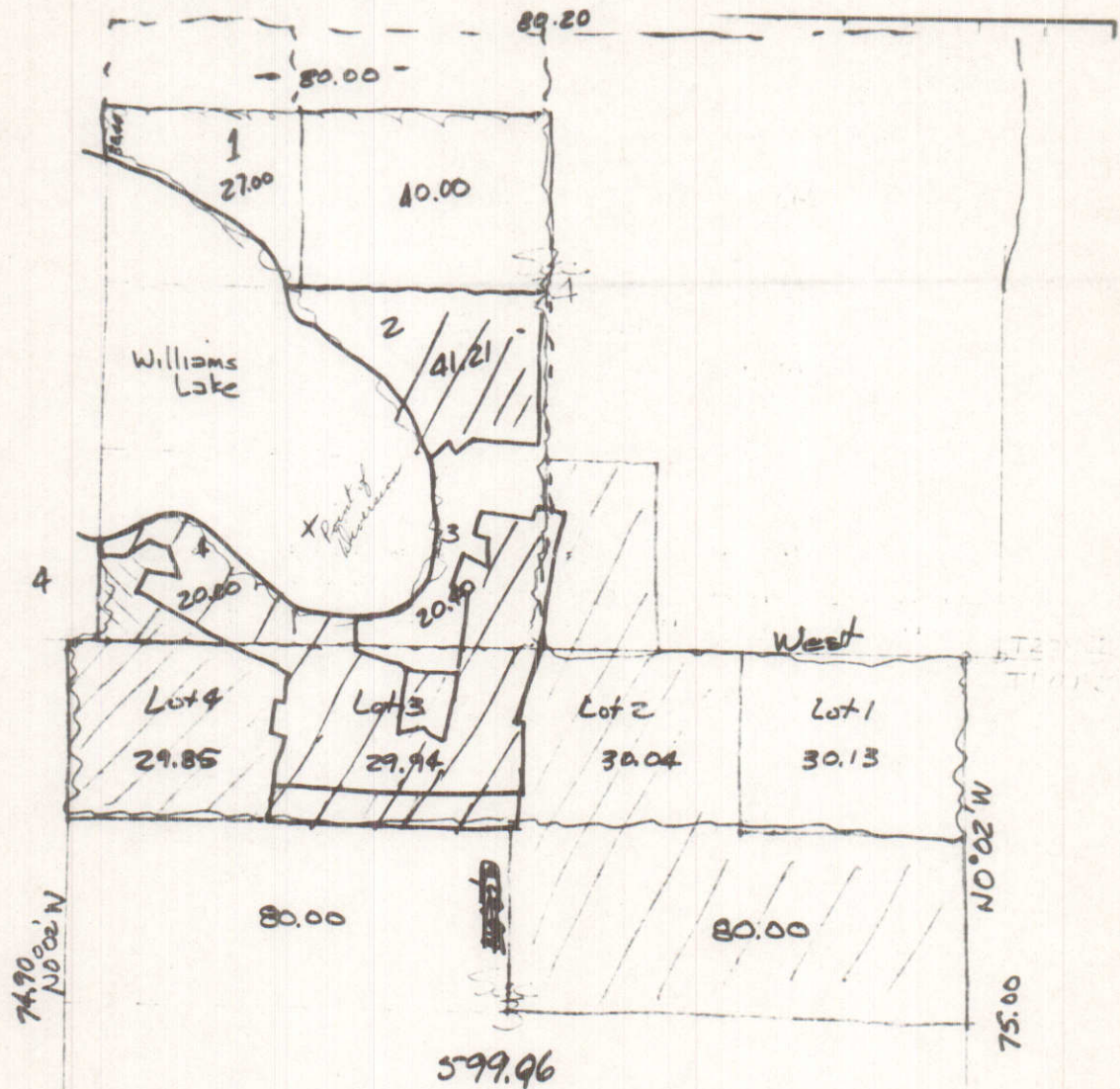


1) Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



75 7052

Williams Lake
Cedroseno

N 89° 40' W

Sec 34 & 3

By: _____
(Applicant) Chairman

75 7052

Proposed Priority 7-01-1976

Received by MB Date 5-16-74 Time 9:30 A
Preliminary check by MB Fee \$ 25.00
Received by MB Date 7-2-74 # 12941
Publication prepared by MB Date 7-3-74
Published in Record-Herald
Publication dates July 11-12, 1974
Publication approved MB Date 7-23-74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RDC DE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 75-7052, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1976.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

2. Denial of said application is for the following reasons: _____

Witness my hand this 2 day of August 19 74.

Director

RECEIVED

JUL 23 1974

Department of Water Resources
Eastern District Office

NOTICE OF APPLICATION FOR
WATER PERMIT

Notice is hereby given that Williams Lake Water and Sewer District Salmon, Idaho has on 7-2-74 submitted Application No. 75-7052 for a permit to appropriate 0.5 cubic feet per second of water from Williams Lake by means of pump and pipeline within Lot 3, Sec. 34, T. 20N. R. 21E. B. M. Lemhi County; to be used from Jan. 1 to Dec. 31 for domestic purposes for Williams Lake Water and Sewer District within Lots 2, 3, 4, S4NE4, Sec. 3, T. 19N, R. 21E; Lots 1, 2, 3, 4, SE4-NW4, Sec. 34, T. 20N, R. 21E, B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before July 20, 1974.

R. KETIE HIGGINS
Director

Published in The Recorder-Herald, Salmon, Idaho on July 11 and July 12, 1974.

7-11-21c

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

JERRY G. ROSIN

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Application for Water Permit #75-7052

printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated July 11, 1974 and ending with the issue dated July 18, 1974

Subscribed and sworn to before me, this eighteenth

day of July, 1974

Wend Armstrong

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 12.95

75 7052

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Williams Lake Water and Sewer District Salmon, Idaho has on 7-2-74 submitted Application No. 75-7052 for a permit to appropriate 0.5 cubic feet per second of water from Williams Lake by means of pump and pipeline within Lot 3, Sec. 34, T. 20N, R. 21E, S. M., Lemhi County; to be used from Jan. 1 to Dec. 31 for domestic purposes for Williams Lake Water and Sewer District within Lots 2, 3, 4, S $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 19N, R. 21E; Lots 1, 2, 3, 4, SE $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 34, T. 20N, R. 21E, S. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls Idaho, 83401 on or before July 29, 1974.

R. KETH HIGGINSON
Director

Published in The Recorder-Herald, Salmon, Idaho on July 11 and July 18, 1974.

7-11-31c

75 7052

Mr. James C. Herndon
Page 2
May 8, 1974

Please return these applications to this office for further processing with the statutory filing fees. A fee schedule is enclosed.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

C
NORMAN C. YOUNG
District Engineer

NCY:mb

O
Enc: Checks No. 92-289 (\$45.00)
Three Apps. for Permit
Fee Schedule

P

Y

75 7052

INTER-DEPARTMENT MEMO—1

RECEIVED
DATE 5/6/74

MAY 7 1974

Department of Water Administration
Eastern District Office

FROM Boise
TO Eastern District Office
SUBJECT Apps for Permit - Williams Lake Water & Sewer District

Herewith forwarding two applications as named above along with check No. 92-289 for \$20.00. Could not receipt here as the filing fee is insufficient.

75 7052

SIGNATURE

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 75-7052 IN THE NAME OF	)	ORDER OF REINSTATEMENT
	)	
WILLIAMS LAKE WATER &	)	
	)	
SEWER DISTRICT	)	
	)	

This matter having come before the Idaho Department of Water Resources (Department) the Department finds as follows:

FINDINGS OF FACT

1. On August 2, 1974, the Director of the Department of Water Resources issued Permit No. 75-7052 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before September 1, 1976.

2. On June 30, 1976, the Department sent a proof due notice to the permit holders.

3. On September 10, 1976, the Department sent a lapse notice to the permit holders since neither proof of beneficial use nor a request for extension of time had been received from the permit holders.

4. On March 23, 1990, Proof of Beneficial Use was received by the Department from the permit holders. The proof statement indicated that development under this permit was limited to domestic use for 66 households.

