

October 3, 2005

Shelley W. Keen
Water Rights Supervisor
IDWR
322 East Front Street
Boise ID 83720-0098

Dear Shelley,

Thank you so much for sending me a copy of your letter to Leslie Shumate. It was heartening to read that the original agreement is still in effect. I was the owner of Williams Lake Resort when that agreement was reached and I remain concerned about its provisions with regard to the resort. While there has been no official statement from the resort's current owners regarding their right to water, the Williams Lake Water and Sewer Board seems to feel they have no obligation to provide water to the resort. The original agreement was deliberately specific in nature and fair to all parties concerned. I certainly concur with Leslie that a hearing should be conducted by IDWR before a change of status for the Williams Lake Water and Sewer District is decided. There indeed are numerous issues that must be fully explored before any informed decision could possibly be reached.

In your letter to Leslie you state “. . . municipal would not increase the volume, but would provide the district some flexibility in how that volume of water is used.” I would seriously question if there is any room for flexibility within our system.

In late August of this year our water system experienced a failure. At that time of summer, fewer than half the homes at the lake were occupied and yet the District ran out of water in 24 hours. Considering the amount of water per house per day as required by law, and the amount of water storage required by law, and the fact that the resort is not on line – where is there any room for flexibility? Also, where did all that water go? Lawn watering?????

Another issue of concern to me is the Board's lack of “as-built” or repair manuals for our system. They have let both of those invaluable books disappear over the years. Nor does anyone seem inclined to learn about the system as long as they have water. Fortunately our system failures have been few because the watermaster has no choice but to contact the system's builder to either have him come make the repairs himself or direct the repair by phone.

Permit #75-7052 is indeed for the surface water system that was our only water source until 1995. It is a comforting thought to assume it is being used for irrigation. That system, however, was destroyed 10 years ago when the new system was built. I believe it was DEQ that wanted it destroyed so that there would be no chance of cross-contamination. The old system was piped into every building at the lake and, of course, all outdoor water came off the respective buildings.

The old pump house still stands and is used for storage. The floating platform with its tower that supported the pumps is gone. The pumps and wiring are gone as well. I am not sure if electrical service to the pump house is gone, but I believe the meter was moved onto the new system. These facts can be confirmed with Jim Kingston who built the new system and demolished the old one – (360)652-6814 – or with Harold Sisco who was the District chairman at the time – (208)376-3369.

It is true, however, that there are many lush lawns at the lake. We even have a District Board member who uses water to maintain his twelve horses and the last time we looked, the herd was not living indoors! In fairness, it is possible that homeowners have their own wells or have a pump in the lake. If they use the lake, they would be required to have individual water rights and you could easily check that “in house.” There would also be long runs of black pipe visible. None have been seen, however.

Leslie brought up the subject of speculation – particularly in light of a new flexibility for the Board if the change of status is granted. Gary Spackman specifically addressed this subject in the original decision. It did not sound like Leslie had sent you a copy of any of the ads, so I am sending you a hard copy of one ad via snail mail. The man who owns and listed this property is also a Williams Lake Water and Sewer District Board member. The ad was posted a full year prior to the sewer lottery and obviously prior to any District change in status. Does this not then fall into the realm of speculation when you advertise your property as ready to build with water and sewer in place when in reality it has neither? The fact that he has contributed to the decision of the Board to seek a change of status should also be a big consideration.

I do recognize that the District Board now faces the prospect of property owners, who have never before had water, lobbying for water in order to improve their properties. This was a subject of much discussion when the current system was approved and installed. But, as the original agreement pragmatically states, the only fair decision was to build the system to service the number of homes that existed prior to the end of the development period and to be funded by those properties that would be served. Thus, the size of the system – supply and distribution lines, pumps and storage – was determined by that number. Perhaps the only fair answer to this problem is for those who now want water to fund and build an auxiliary system. A change of status for the District Board will not solve their problem since our system really can't handle the changes they envision.

In my opinion, there is no finer water system in Idaho than ours. We fought long and hard for good water and we got it – plus the huge advantage of an almost trouble free, year round system. I hate to think of our right to that water being either abused or compromised- which I think is happening - and I would hope IDWR would feel the same way. I am also concerned with the threat to the resort and the downstream users that a new “flexibility” would pose.

I urge you to hold a hearing so that all parties involved with or concerned about this issue will have the right to present the facts and air their concerns. Thanks, Shelley!

Sincerely,

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cc: Steve Adams
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