

TITLE 70
WATERCOURSES AND PORT DISTRICTS

CHAPTER 5
OUTLET CONTROL STRUCTURES

70-501. OUTLET CONTROL STRUCTURE FOR PRIEST LAKE AUTHORIZED. The state reclamation engineer is hereby authorized to prepare plans and specifications for the construction of an outlet control structure to be located in Priest River which will regulate the level of Priest Lake, located in Bonner County, Idaho, at a level which will preserve for the use of the people the beach, boating and other recreational facilities which are now located on said lake.

[70-501, added 1950 (E.S.), ch. 61, sec. 1, p. 87.]

70-502. CONSTRUCTION COMMENCED ON APPROVAL OF PLANS AND SPECIFICATIONS. Upon approval by the board of examiners of the plans and specifications authorized to be prepared by section [70-501](#), [Idaho Code,] the state reclamation engineer is hereby authorized and directed to commence construction of such outlet control structure. The provisions of section [67-2304](#), Idaho Code, (as amended,) shall have no application to the provisions of this act.

[70-502, added 1950 (E.S.), ch. 61, sec. 2, p. 87.]

70-503. ACCEPTANCE OF CONTRIBUTIONS -- PRIEST LAKE OUTLET CONTROL STRUCTURE CONSTRUCTION FUND CREATED. The board of examiners is hereby authorized to accept contributions from any person, partnership, corporation or association for the purpose of defraying the cost of construction of such outlet control structure. Such contributions, when accepted, shall be deposited in the Priest Lake outlet control structure construction fund, which is hereby created.

[70-503, added 1950 (E.S.), ch. 61, sec. 3, p. 87.]

70-504. APPROPRIATION TO FUND. There is hereby appropriated to the Priest Lake outlet control structure construction fund out of any moneys in the treasury not otherwise appropriated the sum of three thousand five hundred dollars (\$3,500), or so much thereof as may be necessary.

[70-504, added 1950 (E.S.), ch. 61, sec. 4, p. 87.]

70-505. MONEYS IN FUND APPROPRIATED TO PURPOSES OF ACT. Any moneys now, or which may hereafter be, in the Priest Lake outlet control structure construction fund are hereby appropriated to the state reclamation engineer for the purposes of this act.

[70-505, added 1950 (E.S.), ch. 61, sec. 5, p. 87.]

70-506. EXEMPTIONS -- REVERSION OF FUND. The appropriation herein made is expressly exempt from the provisions of section [67-3509](#), and [chapter 36, title 67](#), Idaho Code, and shall be immediately available; provided however that upon final completion of construction of said structure all moneys in

the said Priest Lake outlet control structure construction fund shall revert to the general fund.

[70-506, added 1950 (E.S.), ch. 61, sec. 6, p. 87.]

70-507. IDAHO WATER RESOURCE BOARD TO HAVE SUPERVISION AND CONTROL -- ADDITIONAL RELEASE STRUCTURES PROHIBITED. The Priest Lake outlet control structure shall, when constructed, be under the sole and exclusive supervision and control of the Idaho water resource board, which may enter into contracts for a period of one (1) year or more with persons or corporations deemed qualified by the board to operate and maintain said outlet control structure or any other control structure erected as a replacement thereof; provided however, that under no circumstances shall the water surface level of Priest Lake be maintained or regulated by said board above 3.5 feet on the present United States Geological Survey Priest Lake outlet gage with gage datum of 2,434.64 feet above mean sea level, datum of 1929, supplementary adjustment of 1947, or released below 0.1 feet on said gage; provided further, that the water surface level of Priest Lake shall be maintained at 3.0 feet during the recreation season when the water supply to Priest Lake is plentiful, meaning normal to wet years, and between 3.0 feet and 3.5 feet during the recreation season when the water supply to Priest Lake is lacking, meaning dry and marginally dry years, on the United States Geological Survey Priest Lake outlet gage, from and after the time each year following the runoff of accumulated winter snows, when the surface level of the waters of Priest Lake has receded to such elevation, until the time after the close of the main recreational season, as determined by said board, that said lake waters may be released and the surface level permitted to recede below said elevation of 3.0 feet. The outlet control structure authorized under this section shall be the only structure authorized to release water from the lake. No siphon, gravity bypass, or other bypass device may be constructed to divert or otherwise direct water from Priest Lake to Priest River without prior approval by the Idaho state legislature and the governor.

[70-507, added 1950 (E.S.), ch. 61, sec. 7, p. 87; am. 1957, ch. 128, sec. 1, p. 216; am. 1961, ch. 177, sec. 1, p. 271; am. 2018, ch. 62, sec. 1, p. 153; am. 2023, ch. 95, sec. 1, p. 289.]

CHAPTER 6
-- [RESERVED]