



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 North Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 29, 2014

Brian Keller
PO Box 253
Carmen ID 83462

RE: Application for Transfer 790054

Dear Watermaster:

The Department has received an application for transfer from William and Barbara Slavin (enclosed). The transfer proposes to move the Point of Diversion for the Slavin's Water Rights downstream, near the confluence of Carmen Creek and the Salmon River.

In order to fully consider this application, further information regarding the system is necessary. Would you please take a moment to review the enclosed application, and map of the area?

In August of 2013, Department representatives were at the location and completed measurements between the Slavin's existing diversion on SCC-03 and the downstream SCC-02 diversion. However, these measurements did not continue past SCC-02. This lack of measurement has left several questions unanswered. Will water not diverted at SCC-03 actually make it downstream to the proposed new point of diversion? Will this excess water be diverted at SCC-02 and SCC-01? Is it possible for the watermaster to regulate the water in such a manner to get the water downstream?

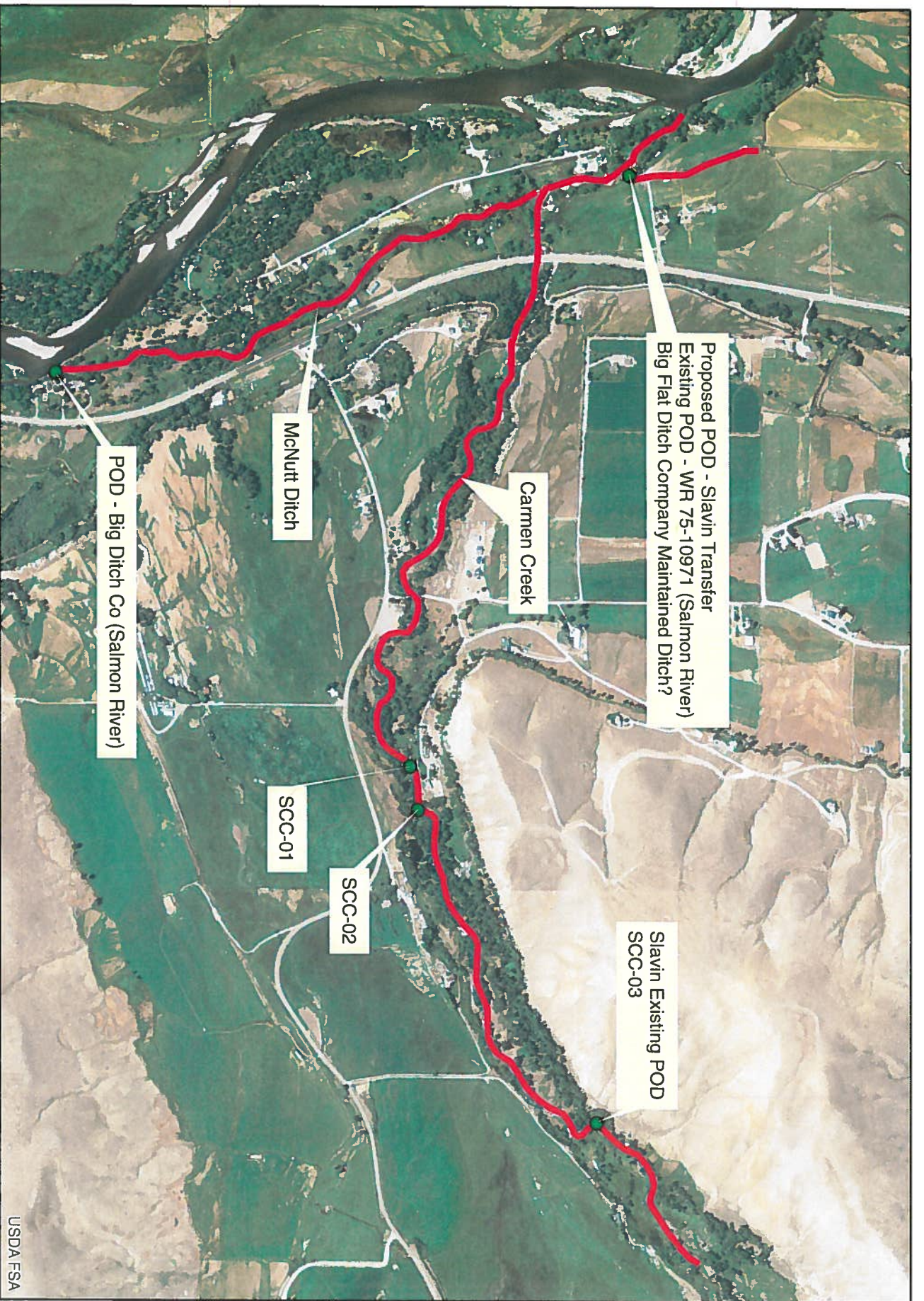
With your knowledge of the area and the water use, would you please review the transfer application and let us know what your thoughts are concerning the above questions?

