

12/26/2024

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 97-2020

NAME AND ADDRESS: STATE OF IDAHO
OFFICE OF THE GOVERNOR
STATEHOUSE
BOISE ID 83720

SOURCE: PRIEST LAKE TRIBUTARY: PRIEST RIVER

QUANTITY: 800000.00 AFY

The quantity of water for this right is to maintain the level of Priest Lake no lower than the following minimum lake levels:

MONTH	MINIMUM LAKE LEVEL
January	2439.43 feet
February	2439.39 feet
March	2439.50 feet
April	2439.99 feet
May	2441.77 feet
June	2441.13 feet
July	2439.80 feet
August	2439.10 feet
September	2438.83 feet
October	2438.81 feet
November	2439.03 feet
December	2439.28 feet

The elevation of the lake is measured at the USGS Priest Lake Outlet Gage (12393000) Near Coolin, ID ("gage"). The lake levels in this water right are based on the datum at this gage of 2438.43 feet.

PRIORITY DATE: 01/24/1927

POINT OF DIVERSION: T59N R04W S56 Within BONNER County

The point of diversion is the natural outlet of Priest Lake.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
AESTHETIC STORAGE	01/01 12/31	800000.00 AFY
LAKE LEVEL MAINTENANCE	01/01 12/31	800000.00 AFY
RECREATION STORAGE	01/01 12/31	800000.00 AFY

The purpose of this right is to protect and preserve Priest Lake in its near natural condition as it existed on the date of priority, for scenic beauty, health, recreation, transportation, and other commercial purposes necessary and desirable for all the inhabitants of the State of Idaho.

PLACE OF USE:

The place of use for this water right is within Priest Lake.

Priest lake is located with T59N, R04W; T60N, R04W; T60N, R05W; T61N, R04W; T62N, R04W

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Commented [CS1]: Original Language on the License, "...the amount necessary to maintain the level of Priest Lake no higher than normal high water stage and not lower than the natural low water stage at any season of the year."

In order to administer this right, we need to know what the "natural low water stage" is for "any season of the year".

Commented [CS2]: These elevations represent the Average of the Minimum lake levels recorded from 1928 thru 1949 and represent an elevation recorded NADV88. License language, "...not lower than the natural low water stage at any season of the year." The datum of the gage as 2438.43 ft above. Meanwhile. The elevations were determined by taking the average minimum lake level and adding it to 2438.43'.

Commented [CS3]: The Outlet Dam is in section 6, but the natural outlet of the lake is in section 5. It is unclear exactly what quarter quarter the outlet of the lake begins, and the assumed sill of the lake is unsurveyed. Therefore, the POD description is described only to the section.

Commented [CS4]: The outlet dam wasn't in place at the time this license was issued so even though the dam is the control structure, it wasn't when the license was established.

This language is slightly different than what was on the claim which read, "The point of diversion and place of use is the lake."

Commented [CS5]: The three described Purposes of use are all referenced in the license.

Commented [CS6]: The claim said, "As it existed at the time of licensing", but it was licensed a year after the priority date was established so the language was modified the language to reference the priority.

Commented [CS7]: Other lake level maintenance rights generally describe the location of the lake (11-7406 - Bear Lake; 96-8503 - Round Lake; 96-8764 - Gamble Lake)

The name "State of Idaho, Office of the Governor", appears in the Name and Address section of this right. However, as a matter of Idaho law, the Governor of the State of Idaho acts on behalf of the people of Idaho, the beneficiaries of this water right.

Commented [CS8]: This language was on the claim and is consistent with what was on 95-2067 for CDA lake.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License