

Skinner, Corey

From: Skinner, Corey
Sent: Wednesday, October 30, 2019 10:05 AM
To: 'Scott King'
Cc: 'watermanager@cableone.net'
Subject: RE: 37-21114 condition #2 question

Scott,

I had a chance to look over these rights and review their history. It appears to me that the mitigation portion(s) of the rights should be left in the Big Wood River. I had the chance to visit with Kevin Lakey, Water District 37 water master, and he verified that these rights are indeed left in the river and not delivered to a diversion (such as the Hiawatha).

Corey

From: Scott King [mailto:SKing@spfwater.com]
Sent: Monday, October 28, 2019 8:14 AM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: 37-21114 condition #2 question

Hi Cory,

Can you help me out with a condition I see on four rights listing the Hiawatha as a point of diversion. The other rights are 37-21113, 37-21115, and 37-21116. Does this condition require anything to stay in the Hiawatha Canal? My interpretation is that the mitigation portion remains undiverted in the BWR. However, the next sentence discusses conveyance loss. Do you understand how this condition is applied and how the rights are administered?

Thank you,
Scott

Condition #2 states:

This right mitigates for the depletion of water resulting from the diversion and use of water under Rights 37-8821 and 37-21114. To prevent injury to other water right holders, the right holder shall cease diverting and using 0.68 cfs of this right, which shall remain undiverted in the Big Wood River. If the mitigation portion of this right is used for any purpose other than conveyance loss, then water shall not be diverted under Rights 37-8821 and 37-21114. If the mitigation portion of this right is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under the uses of Rights 37-8821 and 37-21114 that are being mitigated shall be reduced by the same proportion as the reduction to this right.

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