

From: James Kingston

To: Mr. Gary Spackman

Re: Comments on enclosed information

Date: April 18, 2006

The enclosed tape shows, after all these years, how little the Williams Lake Recreational Water and Sewer Board understands our original water rights and their unique conditions.

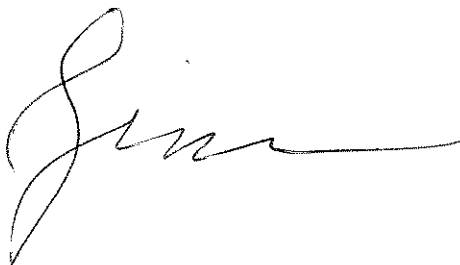
This tape is from a Board meeting and exposes the members true feelings. The comments on this tape include:

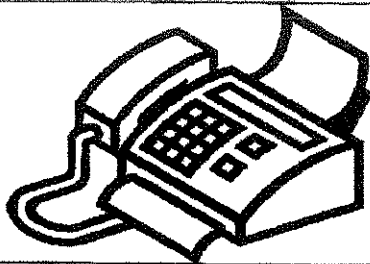
“We don’t want more water – we just want more connections.” By Tim Jenneson, Board member and apparent speculator. I ask you, Mr. Spackman, why would someone spend \$40,000.00 on 2 sewer connections and over \$20,000.00 on unimproved lots without water or without feeling sure he can arrange water?

“We want off the Board.” It seems they all want to quit and, as a matter of fact, two members already have done so this month. Those ex-members were non-speculators.

“We work for free – let’s dissolve the Board.” The tapes are full of comments like this. It seems speculation isn’t as easy or as much fun as they thought it would be.

Mr. Spackman, let’s put this water system on solid ground! I think we need to enforce the 1993 order and protect our system, protect the bonds, protect the homeowners, and protect the tax base at Williams Lake.

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



A facsimile from

Steve Adams

Wms. Lake Operator
756.7250

To: Jim Kingston
Fax number: 360.652.8225

Date: 4/6/2006

Regarding: Wms. Lake

Comments: As discussed, it appears the lower spring water supply is dangerously low. As such, I need your help in diagramming the valves to connect the lower spring to the upper spring. Your help is greatly appreciated.

*Current water is not enough to
Supply Pumps now - need Reserve water
Back up.*

Idaho State Utilities Commission E-3

WHO DOES THE COMMISSION REGULATE ?

The commission regulates investor-owned or privately-owned utilities that provide gas, water, electricity or telephone service for profit. Examples are: Idaho Power, Intermountain Gas, Qwest and United Water of Idaho.

The Commission does ~~not regulate utility cooperatives (owned by the customers) or utilities operated by municipalities like the City of Weiser.~~ Many cities own and operate electric, sewer and water utilities. The commission has no jurisdiction over these operations or over any sewer operations. A regulated water company may also provide sewer service, but the commission would only regulate the company's water operations.

The commission does not regulate interstate long distance rates or payphone rates. The commission also does not regulate cell phones, fax machines, voicemail services, internet services or digital subscriber lines (DSL).

The commission does not regulate cable TV or satellite TV.

In addition to rates, billing issues, quality of service and customer relations, the commission is also responsible for safe operations of the utilities it regulates including inspection of gas pipelines.

The commission also oversees the safe operation of railroads in the state and enforces state and federal regulations safeguarding the transportation of hazardous materials by rail. It also inspects railroad crossings and clearances for safety and maintenance deficiencies. The commission reviews railroad abandonment proposals and determines the affect on Idaho, it then represents the state before the federal Surface Transportation Board.

Further questions can be submitted via the Comment/Inquiry Form:
<http://www.puc.state.id.us/scripts/polyform.dll/ipuc>
or by calling the commission at (208)334-0300.

Interwest only - FR on only comment.

Idaho Utility Comm.

The Law!

Mr Warner said that
utility Comm. would
cover us in "Municipal Statute".
he is wrong according
to this: -TW



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. BREMER
DIRECTOR

March 27, 1998

John McKinney
Attorney at Law
1015 Main Street
Salmon, ID 83467

*This makes
Contract Clear!*

RE: TELEPHONE INQUIRY

Dear Mr. McKinney:

Enclosed at your request on this date is a copy of a letter FAXed to the department from Keith B. Amar on March 16, 1998. You apparently already have a copy of my letter dated March 17, 1998 responding to Mr. Amar.

With respect to continued development under Permit Nos. 75-07589 and 75-07590 in the name of Williams Lake Recreational Water and Sewer District (district), the opportunity to continue with additional development under the permits ceased with the filing of the proof of beneficial use of water on January 23, 1998 by Harold [unclear] on behalf of the district. [unclear] which did not exist on January 23, 1998, will have to occur under different permits than 75-07589 and 75-07590.

If you have questions, please feel free to contact me or the department.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 2

c: Keith B. Amar
IDWR - E. Region

FILED
July 23/98

Need - Storage for 48 hrs
24 hr ave for treatment
also 8 hrs Repair time min

6.3 Fundamental Design Principle for Physical Capacity Analysis

The overall design goal of maintaining adequate pressure in the distribution system under peak hourly demand (PHD) or maximum day demand (MDD) plus fire flow (FF) conditions, as detailed in WAC 246-290-230 and Section 8.1.5, must be adhered to in all physical capacity analyses. With this considered, the number of customers that can be served is dependent on the characteristic water demand patterns, and the minimum requirements associated with design factors identified in Section 6.5. Capacity determinations are to be reported in terms of equivalent residential units (ERUs) as described in Section 6.4.

All designs after 1991
must conform to 1996 act
(Clean Water act
for Sizing.)

6.2 Relationship between System Capacity and Physical Capacity

System capacity as defined in the 1996 Safe Drinking Water Act means the "operational, technical, managerial and financial capability" of a system to achieve and maintain compliance with drinking water regulations. System "physical capacity" refers to system components or facilities (i.e. source, treatment, storage, transmission, and distribution) that either individually or in combination limits service to customers (limits the number of ERUs that can be served). "Physical capacity" is a term that is associated with only the "technical" aspect of "system capacity." [see WAC 246-290-010 for definitions]

This is the Question ↓ Answer NO

All Systems in Idaho have
to meet the "10 States Rule"

Q10 - Can they (3d meet
the Capacity according to EPA

Page 2

These are Standards for Building
a new Water System,

6.4.3 Part-time Versus Full-time Residences

According to WAC 246-290-221(1), water demand design data shall correlate to the maximum number of full-time or part-time equivalent residential units in service at any time. Full-time refers to a permanent place of residence, whereas a part-time residence is a vacation home, not lived in year-round (occupied only seasonally, holidays, and/or weekends). The reason for the distinction is that systems designed only for part-time residences have been noted to gradually convert to full-time residences (because of retirement, changing housing markets, etc.). If the system is designed for only part-time residences, but is eventually used for full-time occupancy, the system may not be able to provide adequate levels of service. Unless it can be guaranteed through obligatory covenants or other binding agreement that full-time occupancy will not be allowed, any part-time residence should be considered a full ERU and the system should be designed correspondingly. This would reduce the concern associated with resident status changing to full-time without notice to the water purveyor. This concept would also apply to part-time versus full-time multi-family residences.

6.4.4 Multi-family Residences ERUs

Multi-family residences typically use less water per living unit than separate single-family residences. Similar to single family residences, multi-family residence water uses can be expected to vary from system to system (i.e., specific to any given system, but not always applicable to another system). When calculating ERUs, it is desirable to separate multi-family usage from single-family usage. For multi-family metered connections, the total water use for the multi-family connection(s) should be divided by the system-specific single-family ERU to determine the ERUs associated with the multi-family connection(s) [multi-family customer account(s)].

6.4.5 Nonresidential Customer ERUs

For a practical analysis of overall demands, nonresidential customers may be classified into groups and average equivalency factors selected for each group (average ERU per nonresidential customer). A nonresidential customer with large water demands (agricultural uses, or an industry like a pulp mill or plating process, etc.), should be analyzed separately and included in the ERU totals. It should be noted that, just as with full-time single family residences, nonresidential ERUs might have different values for each of the demand factors i.e., ADD, MDD and PHD.

Equivalent Residential use

Page 131



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



Idaho
Williams Lake
Idaho Lakefront - Great
Waterskiing and Fishing

Search this state:

All

for:

Find Results with:

Any words

Link Exchanges

lake of property for sale.

frontage: 260' x 200'

Virtual Tour:

Contact Information:



Tim Jeneson, Owner
View my other listings (I
have 3 total)



Contact Seller by email



208-726-9413
Please say you found it on
LAKEHOUSE.COM!



Visit our Website
<http://williamslakelodge.com>



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

Ad Statistics:

This is Ad No. 1419

It has been viewed 12227 times

Added on: Jun 09, 2004

Last Updated on: Nov 28, 2005

All information provided is
deemed reliable but is not
guaranteed and should be
independently verified.

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There are 475 visitors currently online!