5. Section 42-218a, Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that

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JUN 28 1990

proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holders submitted evidence to confirm that water has been put to beneficial use. Evidence includes a water supply and system inspection report by the Idaho Department of Health and Welfare dated in 1977. This report states that the lake water supply system was first constructed in 1958. Also included is a water supply and sewer engineering study dated March, 1972, which describes the water supply and diversion system.

7. The permit holders have stated that proof was submitted late because they had believed that all of the permit requirements had been completed by past members of their organization. The current board members discovered the permit had lapsed while filing a claim in the Snake River Basin Adjudication.

CONCLUSIONS OF LAW

1. The permit holders have submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holders have shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

3. The permit can be reinstated, limited to the use shown by the proof statement, with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 75-7052 is reinstated and is limited to domestic use of 66 households.

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JUN 28 1990

IT IS FURTHER ORDERED that the date of priority of this permit is
advanced to March 23, 1990.

Dated this 4th day of June, 1990.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

RECORDED

JUN 28 1990

Applicant No. _____

APPROVED

- 75 2052

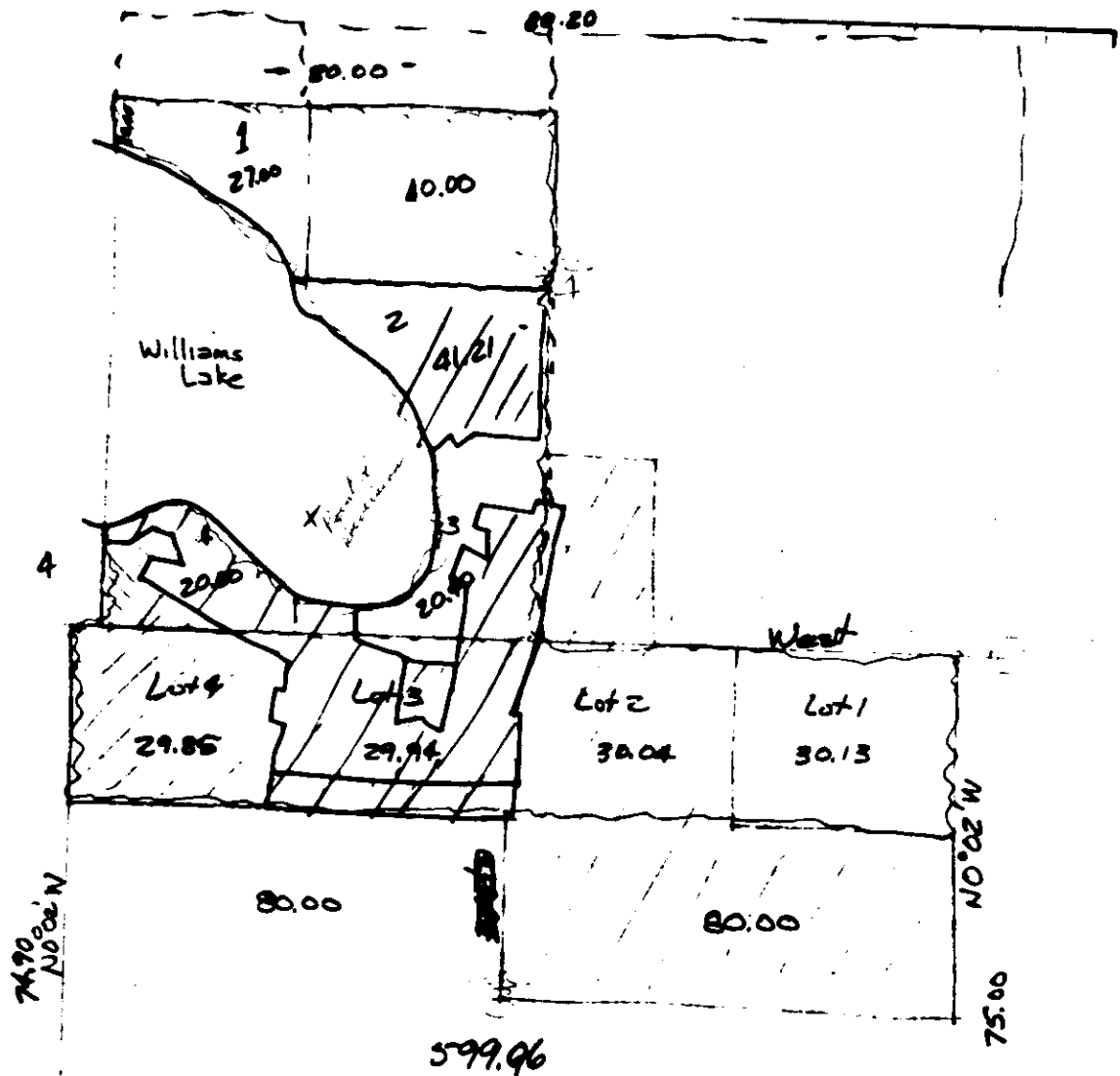
b. Is water for irrigation available storage in each sub-div. on the tabulation below

Total number of acres to be irrigated... ..

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion State of Idaho
b. Who owns the land to be irrigated or place of use See remarks
c. If this property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing See remarks
10. Remarks The domestic waters are for the Williams Lake Subdivision. Waters are being appropriated by the Williams Lake Water and Sewer District which was formed with accordance with the Idaho statutes for this express purpose. The District will be the owner of the use of the waters and will provide it to persons within the district. It has been pointed out by the District Engineer that the amount of water sought to be diverted is a small amount in relation to the total possible users. The amount of water which we requested be appropriated by the District is based on the estimates of the engineering firm of Newton, Shafer and Johnston. The estimate is low due to the fact that the type of dwellings are recreational only and the District does not expect or anticipate 100% density. The estimated growth is not to exceed 10% per year. These figures are comparable to estimates obtained from Perm-Phillip Lands, Inc. from its various subdivisions throughout the west and from Omnimetrix Corporation, a professional recreation planning group.

