

September 8, 2006

Dear Roger,

At the April pre-hearing conference, you indicated that anyone who had formal complaints to make about the Williams Lake Recreational Water and Sewer District should send them directly to you. It has taken months to do research and compile the relevant information and, as a result, the following are my formal complaints.

Meters

The first area that should be addressed is the total lack of metering of the water from permits #75-7589 and 75-7590. While a meter was installed initially, that meter has been broken and unreplaced for 8 years. This issue alone has encouraged complaints from downstream users and rightly so.

The lack of metering has left the District with no records, much less accurate ones, of the amount of water used by the District or the amount of water that overflows into Lake Creek. Both flows should be accurately monitored and doing so would provide a history of normal spring fluctuations so that steps could be taken to address issues when the flows decrease dramatically as they were reported to have done this year. Metering would provide downstream users with accurate information on the flows that would answer their questions and address their complaints. Metering would also provide the District with the precise readings that are necessary for the proper operation and maintenance of our system.

Meters are an absolute necessity and are being ignored by the District Board in spite of the fact that metering was one of the conditions of our water rights.

Speculation

The second issue is that of baseless speculation. The very act of applying for municipal status was a speculative move by the Water Board. It has been evident since the application was filed and accepted by IDWR that this Board has absolutely no plan, no financial capacity and no managerial capability. The Board has never determined the number of lot owners they intend to serve, an absolutely necessary prerequisite, and

without that number has proceeded to pay for a feasibility study and apply for municipal status. At the pre-hearing conference, the Board admitted they had no plan. At the time of our suggested negotiations, the Board again admitted they didn't have a plan. Without a goal, speculation can be the only reason for the application.

According to the current tax rolls, there are 188 property owners at the lake -- do they intend to triple the size of our system? If so, where are they planning on getting the water? Of those property owners, 90 own single lots. It is generally acknowledged that, under current codes, it would take 3 lots to have a buildable parcel and still a person might not be able to build because of the land configuration or, perhaps, a bad perk test.

The same would be true for the 37 owners who each have multiple lots. Again I ask -- who does the Board seek to represent here? How many people do they want to add to our system? They are having a hard time figuring out how many actual hook-ups there are currently and are still not taking into consideration the household equivalents of the resort or the BLM. Without any of this information it is obvious that no plan, much less a coherent plan, can begin to be drawn. Thus, the Board has chosen to take steps without the required information and those steps are speculative at best.

I am attaching the District's official list of formal water applications as of November 23, 2005. I apologize for all of my scribbled notes on the list but you can see from the application dates that four of those listed applied after the Board announced last year that water would soon be available.

Of the twelve names on the list, two have sold their property and the new owners have not applied for water. Of the ten names left, four own only single lots and would not qualify to build. Three more own 2, but not 3, lots. Of the three remaining who might qualify to build, Stuart Leidner has arranged to bring in his own water and is already building and Greg Burden owns steep waterfront lots that are probably not buildable. The last person, Dave Simmons, might qualify to build. It would appear that the Board is engaging not only in speculation without planning, but is doing so for only one potential builder. I'm afraid I just don't see the great number of lot owners that the Board claims are clamoring for water and threatening lawsuits.

It is also evident that the Water Board's interest in municipal status is limited to the "flexibility" condition. Again and again in their monthly meetings, Board members state that they need to find out how far our water will "stretch." How much further can they go before they take our system down and leave us without water? Currently, our fire flow and storage capacity are questionable. There is no room for stretching.

In contrast to the Board's baseless speculation, the conditions of our water rights are specific and limit the number of homes served to those who were serviced by the old lake system and to those that were built or permitted during the development period. The development period ended in 1998 as per Glen Saxton's letter which is attached.

Service in Self Interest

I have sent your Department the individual sales ads that mention water available and I am herewith attaching copies. These ads began appearing before the municipal application was even submitted by the Board. The copies include the first ads found and their revised versions made after complaints were lodged with the Board. I have also included a commercial ad I found when I was in Salmon for the April pre-hearing conference for an operation at the lake.