*water 3d member
#2 Spectrolake
2 of 2*

*Senior member
water "do this Spectrolake"
Sell and then how
getting water?
Simple
"Munich"*

IDAHO

Moonridge Farm 892 N 1600 E Preston, ID 83263 208-852-0443 Website: Moonridge Morgans Email: moonridge@pcu.net Located very close to Utah	ThunderHead Farm - Lisa Allenbach Moscow, Idaho - (208)882-0832 Standing at stud: Hit The Jackpot 1998 Palomino Sport Horse Stallion Thunder Head Farm thunderhead@turbonet.com	Traci & Forrest Stanley 3440 Long View Rd McCall, ID 83638 Alpine Mist
Windridge Morgans Rick & Nancy Borst Salmon, Idaho 208-756-6124 Email: Windridge Standing: Black Stallion - Drumsong's Smoky	<i>Water Bond member on Internet (The guy with the alleged Hookup outside water)</i>	

ILLINOIS

Bomar Farm
 14718 Rt 76 Caledonia,
 Illinois 61011
 Two Rare Perlino Morgans
 standing at stud.
 Finally's Mr. Andy standing
 for the 2001 breeding season,
 A.I. available
 2002 colored foals for sale
 from quality mares.
 Perlino Morgan
 equinart@concentric.net

INDIANA

Greg & Charlene Cook Edgefield Farm 64227 Co. Rd. 19 Goshen IN 46526 (574) 534-1336 At Stud: Edgefield Sun Gold Golden dapple buckskin by Sunup Neptune gccook@maplenet.net	Cindy Lush Sillouette Acres 5380 S 1100 W San Pierre Indiana 219-828-3655 Home of Tioga's Spitfire hosslady55@earthlink.net	Christie Farms & Stables Preston and Susan Haun 1800 Kennedy Mott Rd. Depauw IN 47115 812 364 4660 Home of Universal Morgans & Buckskin Stallion Gold Cross Suncatcher universalmorgan@aol.com
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MAINE

Corine Crossmon, Menomin Farm

"A" and "E"

A and E.

from letter
11/2005

Attempt to scare
People to Spectate side
without proper info or
Real Issue.

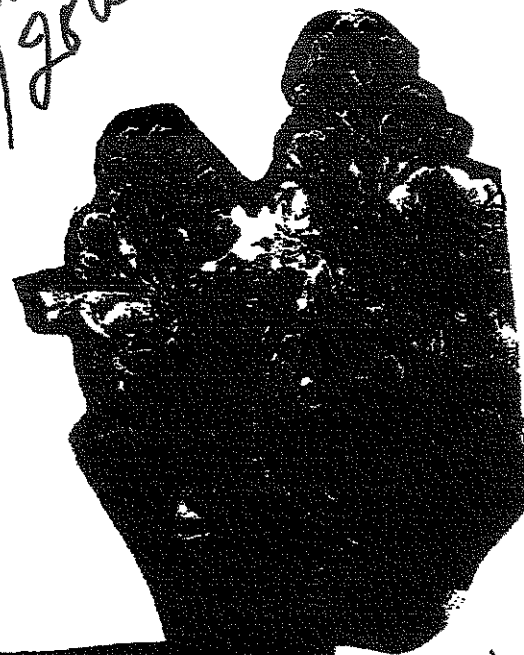
results, which were used to justify the sewer system. Tom Herron, of the DEQ has offered to meet with the Homeowners at the July meeting to discuss the lakes progress. We will attempt to get the Forest Service and The Fish and Game to also attend.

As of this writing, April 19th, the snow water equivalent for the Salmon basin is 64% of normal. I appears it will a dry year, especially for the river and lake flows.

Included in the Newsletter is a copy of a letter from the Sewer Development Association. It is hoped the letter fully explains what is going on. If there are questions, make sure you contact one of the members of the Water Board.

One of the things not on the letter that should be explained is about the effort to change the water system from a Recreational Water system, to a Municipal Water system.

The reason for this effort is it has been determined; the sewer system is suffering from lack of use. The drain field is in danger of fowling because of a lack of bacteria. In order to alleviate this situation there needs to be more connections to the system. BUT, there are no more water connections available. Therefore, the move to increase the available sewer and water connections.

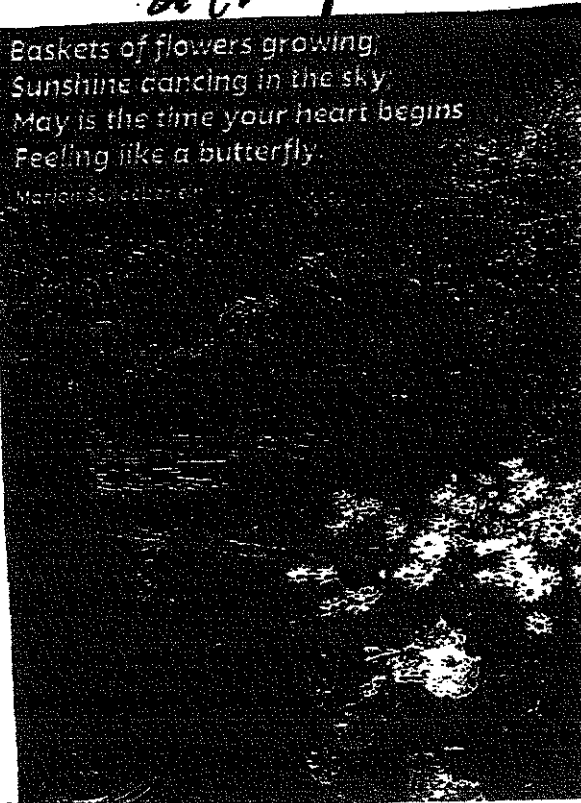


The scent of lilacs fills the air,
Carried on a springtime breeze
Flowers truly are nature's
Loveliest accessories.
Kathy Tirrell

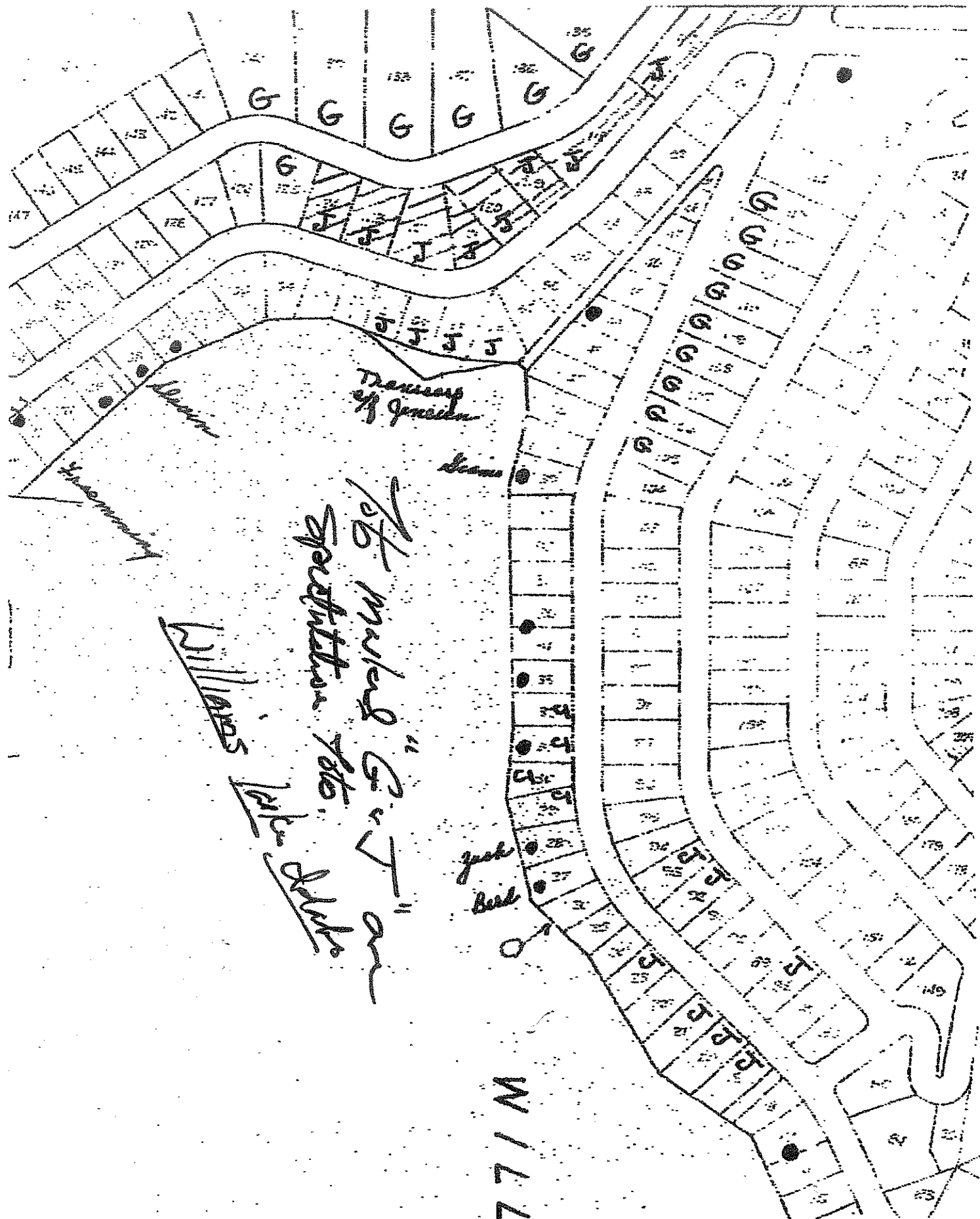
Spring
2005
newsletter

Not to
be true
a laugh! and to S

Baskets of flowers growing,
Sunshine dancing in the sky,
May is the time your heart begins
Feeling like a butterfly.
Marion Schaefer



What the Hell?
to this
Not true: Verification
Not 7 Health Dept.
11-05 again to



Traverse of Green

Hillman

Hillman

Jock
Bird

WILL

1/2 mile "G" or
speculation etc.
Hillman's Lake

194
Jock Slaven
Slaven Law Offices
116 Center st.
Salmon, Idaho

December 3, 2005

Jock,

I will attempt, to the best of my ability, to answer some of the concerns of the protesters to the Williams Lake Water Board.

It is not my intention to counter all of the points made by the letters of protest. In many cases the letters bring up legitimate points and concerns.

I will address each letter, with what I consider points of interest.

