

Warner, Roger

From: Keen, Shelley
Sent: Wednesday, October 12, 2005 8:15 AM
To: 'Gary & Dani Mulkey'
Cc: Warner, Roger
Subject: RE: RE: Acknowledgement Letter Williams Lake Recreational

Mr. Mulkey,

I have forwarded your email to IDWR's Eastern Region office in Idaho Falls for inclusion in the files for the applications to amend the Williams Lake Recreational Water and Sewer District permits. Your concerns will be reviewed and addressed as part of IDWR's evaluation process for the applications.

According to the beneficial use field report submitted by IDWR field staff in connection with Permit 75-7052, a beneficial use of water was established in connection with the permit during the authorized development period, which ended in 1990. Pursuant to Idaho Code Section 42-219, IDWR is obligated to issue a water right license for that development, even if the use has been discontinued in the intervening years. Once the license has been issued, forfeiture of the right can be found after 5 consecutive years of non-use, subject to the protections against forfeiture listed in Idaho Code Section 42-223.

One cfs pumped continuously for 24 hours will produce 1.984 acre-feet.

The 79.2 af volume is based on 1.2 af per home for 66 homes. IDWR typically issues domestic water right licenses for 1.2 af per home for indoor and outdoor use. Note that 79.2 af is the proposed combined use limit for both 75-7052 and 75-7589. The proposal for 75-7589 by itself is 38.4 af, or 64 homes times 0.6 af, reflecting the in-house use limit imposed on the permit when it was issued. As the proposal stands currently, water would have to be drawn from the lake to exceed 38.4 af.

Sincerely,

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

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

From: Gary & Dani Mulkey [mailto:garymulkey@peoplepc.com]
Sent: Tuesday, October 11, 2005 7:30 PM
To: Shelley.Keen@idwr.idaho.gov
Cc: Kathleen13@earthlink.net
Subject: Fw: RE: Acknowledgement Letter Williams Lake Recreational

I have received a copy of the amended applications. Thank you.
Applications are for 75-7052 and 75-7589.

7052 is for lake water and there is no system available to use this water. What is the beneficial use of this permit?

Why would it be combined with 75-7589 which is an in-house only permit. That does not make sense.

7589 original application calls for 0.50cfs and this amendment calls for beneficial use of 0.21cfs. Does this mean a reduction in water availability?

It appears on both amendments that the approval will say that the total annual maximum diversion volume would be 79.2af. This tells me that if only one permitted source was used the "spring" could pump 79.2af. That seems to be a very large increase in water. Since the Lake water does not have a current system this tells me the Board plans to pump all of the 79.2af from the spring permit.

I will admit that I do not know what the relationship of cfs is to af so my assumptions

could be incorrect. Please explain.

Your letter to me and the Board of June 21, 2005 indicated that IDWR would most likely leave the "unique condition" of "only homes built and served by district water lines before or during the development period may be recognized as legitimate places of use" in the approval. I see not mention of this "unique condition" in the copy of Action of Approval of the IDWR. Does this mean it was omitted in error or that the condition will not be a part of the approval?

Thank you again. gm

-----Forwarded Message-----

From: "Cox, Sharla" <Sharla.Cox@idwr.idaho.gov>
Sent: Oct 11, 2005 11:18 AM
To: 'Gary & Dani Mulkey' <garymulkey@peoplepc.com>
Subject: RE: Acknowledgement Letter Williams Lake Recreational

Here are the copies you requested.

Sharla

Sharla Cox
Idaho Dept of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161 - phone
208-525-7177 - fax
sharla.cox@idwr.idaho.gov

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

From: Gary & Dani Mulkey [mailto:garymulkey@peoplepc.com]
Sent: Thursday, October 06, 2005 10:31 PM
To: Cox, Sharla
Subject: Re: Acknowledgement Letter Williams Lake Recreational

Could you please send me a copy of the amended application.
Thank you

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

From: "Cox, Sharla" <Sharla.Cox@idwr.idaho.gov>
Sent: Oct 5, 2005 1:10 PM
To: "'garymulkey@peoplepc.com'" <garymulkey@peoplepc.com>
Subject: Acknowledgement Letter Williams Lake Recreational

Sharla

Sharla Cox
Idaho Dept of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161 - phone
208-525-7177 - fax
sharla.cox@idwr.idaho.gov

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