Obviously, some property owners were well aware that municipal flexibility would be to their advantage considering the inflated sales prices for unimproved land. The ads also indicate that the "flexibility" so desired under municipal status would well serve some of the individual Board members interests. What better way to promote your interests and investments than to serve on the decision making Board and vote to seek the municipal status that would accommodate commercial enterprise and give water to the "poor" lot owners.

While the above is simply my opinion, the Board members would have a hard time explaining their actions when the very results they seek to achieve are not, and have not been, supported by any sort of factual information including a plan, financial agenda or requests for water.

Conservation

The Water Board has been slow to negligent in responding to water leaks that fly in the face of the specific condition which requires that the water of Idaho be conserved. Within the last year, one leak alone was estimated to be 20-40 thousand gallons a day and it was allowed to run from October until March or April before it was finally repaired.

The location of this leak could have been particularly disastrous as it was pouring into the earthen dam at the east end of the lake. Since the condition of the lake overflow pipe is of concern to the state and the county, and since the overflow carries water on high water years, and since the overflow runs through a section of the earthen dam and could therefore compromise the integrity of the dam, why was a huge leak allowed to continue for months in the same area?

How can the Board justify, under any circumstance, allowing the waste of so much precious water? Yet again, this subject was specifically addressed in our original water rights.

Protection of the Current System

In the past, anyone who tampered with the water system was held responsible for their actions and for the damage caused to the system. The current District Board, however,

has chosen to ignore the fact that one of their own tapped a line and, in my opinion, caused the tremendous leak that then burned out a district pump. This type of inaction puts our system and our properties in jeopardy. It also flies in the face of proper maintenance and due diligence.

There must be consequences for tampering with our system and those consequences must be enforced without regard to the identity of the perpetrator or their intent. I believe this subject is already covered under Idaho and Federal law.

IDWR

I can well understand that IDWR would like to be able to accept that water districts under its umbrella are honest and true to their word. In the case of Williams Lake, however, there seem to be many stipulations that have not been followed by the District. The neglect, whether ultimately benign or purposeful, of IDWR in failing to determine if the required laws and conditions were and are being met has resulted in serious detriment to the legitimate water users and, now, to the need for the current hearing process. IDWR should face the fact that ignoring our District for so many years falls into the area of "sins of omission."

If IDWR had followed up on the Beneficial Use Report filed in 1998 and had not waited to license the District until 2005, they would have been aware of irregularities long before now. If the licensing procedure had not included so many errors and half-truths, the District would not be under the impression that all they have to do is call IDWR and have them "rubber-stamp" items.

If IDWR had, in its infrastructure, a system whereby only one person was allowed to field calls from a particular water district -- whether from Board members or patrons -- they would have been well aware before last October that there were serious problems in our District. A system such as this would also ensure that each person calling from a particular district was receiving the same, consistent answer.

We have had that problem with IDWR from the beginning and, frankly, most of the protestors were delighted when we were told that you, Roger, would be handling our District's issues. To us it meant that one person would be our IDWR contact and would then be aware of how many calls came in, letters were received and answers given. Shelley Keen let us all know that you were "it" and that any further inquiries or complaints about the District or its actions were to be directed to you.

The protestors were under the impression that only you could be contacted and we did so. However, when I got on the IDWR website a few weeks ago to check if any more documents had been received or sent, up popped Shelley Keen, back in the mix in February, fielding questions from Richard Borst. This was a good 5 months after he told everyone to contact only you. Allowing any IDWR employee to answer any question about any District is one of the reasons we are in our current position. Having one IDWR

contact for a certain water district would allow that one person to familiarize himself/herself with any special conditions regarding that district in order to respond appropriately.

The second issue I have with IDWR is that inaccurate information about our District and our water right was posted on your website. That inaccurate phrase about watering domestic stock has caused many of the confrontations we have had with the Board. It also was used by Forsgren in their feasibility study.

So much of this mess today was preventable. Consistency in fielding inquiries and accuracy on your website is truly essential.