Gary M. Mulkey

- Handwritten notes:*
- "water board member showing how little the 3rd understands"
- "livestock NOT acceptable also use of lake by individuals in out feed"
- "Illegal use water right for livestock allowed?"
- "NOT Right"
- "me OK but not correct"
- Paragraph two of Gary's letter states it appears lawns and livestock continue to be watered in violations of the permit. I believe horses, that are being kept by one household are included in the acceptable uses of the water system. It appears that a green lawn is taken for a sign that the district water is being used for irrigation. Several homeowners are pumping water out of the lake for this purpose.
 - List of new hookups: This is a legitimate statement. There should be a mechanism to notify property owners of the possibility of future hookups. Further, there should be a system to fairly pick the hookups from the list of property owners.
 - Paragraph four: I am aware of several homeowners and the lodge, who have been utilizing this water right. These people are pumping directly from the lake. There has been no conversations, that I am aware of, as to a change to the permit, except to the beneficial use change.
 - Paragraph eight. This is a good point. Even though the majority of the property owners of the lake are not residences, in all fairness, they should have inputs as to the long-term goals of the water district.

William D. Steinbruegge

- Handwritten notes:*
- "7" (with arrow pointing to William D. Steinbruegge)
- "Bill suggests that there is going to be an additional point of diversion to the water district. There has been no talk of an additional point of diversion. As for increasing the diversion rate: The diversion rate was .5 cfs and was been decreased to .21 cfs, which is a result of the latest Beneficial Uses Study."
- "Bill is correct, that the water district is proposing to amend the water rights to Municipal status."
- "Bill states that Lake Creek Spring fluctuates in direct proportion to the use at Williams Lake. While I do not doubt Bill's figures, I do doubt the REASON for the figures. There are several springs below the lake. Each contributes to the flow of lower lake creek. The spring that is being used by the water district is but one of these springs. This particular spring does decrease when the districts pumps are running. The rest of the springs do not."
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I would like to bring to your attention to the KCM report, which is a study of the level of the lake vs. time and flows of lower lake creek vs. time indicate the level of the lake influences the flow of lower lake creek. There is a 60-day lag between the high level of the lake and the high flow of lower lake creek. I have worked for the Fish and Game and have personally conducted

294

studies of the water flows on lower lake creek and have verified these findings. The small amount of usage from the district's water system has very little to do with the total flow of lower lake creek. I am not sure where Bill is getting the 40% increase figure, but there is no increase in the water rights.

Money for Law
Spent
all
on Bond
7-11

Leslie May Shumate

The overall theme of the letter is to object to additional hookups at the lake. There is no mention that there would be no increase in the amount of water allowed by the water rights. The Beneficial Use Study has already decreased the amount of water allowed, by the water rights, by approximately 50%.

Leslie states the district has not installed a wirer below the lake. As a result of a conversation with Bob Foster of the IDWR I have suggested a bucket and stop watch be utilized for random sampling of the flows at the outlet of the districts spring. A wirer being installed below the lake, would not be any more accurate than the stop watch technique, because is would still be a random sample and not a continuous monitor. I object to the expense of the wirer if the benefit is this dubious.

7 yrs
wrong
a wirer could be
24/7 reading
meter

Leslie stated the water meter installed in the system has not been operational for some time. that is correct as I understand it. The water meter was correlated to electrical usage. Therefore monitoring the electrical usage, and converting to water usage, is a very accurate way to monitor the system. Let not offend Again, Leslie assumes green lawns equate to irrigation from the districts water, rather than irrigations from the lake.

Leslie has a good point as to the advertisements of properties stating water and sewage in place... this was brought to Tim Jennesons attention.

Kathleen Gliksman

In summer the system will last
30 hrs
try!

Kathy states, in her letter, that the system ran out of water in 24 hours. Here is the communications problem again. I stated during the water board meeting the alarm at that time was inoperative, and that Richard Borst and I had replaced it. The alarm had a very weak sound, not heard at the lake, but heard when a person walked by and called me. We do not know how long the pumps were not working, but the statement the system ran out of water in 24 hours is incorrect.

Locking
6/19/00ms

Kathy states board members say they "owe" water to people who have no water. I, being a water board member, do not recall this statement. The argument has been put forth, since all property owners have been paying for water since the bonds have passed, those people deserve the opportunity for water. I personally do not have a problem with that statement. Wrong

Summer
30 hrs
33+ day

Kathy has a good point when she states her concern about selling sewer connections without water hookups. Although Kathy stated there is an implied guarantee, there is no such thing. The money for the sewer connection is being held in escrow, until, if and when, the additional water connections are supplied. If the additional water connections are not supplied, the money for the sewer connection will be refunded.

a Contract was made - they did not take advantage

Then water is promised - sold - it is speculation
Lebr - Not in sec

Wrong
it paid off
Debt

Spent
Pd of
Debt

just another
exaggeration
of not
following
the rules

3-14

Wrong then
why we were
allowed to keep
Rights to lake

Yes there
was
1996
#212

There have been no conversations about building another system for the surface water. Some of the lake residences utilize the surface water rights for pumping out of the lake for irrigation, including the lodge.

In conclusion, Kathy has some very good points, and asks some very good questions that indicate a need for more communications from the water board.

Jim Kingston

I will not address Jim's "Bullets" as they seem to have been used by the other protesters in their letters.

Gary and Linda Hawkins

This letter appears to be an example of the communications problem prevalent with the water board. Gary and Linda are under the assumption there will be an additional point of diversion and increase the rate of diversion. I am not aware of an additional point of diversion. There will not be an increase in the rate, rather the Beneficial Use Study, just concluded has reduced the flow rates by approximately 50%.

Again, the fluctuations of the flows during the summer months are being blamed on the homeowners. I refer you to Williams D. Steinbruegge's notes and to my reply to his letter, explaining the fluctuations.

I am not sure when Gary and Linda received the word the water board is requesting a 40% increase in the rate of flow. This is not correct.

Christine Smith

Christine states that when the homeowners began pumping the she has never realized the full 6.0 cfs that she has her rights to. Again the homeowners pump from ONE of several springs below the lake. Engineering studies have indicated the water system has never pumped more than 23% of the rate allowed by the water rights. The water rights were at .5cfs. 23% of .5cfs is .115cfs at maximum. The maximum usage at the lake would have decreased Christine's flow to 5.885cfs. I would suggest individuals remember Idaho has been in a drought for the past ten years or so.

Fluctuations of the spring being used by the homeowners, and the fluctuations of the lake height indicate the homeowners are using the correct spring. I am not sure where the statements the springs originate nine miles from the springs.

They orig in Paradise toward China
Flat at 2nd Spring is from 7th South -
Kenneth H. John

Williams Lake Water and Sewer Board Member.

Source unknown

on phone
Ken said the
did not know
about own
on 4/19/05
Lake water

So this why the
3d allowed the
Lake Rights to

Subject: Jim's request

From: "Kenneth H. John" <kenjohn@salmoninternet.com>

Date: Mon, 05 Dec 2005 07:34:56 -0700

To: Kathy Glickman <kathleen13@earthlink.net>

Kathy,

Here is my respnse to most of the protest letters, that Jim is requesting.

Could you please resond to me if you receive this.

Thank You

Ken John

*This shows how
The Board is in little touch.*

4/4 (4)
Subject: Jim's request

From: "Kenneth H. John" <kenjohn@salmoninternet.com>

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To: Kathy Glickman <kathleen13@earthlink.net>

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Could you please resond to me if you receive this.

Thank You

Ken John

*This shows how little
The Board is in touch.*

MARY ANN HEISER (208) 756-2816
LEMHI COUNTY TAX COLLECTOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467

BILL# 2531
CODE AREA 8-0000

RP00064001023

L 9.04

I 90.81

TOT MV 99.86

1ST HALF DUE

2ND HALF DUE

FULL DUE

TAX 751.65

TAX 751.65

TAX 1,503.30

LATE

LATE

LATE

INT

INT

INT

COST

COST

COST

TOT

TOT

TOT

KINGSTON JAMES
1108 MCRAE ROAD
ARLINGTON WA 98223

WILLIAMS LAKE SUBD. #1
LOT 23
BLOCK 1

61 S SHORELINE DR

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

AVOID LATE FEES & INTEREST--MAIL EARLY.
** \$20 WILL BE ADDED FOR CHECKS
RETURNED BY BANK.

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.

KINGSTON, JAMES



2005

BILL# 2531

2ND HALF



751.65

AMOUNT DUE

MAKE CHECKS PAYABLE TO:

LEMHI COUNTY

RP000640010230A

8-0000

LATE

INT

COST

TOTAL

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2006

DATE PAID

CHECK #

TAXING DISTRICT	RATE
STATE	.000000000
LEMHI COUNTY	.003863150 385.8
SCHOOL DIST 291	.003412092 340.7
WMS LAKE W & S	.006653390 664.4
LEMHI LIBRARY	.000266271 26.5
DISTRICT TOTAL	.014194903 1,417.5
SOLID WASTE	62.0
FOREST ASSESSMENT	21.2
FOREST PRACTICES ACT	2.5
AMOUNT DUE	1,503.3

It will take
exactly 5 times
more bond money
to expand for
speculation on the Board
now plans.
That's \$8,124,000 for
me.

MARY ANN HEISER (208) 756-2816
LEMHI COUNTY TAX COLLECTOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467

BILL# 2536
CODE AREA 8-0000

RP000640010280

L 5,198
I 46,204

TOT MV 51,402

	1ST HALF DUE		2ND HALF DUE		FULL DUE
TAX	407.68	TAX	407.68	TAX	815.36
LATE		LATE		LATE	
INT		INT		INT	
COST		COST		COST	
TOT		TOT		TOT	

KINGSTON JAMES D
1108 MCRAE RD
ARLINGTON WA 98223

WILLIAMS LAKE SUBD. #1
LOT 28
BLOCK 1

67 S SHORELINE DR

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

TO AVOID LATE CHARGES, PAYMENTS MUST BE
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AVOID LATE FEES & INTEREST--MAIL EARLY.
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FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.

