

Daniel M. Park
E. 1900 Sturgeon Road
Rathdrum, ID 83858
(208) 687-1484

RECEIVED

DEC 14 1994

NORTHERN REGION
DWR

December, 8 1994

Mr. Bob Haynes
Department of Water Resources, Northern Region
Suite No. 210
1910 Northwest Blvd.
Coeur d' Alene, Idaho 83814-2615

Dear Mr. Haynes:

I am enclosing a list of questions and scenarios that I would like to have answered to clarify the administration of water rights in Water District 95-C. I would appreciate a timely response in order that I may prepare for the District meeting.

I am also enclosing the signed copy of the loan agreement for the loan of the water flow measurement equipment.

In addition, I am enclosing a copy of the letter I sent to Mildred Allen in regard to getting paid for my time and expenses and a copy of the latest graphs on lake level and outflow level.

I appreciate the copy of the Water Master's report and all the help that you have given me.

Thank you,



Daniel M. Park, BSME
Interim Water Master, Water District 95-C
Assistant Gate Tender Flood Control District No. 17

The following is a list of questions and scenarios that I would like to be addressed by the Department of Water Resources.

- 1) Is 6.4 a minimum lake level?
- 2) The lake level is between 0 and 6.4 and is rising. If water can be released downstream to satisfy water rights other than the Sylte right no 95-00734 without lowering the lake do we release water?
- 3) The lake level is between 6.4 and 10.4 and is rising. If water can be released downstream to satisfy water rights other than the Sylte right no 95-00734 without lowering the lake do we release water?
- 4) The lake level is between 0 and 6.4 and the inflow is insufficient to reach the Sylte Ranch. Do we shut off the creek?
- 5) The lake level is between 6.4 and 10.4 and the inflow is insufficient to reach the Sylte Ranch. Do we shut off the creek?
- 6) The lake level is between 0 and 6.4 and no water is being released downstream. There is enough inflow into the lake to satisfy all users on the lake but the lake is declining. Do we allow large users such as Twin Lakes Village to use water?
- 7) The lake level is between 6.4 and 10.4 and no water is being released downstream. There is enough inflow into the lake to satisfy all users on the lake but the lake is declining. Do we allow large users such as Twin Lakes Village to use water?
- 8) The lake level is between 0 and 6.4 and is rising but water won't reach Sylte Ranch but will reach other downstream users. Do we release water to those users?
- 9) The lake level is between 6.4 and 10.4 and is rising but water won't reach Sylte Ranch but will reach other downstream users. Do we release water to those users?
- 10) The lake level is between 0 and 6.4 and is declining. There is sufficient flow to reach Sylte Ranch but not enough flow to satisfy all water rights. Do we start cutting off water rights based on priority date until there is sufficient water to satisfy older rights?
- 11) The lake level is between 6.4 and 10.4 and is declining. There is sufficient flow to reach Sylte Ranch but not enough flow to satisfy all water rights. Do we start cutting off water rights based on priority date until there is sufficient water to satisfy older rights?
- 12) If a person with a direct flow right dated 1992 wants to divert water from the lake when the lake is declining and there is sufficient inflow before evaporation and seepage to supply him with his water do we give him water or does the lake take priority?
- 13) Do the owners of the storage rights in Twin Lakes have the authority to divert water on a priority basis over any other Direct flow water rights?
- 14) Does a storage water right priority date have the same meaning as a direct flow right priority date.
- 15) Can a storage water right take priority over any direct flow water right?
- 16) Do we cut off domestic water rights in the same manner as stock water rights or irrigation water rights?

- 17) If all unappropriated water were claimed would there be any water with which to fill the lake?
- 18) Does the water master job expire when the irrigation season expires?
- 19) Do the direct flow water rights stand the seepage and evaporation in the lake or creeks?
- 20) Do we use the actual measured inflow to determine inflow even if the change in lake level indicates more inflow than was measured? (i.e. measured inflow is 10 cfs release is 10 cfs and the lake rises with no rainfall)
- 21) Does direct rainfall count as inflow to the lake?
- 22) Would an underwater spring count as inflow?
- 23) Does water that seeps into the lake through the ground count as inflow?
- 24) Is a downstream water user entitled to the maintenance of the stream in substantially the same condition as when he diverted the water? If so then who is responsible for that maintenance?
- 25) In regard to the stream that runs into the lake at Gunning, does that water have to be released even if it is not used downstream?
- 26) Is it the Water Master's responsibility to make sure the lake level is brought up to 10.4 in the spring or is it the Gate Keeper's responsibility?
- 27) If the Flood Control District determined that they needed to release a minimum amount of water downstream in order to maintain a flow to reduce the freezing and building of ice dams, do they have the authority to overrule the Water Master?
- 28) Is it the Water Master's responsibility to make sure that no water is lost from the private stored water or is it the responsibility of the Gate Keeper or is it the responsibility of the individual right holders?
- 29) In regard to the above question, who pays for the regulation of private water?
- 30) Is the Water District or is Water Resources responsible for the establishment and maintenance of flow measurement devices?

If there are any other scenarios that you feel are pertinent please add them to this document.