I am also enclosing a recommendation form for your review. Please review the application and submit the recommendation form within 21 days. Also, please include any comments that you may have.

Your prompt response to this request will ensure that your recommendation can be considered during regional review. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

A handwritten signature in black ink, appearing to read "Kerrie Mathews". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.
Kerrie Mathews



Proposed POD - Slavín Transfer
Existing POD - WFR 75-10971 (Salmon River)
Big Flat Ditch Company Maintained Ditch?

Carmen Creek

McNutt Ditch

POD - Big Ditch Co (Salmon River)

SCC-01

SCC-02

Slavín Existing POD
SCC-03



USDA FSA

Mathews, Kerrie

From: John Hall [jbhall@uidaho.edu]
Sent: Friday, January 24, 2014 2:39 PM
To: Mathews, Kerrie
Cc: 'Bev Hall'
Subject: Big Flat Ditch Co. and Slavin Water Rights Transfer
Attachments: Big Flat Ditch Company letter to Upper Salmon Watershed-signed.pdf

Hello Kerrie,

I currently serve as President of the Big Flat Ditch Company. The Big Flat Ditch Company oversees the operation of the Big Flat and McNutt Ditches. I have attached a letter that I sent to the Upper Salmon Watershed project manager about the meeting of the Big Flat Ditch Company concerning the transfer of water rights to the McNutt ditch.

Also answers to specific question you posed are:

1. The Slavins approached the Big Flat Ditch Company about their intent to transfer water rights.
 - a. There is some conflict of interest as Bill Slavin is one of the three board members of the Ditch Company and another rancher that leases his land is another one of the board members.
2. The Big Flat Ditch Company approved the transfer as indicated in the attached letter.
3. The McNutt Ditch is not currently large enough to handle the cfs listed in the transfer.
 - a. However, the project as proposed by the Upper Salmon Watershed project will:
 - i. Only divert a portion of the transferred water into the McNutt Ditch as a portion of the water is required to flow completely to the confluence of the Salmon River and Carmen Creek for salmon (fish) recovery.
 - ii. Increase the size of the McNutt Ditch to increase the capacity of the ditch. It is unknown whether this will be the sufficient to carry water to all users.

The University of Idaho Nancy M. Cummings Research Center is the majority shareholder in the Big Flat Ditch Company with approximately 54% of the "shares" in the company and irrigating a similar percentage of the acres assigned to the Big Flat Ditch Company. In addition, UI NMCREEC is the last user on the McNutt Ditch. We have the greatest potential to be negatively affected by this project and water transfer, and UI has been negatively affected by other up ditch users in the past. Currently the Big Flat Ditch Company does not have a ditch rider, but UI continues to press this issue with other users.

It would be dishonest to say that there are no reservations among members of the Big Flat Ditch Company about this change of point of diversion and the fish recovery project. The project has the potential to alleviate or exacerbate water distribution issues in the Big Flat and McNutt Ditches. Only time will tell if there will be long term negative impacts.

I would welcome any further questions (see contact information below).

John Hall

Forwarded message -----

From: Mathews, Kerrie <Kerrie.Mathews@idwr.idaho.gov>
Date: Thu, Jan 23, 2014 at 1:15 PM
Subject: Big Flat Ditch Company
To: bslhall@gmail.com

Good Afternoon:

It was a pleasure speaking with you on the telephone today. As we discussed I am sending you an address change form, to update the Big Flat Ditch Water Rights.