KINGSTON, JAMES D



2005

BILL# 2536

2ND HALF



AMOUNT DUE

407.68

MAKE CHECKS PAYABLE TO:

LEMHI COUNTY

RP000640010280A

8-0000

LATE

INT

COST

TOTAL

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2006

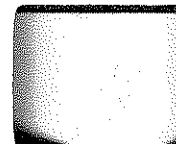
DATE PAID

CHECK #

PAID BY

CASH

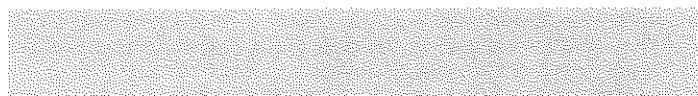
TAXING DISTRICT	RATE
STATE	.000000000
LEMHI COUNTY	.003863150 198.50
SCHOOL DIST 291	.003412092 175.30
WMS LAKE W & S	.006653390 342.00
LEMHI LIBRARY	.000266271 13.60
DISTRICT TOTAL	.014194903 729.60
SOLID WASTE	62.00
FOREST ASSESSMENT	21.20
FOREST PRACTICES ACT	2.50
AMOUNT DUE	815.30



RY ANN HEISER(208)756-2816			BILL#	2533	RP000640010250A
MHI COUNTY TAX COLLECTOR			CODE AREA	8-0000	L 8.993
6 COURTHOUSE DRIVE					
LMON, IDAHO 83467					
1ST HALF DUE		2ND HALF DUE		FULL DUE	TOT MV 8.993
X	66.09	TAX	66.09	TAX	132.18
TE		LATE		LATE	
T		INT		INT	
ST		COST		COST	
T		TOT		TOT	

KINGSTON JAMES E
1108 MCRAE ROAD
ARLINGTON WA 98223

WILLIAMS LAKE SUBD. #1
LOT 25
BLOCK 1



*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

WID LATE FEES & INTEREST--MAIL EARLY.
\$20 WILL BE ADDED FOR CHECKS
TURNED BY BANK.

TAXING DISTRICT	RATE	
STATE	.000000000	
LEMHI COUNTY	.003863150	34.74
SCHOOL DIST 291	.003412092	30.68
WMS LAKE W & S	.006653390	59.82
LEMHI LIBRARY	.000266271	2.38
DISTRICT TOTAL	.014194903	127.62
FOREST ASSESSMENT		3.74
FOREST PRACTICES ACT		.82
AMOUNT DUE		132.18

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.

NGSTON, JAMES E



2005

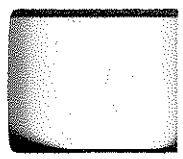
BILL# 2533
2ND HALF



AMOUNT DUE
MAKE CHECKS PAYABLE TO:
MHI COUNTY
000640010250A
8-0000

LATE
INT
COST
TOTAL

66.09



DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2006

DATE PAID

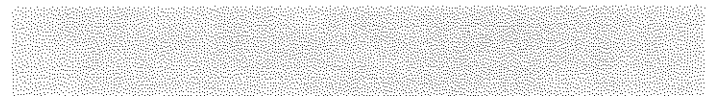
CHECK #

RY ANN HEISER(208)756-2816			BILL#	7789	RP20N21E339001A
MHI COUNTY TAX COLLECTOR			CODE AREA	8-0000	L 2.024
6 COURTHOUSE DRIVE					
LEMON, IDAHO 83467					

1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MV	2.024
X 14.36 TAX	14.36 TAX	28.72		
TE LATE	LATE			
T INT	INT			
ST COST	COST			
T TOT	TOT		TOT ACS	.253

KINGSTON JAMES E JR
 1108 MCRAE RD
 ARLINGTON WA 98223

T-3577
 33 20 21



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VOID LATE FEES & INTEREST--MAIL EARLY.
 \$20 WILL BE ADDED FOR CHECKS
 RETURNED BY BANK.

TAXING DISTRICT	RATE	
STATE	.000000000	
LEMHI COUNTY	.003863150	7.82
SCHOOL DIST 291	.003412092	6.90
WMS LAKE W & S	.006653390	13.46
LEMHI LIBRARY	.000266271	.54
AMOUNT DUE	.014194903	28.72

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
 PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.

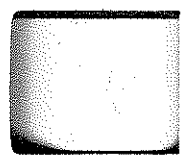
NGSTON, JAMES E JR

2005
 BILL# 7789
 2ND HALF

AMOUNT DUE 14.36
 MAKE CHECKS PAYABLE TO:
 MHI COUNTY
 20N21E339001A
 8-0000
 LATE
 INT
 COST
 TOTAL

DELINQUENT IF NOT PAID ON OR BEFORE
 DATE PAID
 PAID BY
 CHECK #
 CASE

JUNE 20, 2006



Y ANN HEISER (208) 756-2816		BILL# 7796	
HI COUNTY TAX COLLECTOR		CODE AREA 8-0000	
COURTHOUSE DRIVE			
MON, IDAHO 83467			
1ST HALF DUE		2ND HALF DUE	
138.19		138.19	
TAX		TAX	
LATE		LATE	
INT		INT	
COST		COST	
TOT		TOT	
		FULL DUE	
		276.38	

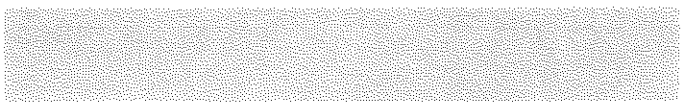
RP20N21E346601A
L 19,471

TOT MV 19,471

TOT ACS .298

KINGSTON JAMES
1108 MCRAE RD
ARLINGTON WA 98223

T-3508 LESS T-3509
34 20 21



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ADD LATE FEES & INTEREST--MAIL EARLY.
\$20 WILL BE ADDED FOR CHECKS
TURNED BY BANK.

TAXING DISTRICT	RATE	
STATE	.000000000	
LEMHI COUNTY	.003863150	75.22
SCHOOL DIST 291	.003412092	66.44
WMS LAKE W & S	.006653390	129.54
LEMHI LIBRARY	.000266271	5.18
AMOUNT DUE	.014194903	276.38

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KINGSTON, JAMES



2005

BILL# 7796
2ND HALF



AMOUNT DUE

138.19

USE CHECKS PAYABLE TO:
HI COUNTY
20N21E346601A
8-0000

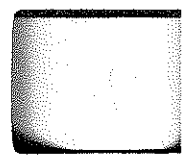
LATE
INT
COST
TOTAL

NO QUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2006

ATE PAID

CHECK #



Y ANN HEISER(208)756-2816
HI COUNTY TAX COLLECTOR
COURTHOUSE DRIVE
MON, IDAHO 83467

BILL# 2534
CODE AREA 8-0000

RP000640010260A
L 10,172

1ST HALF DUE	TAX	2ND HALF DUE	TAX	FULL DUE
74.47	LATE	74.47	LATE	148.94
	INT		INT	
	COST		COST	
	TOT		TOT	

TOT MV 10,172

KINGSTON JAMES E
1108 MCRAE ROAD
ARLINGTON WA 98223

WILLIAMS LAKE SUBD. #1
LOT 26
BLOCK 1

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\$20 WILL BE ADDED FOR CHECKS
TURNED BY BANK.

TAXING DISTRICT	RATE	
STATE	.000000000	
LEMHI COUNTY	.003863150	39.30
SCHOOL DIST 291	.003412092	34.70
WMS LAKE W & S	.006653390	67.68
LEMHI LIBRARY	.000266271	2.70
DISTRICT TOTAL	.014194903	144.38
FOREST ASSESSMENT		3.74
FOREST PRACTICES ACT		.82
AMOUNT DUE		148.94

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.

KINGSTON, JAMES E

2005



BILL# 2534

2ND HALF



74.47

AMOUNT DUE

WE CHECKS PAYABLE TO:
HI COUNTY
000640010260A
8-0000

LATE
INT
COST
TOTAL

INQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2006

ATE PAID

CHECK #

Y ANN HEISER(208)756-2816		BILL#	2535	RP000640010270A	
IHI COUNTY TAX COLLECTOR		CODE AREA	8-0000	L	11,558
COURTHOUSE DRIVE				I	2,428
MON, IDAHO 83467				TOT MV	13,986
1ST HALF DUE	2ND HALF DUE	FULL DUE			
101.53	TAX 101.53	TAX 203.06			
	LATE	LATE			
	INT	INT			
	COST	COST			
	TOT	TOT			

KINGSTON JAMES E
1108 MCRAE ROAD
ARLINGTON WA 98223

WILLIAMS LAKE SUBD. #1
LOT 27
BLOCK 1

*** IMPORTANT ***
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RECEIVED OR POSTMARKED BY THE DUE DATE.

DID LATE FEES & INTEREST--MAIL EARLY.
\$20 WILL BE ADDED FOR CHECKS
TURNED BY BANK.

TAXING DISTRICT	RATE	
STATE	.000000000	
LEMHI COUNTY	.003863150	54.02
SCHOOL DIST 291	.003412092	47.72
WMS LAKE W & S	.006653390	93.04
LEMHI LIBRARY	.000266271	3.72
DISTRICT TOTAL	.014194903	198.50
FOREST ASSESSMENT		3.74
FOREST PRACTICES ACT		.82
AMOUNT DUE		203.06

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE.

VGSTON, JAMES E

2005



BILL# 2535

2ND HALF

AMOUNT DUE

101.53

MAKE CHECKS PAYABLE TO:

YHI COUNTY

000640010270A

B-0000

LATE

INT

COST

TOTAL

INQUENT IF NOT PAID ON OR BEFORE
ATE PAID
CHECK #

JUNE 20, 2006

Man System Copy 1 1994 order

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS)
FOR PERMIT NOS. 75-07589 AND)
75-07590 IN THE NAME OF WILLIAMS)
LAKE WATER AND SEWER DISTRICT)

PROPOSED MEMORANDUM
DECISION AND ORDER

A hearing having been held regarding protests filed against applications for permit 75-07589 and 75-07590, the hearing officer as a representative of the Director of the Department of Water Resources, proposes the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Water right application nos. 75-07589 and 75-07590 were filed with the Department for the purpose of supplying domestic water to homeowners within the Williams Lake Water and Sewer District (hereafter referred to as the district). Both applications describe the source of water sought to be diverted as Lake Creek. Lake Creek is tributary to the Salmon River. At the beginning of the hearing, however, the attorney for the applicant, Milt Slaven, stated the district wants to develop and divert two springs which are tributary to Lake Creek. The parties all stipulated the springs contribute water to Lake Creek.