I would have to wholeheartedly agree with Leslie Shumate with regard to my next comment about IDWR. While your direction to "go forth and negotiate" was well intended, it was apparent in April that no negotiations would ever have been possible. The Board did not have a plan and, with nothing to defend or alter, could not possibly negotiate. When the protestors tried to negotiate months later, the Board still didn't have a plan. Hence, no negotiations. Besides that, none of the protestors ever believed that our original water right was negotiable. Some of the Board members want IDWR to vacate the original Spackman decision. None of them seem to realize that the decision is the only way we got that water right -- if the decision goes, so does the water. There was a contract between the State and all the parties to that decision which is non-negotiable and unalterable. I would very much like to see IDWR put its foot down on this matter.

Fiscal Irresponsibility

I feel I need to question the fiscal policies of the Williams Lake Water Board. How can a taxing district, with what should be fairly consistent expenses and a good sized income, suddenly find itself out of money? In most years past, there has been a balance left in the maintenance budget at the end of the fiscal year. This year they ran out of money. In my opinion, the difference is the fact that the Board footed the bill for the huge leak that was caused by tampering with our system.

What was the Board reaction to the lack of money? After stating that "if the protestors don't like what we do, wait until they see this", they promptly passed a monthly water user fee that initially would have cost each home \$50 per month. While this decision is currently on hold, they are now considering a single assessment for each home. All of this action was taken without acknowledging the tax monies being received in August.

The District portion of my property taxes is in the neighborhood of \$2300 a year on a home I am lucky to have the time to use for a week or 10 days over the summer. Now they want to add \$600 more per year and then top it off with their annual 3% increase. Where does this stop? Ignoring justly due reimbursement, paying \$6000 for each of 6 sections for engineers to give them a plan and expecting the current patrons, who are still paying off their bonded indebtedness, to foot all of these bills is truly unacceptable. The

Board's current fiscal plans will take our system down as surely as indiscriminately adding homes to the system.

There is also one more plan afoot that could cost the patrons of the District dearly. The "private" Sewer Association that built the community sewer at Williams Lake plans to become part of the Williams Lake Recreational Water and Sewer District. Last year all of the Association's real property was deeded to WLRW&SD and the petition for a sub-district is being prepared. One problem, as I see it, is that the Association held a lottery last year for 5 more positions on the sewer. Each hook-up cost the winner \$20,000. For the lot owners who purchased hook-ups there had to have been an implied access to water – why would they need a sewer if they didn't have water?

According to my figures the sewer is now oversold as it was built for 24 homes only. The Association has spent most of the lottery monies but insists it would be coming into the District with money in the bank. While this may literally be true, what of the paybacks and potential lawsuits that will have to be taken care of for those who are not able to get onto the sewer after paying their money? Not surprisingly, the Association Board is comprised of the same members as the District Board. If this situation gets as ugly as we are anticipating, will I, as a District patron, then be paying for this mess also – even though I have my own sewer system?

The very acceptance of the land and treatment facilities from the private Association into the taxfree status of a public District without the protection of a sub-district could be a liability and a financial nightmare for the approximately 40 District patrons who are not on the community sewer. This transfer was completed without notification to District patrons and was uncovered during my research. To me this is just one more instance of the Board taking steps that put the District and its patrons in jeopardy.

To make all of this more frustrating to the property owners, those of us who are not Idaho residents but pay Idaho taxes are not allowed to serve on the Board or even vote for Board members. However, under Idaho law, someone who lives in the district but is not a tax-paying property owner is allowed to vote and serve on the Board where they can set fiscal policy for which they have no responsibility. Go figure . . .

In conclusion, Roger, I hope that IDWR can help us straighten out all – or even some – of the above problems. I, of course, hope that the municipal application is turned down flat and that, considering the conditions under which we got water, the Board is told municipal status will never be an option for them. At this late date, however, I am afraid the Board will simply withdraw their application at the last minute. They have not requested documents nor provided their expert witness list. It remains to be seen if they make the deadline on the 11th for responding to the requests for documents and interrogatories. At the last Board meeting, they were asked to give direction to their lawyer/secretary on whether to proceed and they tabled that request until their next meeting which is on the 21st of September.

Thank you for your help in all of the above matters. It is my fervent hope that IDWR, as a partner in our water right contract, will actively investigate these complaints and take appropriate action to remedy the improprieties.

