted lots within the Williams Lake Subdivision and un-platted lands outside the subdivision all within SESE (Lt 4), Section 33; SWNW (Lt 1), SENW, N½SW (Lt 2), SWSW (Lt 4), SESW (Lt 3), Section 34, both T20N, R21E and NWNE (Lt 2), NENW (Lt 3), NWNW (Lt 4), Section 3, T19N, R21E.
5. The domestic use established pursuant to Permit 75-7052 was not limited to in-house use and included the ability to irrigate lawns associated with households. Some lawns historically were watered from this system although the irrigation developed was not extensive and a total area has not been determined.
6. The lodge facility has the capacity to sleep 100 people and includes a 20 unit RV park, a 19 room motel, 7 cabins with 11 total beds, 1 boat house with apartment, a restaurant with a seating capacity of 60 and a bar with a seating capacity of 60.
7. On April 19, 1994 the status of Williams Lake Water and Sewer District was changed to a recreational water and sewer district by order of the district court.
8. In the Fall of 1994 Williams Lake Recreational Water and Sewer District executed a voluntary consent order with the Idaho Department of Health and Welfare which it in part agreed to: "Discontinue the use of the surface water from Williams Lake as a source of potable water no later than July 31, 1996."
9. In the Fall of 1994 the springs covered by permits 75-7589 and 75-7590 were developed when a "new" common diversion and delivery system was constructed. The system captured two springs located within the SWNESE and the NESWSE, Section 34, T20N, R21E. The system has a capacity to divert 0.21 cfs.

¹ Public land survey descriptions in this decision without a fraction following a two alpha character descriptor are presumed to be followed by the fraction "1/4." In addition, all public land survey descriptions are presumed to be based on the Boise Meridian. All locations are in Lemhi County.

10. In the Fall of 1994 when the new delivery system was constructed the old delivery system from Williams Lake was damaged in places and totally discontinued. Since 1994 water has not been diverted from Williams Lake pursuant to permit 75-7052. Some evidence exists that there may be an intention to resurrect this system for limited irrigation use but the culinary or potable water use of the system has been discontinued with the demonstrated intention of utilizing the springs developed under permits 75-7589 and 75-7590 for the culinary or potable water supply.

11. BLM holds approved permit 75-7638 for development of a spring located in the area near the springs developed by the applicant for use at a campground near Williams Lake. During design and/or construction of the new system the applicant and BLM agreed to supply water to the BLM campground through the new system. Licensing of permit 75-7638 is pending.

12. The new delivery system was constructed and was hooked up to supply 64 residences, Williams Lake Lodge and the BLM campground during the development period of permits 75-7589, 75-7590 and 75-7638. The location of these uses is the same as described in findings No. 4 above excluding the BLM campground.

13. IDWR commonly uses estimates for non-irrigation water uses in determining volume limits for licensing purposes that include the following:

Dwellings (Single family per resident).....	60 gpd
Resorts (Day & Night) per camper.....	50 gpd
Restaurants (with bar & toilet) per patron.....	12 gpd

14. IDWR commonly licenses domestic uses per household for 0.6 afa for in-house use only or 1.2 afa for in-house and yard watering combined.

15. Permits 75-7589 and 75-7590 are specifically limited to in-house use only and prohibited from outside use (irrigation).

16. Protestants are concerned that the change in nature of use sought by the amendments will allow the enlargement of the rights and injure downstream waterusers considered in the March 1, 1993 final order approving permits 75-7589 and 75-7590.

17. Historically a few houses served by the applicant have been relocated as a result of fire and reconstruction within the Williams Lake area.

18. Approving or denying the amendments will ultimately result in licensing of permits 75-7589 and 75-7590 in one fashion or another.

19. The maximum volume of water developed from Williams Lake pursuant to permit 75-7052 for non-potable domestic water use based on 0.6 afa per household for 58 units is 34.8 afa.

20. The use at Williams Lake Lodge is seasonal and approximately 214 days annually.

21. The total maximum volume of water developed from springs pursuant to permits 75-7589 and 75-7590 for the potable water supply based on 0.6 afa per household for 64 households and 50 gpd for 100 campers and 12 gpd for 60 customers at the restaurant and bar all at Williams Lake Lodge is 42.2 afa.

CONCLUSIONS OF LAW

1. Idaho Code § 42-211 states, in pertinent part:

Whenever a permit has been issued pursuant to the provisions of this act, and the permit holder desires to change the place, period, or nature of the intended use, or make other substantial changes in the method of diversion or proposed use or uses of the water, he shall file an application for amendment . . . and upon receipt thereof it shall be the duty of the department of water resources to examine same and if approval thereof would not result in the diversion and use of more water than originally permitted and if the rights of others will not be adversely affected thereby, the director of the department of water resources shall approve said application . . .

2. Idaho Code § 202B(6) defines municipal purposes as follows:

“Municipal purposes” refers to water for residential, commercial, industrial, irrigation of parks and open space, and related purposes, excluding use of water from geothermal sources for heating, which a municipal provider is entitled or obligated to supply to all those users within a service area, including those located outside the boundaries of a municipality served by a municipal provider.

3. Idaho Code § 202B(5)(c) defines municipal provider to include:

A corporation or association which supplies water for municipal purposes through a water system regulated by the state of Idaho as a “public water supply” as described in section 39-103(10), Idaho Code.