2. The components of the water right applications are:

Application No. 75-07589

Source: Lake Creek (spring) Amount: 0.50 cfs
Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T20N, R21E
(This point of diversion will be referred to as spring no. 1)
Place of Use: S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 3, T19N, R21E, and
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T20N, R21E

Application No. 75-07590

Source: Lake Creek (spring) Amount: 0.50 cfs
Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T20N, R21E
(This Point of diversion will be referred to as spring no. 2)
Place of Use: S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 3, T19N, R21E, and
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T20N, R21E

The applications also describe several lots without a tract description and which are not clearly located.

MICROFILMED

MAY 21 1993

✓
DWR
Gary Spackman
208-287-4800
Shane Jalls
Recommended
Hopping
Rodan
208-523
4445
lamorn

3. Williams Lake Water and Sewer District was formed to supply water to a subdivision and a resort which were built on the shores of Williams Lake. The water and sewer district now supplies water to approximately 58 homes and the Williams Lake Resort.

4. The district presently diverts water from Williams Lake through pumps located offshore approximately 90 feet. The diversion is authorized by permit to appropriate water no. 75-07052. Recent amendments to the Safe Drinking Water Act require that the district either install a costly filtration and treatment facility for the lake water, or find an alternate source of water. The district evaluated several alternatives, including treatment and drilling wells, and determined development of the springs (tributary to Lake Creek) is the cheapest alternative.

5. Traditionally, the district has diverted approximately 30 gpm. Applications 75-07589 and 75-07590 do not propose a cumulative flow of 1.0 cfs, but a total flow of only 0.50 cfs. Nevertheless, the applications seek approval for diversion of approximately 8 times more water than has traditionally been diverted by the district.

6. The applications were protested by Eva Miles, Albert Brown, Leslie May Shumate, and Martin Capps. Brown was represented at the hearing by C. Tom Arkoosh, attorney at law.

7. The protestants contend development of the springs proposed by the district will reduce the water supply available to them under prior rights. The protestants also object to excavation of the springs and possible compromise of the earth structure which impounds Williams Lake. Finally, Brown contests the legality of the operation of the district.

8. During the summer of 1992, the district excavated in the vicinity of the two springs. Before construction, spring #1 was only flowing 20 ~~gpm~~ but after some minor excavation, the flow increased to 35 ~~gpm~~ ^{gpm} _{gpm}

9. The area around spring #2 was excavated with a backhoe until a vent for the spring was located. The flow increased from 35 gpm to 75 gpm.

10. The district alleges construction increased the flow from the springs, and alleges it should be entitled to divert the additional water developed with no injury to the prior right holders.

11. One of the district board members testified that when the flow of the spring was originally measured, there was a large boggy area from which all the water could not be captured. He was not able to estimate the flow of the spring water through the ground prior to excavation.

PROCESSED

MAY 21 1993

12. Although the district alleged it has developed water, no facts were presented to counter probable hydrologic reality. The springs were probably always flowing the flow rate measured, but, until the excavation, the flow from the springs was diffuse, and not sufficiently concentrated to measure all of the flow.

13. According to Department records, the following is a summary of permits, licenses, decreed rights and claims listing Lake Creek or its tributaries below Williams Lake as a source of water:

<u>Number</u>	<u>Priority Date</u>	<u>Name</u>	<u>Amount</u>	<u>CFS</u>
A75-10054	1898	Parish	0.020	Domestic
75-0093A	1898	McBride	2.666	Irrigation
75-0093C	1898	Wrasper	0.034	Irrigation
75-04467	1922	First Federal	1.160	Irrigation
75-04010	1922	Nelson	1.020	Irrigation & Domestic
75-02149	1961	Capps	1.460	Irrigation
75-07419	1985	Brown	0.440	Irrigation
75-07427	1985	Brown	6.00	Power

14. The summary of water rights does not represent the actual diversion of water from the stream. Both Capps and Brown testified that only two diversions divert water from Lake Creek authorized by existing rights:

<u>Number</u>	<u>Priority Date</u>	<u>Name</u>	<u>Diversion Ownership</u>	<u>CFS</u>	<u>Use</u>
75-0093A	1898	Brown	Brown	0.27	Irrigation
	1898	Johnson	Brown	0.04	Irrigation
75-02149	1961	Capps	Capps	1.46	Irrigation
75-07419	1985	Brown	Brown	0.44	Irrigation
75-07427	1985	Brown	Brown	6.00	Power

15. Other rights were claimed in the adjudication, but, according to Brown, many of the rights have not been diverted since the early 1980's.

16. Both Capps and Brown testified they have always received sufficient surface water to satisfy their irrigation demands, even in drought years.

17. Brown owns a hydropower facility located near the confluence of Lake Creek and the Salmon River. Brown stated flows have been insufficient to operate his hydropower plant at full capacity. His water right for the power facility, however, is subordinated to future uses of water other than hydropower. Brown's rights are subordinated to upstream domestic uses.

MAY 21 1993

18. The district has about \$40,000 to construct the project. The estimated cost of development of the springs and installation of necessary equipment is approximately \$30,000.

19. The district anticipates it will collect another \$30,000 to \$40,000 in taxes during the upcoming year. Brown argued the district does not conduct it's business properly, and, as a result, it is unable to legally collect the funds necessary for the project.

20. Although the application seeks to appropriate water for 100 homes, only 58 homes have been built. There has been no significant change in the number of homes within the Williams Lake Water and Sewer District in the last 20 years.

21. The homes served by district water are recreational homes and many of the lots are located on rather steep hillsides with very little vegetation.

22. Witnesses for the district stated the diversion works will be constructed so excess water diverted by the district but not used by the district will overflow back into Lake Creek.

CONCLUSIONS OF LAW

1. Section 42-203A, Idaho Code, states, in part, as follows: The director of the department of water resources shall find and determine from the evidence presented to what use or uses the water sought to be appropriated can be and are intended to be applied. In all applications whether protested or not protested, where the proposed use is such (a) that it will reduce the quantity of water under an existing water right, or (b) that the water itself is insufficient for the purposes for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the director that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein or (e) that it will conflict with the local public interest where the local public interest is defined as the affairs of the people directly affected by the proposed use, or (f) that it is contrary to conservation of water resources within the state of Idaho; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions.

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MAY 21 1993

2. Rule 4,4,2,1. of the Water Appropriation Rules and Regulations states the applicant shall bear the initial burden of coming forward with evidence of the evaluation of criteria (a) through (d) of Idaho Code § 42-203A.

3. Rule 4,4,4,2. of the Water Appropriation Rules and Regulations states that both the applicant and the protestant have the burden of coming forward with evidence regarding local public interest of which they are most cognizant.

4. The applicant bears the ultimate burden of proof regarding all issues.

5. By moratorium order dated May 15, 1992, the Director prohibited approval of new applications to appropriate water in the Salmon River drainage. Domestic uses were exempted from the moratorium prohibition.

6. Evidence presented by all the parties leads to a conclusion that there is sufficient water for appropriation. Other than a reduction in flow authorized by the hydropower right which is subordinated, all earlier right holders have been receiving their full entitlement.

7. Approval of this right will not reduce the quantity of water under an existing right that is not subordinated.

8. Approval of a permit and future license for domestic use related to 100 homes when only 58 homes have been built, and when the number of homes hasn't changed significantly in 20 years, would result in a speculative water right.

9. Proper limits and conditions can prevent speculation, however. The permit to appropriate water can be approved for 100 homes, but the development period should be shortened to two years, plus any lesser period granted as an extension of time for filing proof of beneficial use. Only homes built and served by district water lines before or during the development period may be recognized as legitimate places of use.

10. Public interest dictates that domestic users have a safe, uncontaminated source of domestic water. A subordinated hydropower right must yield water to a later-in-time domestic water right, particularly where the domestic units are existing, and the domestic appropriation is sought to comply with public health requirements.

11. In this case, the domestic homes are recreational property, built for the most part on steep terrain. The hearing officer is not convinced that the domestic use of water should include a right to irrigate one-half acre per lot at the expense of downstream rights, including hydropower. Any domestic approval

MAY 21 1993

will be limited to in house use only.

12. Lawns, garden and landscape can only be irrigated if a prior, consumptive right is acquired and transferred, or water is diverted pursuant to an established right from Williams Lake.

13. Combined diversion pursuant to rights 75-07589 and 75-07590 will be limited to 0.50 cfs.

14. Although the district might be operating improperly at times, it appears to have sufficient financial resources to construct the project. Furthermore, Brown has no standing before the Department to raise an impropriety internal to the district when he has no vested interest in the district. The approval of this permit, with sufficient conditions, is in the local public interest.

15. Use of water for in-house, culinary purposes will conserve the water of the state of Idaho.

ORDER

IT IS HEREBY ORDERED that applications to appropriate water nos. 75-07589 and 75-07590 are APPROVED subject to the following conditions:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 1995.

2. Subject to all prior rights except subordinated hydropower rights.

3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

4. Use of water shall be limited to in-house use only.

5. The combined rate of diversion for rights 75-07589 and 75-07590 shall be limited to 0.50 cfs.

6. Only homes built and served by district water lines before or during the development period may be recognized as legitimate places of use.

