

Comment Report

75-7589

1. kwilson 4/27/2005 Field Report Narrative

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

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

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

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

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

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

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

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

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

Property Owners Association.

2. kwalker 6/22/2005 Volume of Water

Comment: Permit was issued for domestic use for in-house use only. Examiner found 66 homes on system as of 12/02/2004. Recommend volume be 66 homes @ 0.6 AF = 39.6 AFA.

Upon further review of this file it is noted that proof was submitted for only 64 homes. Since that is all they determined they had developed we are limiting the volume to 64 homes @ 0.6 af = 38.4 afa.

3. kwalker 6/29/2005 License Review

Comment: In review of this permit and permit 75-7590 I found there is only 1 system developed for the 2 springs under these rights. Since the entire system can be covered under proposed license 75-7589 I recommend that we request a relinquishment of permit 75-7590 and license entire spring system under 75-7589. I discussed this with the examiner and he agreed that this would be the correct procedure.

4. MILLER 12/17/1992 MORATORIUM EXEMPTION

Comment: This permit falls within the acceptable parameters of the Salmon-Clearwater Moratorium.

5. skeen 9/20/2004 Purpose of Use

Comment: This permit was issued for domestic use. In August of 2004 the right holder submitted a written request to IDWR to consider changing the nature of use of the right to "municipal" purposes when a license is issued. The field examiner should address the possibility of accommodating the request by determining whether the permit holder qualifies as a municipal provider and whether the use meets the definition of municipal use. If so, the change can be accomplished through an amendment of the permit prior to issuing a license.