4. Williams Lake Recreational Water & Sewer District is a municipal provider. As a municipal provider, Williams Lake Recreational Water & Sewer District may hold water rights authorizing municipal use.

5. In *Hardy v. Higginson*, 123 Idaho 485, 849 P.2d 946 (1993), the Idaho Supreme Court held that an application to amend a permit is subject to a determination that the application is in the local public interest.

6. Idaho Code § 202B(3) defines the local public interest as follows:

"Local public interest" is defined as the interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource.

7. The applicant bears the burden of proof for all of the factors listed in Idaho Code § 42-211.

8. Approval of the proposed amendments and issuance of licenses will not enlarge the original permitted use if conditioned appropriately.

9. Approval of the proposed amendments and issuance of licenses will not adversely affect other water rights if conditioned appropriately.

10. Approval of the proposed amendments and issuance of licenses are in the local public interest.

11. IDWR should license rights 75-7052 and 75-7589 for municipal uses with limitations. (Note that license 75-7589 should represent a combination of permitted uses under original permits 75-7589 and 75-7590.)

ANALYSIS

The use of water for "Municipal" use varies depending on the situation. Municipal providers are granted much latitude in development. In some situations if a system is developed pursuant to a permit for municipal use the right is licensed for a volume equivalent to the continuous rate over the entire year. This is not the case in this instance. Because the original permits were limited initially to domestic use quantified by the number of homes and the normal volume required by the number of homes or businesses established; the approval to change the use description to "municipal use" from "domestic use" must carry forward these original limitations. Otherwise the rights would be enlarged.

It is likely that regulation of these subject rights in the future will be by a watermaster of a water district to be established in the future. It is intended that the watermaster will regulate these rights by monitoring rate (cubic feet per second (cfs)) and volume (acre feet per annum (afa)). Counting of households, dwellings, cabins, people, patrons or other such elements should not be a basis of regulation. These counts were only initially used to establish the upper limits of the rate and volume to be licensed. Once these rights are licensed it is intended that the counts may fluctuate as long as the licensed rate and volume are not exceeded.

In some situations a "Municipal" user may change the location of use within a service area without going through the Idaho Code 42-222 process. It is intended that this approval grant such an allowance particularly since the location of houses have already been demonstrated to have changed due to fire and may continue to change in the future. The flexibility to describe the place of use as within a service area should be afforded the applicant.

ORDER

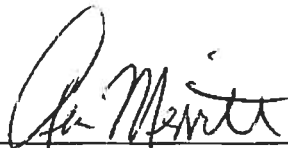
IT IS HEREBY ORDERED that the applications for licensing amendments of permits no. 75-7052 and 75-7589 are **approved with limitations** and that the licenses for these rights be issued as the attached draft licenses indicate with the specific conditions of approval listed:

IT IS FURTHER ORDERED that, right 75-7052 is subject to forfeiture if the delivery system is not reconstructed within five years of the date of final license. (Note that the processing of a transfer of this right may be required to facilitate reconstruction of the delivery system. The future transfer will be subject to all criteria set forth in Idaho Code § 42-222 and approval of these amendments is not a predetermination of any of these criteria.)

IT IS FURTHER ORDERED that, the use of water for the BLM campground is not incorporated as a use pursuant to right 75-7589 and shall be dealt with as a separate matter under licensing of permit 75-7638 in the name of BLM.

IT IS FURTHER ORDERED that Gary Hawkins, Linday Hawkins, Valeea Steinbruegge and William Steinbruegge III are found to be in default in these matters and are no longer parties to these contested cases

Dated this 10th day of September, 2007.



Allen Merritt
Hearing Officer

DRAFT

**State of Idaho
Department of Water Resources
Water Right License**

WATER RIGHT NO. 75-07052

Priority: March 23, 1990

Maximum Diversion Rate: 0.30 CFS
Maximum Diversion Volume: 34.8 AF

It is hereby certified that WILLIAMS LAKE RECREATIONAL WATER & SEWER DISTRICT
PO BOX 82
SALMON ID 83467 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated July 01, 1974; and has
submitted Proof of Beneficial Use on March 23, 1990. An examination indicates that the works have a
diversion capacity of 0.3 cfs of water from:

SOURCE

WILLIAMS LAKE

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
MUNICIPAL	01/01 to 12/31	0.30 CFS	34.8 AF

LOCATION OF POINT(S) OF DIVERSION:

WILLIAMS LAKE L2 (SE1/4NW1/4SW1/4) Sec. 34, Twp 20N, Rge 21E, B.M.
LEMHI County

CONDITIONS OF APPROVAL

1. Place of use is within the service area of Williams Lake Recreational Water & Sewer District as provided for under Idaho law. The place of use is generally described as Sections 33 & 34, Township 20N, Range 21E; and Section 3, Township 19N, Range 21E.
2. This right does not grant any right-of-way or easement across the land of another.
3. The right holder shall maintain a measuring device of a type approved by the Department as part of the diverting works.
4. This municipal right is limited to the non-potable water use within the Williams Lake Recreational Water & Sewer District.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this _____ day of _____, 2007.

DAVID R. TUTHILL, JR.
Director