7. A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

MAY 21 1993

8. The issuance of this right in no way grants any right-of-way or easement across the land of another.

9. Place of use is located within Williams Lake Subdivision.

10. Domestic use is for 100 homes.

Dated this 19th day of January, 1993

Gary Spackman
Gary Spackman
Hearing Officer

~~Eastbrook~~
~~water~~
~~208-287-4880~~
~~Griser~~
~~208-287-4880~~
Gard Spackman

RECEIVED
MAY 21 1993

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 20th day of January, 1993, I mailed a true and correct copy of the foregoing Proposed Memorandum Decision and Order and Order Issuing the Proposed Memorandum Decision and Order, postage prepaid, to the following:

Martin Capps

HC 61 Box 14
Salmon, ID 83467

Williams Lake W & S

PO Box 518
Salmon, ID 83467

Eva Miles

506 Courthouse Dr
Salmon, ID 83467

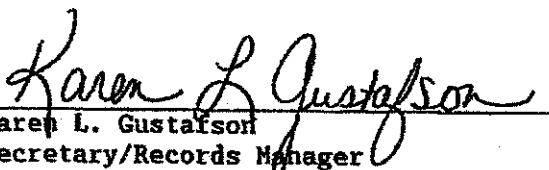
Albert & Diane Brown

1207 Pembroke Lane
Newport Beach, CA 92660

Leslie May Shumate

PO Box 352
Salmon, ID 83467

C Tom Arkoosh
Roden and Arkoosh
PO Box 2110
Boise, ID 83701


Karen L. Gustafson
Secretary/Records Manager

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MAY 21 1993

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

Q FROM DOMESTIC USE CHART = 0.37 CFS FOR 66 HOMES

$$Q_{THEORETICAL} = \frac{(10hp)(8.814)(.70)}{(90 \times 2.305)} = 0.297 cfs = 0.30 cfs$$

NOTE: 2- 5hp pumps

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{DB} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$V = \text{Smaller of } V_{IB} \text{ and } V_{OB} =$

2. Volume Calculations for Other Uses:

~~$1.2 \text{ AFR} \times 66 = 79.2 \text{ AFR}$~~

$$0.30 \times 1.9835 \times 365 = 217 \text{ cfa}$$

$0.30 \times 1.9835 \times 365 = 211 \text{ days}$
Since majority of homes are summer homes use irrigation period of 214 days annual use.

$$0.30 \times 1.9835 \times 214 d = 127.3 \text{ af}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOMESTIC	<u>1/1</u>	<u>12/31</u>	<u>0.37</u>	<u>79.2</u>
Municipal	<u>1/1</u>	<u>12/31</u>	<u>0.30</u>	<u>217.0 cfa</u> <u>127.3</u>
Totals:			<u>0.67 cfs</u> <u>0.30 cfs</u>	<u>79.2 afy</u> <u>217.0 cfa</u> <u>127.3 cfa</u>

2. Recommended Amendments

[illegible]

I. AUTHENTICATION

Field Examiner's Name DOX SIMPKINS Date 12/12/96

Reviewer	Date
----------	------

SEAL

75-7052

Facts as of 11-29-05

(1) No Pumps in Lake water

(2) No Power on use for 10 1/2 yrs

(3) No Power - No Power Station in water

(4) No Suction to lake (all 10 1/2 yrs Removed Sept 1994)

75-7052

MEMORANDUM

Date: April 15, 2005
 To: Water Right File 75-7052
 From: kwilson
 Re: Field Report Narrative

20/2
 Note the new system uses NO lake
 water
 the Tank 9400 gal is not Lake
 water. 9/1995

09/27/1995 Exam:

Two 5 hp submersible pumps are suspended 60 ft down into Williams Lake from a stationary floating platform approximately 200 ft from shore. Water is pumped to shore to a building where water is chlorinated. Water then travels via 4-inch line to a 9400-gallon storage tank located approximately 250 ft up slope and 3/4 miles away. Booster pumps lift water up to storage tank. Water then gravity feeds multiple domestic system. 4-inch mainlines distribute water at approximately 150 psi to homes. Fifty-eight (58) homes are currently on the system, most are summer use only.
 #1 Flow meter (Rockwell 36,954,580 gallons), #2 Flow meter (Hersey 3,110,840 gallons)

04/15/2005 Research:

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.

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.

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.

Planning study conducted by Forsgren Associates Inc. lists the recorded pressure of 90 psi at the junction where the water from Williams Lake enters the system.

The 9400-gallon storage tank located within the SENW Sec 3, T19N, R21E, and is on the BLM. Williams Lake Recreational Water and Sewer District has a permit from BLM for the Storage tank.

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

Since a majority of the homes serviced by the Williams Lake Recreational Water and Sewer District are summer residents recommend that the volume calculation, for municipal use, use 214 days (i.e. irrigation season).

75-7052

*Removed pumps
 2 down
 on 9-95
 no power to
 Blg for 10y15
 also all
 pipe for old
 system torn
 up 1995.
 Same*

*Take water
 being use
 4-05*

*62 is
 #
 + Resort
 + BLM
 7*



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 16, 2005

Jim Kingston

~~Keitha O'Brien~~

87 Dapplegray Lane

Rolling Hills Estates CA 90274

Rec'd 503
OK Rec'd
for

RE: Applications for Amendment 75-7052 and 75-7589 -- for Williams Lake Recreational Water and Sewer District

Dear Protestant:

Your protest against approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protest. At such a conference and/or hearing, the following are the principle items the Department can consider in their approving or denying the application (Idaho Code '42-203):

- ✓ 1. Will the proposed use reduce the quantity of water under existing rights?
- ✓ 2. Is the proposed water supply insufficient for the purpose intended?
- ✓ 3. Is the application made in good faith or for delay or speculative purposes?
- ✓ 4. Has the applicant sufficient financial resources with which to complete the project?
- ✓ 5. Will the proposed use under this permit conflict with the local public interest?
- ✓ 6. Is the proposed use contrary to conservation of water resources within the State of Idaho?

All Questions Covered
NJR
EJR
DR

Page 1 of 16

Opening Statement (include with copy of 'Who am I'):

If given to the Williams Lake Water Board, municipal status would be used out of context, and they would just add homes to the system until it fails. That seems to be their plan.

They can do anything they want from their present status, so why allow them to abuse and destroy this system. They just want to add homes without any investment.

They need to build another expansion system.

Municipal status will be abused and the dependability, health standards and use of the system for fire, etc. will be destroyed. To date, there has been maximum abuse of the IDWR order of 1993.

The Board has not followed the state's order to the letter over the last 7 of 11 years. They, in my opinion, can't be trusted with options so important. They have proven that it's not a 'protect the system first' situation.

It seems to me, the Board just has No Clue. Only one member of the Board and the Water Manager has a background with water systems.

Only the IDWR can save our system by enforcing our 1993 Water Order agreement (that is a contract) and it needs to be enforced NOW!

They have in mind that municipal status will give them the right to add homes and call it "redistribution of the water rights". They must be made to honor the 1993 Order no matter what they call themselves (recreational or municipal), so they won't overload and abuse the system.

In my opinion, an attempt to get some added hookups without putting out any money is the goal. If you listen to the tapes, they indicate that this may not be really intended to help more than just a select few. This would be not many lots.

Who am I? (What are my credentials?) – (page 1 of 2)

I am James E. Kingston. I designed and built the Williams Lake Water System in 1994-95. My design was used with only three modifications by Mr. Smith of DEQ and the engineer out of Montana.

In addition, I put together the people of Salmon to build it, and oversaw and worked to build the system from the first day to the last day of construction. I did this free of charge – as well as saving the people of Williams Lake over \$800,000 of the system's final appraised value. Most of the people on the lake have no idea what they received from my efforts.

For the first 6 years, H. Sisco and I maintained 100 % of this system. Then came the new 'speculation board'. They have no knowledge of IDWR orders and contracts, and they don't care to learn. It's all about 'speculation'.

Where were the lot owners when the system was built? They were told how to get water then.

Our current lake system is made up of tanks and water catching equipment using ground water with most, if not all, parts being used on B.L.M. land by B.L.M. agreements. We have water rights granted and we were given rules (an order) to follow.

Over the last five years, the Water Board has been run by people with NO background in water, and no care for the work effort that building and paying for such a system takes. That is my opinion of the Board.

Now, we have Board members who claim that a man with a lot that is not buildable should have water. The fact is this matter was solved in 1994-1998 with a notice that 'Only homes built or those with permits to build by the date the water system was complete would be allowed to hook up'. Only two homes took advantage of the deal. Due to the failure of the State to inspect the system and sign off until 1998, the landowners had over 5 years to get a permit to build a home on their property and have water.

I see a conflict of interest as most speculative efforts are being made by Water Board members taking the lead in buying tax title lots and pushing the 'poor lots rights effort' as cover for speculation.

Also, Water Board members do not follow the IDWR order, and in fact hook up illegal lines themselves!

Please review the north hill situation that began in Sept. 05 and is still unresolved (per the Board meeting of 3-06). This is accounting for a loss of up to 30,000 gallons per day and is not fixed as of 3-27-06. Is this conservation?

I feel that there is a problem here because I pay for all of the bonds but, because I am not a resident of Idaho, I cannot vote on what I am paying for.

Now, the Board is attempting to create a speculative situation, in my opinion, that will use my land to finance the effort and put me, the water system and all of the other homeowners that joined our system in 'good faith' at risk of losing everything to the speculation.

Also, water is only one factor in the worthless lots not being buildable. Another is that to meet code, up to 3 lots may be required to meet the square footage. Another is that to meet the health regulations, set backs from steep hills cannot be done as required – the lots are not deep enough, and some slopes are too great. In addition, road easements and access

Who am I? -- (page 2 of 2)

easements need to be subtracted from the total square footage of the lots making them useless. This is the zoning code.

As long as a tap runs water to a glass, all other factors, including waste of water or illegal taking of service, is not of any interest to the Board. The aforementioned leak has been fixed as of 4-06. But, the improper hook up to outside use is still in place by one member and nothing is being done to stop it. This is wasting/leaking up to 30,000 gallons of water per day. The amount of the leak has been figured out by the maintenance man based on the increased electric pump bills from the power company.