11. Map of proposed project show clearly the proposed project area, section number, township and range number.



75 7052

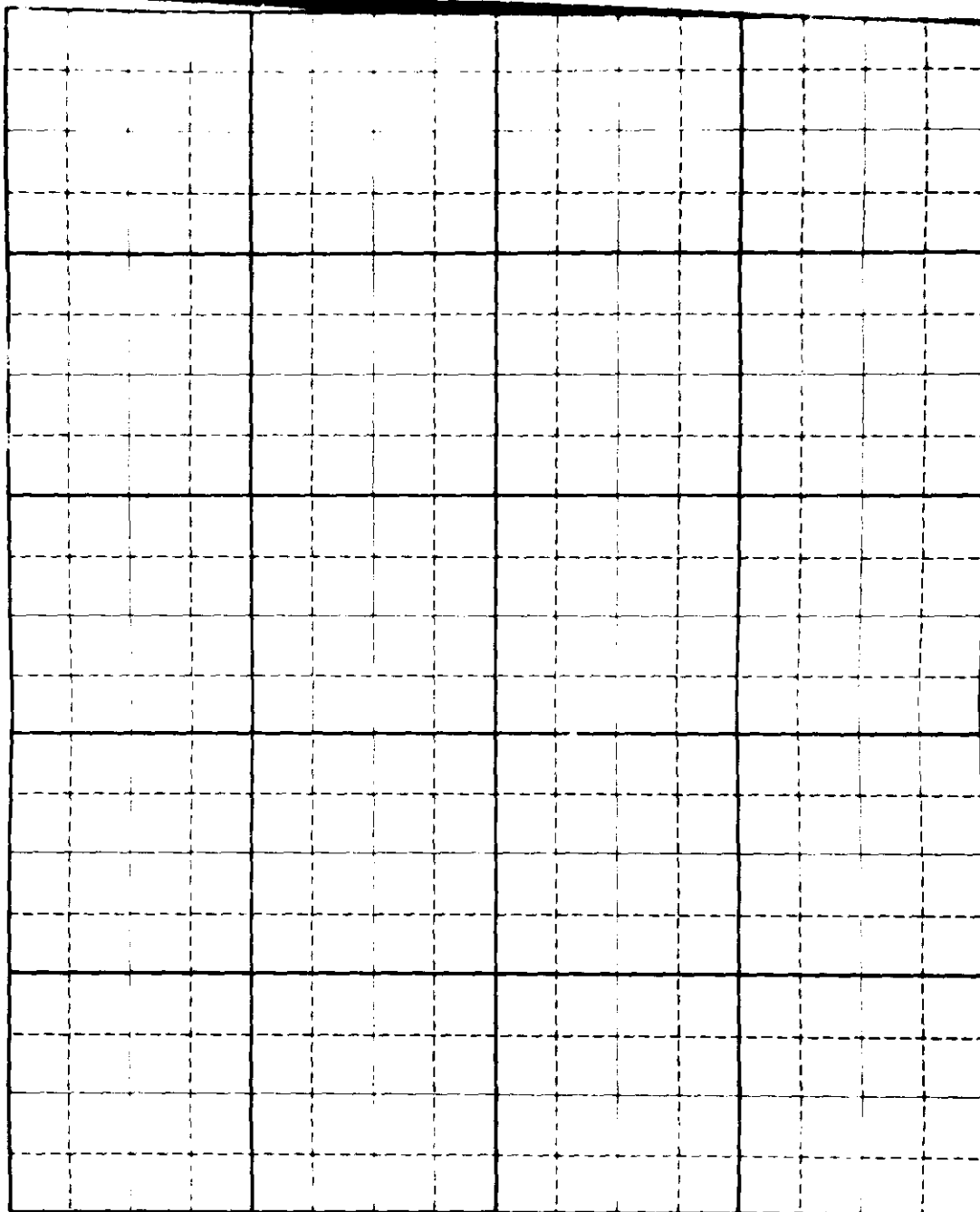
Williams Lake
Cedarsburg

N 89° 40' W

Sec 34 & 3

By: _____
(Applicant) Chairman

75 7052



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

WILLIAMS LAKE WATER AND SEWER DISTRICT
By: [Signature]
(Applicant) Chairman

25 7072

Permit Priority 1-21-1974

75 7112

Received by MB Date 7-2-74 Time 1:14
Preliminary check by MB Fee \$25.00
Received by MB Date 7-2-74 # 12941
Publication prepared by MB Date 7-3-74
Published in Kanby Herald
Publication dates July 11-12, 1974
Publication approved MB Date 7-3-74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by: _____

Hearing held by: _____ Date _____

Recommended for approval denial by RPC DF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 75-7052, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 76.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

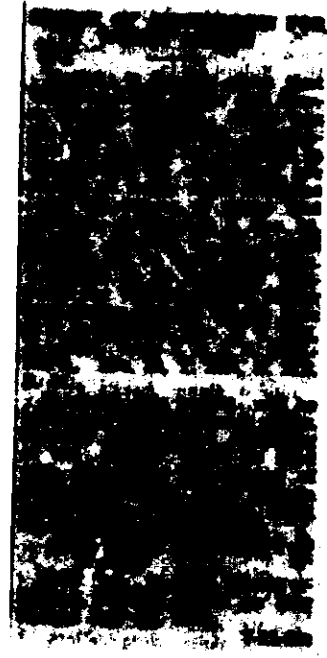
2. Denial of said application is for the following reasons: _____

Witness my hand this 2 day of August, 19 74.

R. K. Smith
Director

RECEIVED
JUL 23 1974

Department of Water Resources
Western District Office



Affidavit of Publication

STATE OF IDAHO }
County of Lemhi }

JERRY G. ROSIN

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Application for Water Permit #75-7052

a printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated July 11, 1974 and ending with the issue dated July 18, 1974

Jerry G. Rosin

Subscribed and sworn to before me, this eighteenth

day of July, 1974

Carl Armstrong
Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 12.95

75 7052



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 13, 1990

RE: Permit No. 75-7052

Williams Lake Water and Sewer District
P.O. Box 518
Salmon, ID 83467

Dear Permit Holder(s):

We acknowledge receipt of the statement of beneficial use and the supporting documentation for reinstating the above referenced permit. Before a license can be issued, a field examination will be made by a representative of this Department. Enclosed is an Order of Reinstatement. Please note that the priority date has been advanced to March 23, 1990.

If you have any questions regarding this matter, please contact this office or our Western Regional Office at 334-2190.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:js

Enclosure

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JUN 28 1990

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 09 1990

MAY 2 1990

PROOF OF BENEFICIAL USE

Department of Water Resources

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 75 7052 Telephone No. (208) 756-3660

Name(s) of Permit Holder(s): WILLIAMS LAKE WATER AND SEWER DISTRICT

Post Office Address: P.O. Box 518, Salmon, Idaho 83467

Source of Water: Williams Lake

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic 66* (No. of households) Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

*Attached exhibit: See Idaho Power usage from pump-December, 1988 through Nov. 1989. Additional power usage records may be furnished if desired. Records show peak flow in 1889 1.2 million gallons per month, or 40,000 gallons per day. Total rate and/or volume for which proof is submitted 1.0 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1963

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

Flow meters on pumps for measurement
OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Richard M. Young
Name

(208) 756-3660 or 756-3669
Telephone No.

P.O. Box 518, Salmon, Idaho 83647
Address

The above information is my true statement of the extent to which the above numbered permit has been used and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

JUN 28 1990

March 15, 1990
Date

Richard M. Young
Signature (and title if on behalf of a company or organization)

MILTON A. (JOCK) SLAVIN
ATTORNEY AT LAW

1016 MAIN ST., P.O. BOX 1103, SALMON, IDAHO 83467
208/756-2030

May 1, 1990

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MAY 09 1990

Department of Water Resources

Mr. Tim Luke
Idaho Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720

RE: Application for permit
Identification No. 75-7052
Williams Lake Water and Sewer District

Dear Mr. Luke:

This office represents Williams Lake Water and Sewer District. In accordance with the letter from Harold W. Jones of the Eastern Region in Idaho Falls, Idaho, we are sending to you all of the forms and correspondence with regard to reinstating the Application for Permit No. 75-7052.

In addition to the information sent previously to Mr. Jones, we are sending to you the following documents:

1. Evidence to confirm beneficial use prior to proof due date (Sept. 1, 1976).
2. Written statement from the Chairman of the Board of Directors of Williams Lake Water and Sewer District stating reasonable cause for filing a late proof of beneficial use.

Enclosed please find check #1386 in the sum of \$100.00 as being the amount required according to the license examination fee schedule, and a Proof of Beneficial Use executed March 15, 1990, along with a copy of the original Application for Permit.

If you should need any further information or have any questions, feel free to contact either myself at the above address, or Dr. Richard M. Young at P. O. Box 518, Salmon, Idaho 83467, telephone no. (208) 756-3660.

Very truly yours,

Milton A. Slavin
MILTON A. SLAVIN

MAS/rt
encl. Ck #1386
documents

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JUN 28 1990

EVIDENCE TO CONFIRM BENEFICIAL USE

PRIOR TO PROOF DUE DATE (Sept. 1976)

MICROFILMED

JUN 28 1990





STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

DIVISION OF ENVIRONMENT
636 Pershing
Pocatello, Idaho 83201

May 24, 1977

Mr. Van Whitehead, Attorney
P.O. Box 789
Salmon, Idaho 83467

Dear Mr. Whitehead:

Thank you for your time in discussing the Williams Lake Water System with me on **April 21, 1977**.

In our conversation it was apparent that the Williams Lake Water and Sewer District had taken positive action in **1972** towards providing residents of the lake with proper, well planned water and sewer systems. It is unfortunate that the developed comprehensive plan was not adopted and pursued through completion. If the Williams Lake area is to be developed properly, it is essential to establish and implement a plan such as was attempted in the "Williams Lake Engineering Study of Sewer and Water Systems," (March 1972).

