

Walker, Kay

From: Keen, Shelley
Sent: Tuesday, June 21, 2005 4:04 PM
To: 'garymulkey@peoplepc.com'
Cc: Rassier, Phil; Walker, Kay
Subject: Water Districts

Mr. Mulkey,

IDWR is reviewing the field reports for Water Right Permits 75-7052, 75-7589, and 75-7590 in preparation for the issuance of water right licenses to Williams Lake Recreational Water and Sewer District for the beneficial use of water established in connection with the permits. All three permits originally were issued for domestic purposes with specific limits on the number of homes that can be served by the water right. Since the permits were issued, new legislation has expanded the types of entities that can be "municipal providers" and receive water rights for municipal purposes. The definition of municipal purposes (see Idaho Code Section 42-202B) is broader than domestic purposes. For example, municipal use includes commercial and industrial use and irrigation of parks and open space, as well as the domestic component. Also, municipal water rights are not typically limited to a certain number of homes. Therefore, a municipal water right typically provides greater latitude to the municipal provider to use water for a greater number of purposes within its service area.

IDWR has, on request, approved applications to change water rights from domestic to municipal purposes. Williams Lake Recreational Water and Sewer District has made a similar request, which IDWR is reviewing. One noteworthy finding in the review is that Permits 75-7589 and 75-7590 carry the following unique condition, which is likely to be retained as a limit on the licenses.

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

Please call or email if you have additional questions.

Sincerely,

Shelley Keen
 Water Right Permits Section
 Idaho Dept. of Water Resources
 208-287-4947
shelley.keen@idwr.idaho.gov

-----Original Message-----

From: Rassier, Phil
Sent: Tuesday, June 21, 2005 3:05 PM
To: Keen, Shelley
Subject: FW: FW: Water Districts

Shelley,

6/22/2005

Could you please respond to the Mulkey's questions regarding the Williams Lake Recreational Water and Sewer District water rights. I understand the rights are presently being licensed.

Thanks,
Phil

-----Original Message-----

From: IDWRInfo
Sent: Tuesday, June 21, 2005 7:55 AM
To: Rassier, Phil
Subject: FW: FW: Water Districts

-----Original Message-----

From: Gary & Dani Mulkey [mailto:garymulkey@peoplepc.com]
Sent: Monday, June 20, 2005 2:35 PM
To: IDWRInfo
Subject: Re: FW: Water Districts

Thank you for your response. As we now understand it the Williams Lake Recreational Water and Sewer District has applied to change water rights 75-0789 and 75-0790 to municipal rights. We have not been able to find out the differences between the two and why one might be better than the other. If you can shed any light on this we would appreciate it. Thank you.

-----Original Message-----

From: IDWRInfo
Sent: Jun 15, 2005 10:10 AM
To: "'GaryMulkey@peoplepc.com"'
Subject: FW: Water Districts

-----Original Message-----

From: Rassier, Phil
Sent: Monday, June 13, 2005 1:33 PM
To: IDWRInfo
Subject: RE: Water Districts

Gary,

Please excuse my delayed response. I am not familiar with the term "municipal water districts." I expect that if a change in the designation of the Williams Lake Recreational Water District is contemplated it would be to change the district to a regular water and sewer district under the provisions of chapter 32, title 42, Idaho Code. The Department of Environmental Quality works more closely with these districts than does the Department of Water Resources. I have made a telephone inquiry and am awaiting a return call from someone who may know what is happening with the Williams Lake Recreational Water District. I'll pass on to you whatever I learn.

Sincerely,

Phil Rassier

Phillip J. Rassier
Deputy Attorney General
Idaho Department of Water Resources
322 East Front Street

6/22/2005

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-----Original Message-----

From: IDWRInfo
Sent: Tuesday, June 07, 2005 9:11 AM
To: Rassier, Phil
Subject: FW: Water Districts

-----Original Message-----

From: Gary Mulkey [mailto:GARYMULKEY@peoplepc.com]
Sent: Monday, June 06, 2005 5:32 PM
To: IDWRInfo@idwr.idaho.gov
Subject: Water Districts

I am a property owner in the Williams Lake Recreational Water District. I understand that a petition has been filed (or is perhaps in the planning stages) to change the district to a municipal water district. Could you please tell me where to access the legal definitions of each district and also where to access information about each category. I would like to create a list showing the differences and similarities. I have approached members of the water board and all they seem to be able to say is that nothing's different. I do not believe this to be the case. I have checked the Idaho statutes and did not find information concerning the formation of a municipal district only information about a recreational district. Under the municipal statutes I found information about incorporation, however, I do not believe the Williams Lake area would fall under this. Help! Help! Help!

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