In April 2005, an IDWR inspector, Mr. Wilson, signed an up to date memo on water right 75-7052. This system has not been used for 11 years, with all of the pumps and pipes removed 11 years ago also. Please find a copy of the Wilson Report of 4-05 (2 pages) in Exhibit 'E'. No part of Mr. Wilson's report is true. Mr. Wilson cannot see what is not there. Col. Rondeau and I removed all of the old system by order of the Board in 1995. It is all gone.

Is Mr. Wilson mixing parts of the old and new system? Or is he reporting on bad information given to him without an actual hands-on inspection? Reports like this are NOT in the best interest of conservation, the state of Idaho, or the lower water users.

There have been no working meters on the new water system since June 1999. There has been no consistent check of any overflow since 1995. There is just a basically bad operation of a water system by a Board with NO water ability or experience in water matters. On top of this, there is no enforcement action taken by IDWR or DEQ when problems are reported to them -- absolutely NONE over the last seven years that I know of.

In short, my assets and I are being exploited for funding for speculation by a few. The contract we have with IDWR should regulate us and protect us from this. No change of any kind should even be considered until the bonds are paid off and a plan that will work to pay for any changes is brought forward paid for by the new hookup owners only, as a separate LID.

In my opinion, this hearing cannot resolve this conflict. It is not even about water amount or rights, it is about storage, preparation, planning and more. It is a 'build for speculation' issue that places our water system at risk. The bonds, the system, our agreements with IDWR and our water rights could be pulled for breach of the contracts by us, and for not following our agreement and the IDWR order of 1993.

Please read the following Questions 1-6

Question #1

(Q) Will the proposed use reduce the quantity of water under water rights?

(A) Yes. More homes will use more water and the use and storage (Fire-Reserve) are different numbers. We need 500 GPD per home. I have 3 systems experience on this. Also, the fact is that they use over 680 gallons per house in summer now. Facts on a national scale show vacation homes use more water than year round homes. The reason is thought to be extra baths and more visitors to the homes (kid's friends, etc.). I agree with this. See Reference of Building Design and Standards enclosed.

Up until now, the question has not been water. It is storage and the ability to pump enough water and to provide enough for fire. Fire is a #1 risk at Williams Lake and it is NOT addressed.

The question also includes 'protection from speculation'.

In my opinion, IDWR should consider the following points:

The original order for water rights must be enforced by IDWR and the waste must be stopped. Up to 30,000 gallons per day wasted is an example of what takes place when nobody checks on things.

Also, the Board removed the winter switch. I designed this to make Winter water dumping not required and to stop waste. By removing this feature, the Board dumps 1600 gallons per day on the ground from October to April each year to prevent tank freeze.

This is not keeping excess water in the creek. It is not in the best interest of or the intent of Idaho conservation of water policies.

We need Water Police if we don't have people running the systems that care!!

NOTE! In the last few days, the water system has failed. Both water sources show reduced output to the point where both together are required to maintain the tank levels in our system. Proof and verification of this can be obtained from Steve Adams, Water Master for Williams Lake Water and Sewer District. This situation may change one way or the other with future weather conditions, but to be safe, we need to view this condition as a best case scenario.

Also, even if we had the water, we perhaps would not have the ability to increase our system because of B.L.M. policies. There is a real possibility that our spring production is permanently reduced. B.L.M. policy now may not allow us to increase any facilities on the B.L.M. sites we have (lower springs and tanks now on B.L.M. property).

It may be worthwhile to note that today most water purveyors do not consider adequate water to be less than 400 – 600 gallons per day per home without meters. With meters people tend to conserve due to high costs, this is where the 250 gallon per day per home seems adequate. This is not a safe basis for people like us who do not have unlimited storage for us to take care of fire emergencies. That water must be in the tanks at all times. Verification of this statement can be obtained by calling Steve Adams EHS in charge, District 7 Health Department, (208) 756-7250

Question #2

(Q) Is the proposed water supply insufficient for the purpose intended?

(A) No. The water rights are more than needed. What good are the rights if you can't pump, distribute or have fire protection? The springs seem to be drying out having already reduced output by 50%. Storage is minimal, and the pumps are only capable of 45.3 gallons per minute at the tank.

So, the problem is not water rights. The new water right would be 94 gallons per minute. The problem is that we have only part of the storage and pump capacity for the homes, resort and forest use we have now. This system was built and designed to serve only 58 homes, the resort and the Federal Parks. We are at maximum output now, and the resort is not even on line yet. And the new development of the springs reduced output, complicates things further. What does this tell you? It tells me we are in trouble now.

The answer is we need to increase storage and pumping and pipe size to meet the construction standards and the health regulations on chlorine contact time, if we add anything at all. Again, the problem is NOT water rights. It is storage system size. I know, I built and designed this system. That is a matter of record. Additionally, spring failure outputs have added to the problems.

Ref: Bill Smith – Eng. DEQ 1994-95

Also, we have a high quality system for the size designed. See Bill's letter to the Board about the work quality and planning. Now, speculation and lack of enforcement place it all at risk.

Update Notice:

On 4-9-05 approximately, the supply spring number 1 failed to put out enough water to maintain capacity. The backup system is now going online to correct this. Both systems will need to be maintained online to meet pump gallons per minute capacities to supply the existing homes. This situation will exist until Mother Nature corrects this problem.

Ref: Water manager Steve Adams, phone number (208) 756-7250

Question #3

(Q) Is this application made in good faith or for delay or speculative purposes?

(A) This is not made for the reasons the Board says. It is not being done for the lot owners. In my opinion, it is a diversion considering that over 11 years, only 10 people inquired only because of their intent to sell. Since then, some have sold out or given their tax title to the county.

Ref: List of 1993 owners who still own the property – Board meeting tape 10-05

Proof – Water meeting saying we “don’t care about water, we just want more hookups”.

Ref: Meeting tape dated 10-05

“Call IDWR, tell them to just rubber stamp our plan” – by a speculating Board member

Answers part of Questions 3 and 6

This "Board of speculation" only wants the status change requested, so that hookups can be added without spending any money on system upgrades, forgetting the overloading on the system. "Just add hookups" (tape proof 3/06 11-05) never mind capacity, health standards or fire flow. Those are the Board's words. Ref. tape 11-05

Several members, in my opinion, are speculating with our water system, attempting to use my home for the financing of their speculation. They say over and over that with 'municipal status', we can put more homes on, without paperwork.

Is this right? We need to protect what exists now first. Any plans need to have the speculators pay up front and equally. Lots and homes would have to pay the same fixed amount of tax. Taxation for this purpose, based on value, is not workable or fair. As it stands, it is just the current high value homeowners who will bear the cost for these 'bare lot speculators'. This is not fair to the homeowners who have already invested in a workable system, and who gave notice and opportunity to all to join them at the time the system was built. This deadline was established and extended to 1998. Still no action was taken by these lot owners to build anything. Only two homes took advantage of the inclusion when the water system was built.

In my opinion, several board members appear to be buying all the cheap land they can (one has 22 lots now with 3 advertised on the internet for a \$70,000 estimated investment with close to a \$1M asking price. They are advertised with the sewer in place). What good is a sewer without water? They need municipal status now to gain water hookups without putting out any money. Does this sound like these people are speculating? They have no chance at wells there, that's been done to 500' with no water found.

So, they are speculating on getting municipal use and then the original Order of 1993 won't stop them.

Proof of Speculation (page 1 of 2) (copy to question 6)

To buy a big block of worthless lots and advertise them for sale with utilities, implied, that are not currently in place, by a member of a Water Board seems to me to be a conflict of interest. For more information, see www.lakehouse.com (state of Idaho).

Statements on tapes of meetings:

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Board 2-06
- (5) Lots of other statements that openly show ‘speculation’ intent.
- (6) Meeting tape 3-06 – Cost and size of leak

In my opinion, we have Board members speculating. We also have Board members who have without Board OK or knowledge and against our water right order of 1993 hooked up a leaking underground connection to service 12 acres of lots as a Ranch. (see Windridge Morgans on the internet) This Ranch was created recently after 2003.

Also, as of 3-17-06, two members of the Board have quit because of all of these issues. In my opinion, they, as well as the protestors, see where this is wrong. Both quitting members have told me why they quit. I have talked to both of them at length regarding this issue.

In 4-06, the Board spent \$3700 to fix the leak and replace the pump. They did not disconnect the unauthorized hookup, and they didn’t address the fact that since Sept. 05, this leak has been wasting up to 30,000 gallons of water a day (estimated by the maintenance manager on calculations of power bills). In addition to this, there was a failed pump due to low spring levels and a complete water failure for all of the lake when the system could not keep up. Is this conservation? The man that oversees the system was never part of, or told about, the illegal connection until the leaks showed up on the power bills. This is in direct violation of our order of IDWR in 1993.

There needs to be a fixed water management rule, which says only one manager works on the system. The public cannot touch it in any way. There is NO protection otherwise – not for dependability, correctness of work or maintaining required health standards, both present and future. There are future EPA requirements pending that we cannot meet with current storage.

Proof of Speculation (page 2 of 2)

The person who caused the expense of repairing the water system is not paying the \$3,000-4,000 cost of digging, pump replacement or power bills. What is that all about? At least he has not paid to date.

Reference Note: On approximately 4-8-06 a second pump burned out due to a lack of spring water to supply it. Because GPM of both springs has dropped to half of what it used to be, the emergency backup system must now be kept online full time. This will be until Mother Nature changes that flow.

In my opinion, all of the 'help the vacant lot owners who pay taxes' is a diversion tactic only, to cover up special interest speculation. There are 400 lots, estimated 21 buildable. We now have 66 homes, with 2 unauthorized homes and 1 farm hookup known to date. These have all been ignored by the Board. (Also, all members have said they will step down after this issue is decided, prior to or at the next election.)