The results of the inspection Walt Harris and I made of the system's distribution lines, pump station and reservoir revealed that this system is in poor condition and is inadequate. In listing the defects, I tried to be as thorough and specific as possible. The following are the inadequacies observed during this survey, with dates by which these defects are to be eliminated:

1. All water lines are to be buried below frost line, buried and insulated, OR buried, drained, and completely unused during winter months with pump removed.
2. The present method of disconnecting the system is unacceptable. more suitable method of protecting open ended pipe during draining periods must be devised and instituted. After drainage, pipes should be reconnected to prevent entrance of contaminants. The pump should be disconnected and removed to prevent unauthorized usage. Upon start-up of the system, the pipes are to be chlorinated in accordance with requirements for disinfecting newly laid water mains. (Compliance Date: Immediately).
3. The system is to be re-engineered and constructed so as to prevent any possibility of the pressure at any place in the system dropping below 20 psi.
4. The reservoir should be adequately designed to handle the largest instantaneous demand from the number of homes expected to be put on the system. The reservoir should never go dry.

JUN 28 1980

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Head, Attorney
Box 789
Idaho 83467
2412

IDAHO DEPARTMENT OF HEALTH & WELFARE
Environmental Services
Boise

In attendance:
Van Whitehead, Attorney
Walt Harris, District President
Gene Robertson, Board Member
Jim Johnson, Engineer

PRELIMINARY
REPORT OF WATER SUPPLY

Year 1977

Place Williams Lake County Lemhi Census Population _____

Ownership Williams Lake Water and Sewer District

Supply used by _____

(Information obtained from Walt Harris, Pres. of District) Services 55
11/23/77 H34KZCCEK

FIELD SURVEY DATA

DESCRIPTION OF SUPPLY: Give a brief description of the source and the main features of treatment, pumping equipment, storage available, adequacy of system, distribution or direct pumping, supervision of additions and extensions from a public health viewpoint, adequacy of pressures, separation between sewers and water mains, laboratory and related controls of quality. If supply is untreated or chlorinated only, describe protection against entrance of contamination. Attach additional sheets if necessary.

The Williams Lake water system was constructed approximately in 1958. At that time the area was platted for some 245 lots. At present there are 55 homes which are generally occupied each year from the first of May through September. In addition to private homes, a trailer court with 20 services, a restaurant, and a 20-25 room motel are also part of these water systems. For a description of the system, see the attached pages which were extracted from the "Williams Lake Engineering Study of Sewer and Water Systems," March 1972.

In this report they describe two water sources: A spring and the lake. According to Walt Harris, these are separated systems, but make up the Williams Lake Water System.

The spring intake was not visited during this inspection.

(Continued Attached Sheet)

PUBLIC HEALTH DEFECTS: Describe briefly the sanitary defects such as by-passes, cross connections, emergency intakes to unsafe supplies, inadequate protection against sources of pollution, inadequacy of treatment, defective structural features, possibility of flooding, deficient operating practices, inadequate sanitary control of additions or extensions to system, lack of proper plumbing regulations and enforcement, inadequate control of water in distribution system. Attach additional sheets if necessary.

- Water lines, valves and appurtenances are lying above ground and are exposed to vandalism, accidental damage, frost and unauthorized usage.
- The water system was left open-ended throughout the area, making the possibility of contamination enormous.
- The piping is undersized for the head losses it must overcome. Undersized pipe opens the possibility of low or negative pressures in the system, and consequently increases the potential for contamination.

(Continued Attached Sheet)

Engineer Dennis DeMuth Date of investigation April 21, 1977

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JUN 28 1990

LAW OFFICES OF
JAMES C. HERNDON
HERNDON HOTEL BLOCK
P. O. BOX 789
SALMON, IDAHO 83467

J. CHARLES HERNDON [1911-1986]

TELEPHONE 756-2412
AREA CODE 208

June 23, 1977

State of Idaho
Department of Health and Welfare
Division of Environment
636 Pershing
Pocatello, Idaho 83201

Attention: Dennis A. DeMuth

RE: Williams Lake Water and Sewer District

Dear Dennis:

We appreciate receiving your letter detailing the specific defects of the Williams Lake water system. A brief comment on the action that has been taken so far by the Williams Lake Water and Sewer Directors in regard to the items enumerated follows:

1. Since Williams Lake is only a seasonal resort, it has been decided that all the pipes at Williams Lake will be buried, drained and completely unused during the winter months, and the pump will be removed.

2. The Board has instituted a policy whereby the operation and maintenance man will drain all the pipes and reconnect the pipes in order to prevent the entrance on any contamination. The pump will be disconnected and removed to prevent any other unauthorized usage during the winter months and upon the start of the system, the pipes will be chlorinated in accordance with the requirements of disinfecting newly laid water mains.

This year when the system was started, the pipes were chlorinated in accordance with the requirements of laying paid water mains.

3. In order for a new system to be engineered and constructed, it will be necessary to pass a bond election and obtain the consent of all the people who own property at Williams Lake.

In regard to the 20 psi, it has been pointed out that two problems exist. One, inadequate storage tank, and two, the line is too small. There can be no action taken to change either without a bond election at Williams Lake. We hope to present such a bond to the people this summer and are hopeful that we will have positive results.

4. The reservoir will depend upon the passing of a bond election,

MICROFILMED

JUN 28 1990

LAW OFFICES OF
JAMES C. HERNDON
HERNDON HOTEL BLOCK
P. O. BOX 789
SALMON, IDAHO 83467

J. CHARLES HERNDON [1911-1986]

TELEPHONE 756-2412
AREA CODE 208

June 23, 1977

TO: WILLIAMS LAKE WATER & SEWER DIRECTORS

Re: Chlorinators

In regards to the chlorinator for the existing water system at Williams Lake, I called Stanley Postma of J.U.B. Engineers in Pocatello, Idaho for some information regarding suppliers of chlorinators. Mr. Postma referred me to four separate wholesalers. I have contacted three of them and have obtained the following information that may be of interest to you in making the decision as to how to provide a chlorinator.

1. The chlorinator will have to be housed in a building. It was suggested that the building be put somewhere between the pump house and the reservoir tank. I asked whether or not it could be put in the same building as the pump and they said that it could if the building was large enough.

2. A chlorinator will cost for the equipment alone \$2,000 to \$3,000. Labor and the cost of the building will be in addition to the above figure which should be considered in planning for the installation of the chlorinator.

3. Since we have to move the existing pump house above the water line, I would suggest that we use this as our opportunity to put in a permanent pump house large enough to take care of the needs of the pump and chlorinator.

4. I would also suggest that the board consider the feasibility of getting a chlorinator large enough that it can be used with the new system that is contemplated at Williams Lake. It would seem advisable to make a permanent installation of any equipment or development that is done.

MICROFILMED

JUN 28 1990

Williams Lake, Idaho, an engineering study of sewer and water systems,"
March, 1972.

EXISTING WATER SYSTEM

Supply: The existing water system is supplied from two sources: a spring located on the northwest shore of the Lake, and the deep Lake water itself.

The spring water is collected by means of an intake structure which is located approximately twenty-five feet above the surface elevation of the Lake. The water is then transported to the existing pump house by gravity through approximately 3,000 lineal feet of 1½-inch plastic polyethylene pipe which has been placed on the bottom of the Lake. Unsanitary conditions exist at and around the present spring intake structure. The intake is not collecting all the spring water that is available. The plastic pipe appears to be in good condition and carries approximately 6 to 8 gallons per minute (GPM) to the existing pump house.

The deep lake water is supplied by a five horsepower submersible pump. The pump is presently anchored 110 feet below the water surface. The pump is capable of delivering approximately 70 GPM to two galvanized steel holding tanks.

Pressure Facilities: Under normal operations, a 15 to 20 GPM, 5-horsepower piston pump, pumps water from the holding tanks to a high-level storage tank. The water level in the storage tank controls the operation of this pump. The holding tanks are inadequate, and unsanitary conditions do exist.

JUN 28 1990

For winter operation, a small booster pump and a 100-gallon pressure tank supply water to some winter residences. The booster pump operates directly from the lake and delivers about 7 GPM. The operation of this pump is controlled by the pressure tank.