Sincerely,

Kathleen Gliksman
Frustrated Williams Lake Taxpayer



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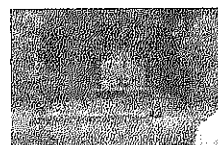
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Williams Lake
Waterfront A-frame in
the pines, Williams
Lake ID



Idaho
Williams Lake
Williams Lake, 4
Bdrm, lakeside home,
8 acres



Idaho
Williams Lake
Idaho Waterfront
Cabin on Williams
Lake, lakefront



Idaho
Williams Lake
Idaho Lakefront Home
Williams Lake Salmon
ID

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view to the west
(salmon national forest)



view to the south
standing on property
for sale



view to the north of
property for sale (from
the lake) Lots extend
260' to the west, 200'
up the hill and to the
east into the trees.
Notice flat spot already
excavated for building
site.



view to the west
standing on property
for sale.

\$499,000 For Sale

Lake: Williams Lake

MLS #

Forest Road 026

Salmon, Idaho 83467 (MAP IT)

Great fishing and waterskiing on this beautiful mile high central Idaho lake. 260 feet of lakefront on three acres with southern exposure! 7000' peaks to north and south, 9000' peaks to east and west. Water and Sewer system in place - ready to build. 10 miles to Salmon Airport (KSMN 5000' asphalt)

Type: Lot
Bedrooms:
Bathrooms:
Garage:
Stories:
Sq.Ft.:
Lot Size: 3 acres
Age of Home:
Fireplaces:
Heat/AC:
Siding:
Roof:
Yard:
Utilities:
Property Taxes: \$450
Water View? Yes
Waterfront? Yes
Water frontage: 260'
Added on: Jun 09, 2004
Updated on: Jun 10, 2004
Virtual Tour:



Tim Jeneson, Owner
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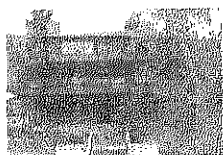
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Idaho
Williams Lake
Idaho Mountain Cabin
real estate vacation
home

Link Exchanges



view to the north from
the lake of property for
sale.



See a map of the AREA
(This may not show the exact location)

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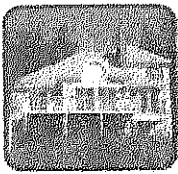
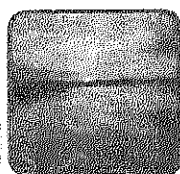
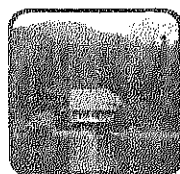
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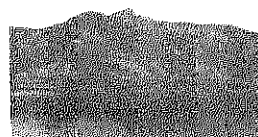
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View to the West standing on property for sale.



View to the West (Entire West end of the lake on both sides is Salmon National Forest)



View to the South standing on property for sale



View to the North from the lake of property for sale.



View to the North of the property from the middle of the lake.

\$499,000 For Sale

Lake: Williams Lake
MLS #
Forest Road 026
Salmon, Idaho 83467

County:
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Contact seller for specific directions.

Great fishing and waterskiing on this beautiful mile high central Idaho lake. Very few buildable lakefront lots left. 260 feet of lakefront on three acres with southern exposure! Subdivide or build your mountain retreat. 7000' peaks to north and south, 9000' peaks to east and west. Sewer system in place and paid for - ready to build. 10 miles to Salmon Airport (KSMN 5000' asphalt)

Type:	Lot
Bedrooms:	
Bathrooms:	
Garage:	
Stories:	
Sq.Ft.:	
Lot Size:	3 acres
Age of Home:	
Fireplaces:	
Heat/AC:	
Siding:	
Roof:	
Yard:	
Utilities:	
Property Taxes:	\$450
Water View?	Yes
Waterfront?	Yes
Water	

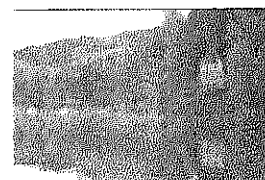
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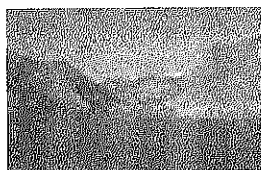
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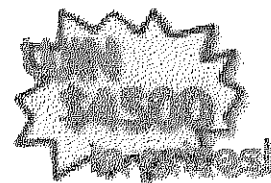
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