The Department has also received two transfer applications. These transfer applications propose to move the Points of Diversion for William & Barbara Slavin (WR#'s 75-14421, 75-14637, 75-10062E & 75-10061E, totaling 2.99 cfs) and Derrod Slavin (WR#'s 75-4340A, 75-74A, 75-10178, 75-14704 and 75-10061G, totaling 1.006 cfs) to a ditch off of the McNutt Ditch. It appears that the proposed ditch may be managed by the Big Flat Ditch Company.

Would you please send me a letter, or a copy of the minutes from the Board of Directors meeting establishing that the Slavin's approached the Big Flat Ditch Company and were granted authority to use the ditch off of the McNutt Ditch for their new points of diversion. I am attaching a map that shows the proposed changes. Also, I am curious about the capacity of the ditch the Slavin's plan on using. Is the ditch large enough to adequately handle the additional flow?

If you have any questions, please let me know.

Thank you,

Kerrie Mathews

Idaho Department of Water Resources

[208-525-7161](tel:208-525-7161)

[208-390-6924](tel:208-390-6924)

John B. Hall, Ph.D., PAS
Professor, Extension Beef Specialist & Superintendent
UI Nancy M. Cummings REEC
16 Hot Springs Ranch Road
Carmen, ID 83462

208-756-2749

208-756-2794 Fax

jbhall@uidaho.edu

Big Flat Ditch Company
62 Big Flat Lane
Carmen, ID 83462
January 5, 2014

Mr. Daniel Bertram
Upper Salmon Basin Watershed Program
955 Riverfront Drive, Suite B
Salmon, Idaho 83467

Dear Mr. Bertram:

On December 19, 2013, the Big Flat Ditch Company held a special meeting to consider the proposal by Bill and Derrold Slavin to move their point of diversion for a portion of their water right on Carmen Creek from the Upper Carmen Ditch to the McNutt Ditch. The purpose of this request was to increase water flow in Carmen Creek to support Salmon and Steelhead recovery. However, this request also impacts other users of the Big Flat and McNutt Ditches managed by the Big Flat Ditch Company.

After a presentation by you and others, the members of the Big Flat Ditch Company that were present discussed the ramifications of the Slavins' request. Six of the sixteen members of the Big Flat Ditch Company were present; however, the six users present represented over 80% of the shares of the Big Flat Ditch Company. A vote was taken on the question "to allow the Slavins' to move their point of diversion from the upper Carmen Ditch to the McNutt Ditch". The vote was 3 in favor with no votes cast against. Therefore, the measure passed.

As president of the Big Flat Ditch Company, I interpret this vote in the following manner:

- Passage indicates that the Big Flat Ditch Company, as an entity, will not challenge the Slavins' request to move the point of diversion.
- The Big Flat Ditch Company members support Salmon and Steelhead recovery.
- The limited number of votes in favor without votes against indicates that there is still concern among the members of the Big Flat Ditch Company that the proposed project may result in some negative effects to some users, but these impacts will be handled within the Ditch Company.

The Big Flat Ditch Company appreciates the communication Upper Salmon Basin Watershed Program on the proposed Carmen Creek Project as well as their assistance in establishment of basic water flow monitoring in the Big Flat Ditch Company system.

Sincerely,



John B. Hall, President
Big Flat Ditch Company

Mathews, Kerrie

From: Miller, Nick
Sent: Thursday, January 23, 2014 3:48 PM
To: Mathews, Kerrie
Subject: RE: Carmen Creek - WD 75D

Hi Kerrie,

I'll address your questions one by one:

1. "Was there a concern over seepage loss between SCC-02 diversion and the Carmen Creek confluence with McNutt Ditch?"
 - a. The transfers are part of a larger project by the Upper Salmon Watershed group to improve flows in the lower reaches of Carmen Creek. I think that in addition to the transfers, they are putting in pivots and doing other system upgrades. All of this is money they are spending to improve flows for fish. As I recall, we did the measurements you referenced just to make sure they wouldn't be spending all of that money and not actually realize improved flows. Not so much that they had a reason to believe it wouldn't work, but rather that they didn't know for sure and the measurements gave them piece of mind.
2. "Is there sufficient evidence to support the claim that Carmen Creek water historically diverted at SCC-02 would reach the McNutt Ditch?"
 - a. I don't think we can say that with certainty. I believe we had discussed including some conditions on the transfer that require measurement at the original point of diversion, the point of redirection, and a third location (thinking of the S-9 crossing) to protect against enlargement of both the Slavins' rights and those of the intervening users.
3. Second, the minutes of the 2013 annual meeting for WD 75D, refer to "Jay Smith gave an update on exchanging Carmen creek rights for Salmon River rights on High ditch/big flat. This is being done to maintain in stream flows for Carmen creek." Were you at this meeting?
 - a. No I was not at that meeting.
4. Could you provide any insight into this statement?
 - a. As mentioned above, the transfers are part of a larger project with the Slavins that has the objective of improving stream flows in the lower reaches for fish. However, there is some history here as well. As I recall, some of the rights in SCC-02 were originally rights diverted from the McNutt, but were exchanged with other rights and moved up to SCC-02. This may not be relevant, but I mention it because they refer to those rights as "Exchange rights" even though they were actually more like transfers that happened a long, long time ago. I suspect Mr. Smith's statement was intended to refer to the current Slavin transfers, but it could have something to do with those "exchange rights" as I recall there is some ongoing dispute/concern about the disposition of all of those rights as they came out of the SRBA....

Hope that helps.

Nick.

From: Mathews, Kerrie
Sent: Thursday, January 23, 2014 2:43 PM
To: Miller, Nick
Subject: Carmen Creek - WD 75D

Good Afternoon:

I am currently working on two transfers for the Slavin's on Carmen Creek. I was going through the documentation that was submitted and the watermaster records for 2013. I had a couple of questions, and since I see your name in the transfer I was wondering if you may know the answers?

In your memo to Morgan Case regarding the measurements in 2013 there is a clear statement that there is no seepage loss between SCC-02 and SCC-03, but actually a gain. The question I have, "Was there a concern over seepage loss between SCC-02 diversion and the Carmen Creek confluence with McNutt Ditch?" "Is there sufficient evidence to support the claim that Carmen Creek water historically diverted at SCC-02 would reach the McNutt Ditch?"

Second, the minutes of the 2013 annual meeting for WD 75D, refer to "Jay Smith gave an update on exchanging Carmen creek rights for Salmon River rights on High ditch/big flat. This is being done to maintain in stream flows for Carmen creek." Were you at this meeting? Could you provide any insight into this statement?

Thanks,

Kerrie Mathews

Idaho Department of Water Resources

208-525-7161

208-390-6924

"Change is the law of life, and those who look only to the past or present are certain to miss the future."
-John F. Kennedy

Mathews, Kerrie

From: Mathews, Kerrie
Sent: Thursday, January 23, 2014 2:43 PM
To: Miller, Nick
Subject: Carmen Creek - WD 75D

Good Afternoon:

I am currently working on two transfers for the Slavin's on Carmen Creek. I was going through the documentation that was submitted and the watermaster records for 2013. I had a couple of questions, and since I see your name in the transfer I was wondering if you may know the answers?

In your memo to Morgan Case regarding the measurements in 2013 there is a clear statement that there is no seepage loss between SCC-02 and SCC-03, but actually a gain. The question I have, "Was there a concern over seepage loss between SCC-02 diversion and the Carmen Creek confluence with McNutt Ditch?" "Is there sufficient evidence to support the claim that Carmen Creek water historically diverted at SCC-02 would reach the McNutt Ditch?"

Second, the minutes of the 2013 annual meeting for WD 75D, refer to "Jay Smith gave an update on exchanging Carmen creek rights for Salmon River rights on High ditch/big flat. This is being done to maintain in stream flows for Carmen creek." Were you at this meeting? Could you provide any insight into this statement?