DAWSON, NAGEL, SHERMAN & HOWARD

ATTORNEYS AT LAW

2900 FIRST OF DENVER PLAZA
833 SEVENTEENTH STREET
DENVER, COLORADO 80202
TELEX: 454368
303 893-2900

September 10, 1976

CLYDE C. DAWSON
AMUEL S. SHERMAN, JR.
NATON S. HOWARD
JBERT M. JOHNSON
ARTHUR K. UNDERWOOD, JR.
JOHN W. LOW
THOMAS B. FAXON
HUGH A. BURNS
RAYMOND J. TURNER
GARTH C. GRISSOM
WILLIAM P. CANTWELL
DONALD W. ROE
MICHAEL D. GROSHK
WILLIAM F. SCHOEBERLEIN
MICHAEL A. WILLIAMS
ARTHUR J. SEIFERT
JAMES B. DALEY
LARRY M. BAKER
CHARLES EDWARD PALMER

JAMES E. HAUZINGER
DON H. SHERWOOD
HOWARD B. SWEIG
W. DAVID PANTLE
JAMES L. CUNNINGHAM
WILLIAM S. HERSHBERGER
MICHAEL L. CHEROUTES
DOUGLAS M. CAIN
DUANE F. WURZER
DAVID R. JOHNSON
GARY L. GREER
STEPHEN M. BRETT
CONSTANCE L. HAUVER
CHAPMAN B. COX
E. LEE DALE
CHRISTOPHER LANE
PAUL J. SCHLAUCH
KURT A. KAUFMANN

CRAIG A. CHRISTENSEN
R. MICHAEL SANCHEZ
THEODORE E. WORCESTER
ANDREW L. BLAIR, JR.
RODNEY D. KNUTSON
STEPHEN P. KREGSTEIN
HAL B. TUDOR
JACK M. MERRITS
H. CLAY WHITLOW
WILLIAM R. MARSH
DUNCAN A. CAMPBELL III
CHARLES W. NEWCOM
SUSAN D. PROCTOR
LARRY R. MARTINEZ
WILLIAM E. WALTERS, III
MARK L. FULFORD
JAMES F. WOOD
L. BRUCE NELSON
BARBARA J. KELLEY
KENNETH B. SIEGEL
DEAN W. GROWELL
DOUGLAS W. FIF
DAVID THOMAS III
CYNTHIA C. BENSON
JAMES E. LOVETT
BETTY CARTER ARKELL
STUART H. PACK
FRANCIS J. BURKE, JR.
CASSANDRA S. GARDNER
ROBERT P. MITCHELL

FRITZ A. NAGEL
COUNCIL

Van Whitehead, Esq.
Herndon Hotel Block
P. O. Box 789
Salmon, Idaho 83467

Dear Mr. Whitehead:

Williams Lake Water and Sewer District
Lemhi County, Idaho

This letter is intended to respond to your request made during our telephone conversation of September 7, 1976. You requested that I explain the alternatives available to the above-captioned District for constructing a water and sewer system within said District.

First, I would like to set out the present situation in the District. It has been legally and validly created. At a bond election held in the District on ~~August~~ **20, 1974**, the electors of the District authorized the issuance of \$240,000 of general obligation water bonds, but defeated a bond question which would have authorized the issuance of \$510,000 of general obligation sewer bonds. Further, the District has had the election on the general obligation water bond question approved by the District Court. The District still desires to construct both a water system and a sewer system to be financed through bond issues, which bonds will be purchased by the Farmers Home Administration (FmHA).

In order to more clearly understand the District's present position, it is necessary to understand the scope of the water and sewer system that is envisioned. Because of limitations in the FmHA regulations, they are prohibited from being involved in the financing of a system which serves vacant lots unless the owners of such lots are willing to put

RECEIVED
JUN 28 1990

JAMES C. HERNDON

LAW OFFICES OF
HERNDON HOTEL BLOCK
P. O. BOX 789
SALMON, IDAHO 83467
(208) 756-2412

J. CHARLES HERNDON
(1911-1966)

July 8, 1976

To:
Directors of Williams Lake Water and Sewer District:
Mr. and Mrs. Richard J. Greene
Mr. Thomas H. Mifflin
Mr. Walter Harris
Mr. Melvin M. Melton

Gentlemen:

The District Court approved our election. This information has been conveyed to bonding counsel. We should hear from them this week.

I have talked to Randall Johnson and also Willard Stevenson of the Farmers Home Administration. Our funds are still in tact. However, the regulations of the Farmers Home Administration have changed, and we should meet and discuss the matter with the engineer and start work toward getting bids out for our water system. One of the pertinent changes in the regulations is as follows:

"The vacant lots will not be served unless monies are escrowed for the lots proportionate share of the cost and a bond put up which will insure that the lot owner will become a regular user of the system within four years."

This language, or language similar, is an addition to the former regulation.

Very truly yours,

James C. Herndon
JAMES C. HERNDON

JCH/rt

JUN 28 1990

C
O
P
Y

LAW OFFICES OF
JAMES C. HERNDON
HERNDON HOTEL BLOCK
P. O. BOX 789
SALMON, IDAHO 83467

J. CHARLES HERNDON [911-1966]

TELEPHONE 756-2412
AREA CODE 208

May 27, 1977

TO:
Directors of Williams Lake
Water and Sewer District

Gentlemen:

Enclosed please find a copy of Dennis A. DeMuth's report on the Williams Lake water supply system. Please take note of the necessary changes that are to be made to the system and the corresponding completion date requirements.

It is my suggestion that we take immediate action in the form of assigning various tasks that need to be accomplished to directors or various contractors. This can be taken care of at our next board meeting. You should be thinking of ways in which we can solve the existing problems.

Sincerely yours,

L. Van Whitehead

L. VAN WHITEHEAD

LVW/rt

enc..

MICROFILMED

JUN 28 1990

QUITCLAIM AND BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, That on this 28th day of October, 1976, JOSEPH L. BURDEN, of Newport Beach, County of Orange, State of California, the party of the first part, for and in consideration of the sum of TEN DOLLARS, lawful money of the United States of America, to him in hand paid by WILLIAMS LAKE WATER AND SEWER DISTRICT, an Idaho corporation, of Salmon, County of Lemhi, State of Idaho, the party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM WITHOUT WARRANTY unto the said party of the second part, and to its heirs and assigns all that certain personal property situate in the County of Lemhi, State of Idaho, described as follows, to-wit:

All pumps and pipes, mains and laterals, shutoff, stop and waste valves, and all miscellaneous apparatus and equipment appurtenant to or used in connection with Williams Lake Water Company situated at Williams Lake, Lemhi County, Idaho.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said personalty, together with the appurtenances, unto the party of the second part, and to its heirs and assigns forever.

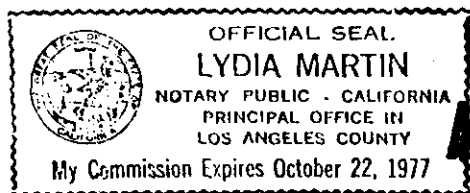
IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

Joseph L. Burden

STATE OF CALIFORNIA)
 : ss.
County of Orange)

On this 28th day of October, 1976, before me, the undersigned, a notary public in and for said State, personally appeared JOSEPH L. BURDEN, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Lydia Martin
Notary Public for State of California
Residing at Los Angeles County
Comm. expires: Oct 22, 1977

MICROFILMED

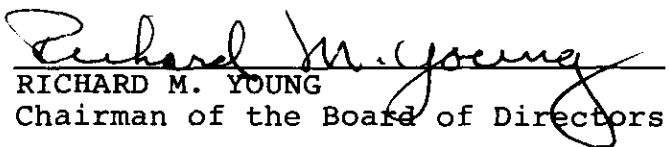
JUN 28 1990

May 1, 1990
STATEMENT OF REASONABLE CAUSE FOR
FILING LATE PROOF OF BENEFICIAL USE

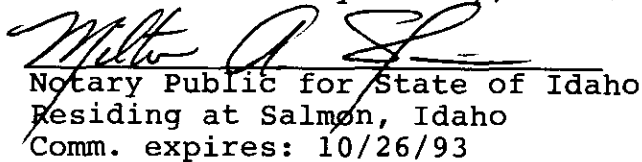
The members of the Board of Directors of Williams Lake Water and Sewer District are serving because they believed that this water right had all been taken care of by past boards. I inquired at the Department of Water Resources in Idaho Falls, Idaho in March to check the necessity of our filing again with regards to the Snake River Adjudication. When our records were read, we discovered that an application had been granted for the Williams Lake Water District, but had lapsed.

