



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

February 16, 2010

LAKEVIEW WATER DISTRICT
ATTN: BOARD PRESIDENT
PO BOX 2136
OROFINO, ID 83544

RE: Water Permits 83-7118, 83-7136, and 83-11931

Lakeview Water District Board President,

On December 31, 2008 and August 26, 2008 I sent two letters to Mr. Larry Annen regarding the matter of licensing the Lakeview Water District's (LWD) outstanding permits, and updating existing water rights so that the contact information and water right information was consistent throughout the suite of LWD permits and water rights. I received two letters in response to my correspondences. One was from Mr. Annen dated December 2, 2009 in which he provided detailed answers and exhibits to all of my remaining technical concerns regarding this matter. Mr. Annen also indicated that he was no longer the point of contact for these matters and that I should direct future correspondence the LWD Board President. The second letter was from Shanon Jones dated December 17, 2009 indicating that the matters presented in my correspondence to Mr. Annen were under review by the Board, which was currently determining how to proceed.

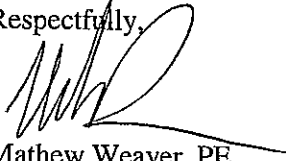
I feel there may be a little bit of confusion on the part of the Board, due in part to my previous correspondence. I would like to take this opportunity to clarify matters. A license amendment is required by the Department any time an element of the permit differs from what has actually been constructed during the beneficial use development period, provided the Department determines the change will not result in an enlargement or increase in the water beneficially used under the permit and future water right license. Elements of the permit that can be modified through the amendment process at the time of licensing include changes in ownership name and contact information, changes in point(s) of diversion, changes in place of use, and changes in the description of beneficial use. In the case of the LWD's three existing permits, modification to multiple elements of each permit is required. A summary of the modification required for each permit are as follows:

83-7118

- Update the address on the permit from 4129 Eureka Ridge Road Orofino, ID 83544 to PO Box 2136 Orofino, ID 83544.
- Add three points of diversion, representing wells 3, 4, & 5 to the water right permit and subsequent license.
- Modify the place of use description to refer to the general description of the Lakeview Water District service area (similar to 83-11931).
- Change the beneficial use description from domestic to municipal.

Hopefully the Board's desire not to sign the Application Amendment forms is due to a lack of complete understanding of the matter and any confusion that may have existed in my previous correspondences with Mr. Annen. If you have any questions regarding any of these issues I would encourage you to contact me by email at mathew.weaver@idwr.idaho.gov or by telephone at (208) 287-4914.

Respectfully,

A handwritten signature in black ink, appearing to read 'Mathew Weaver', with a long horizontal flourish extending to the right.

Mathew Weaver, PE
Staff Engineer

Enclosures

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 83-07136

Date of Priority: March 09, 2000

Maximum Diversion Rate: 0.08 CFS

Maximum Diversion Volume: 14.1 AF

Comes now LAKEVIEW WATER DISTRICT
PO BOX 2136

OROFINO ID 83544 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. 83-07136, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	0.08 CFS	14.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, Twp 37N, Rge 01E, B.M. CLEARWATER County

GROUND WATER NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24, Twp 37N, Rge 01E, B.M. CLEARWATER County

GROUND WATER SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23, Twp 37N, Rge 01E, B.M. CLEARWATER County

GROUND WATER NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24, Twp 37N, Rge 01E, B.M. CLEARWATER County

GROUND WATER NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, Twp 37N, Rge 01E, B.M. CLEARWATER County

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 _____ day of _____, 200__.

(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 83-07136

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by _____ # _____ Date _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 83-07136 with the following:

CONDITIONS OF APPROVAL

1. The issuance of this right does not grant any right-of-way or easement across the land of another.
2. Place of use is within the service area of Lakeview Water District as provided for under Idaho law. The place of use is generally described as located within Sections 23 and 24, Township 37 North, Range 01 East.
3. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
4. The sources of water for this water right are known as Lakeview Water District well numbers one, two, three, four, and five.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Witness my hand this _____ day of _____, 2009.