Thanks,

Kerrie Mathews

Idaho Department of Water Resources
208-525-7161
208-390-6924

"Change is the law of life, and those who look only to the past or present are certain to miss the future."
-John F. Kennedy

Mathews, Kerrie

From: Mathews, Kerrie
Sent: Thursday, January 23, 2014 1:16 PM
To: 'bslhall@gmail.com'
Subject: Big Flat Ditch Company
Attachments: Map of Slavin POD proposed change.pdf; CHANGE_IN_ADDRESS.pdf

Good Afternoon:

It was a pleasure speaking with you on the telephone today. As we discussed I am sending you an address change form, to update the Big Flat Ditch Water Rights.

The Department has also received two transfer applications. These transfer applications propose to move the Points of Diversion for William & Barbara Slavin (WR#'s 75-14421, 75-14637, 75-10062E & 75-10061E, totaling 2.99 cfs) and Derrod Slavin (WR#'s 75-4340A, 75-74A, 75-10178, 75-14704 and 75-10061G, totaling 1.006 cfs) to a ditch off of the McNutt Ditch. It appears that the proposed ditch may be managed by the Big Flat Ditch Company.

Would you please send me a letter, or a copy of the minutes from the Board of Directors meeting establishing that the Slavin's approached the Big Flat Ditch Company and were granted authority to use the ditch off of the McNutt Ditch for their new points of diversion. I am attaching a map that shows the proposed changes. Also, I am curious about the capacity of the ditch the Slavin's plan on using. Is the ditch large enough to adequately handle the additional flow?

If you have any questions, please let me know.

Thank you,

Kerrie Mathews

Idaho Department of Water Resources
208-525-7161
208-390-6924

"Change is the law of life, and those who look only to the past or present are certain to miss the future."
-John F. Kennedy



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 North Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 15, 2014

Barbara & William Slavin
PO BOX 255
Carmen, ID 83462

RE: Transfer Application

Dear Mr. & Mrs. Slavin:

The Department has received your application for transfer to move the point of diversion for water right numbers; 75-14421, 75-14637, 75-10062E and 75-10061E. During the review of your transfer application, it was found that the proposed point of diversion in the SWSESW quarter of Section 17, Township 22N, Range 22E, did not match the location identified in your map. The map placed the new point of diversion in Lot 10, SWNESE quarter of Section 7, Township 22N, Range 22E.

I am assuming that the map is correct. In order to continue processing your request the application needs to be corrected. I am enclosing an amended application for your review. If you agree with this correction, please sign the amended application and return.

If you have any questions please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Kerrie Mathews'.

Kerrie Mathews

RECEIVED

JAN 03 2014

Department of Water Resources
Eastern Region

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

December 22nd, 2013

Re: Salmon Carmen Creek -03 (SCC-03) Point-of-Diversion Transfer

Dear Water Resource Agent:

This letter is in regards to the application for a water right point-of-diversion change included within this packet. We as the primary landowners William G. Slavin and Derrold Slavin have been working to improve irrigation efficiencies on our properties which in turn will benefit ESA-listed anadromous fish within the Carmen Creek Drainage. In order to accomplish our goals we have solicited technical services from the Natural Resource Conservation Service (NRCS) and the Upper Salmon Basin Watershed Project (USBWP).

In order to accomplish these irrigation, habitat and passage improvements for ESA-listed species we are requesting to move our point-of-diversion from the SCC-03 diversion to the McNutt Ditch (S-5/6/7) diversion downstream. Should this transfer be approved, flows in Carmen Creek will be measured at SCC-03 diversion and the existing stream gage, Idaho Power Stream gage #13305650 (Carmen Ck below Diversion at Carmen, ID) to ensure accurate deliverance of water. On average, the watermaster begins regulating Carmen Creek back to the 1882 priority date around July 15. At this point, the combined 1882 and 1875 water rights for the Slavins is 1.2 cfs. For further information, please refer to the attached memorandum from Nick Miller to Morgan Case dated September 9, 2013 which contains detailed notes and recommendations for this project.

We therefore request that the project scope be taken into consideration when reviewing our applications. Both the NRCS and USBWP have assisted in securing financial assistance to ensure project completing, contingent on these applications. If you have any questions please don't hesitate to ask and thank you for your consideration.