It was the personnel in the Idaho Falls office that advised that we should apply for reinstatement of the application. So, if ignorance is a good excuse, we have a good excuse.

There are no members of the original board on the Board of Directors at the present time.


RICHARD M. YOUNG
Chairman of the Board of Directors

SUBSCRIBED AND SWORN To before me this 5th day of May, 1990.


Notary Public for State of Idaho
Residing at Salmon, Idaho
Comm. expires: 10/26/93

MICROFILMED

JUN 28 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

26-Mar-1990

Milton Slavin
P.O. Box 1103
Salmon, ID 83467

Dear Mr. Slavin:

Enclosed is the Proof of Beneficial Use form for lapsed permit 75-7052 and check #1386 for \$100. To have a lapsed permit considered for reinstatement the applicant must show:

1. Evidence to confirm beneficial use prior to proof due date (Sept. 1, 1976).
2. A written statement which provides reasonable cause for filing a late proof of beneficial use.
3. Proof of Beneficial use forms and exam fee.

As I review the documents submitted items 1 & 2 are either incomplete or lacking. The complete package should be submitted directly to Tim Luke at our Boise office for consideration. That address is 1301 N. Orchard Street, Statehouse Mail, Boise, ID 83720.

Sincerely,

Harold W. Jones

enc
HWJ/rb

MICROFILMED

JUN 28 1990

MILTON A. (JOCK) SLAVIN

ATTORNEY AT LAW

1016 MAIN ST., P.O. BOX 1103, SALMON, IDAHO 83467

208/756-2030

March 22, 1990

RECEIVED

MAR 26 1990

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401

RE: Application for permit
Identification No. 75-7052
Williams Lake Water and Sewer District

Dear Sir:

This office represents Williams Lake Water and Sewer District.

Dr. Richard M. Young, Chairman of the Board of Directors, on behalf of Williams Lake Water and Sewer District, is hereby submitting a Proof of Beneficial Use in order to re-instate the Application for Permit No. 75-7052 for the water consumed by the residents at Williams Lake, Lemhi County, Idaho and administered by the Williams Lake Water and Sewer District.

Enclosed please find check #1386 in the sum of \$100.00 as being the amount required according to the license examination fee schedule, and a Proof of Beneficial Use executed March 15, 1990, along with a copy of the original Application for Permit.

If you should need any further information or have any questions, feel free to contact either myself at the above address, or Dr. Richard M. Young at P. O. Box 518, Salmon, Idaho 83467, telephone no. (208) 756-3660.

Very truly yours,



MILTON A. SLAVIN

MAS/rt
encl. Ck #1386
cc. Richard M. Young

MICROFILMED

JUN 28 1990

Williams Lake Water District

Idaho Power Charges November 1988 through December 1989

Service Period	Kilowatt Hours	Amount	Process Charge
9/23/88 - 10/25/88	1013	49.92	
10/25/88 - 11/04/88	297	14.64	
11/04/88 - 4/21/89 (off)			
4/21/89 - 4/21/89	0	1.00	10.00
4/24/89 - 5/23/89	683	35.51	
5/23/89 - 6/22/89	1570	81.63	
6/22/89 - 7/24/89	3710	192.90	
7/24/89 - 8/23/89	3563	185.25	
8/23/89 - 9/22/89	1972	102.53	
9/22/89 - 10/24/89	1478	76.85	
10/24/89 - 11/08/89	646	33.59	

From Maria Roudsaw

Peak Flo. 1989

1.2 million gal./mo

40,000 gal./day

MICROFILMED

JUN 28 1990

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.
Ninety days following the date of official action this file will be destroyed.



Carl D. Anderson
Governor

R. Keith Higginson
Director

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 384-2215

September 10, 1976

Re: Permit No's. 75-7052 & 75-7053

Williams Lake Water & Sewer District
c/o Williams Lake
Salmon, Idaho 83467

Gentlemen:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No's. 75-7052 and 75-7053 have lapsed.

You are further advised that the Department cannot reinstate the permits except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:jfr



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Carl D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

June 30, 1976

CERTIFIED MAIL

138791

Re: Permit No. 75-7052 & 75-7053

Williams Lake Water & Sewer District
c/o Williams Lake
Salmon, Idaho 83467

Gentlemen:

One of the conditions of approval of your water Permit No. 75-7053 & 75-7052 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before September 1, 1976. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

R. KEITH HIGGINSON
Director

cc: [illegible]

cc: [illegible] (2)

August 8, 1974

Re: Permit No. 75-7052

Williams Lake Water and
Sewer District
Salmon, Idaho 83467

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 75-7052. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEMING
Assistant Director

BEF/bjg

Enclosures

75 7052

RECEIVED

JUL 15 1974

Department of Water Resources
Eastern District Office

11 July 1974

Mr. James C. Herndon
Herndon & Slavin
P.O. Box 789
Salmon, ID 83467

Re: Williams Lake Water & Sewage District

Dear Mr. Herndon:

The State will require both an encroachment permit and an easement for occupancy of the bed of Williams Lake. Enclosed are a set of the recently adopted rules for regulation of lakes and streams by the Department of Lands, and an application form for an encroachment permit.

Plan and profile drawings of your proposed intake in quadruplicate will be required for the easement and encroachment permit. A centerline description of the intake line showing a bearing and the length of encroachment beyond the natural or ordinary high water line must also be submitted. The landward end of the centerline must be referenced by bearing and distance to the nearest section corner or $\frac{1}{4}$ corner. We suggest that you have the landowners adjacent to your pipeline route at the lakeshore sign the waiver on the bottom of the application.

The required fees are as follows:

Permit Application Fee	\$ 25.00
Easement Application Fee	10.00
Easement	100.00
Advertising Deposit	25.00
TOTAL:	\$160.00

The unused portion of the advertising fee will be refunded.

Very truly yours,

FOR THE DIRECTOR

William A. Schinner
WILLIAM A. SCHINNER
Division Chief -
Recreation & Watersheds.

WAS:sm
enc.

cc: Eastern Lake Area
Lands Division, Water Resources

75 7052

July 8, 1974

Re: Application for Permit No. 75-7052

Mr. Low Benedict
Dept. of Public Lands
P.O. Box 400
Idaho Falls, ID 83401

Dear Mr. Benedict:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible. The last date of protest is July 29, 1974, and we are required to take final action shortly thereafter.

If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCT:JRB

Enclosure

75 7052

RE: Application for Permit No. 73-7032 - Williams Lake Water
" " " " No. 73-7033 - " " "

Cont Jansen:

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

Very truly yours,

Bill submitted 7-23-74 by CB

75 7052

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Williams Lake Water and Sewer District
Salmon, Idaho

has on 7-2-74 submitted Application No. 75-7052
for a permit to appropriate 0.5 cubic feet per second ~~for irrigation purposes~~
of water from Williams Lake
by means of pump and pipeline
within ~~the~~ Lot 3, Sec. 34, T. 20N, R. 21E, B.M., Lemhi County;

to be used from Jan. 1 to Dec. 31
for domestic purposes for Williams Lake Water and Sewer District
within ~~the~~ Lots 2, 3, 4, Sec. 3, T. 19N, R. 21E; Lots 1, 2, 3, 4, Sec. 34, T. 20N, R. 21E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
July 29, 1974.

R. KEITH HIGGINSON
Director

Published in the Recorder-Herald, Salmon, Idaho
on July 11 and July 18, 1974

75 7052

167
167
167

July 2, 1974

Re: Applications for Permit No. 75-7052 & 75-7053

Mr. James C. Herndon
Attorney at Law
P.O. Box 789
Selma, ID 83467

Dear Mr. Herndon:

Attached herewith is departmental receipt No. 12941 in the amount of \$35.00 for the Applications for Permits which you submitted on behalf of Williams Lake Water and Sewer District.

