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FEB 23 2004

Department of Water Resources
Eastern Region

Michael-

This is copied for you so
you'll know where questions
are coming from, if you get
a call. The city water
employee (not the supervisor -
the supervisor was gone today. I
had left repeated messages & got no
response so I drove up there)
is sure TDWR already has
everything you need. He wouldn't
talk to me, told me I had
to work through the city attorney.

Bryce

When I showed Jim the map of the service area, he mentioned that there are requests to enlarge the city's service area. I encourage you to talk with Idaho Department of Water Resources about the water right issues of enlarging the service area. Cities are allowed to hold water rights that accommodate future growth, but there still needs to be appropriate authorization for incorporating new geographical areas to the city's service.

Please discuss these needs with the city water manager and ask him to contact me if he has further questions. You or he may reach me at 208 681 9100. He may also contact Mr. Holliday if he has questions about why we need this information.

Sincerely,

Bryce A. Contor

Enclosure

cc: Michael Holliday
IDWR
900 N Skyline Ste A
Idaho Falls ID 83402

Water Resources Field Services

1571 N. 1100 E.
Terreton, ID 83450
208-663-4667

February 20, 2004

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Department of Water Resources
Eastern Region

Steve Clark
City Attorney, City of Rigby
PO Box 277
Rigby ID 83442

Re: Water Right Adjudication Claims A25-04009, A25-04010, A25-04011,
A25-07051, A25-07288, A25-10496, A25-10688.

Dear Mr. Clark:

Thank you for talking with me on the phone about the City of Rigby's water rights. As we discussed the Idaho Department of Water Resources (IDWR) has asked me to do a field review of the city's water right claims. This is in preparation for Senior Water Resource Agent Michael Holliday to make recommendations to the court on the city's water rights. You may contact Mr. Holliday at 525-7161 if you have questions.

Jim of the city water department suggested I let you know what is needed before working with the water department personnel. He also believes IDWR has already obtained all the information needed. Before contacting the city, I specifically asked the appropriate IDWR personnel what was already in their files, what was available, and what did they wish me to investigate. Today I contacted IDWR again, and Monday I will follow up with other IDWR personnel. Based on what I have learned, I need the following:

1. I left a copy of IDWR's map of the city service area with Jim. I need a corrected copy with the date and initials of whoever makes the corrections.
2. Documentation of the original motor horsepower, pumping lift, and discharge pressure of well number one and well number two. If possible I need documentation that corresponds to IDWR requirements in the enclosed pamphlet "Evidence of Priority." This is needed because these are "beneficial use" water rights, developed without a permits or licenses. The documentation now in the files documents the existence of the wells, but not their capacities.
3. Documentation of the motor horsepower, pumping lift, and discharge pressure of well number one and well number two after the 1958 increase

in capacity described in claim A25-10596.

4. Documentation of the height of the water tower and the date of installation. This will help determine the head the pumps push against, which is needed to calculate historical capacity.
5. Documentation of the motor horsepower, pumping lift, and discharge pressure of the two wells currently in use, as authorized by transfer 4791. This is needed because the underlying water rights are still the beneficial use rights.
6. If the city has had any discharge measurements made of well capacity over the years, it will greatly strengthen your water right to have copies of the data in the files.
7. Documentation of evidence of priority (including a history of the size of pumps, and the dates installed) for claim A25-10688. This claim is for the pump in the subwater pond that provides water to the Burgess Canal in exchange for water supplied to the city.
8. It would be useful to have copy of the exchange agreement with the Burgess Canal.
9. I need a thorough description of the use of the exchange water. Where is it used, and for what purposes? How many days per year is it used, and what is the average flow rate while it is being used? If you have records of the volume of water exchanged, please provide copies.
10. It would be helpful for me to get photographs and GPS locations of the wells at the airport and sewage lagoon. It also would be useful to get photographs and GPS locations of where the subwater pump puts water into the Burgess and where the city diverts its exchange water from the Burgess.

I realize some of this information may be very difficult to obtain. Documenting the original motor sizes, and the 1958 upgrades, may be a problem. If you simply can't document these items, I can try to use "chart values" for water use and a study of water use in the Snake River Plain done by the USGS a number of years ago. To do this, I will need a history of the population from the Rigby censuses over the years. The claimed priority of A25-04010 is 1920, so it would be good to have census data back to then at least.