Sincerely,


William Slavin


Derrold Slavin

c.c

Daniel Bertram; Project Coordinator, USBWP
Mark Olson; District Conservationist, NRCS

Memorandum

To: Morgan Case
From: Nick Miller
Date: September 9, 2013
Re: Trial run of proposed Carmen Creek water transaction

On the evening of August 28, 2013, the Water District No. 75D watermaster ceased diverting approximately 1.2 cfs of water into SCC-03 for the purpose of verifying that a proposed transfer of that amount of water would not be lost to seepage between SCC-03 and SCC-02. On the morning of August 29, 2013 I met with with Allen Bradbury of the Governor's Office of Species Conservation, Upper Salmon Basin Watershed Program, and Jay Smith, a local water user to conduct a number of flow measurements and photograph the flows. I have included a schematic of the creek showing the locations of my measurements and will place the digital photos/videos on the server for you to review.

I found that any losses to seepage through that reach appear to have been offset by gains from springs and seeps that entered the stream at various points in the reach. Further, it appears the injection of the water that would otherwise have been diverted at SCC-03 resulted in a live stream of water between SCC-03 and SCC-02 where the stream was mostly dry before the injection.

I conducted four measurements in the vicinity of SCC-03 to determine the flow in Carmen Creek above the diversion, the diverted amount, and the amount passing the diversion. The first two measurements were a current meter measurement in the ditch using a Son-tek Flow Tracker (2.03 cfs) and a measurement from the three-foot contracted rectangular weir (0.34' and 1.94 cfs). The other two measurements were current meter measurements taken in the stream with the Flow Tracker above (3.26 cfs) and below the diversion (1.54 cfs). Taken together, the measurements agree with one another fairly well and likely are a good representation of the flows.

Mr. Bradbury, Mr. Smith, and I walked the creek downstream from SCC-03 to the Mihalka Pond diversion and observed inflow to the stream at several locations from springs and return flows. I made two measurements in Carmen Creek just above the Mihalka Pond diversion (the diversion was closed). Current meter measurements at this location were difficult as the streambed is rocky, braided, and undercut the bank. The two measurements I took were 1.70 cfs at the first location and 2.6 cfs approximately 40 feet downstream from the first location. The first location was a much better section and likely is a better reflection of the actual flow at that location. Nevertheless, for purposes of evaluating the benefits of the proposed transfer on streamflow, it is sufficient to note that the flows are similar to or more than the flows left in the stream at SCC-03.