Very truly yours,

ROY H. JOHNSON
Water Resource Supervisor

LHJ:OB

Attachment

75 7052

LAW OFFICES OF
HERNDON & SLAVIN
HERNDON HOTEL BLOCK
P. O. BOX 789
SALMON, IDAHO 83467

JAMES C. HERNDON
MILTON A. SLAVIN

TELEPHONE 728-2002
AREA CODE 208
J. CHARLES HERNDON 570-1000

June 28, 1974

RECEIVED

JUL 1 1974

Department of Water Administration
Eastern District Office

State of Idaho
Department of Water Administration
Eastern District Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Attention: Norman C. Young

Dear Norm:

In accordance with your instructions in your letter of June 21, 1974, we are again returning the Application for Permits for Williams Lake Water and Sewer District. We have made the corrections, and are enclosing a check in the amount of \$35.00.

Very truly yours,

James C. Herndon
JAMES C. HERNDON

JCH/rt

enc.

15 7083

June 21, 1974

Mr. James C. Herndon
Attorney at Law
P.O. Box 789
Salmon, ID 83467

Dear Jim:

We again find it necessary to return the two applications for permits submitted on behalf of Wm. Lake Water & Sewer District and the application filed for Kathleen Kelly, because the appropriate filing fees have not been submitted. We are also returning your checks #92-289 in the amounts of \$20.00 and \$25.00. The required filing fee for 1.6 cfs for Kathleen Kelly's is \$35.00. The filing fee of the Wm. Lake application describing the lake as the source is \$25.00 and the one describing the spring as the source is \$20.00 for the rates of diversion requested.

The plat of Item 11 on the Kathleen Kelly application does not exactly agree with Item 8b. Please make the necessary changes to this map before returning it.

The plat of Item 11 on the Wm. Lake Application with the spring as the source should be clarified to clearly show the point of diversion and the place of use. It is possible that I am not understanding the scale of this plat.

It would appear to me to be more appropriate to describe the point of diversion on the application describing Wm. Lake as its source as Lot 3 rather than the SW1/4. I have outlined in red the place of use as I understand it on the plat of Item 11. You may wish to check this for correctness.

Please return the applications with the appropriate filing fees at your earliest convenience.

Very truly yours,

RODMAN C. YOUNG
District Engineer

RCY:mb

Enc: Checks No. 92-289 (2)
Appo. for Permit (3)

75 7052

LAW OFFICES OF
HERNDON & SLAVIN
HERNDON HOTEL BLOCK
P. O. BOX 789
SALMON, IDAHO 83447

JAMES C. HERNDON
MILTON A. SLAVIN

TELEPHONE 766-6412
AREA CODE 208
J. CHARLES HERNDON (1901-1988)

June 19, 1974

JUN 21 1974

Department of Water Administration
Eastern District Office

State of Idaho
Department of Water Administration
Eastern District Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Attention: Norman C. Young

Dear Norm:

In accordance with your instructions, we are returning
Williams Lake Water and Sewer District's application
for permit with the corrections made.

Very truly yours,

JCH
JAMES C. HERNDON

JCH/rt

enc.

75 7052

LAW OFFICES OF
JAMES C. HERNDON
HERNDON HOTEL BLOCK
P O BOX 788
SALMON, IDAHO 83467

J. CHARLES HERNDON (911-1000)

TELEPHONE 788-2441
AREA CODE 208

May 20, 1974

RECEIVED

MAY 21 1974

Department of Water Administration
Eastern District Office

State of Idaho
Department of Water Administration
Eastern District Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Attention: Mr. Norman C. Young
District Engineer

Dear Norm:

Williams Lake Water & Sewer District

Thank you for your letter of May 16, 1974. We will contact Mr. Lew Benedict and make the necessary application for a permit.

Very truly yours,

James C. Herndon
JAMES C. HERNDON

JCH:kd

75 7052

May 16, 1974

Mr. James C. Harnden
Attorney at Law
Harnden Hotel Block
Salmon, Idaho 83467

Dear Jim:

We are in receipt of your letters of May 13, 1974, concerning the Williams Lake Water and Sewer District application and the Kathleen Kelly application.

It will be necessary for the Williams Lake Water & Sewer District to obtain an easement or special use permit from the State of Idaho, Department of Public Lands for the point of diversion; if, in fact, it is located on state land. The issuance of a water right permit does not convey any right-of-way or easement. It merely allows the permit holder to divert the states water. I would suggest that you contact Mr. Lew Benedict, District Supervisor, at the Idaho Department of Public Lands, P.O. Box 400, Beeches Corner, Idaho Falls, Idaho, 83401, for details on how to apply for a permit, if you find that it is necessary.

Your explanation of the necessity for the higher than normal diversion rate for the Kelly property would appear to be adequate justification. Because of the location and the known history of the area, I would agree that it is not necessary to obtain soil samples to justify the request. I would expect that the application could be approved for the higher rate in this case.

I hope that these explanations are sufficient to answer your questions and we will be happy to continue processing the applications when you return them to this office.

Very truly yours,

ROBERT C. YOUNG
District Engineer

RCY:ub

MAY 13 1974

LAW OFFICES OF
HERNDON AND SLAY
HERNDON HOTEL BLOCK
SALMON, IDAHO 83467

TELEPHONE 788-8482
AREA CODE 208

May 13, 1974

State of Idaho
Department of Water Administration
Eastern District Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Attention: Norman C. Young
District Engineer

RE: Williams Lake Water and Sewer District
Application for Permit

Dear Norm:

In your third paragraph of your letter of May 8, 1974, you state that it is necessary for us to show evidence of possessory interest in state lands before our application can be approved. The application for the water from Williams Lake show the State of Idaho as owner of the ground. Actually the point of diversion is submerged within the lake and I surmise that based upon basic water doctrine, the bottom of the lake is owned by the State of Idaho due to the fact that the lake is navigable. However, I am not familiar with a permit nor other type of evidence for the State of Idaho which can grant to show that the Williams Lake Water and Sewer District has a possessor interest at the bottom of the lake. I thought that the purpose of the application for a permit was to obtain permission for the point of diversion and for the amount of water to be diverted. If you have some form in mind, please let me know.

Very truly yours,

James C. Herndon RT
JAMES C. HERNDON

JCH/rt

75 7052

May 8, 1974

Mr. James C. Herndon
Attorney at Law
Herndon Hotel Block
P.O. Box 789
Salmon, Idaho 83467

Dear Jim:

The applications for permits that you submitted on behalf of Williams Lake Water & Sewer District and Kathleen Kelly have been forwarded to this office for processing.

In our preliminary review of these applications, we note that the filing fees do not meet those required by the statutes. We are, therefore, returning the applications with your checks No. 92-289 totaling \$45.00. We have the following comments concerning the applications.

The rates of diversion requested for the two Williams Lake applications appear to be very small for the number of people indicated. You may wish to review these diversion rates. The place of use as listed in Item 8a(1) has not been shown on the plat of Item 11 for the point of diversion for use of the spring. For the application which is being diverted out of Williams Lake, the place of use as shown on the plat does not agree with Item 8a(1). If, in fact, the location of the point of diversion is on Forest Service or State of Idaho property, it will be necessary for you to show evidence of possessory interest before the applications can be approved. Also, please indicate the title of the gentlemen who signed these applications.

On the Kelly application, the location of the point of diversion as listed in Item 3a does not agree with the plat as shown in Item 11 and the place of use does not agree either, unless the scale is expanded. However, this cannot be determined from the plat. Also, the rate of diversion requested exceeds the 0.02 c.f.s. per acre limitation of Section 42-204, Idaho Code. Unless the applicant provides justification for the greater than usual diversion rate as required, the Department will reduce the amount upon approval of the permit to 0.68 c.f.s. The Department considers adequate justification for a higher than usual diversion rate to be a statement from the SCS or other soil experts indicating that a higher rate is required because of unusual soil or irrigation systems. This statement should provide information as to the specific amount required for this particular use.