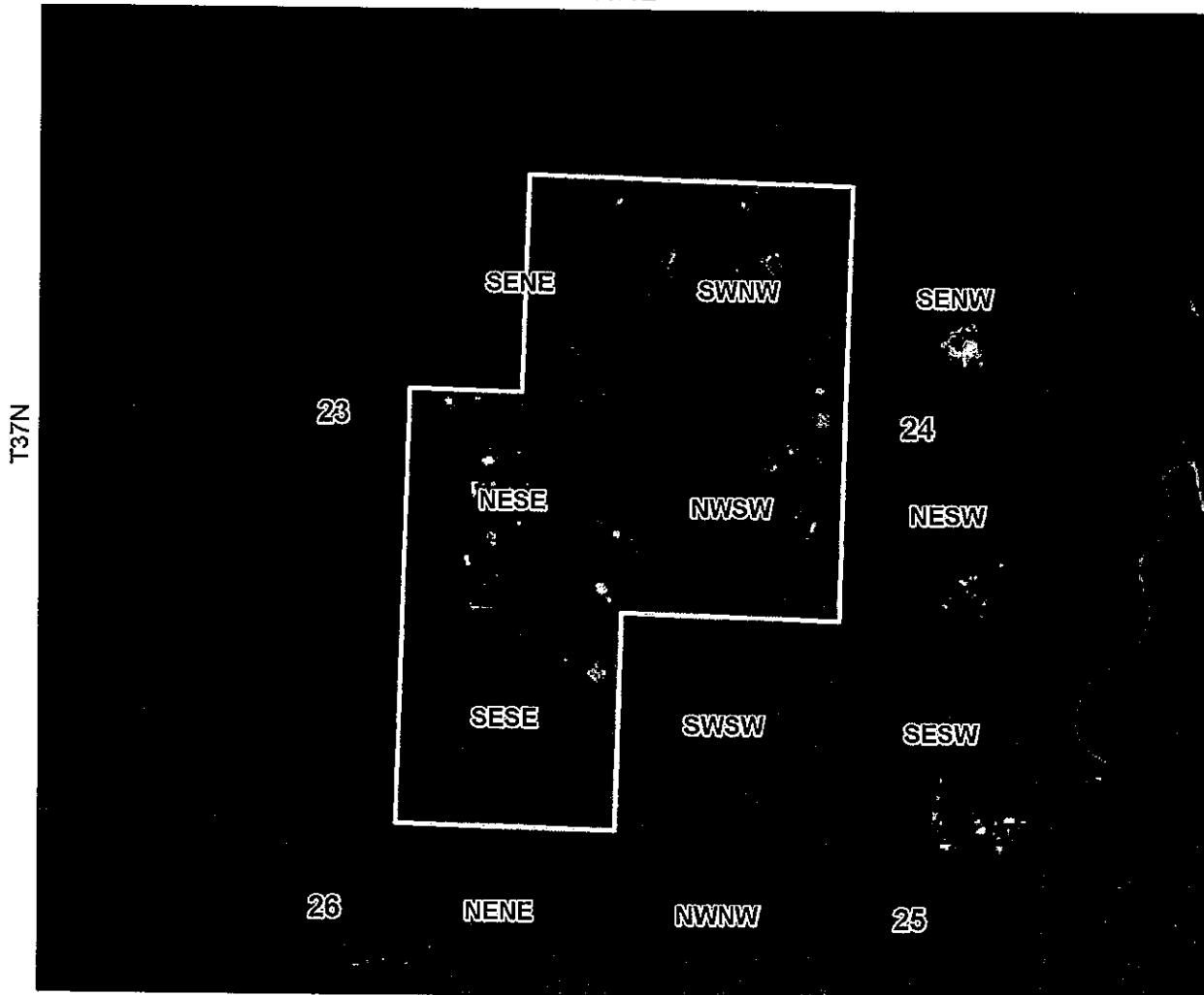
GARY SPACKMAN
Interim Director

State of Idaho
Department of Water Resources
Water Right License

83-7136

Water Service Area Boundary for Lakeview Water District

R01E



Legend

Water Service Area Boundary

-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.125 0.25 0.5 Miles