Water District Policy at present is:

- (1) Steal a connection – OK
- (2) Mess with the mains (dig in) – OK
- (3) Ignore the IDWR order – OK
- (4) No back flow protection – OK
- (5) No liability for breaking things – OK
- (6) No proper records of water used or discharged to overflow – OK
- (7) A waste leak – forget it if we still have water – OK

As long as there is still water in the faucet, fix nothing and spend nothing. Ignore the IDWR order and do whatever waste is OK with their group. We need a water cop with power. The manager will do it. In my opinion, the Board is dysfunctional. They even admit that they have absolutely no knowledge of public water.

When the speculators get their water, everything could be sold and these same speculators could bug out, leaving all of the problems and cost with the buyers and the homeowners of Williams Lake. This is a typical speculation operation pulled off by speculators in every state in the union. In many places, these problems are being addressed by new laws that prevent any sales until all improvements are in place and paid for. This is what we need to protect ourselves. However, the only protection we have is our 1993 Order that we use as a basis to secure ourselves with the bonds and building the system, which constitutes a meeting of the minds and consideration in making a contract.

Question #4

(Q) Has the applicant sufficient financial resources with which to complete the project?

(A) No – not the money or an affordable way to pay, and not the knowledge to over see it.

In my opinion, the Board does not have a clue of what is needed and has maximum debt now. They only want to allow 'speculation', and then they may walk out and leave others to pay... (Same old scam). The bonds now take over half of all the money collected, a maintenance man and a lawyer take more, and according to the Board they are broke.

Tape 11-05, 12-05, 1-06, 2-06, 3-06 – No money left. It is the same each year.

However, they hire engineers with the hope of supporting Board speculation. The last one hired charged \$6,000 for a letter and the engineer would not say what the Board wanted to hear. The engineer has not done calculations for the system, as far as I can see. They cannot make any statement pro or con at this point. The Board members need to understand that fact. There is also the issue of our water and our water tanks being on B.L.M. land with new Federal restrictions that may prevent any expansion ever.

District money comes from taxes on homes. These taxes are too high now. I spend \$1,348 of my taxes per year for water only. A lot pays only a few dollars per year.

There will be no money available until the current system and the bonds are paid off. This will be approximately 15 years from now.

If any expansion at all is allowed to occur, all of the facilities have to be expanded and this expansion should be paid for by the lot owners who would benefit by the expansion and paid for through a separate LID.

In a phone call from me in 3-06, the engineer stated that there were no formal calculations except a review of an as-built. This is not exactly what the Board is trying to indicate that the engineer said, in my opinion.

Ref: Engineer's letter in file 4 and 5

Ref: See tax info enclosed

Pumps and Storage Facts (copy to question 2 and 4)

The system is comprised of the following:

- 2000' +/- of 6" pipe

- 2000' +/- of 4" pipe

- 2000' +/- of 2" pipe

- 1 10' x 16' tank (of which 12' is usable)

- 1 20' x 16' tank (of which 14' is usable – control is 10')

So, we have storage capacity in the tanks and mains of 43,000 gallons maximum dry.

The pumps must keep up by filling at night when use is down. Pumps must not cycle on/off more often than 10 minutes between starts. The storage must have enough reserve to cover a peak spike of demand or a fire call. At present, we should have at best 90,000 gallons to service the homes we have (that's 90,000 gallons of stored water). We are now short over 50% of our present need, with only 43,000 gallons existing storage.

See building standards marked "E" 2.

Peak water use is now over 33,000 gallons per day recorded on the power clock (see manager's report to the Board). So, we now have 24 hours of water if a pump fails, that is all. This amount of water in this situation is minimal and would not be enough during a repair. Home and fire protection would NOT EXIST.

If we add homes, we would need to add storage, pump capacity and distribution. That is the real issue here. Also, if the IDWR contract won't protect us, then we have no ability to protect the system from order abuse. The Utilities Commission has no control over us. See Law Copy enclosed marked "E" 3

Note: The 33,000 gallons per day now used in Summer by the residents of Williams Lake does not include the Resort which with current sewer permits issued will equal the use of another 12 homes when it opens for business.

Question #5

(Q) Will the proposed use under this permit conflict with the local public interest?

(A) Yes. The whole proposed use has no plan to support it - no proper engineering completed to date. There is no money and no plan in my opinion, and there is no possible way to pay for it, except a separate LID. The District is already at maximum debt on existing homes. Our water source has reduced from 85 GPM to 50 GPM over the last 11 years. I suspect perched water is not being recharged at a high enough volume. We may soon need to use the back up system 24/7/365. The Board has NO way or money to add storage or to increase the pump capacity. We now have 7.5 HP pumps, which is as big as it gets without 3 phase power - all of this on B.L.M. land. It is now at maximum for what we have and given the health contact regulations and water use at peak times, we are over capacity to protect the pumps at this time and we cannot meet current and future health standards without blackout days.

Ref: District 7 Health Dept. See enclosed page on pumps.

Ref: Steve Adams (208) 756-7250 Mr. Adams is also District 7 Health Officer I.C. He can also explain health reasons for why we need more storage.

Ref: Pending new EPA standards

Question #6

(Q) Is the proposed use contrary to the conservation of water resources within the state of Idaho?

(A) Yes. The Williams Lake Water Board has no proper records from meters or any other source. They have very random records. Look at the waste now, unchecked waste. For example, they do not follow the directive of the 1993 IDWR order to have a required maintenance book. Even now, the maintenance book does not exist after all of these years. This is just one example.

They allow waste (see explanation below) of water on a wholesale basis. They don't control who has access to the mains and valves. The manager appointed has no control over the Board and so he can't protect the system without action from them. The Board really does not understand the laws, health requirements of the system or any electrical or plumbing parts of the system, so the manager's job must be really tough.

The 'Winter' switch is gone. It was removed because nobody knew what it was, so another 1600 gallons per day are wasted in cold weather. This is only one example of the waste due to management policies. Many others can be cited. This information can be supplied upon request.

When preventive maintenance is required on a water system, it must be done right away to avoid further damage and costs. It cannot wait for some Board meeting to give any order a maintenance manager to do the work and avoid all this future trouble. Remember this – water can make a decision with no delays.

Conservation Example

In September 2005, one Board member installed a non-approved side pipe off of the community water system to water 12-14 horses on his 'Windridge Morgans Ranch'. This is a commercial use ranch including 12 acres plus a barn. This connection is taking water without Board approval and goes against the 'In House Only Use' rule. This member has used the water (for outside use) from Sept. 2005 until now, April 2006.

At this same time, Sept. 2005, a leak was detected that was started at the same time the hookup was made. This was detected by increased electric bills. Seven months later, the extra +/- 30,000 gallons per day shut down the pumps. Repairs were made at a cost of over \$1,000 plus labor. The Board then dug up and fixed the leak and paid approximately \$3,700 total, however they left the 'outdoor use' connection in place and the water system paid the bill. At least to date, the homeowner has not been asked to pay and has not paid the bill.

Is this an example of Board conservation? Is it proper management of a public water supply?

WE NEED TO FOLLOW THE IDWR ORDERS!

Answers part of Questions 3 and 6

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In my opinion, we have Board members speculating. We also have Board members who have without Board OK or knowledge and against our water right order of 1993 hooked up a leaking underground connection to service 12 acres of lots as a Ranch. (see Windridge Morgans on the internet) This Ranch was created recently after 2003.

Also, as of 3-17-06, two members of the Board have quit because of all of these issues. In my opinion, they, as well as the protestors, see where this is wrong. Both quitting members have told me why they quit. I have talked to both of them at length regarding this issue.

In 4-06, the Board spent \$3700 to fix the leak and replace the pump. They did not disconnect the unauthorized hookup, and they didn't address the fact that since Sept. 05, this leak has been wasting up to 30,000 gallons of water a day (estimated by the maintenance manager on calculations of power bills). In addition to this, there was a failed pump due to low spring levels and a complete water failure for all of the lake when the system could not keep up. Is this conservation? The man that oversees the system was never part of, or told about, the illegal connection until the leaks showed up on the power bills. This is in direct violation of our order of IDWR in 1993.

There needs to be a fixed water management rule, which says only one manager works on the system. The public cannot touch it in any way. There is NO protection otherwise – not for dependability, correctness of work or maintaining required health standards, both present and future. There are future EPA requirements pending that we cannot meet with current storage.

Proof of Speculation (page 2 of 2)

The person who caused the expense of repairing the water system is not paying the \$3,000-4,000 cost of digging, pump replacement or power bills. What is that all about? At least he has not paid to date.

Reference Note: On approximately 4-8-06 a second pump burned out due to a lack of spring water to supply it. Because GPM of both springs has dropped to half of what it used to be, the emergency backup system must now be kept online full time. This will be until Mother Nature changes that flow.

In my opinion, all of the 'help the vacant lot owners who pay taxes' is a diversion tactic only, to cover up special interest speculation. There are 400 lots, estimated 21 buildable. We now have 66 homes, with 2 unauthorized homes and 1 farm hookup known to date. These have all been ignored by the Board. (Also, all members have said they will step down after this issue is decided, prior to or at the next election.)

Water District Policy at present is:

- (1) Steal a connection – OK
- (2) Mess with the mains (dig in) – OK
- (3) Ignore the IDWR order – OK
- (4) No back flow protection – OK
- (5) No liability for breaking things – OK
- (6) No proper records of water used or discharged to overflow – OK
- (7) A waste leak – forget it if we still have water – OK

As long as there is still water in the faucet, fix nothing and spend nothing. Ignore the IDWR order and do whatever waste is OK with their group. We need a water cop with power. The manager will do it. In my opinion, the Board is dysfunctional. They even admit that they have absolutely no knowledge of public water.

When the speculators get their water, everything could be sold and these same speculators could bug out, leaving all of the problems and cost with the buyers and the homeowners of Williams Lake. This is a typical speculation operation pulled off by speculators in every state in the union. In many places, these problems are being addressed by new laws that prevent any sales until all improvements are in place and paid for. This is what we need to protect ourselves. However, the only protection we have is our 1993 Order that we use as a basis to secure ourselves with the bonds and building the system, which constitutes a meeting of the minds and consideration in making a contract.