John C. Hadden
June 1
1974

Please return these applications to this office for further processing with the statutory filing fees. A fee schedule is enclosed.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

C
JOHN C. YOUNG
District Engineer

HCY:mb

Enc: Checks No. 92-289 (\$45.00)
Three Apps. for Permit
Fee Schedule

P
Y

LAW OFFICES OF
JAMES C. HERNDON
HERNDON HOTEL BLOCK
P. O. BOX 788
SALMON, IDAHO 83467

J. CHARLES HERNDON (201-1999)

May 2, 1974

RECEIVED

MAY 6 1974

TELEPHONE 788-8088
AREA CODE 800

RECEIVED

MAY 7 1974

Department of Water Administration
Eastern District Office

Idaho Department of Reclamation
Statehouse Annex 2,
Boise, Idaho 83707

RE: Williams Lake Water and Sewer District

Gentlemen:

Enclosed please find two Application for Permit of water
for Williams Lake Water and Sewer District. Also enclosed
please find our check in the amount of \$10.00 per permit
or a total of \$20.00 to cover filing costs.

Very truly yours,



JAMES C. HERNDON

JCH/rt

enc. Ck # 210

75 7052

INTER-DEPARTMENTAL MEMO

RECEIVED

MAY 7 1956

Department of Water Administration
Eastern District Office

FROM **Reine**
TO **Eastern District Office**
SUBJECT **Apps for Permit - Williams Lake Water & Sewer District**

Herewith forwarding two applications as named above along with check No. 22-222 for \$25.00. Could not receipt here as the filing fee is insufficient.

75 7052

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	1107	6/24/79	Application No. <u>WILLIAMS LAKE</u>
(2)			☒ Source <u>(Lake)</u> ☒ Point of Diversion <u>should be 23 on SE 1/4 10 1/2</u> ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature <u>For 25 April - 20 rec'd for this</u> <u>application and another</u> <u>in form to receipt No</u>
(3)	"	"	Send Copies to: ☒ Idaho State Health Department <u>when completed</u> ☒ Idaho Fish and Game Department ☒ Bureau of Land Management ☒ Idaho Dept of Public Lands ☒ Request Special Use Permit from U.S.F.S. ☒ Request Easement from B.L.M. ☒ Request Information from Applicant <u>Return for po.</u>
(4)	"	"	
(5)	"	"	In form for advertising <u>No</u>
(6)	"	"	Located within Water District No. <u>NDA 2</u>
(7)	"	"	Critical groundwater area: yes <u>no</u> <u>NA</u>
(8)	"	"	Groundwater levels: <u>Decline (comment)</u> <u>Stable (comment)</u> <u>N.A.</u> <u>Increasing (comment)</u>
(9)	"	"	Comments: _____
(10)	"	"	Affidavit of Publication received (date) _____
(11)	"	"	Final date for protests _____ Protests received: yes _____ no _____
(12)	"	"	Date and Place of hearing _____ Decision reached at hearing _____
(13)	"	"	All requested information received from agencies or applicant yes _____ no _____
(14)	"	"	Action recommended: <u>Approve</u> Priority _____ <u>Deny</u> Reason for Rejection _____ <u>Measuring device required</u> <u>See attached sheet for additional conditions of approval</u> <u>No additional conditions for approval</u>
(15)	District	By	Date

RECEIVED
JUL 30 1979
Idaho Department of Water Resources

15 7052

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Reg. Initial Date

(1) 20 7/27

(2) 20 7/27

Application No. 75-7052

- ☒ Source
- ☒ Point of Diversion
- ☒ County
- ☒ Quantity of Water and Period of Use
- ☒ Description of Diverting Works
- ☒ Time required for B/U of water - 2 years
- ☒ Place of Use or Acres Irrigated
- ☒ Map
- ☒ Signature
- ☒ Fee

(3) 20 7/27

In form to receipt yes

Send Copies to:

- ☒ Idaho State Health Department
- ☒ Idaho Fish and Game Department
- ☒ Bureau of Land Management send copy to Low Bonnell Dept of Public Land

(4) 20 7/27

- ☒ Request Special Use Permit from U.S.F.S.
- ☒ Request Easement from B.L.M.
- ☒ Request Information from Applicant

(5) 20 7/27

In form for advertising yes

(6) 20 7/27

Located within Water District No. No District

(7) 20 7/27

Critical groundwater area: yes no ☒

(8) 20 7/27

Groundwater levels:

Decline (comment)

Stable (comment)

Increasing (comment)

(9) 20 7/27

Comments: It is a private landowner's
State of Idaho does not own any land around
Lake But may own Lake But

(10) 20 7/27

Affidavit of Publication received (date) July 23, 1974

Final date for protests July 29, 1974

ved from agencies or applicant
LL NEED EASEMENT FROM
ATE LANDS

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

75 7052

tional conditions of approval

approval

75 7052

7/29/74

JUL 30 1974

75 7052

Dep.

State Resources

C. J. J.

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Rev. Initial Date

(1) 2/1/74 2/1/74

Application No. 75-7052

(2)

- ☒ Source
- ☒ Point of Diversion
- ☒ County
- ☒ Quantity of Water and Period of Use
- ☒ Description of Diverting Works
- ☒ Time required for B/U of water - 2 years
- ☒ Place of Use or Acres Irrigated
- ☒ Map
- ☒ Signature
- ☒ Fee

(3)

Form to receipt yes

Send Copies to:

- ☒ Idaho State Health Department
- ☒ Idaho Fish and Game Department
- ☒ Bureau of Land Management Send copy to Low Buried Dept of Public Land

(4)

- ☒ Request Special Use Permit from U.S.F.S.
- ☒ Request Easement from B.L.M.
- ☒ Request Information from Applicant

(5)

In form for advertising yes

(6)

Located within Water District No. No District

(7)

Critical groundwater area: yes ☐ no ☒

(8)

Groundwater levels:

☐ Decline (comment) _____

☒ Stable (comment) _____

☐ Increasing (comment) _____

(9)

Comments: It is a private land ownership
State of Idaho doesn't own any land around Lake
Lake but may own Lake Park

(10)

Affidavit of Publication received (date) July 23, 1974

Final date for protests July 29, 1974

Should we move w/ condition

that - yes

red from agencies or applicant
LL NEED EASEMENT FROM
STATE LANDS

Priority 7/1/74

on for Reduction FEE

tional conditions of approval

: approval

75 7052

7/29/74

75 7052

JUL 20 1974

Deputy State Engineer CJP

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item Initial Date

(1) AG 7/26/74
(2)

Application No. 75-7052

- ☒ Source
- ☒ Point of Diversion
- ☒ County
- ☒ Quantity of Water and Period of Use
- ☒ Description of Diverting Works
- ☒ Time required for B/U of water
- ☒ Place of Use or Acres Irrigated
- ☒ Map
- ☒ Signature
- ☒ Fee

(3)
.. ..

In form to receipt yes

- Send Copies to:
- ☒ Idaho State Health Department
 - ☒ Idaho Fish and Game Department
 - ☒ Bureau of Land Management

*Send copy to Lew Bonnedist
Dep't of Public Land*

(4)

- NA
- ☒ Request Special Use Permit from U.S.F.S.
 - ☒ Request Easement from B.L.M.
 - ☒ Request Information from Applicant

(5)

In form for advertising yes

(6)

Located within Water District No. No District

(7)

Critical groundwater area: yes no ☒

(8)

Groundwater levels:

NA

- ☐ Decline (comment) _____
- ☐ Stable (comment) _____
- ☐ Increasing (comment) _____

(9)

Comments: It's a private land ownership
State of Idaho doesn't own any land around Lake
Lake but may own Lake Park

(10) JA 7/23/74

Affidavit of Publication received (date) July 23, 1974

(11) HR 7/29/74

Final date for protests July 29, 1974

Protests received: yes no ☒

Date and Place of hearing NI

Decision reached at hearing NA

RDC 7/29/74

All requested information received from agencies or applicant
yes no ☒ STILL NEED EASEMENT FROM
STATE LANDS

LL LL

Action recommended:

☒ Approve

☐ Deny

☒ Measuring device required

Priority 7/1/74
Reason for Reduction FEE

☐ See attached sheet for additional conditions of approval

☐ No additional conditions for approval

District E By RDC

7/29/74

75 7052

JUL 30 1974

Deputy

State Engineer

CRS