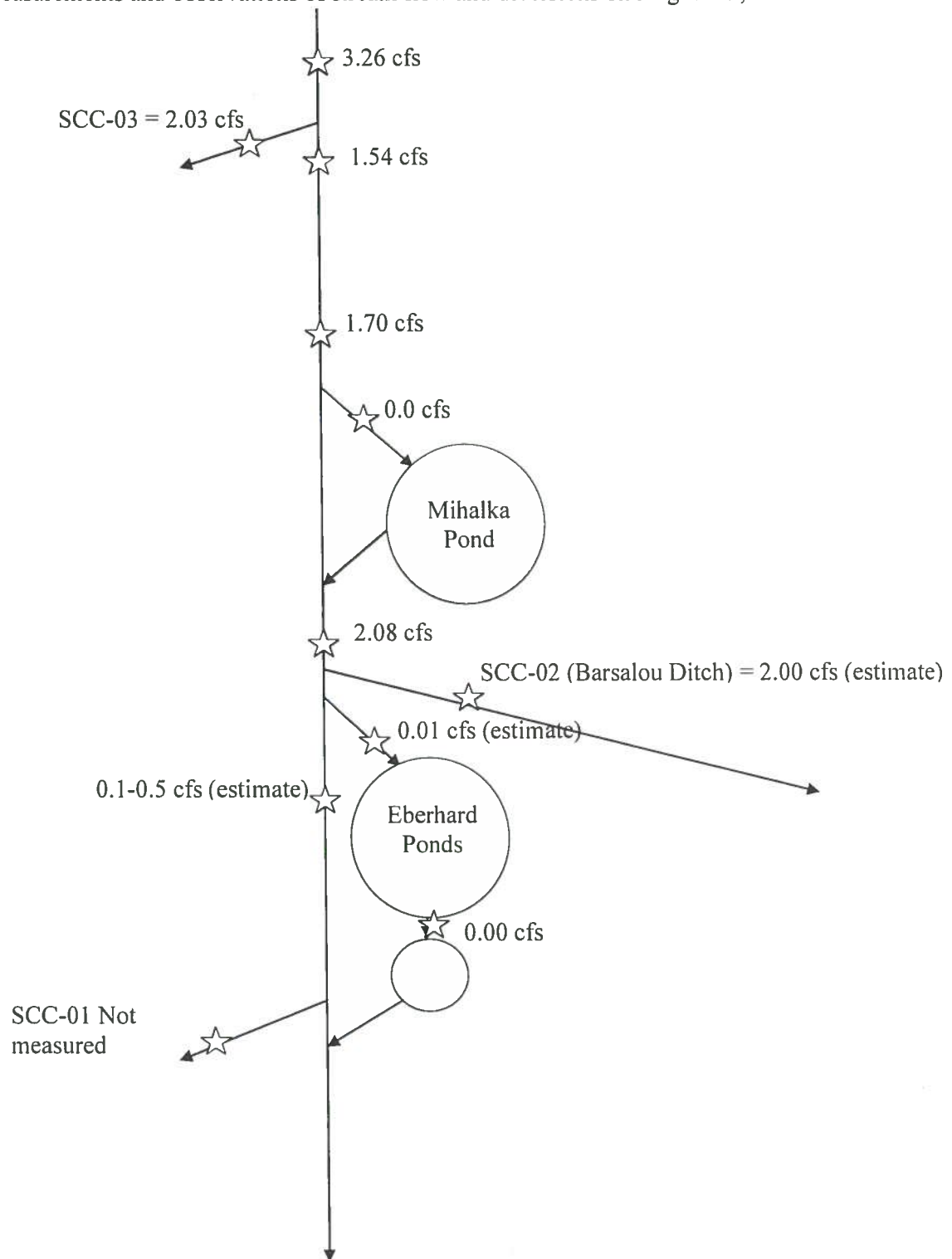
We continued down the stream to the Barsalou Ditch diversion (SCC-02) and observed that the diversion structure took almost the entire flow of the stream. I was unable to measure the amount diverted because the Cippoletti weir in the ditch was submerged. The weir box was approximately two feet wide and was flowing at approximately one foot deep. I took a few spot velocity measurements and found the velocity to be approximately one foot per second, so I estimated the diversion was taking about two cfs.

I measured the flow in the stream below Mihalka's Pond return and above the SCC-02 diversion and found the streamflow to be 2.08 cfs. Given that the flow below the SCC-02 diversion appeared minimal, this corresponds well with the estimate of the SCC-02 diversion.

Following the measurements, and per instructions from the watermaster, I adjusted the SCC-03 headgate to divert approximately 3.1 cfs, leaving less than 0.5 cfs in the stream.

In conclusion, it appears that the proposal to transfer water from SCC-03 to the McNutt Ditch will result in a live stream between SCC-03 and SCC-02.

Figure 1. Schematic of lower Carmen Creek from SCC-03 to below SCC-01 showing measurements and observations of stream flow and diversions on August 29, 2013.



MEMORANDUM

To: Files: William & Barbara Slavin (75-10061E, 75-10062E, 75-14421, 75-14637)
Derrold & Madge Slavin (75-74A, 75-4340A, 75-10061G, 75-10178 and
75-14704)

From: Monica Van Bussum

Date: May 26, 2011

Re: Rewriting recommendations pursuant to SRBA Mandatory Settlement
Conference on May 18, 2011

On May 18, 2011, at the request of the Snake River Basin Adjudication (SRBA) District Court, the parties met for a mandatory settlement conference. I attended as a representative of the Department. There are two primary issues for the parties: 1) the distribution of exchange water to the Slavins) and 2) the allocation and transfer of a decreed water right 75-63. This memo will discuss issue 1 and its potential resolution.

According to the McFarlands, the Slavins should have 35 inches of so-called "exchange water" from the McNutt v. Palmer decree (commonly called the McNutt decree, or the Carmen Creek decree). The Slavins had been recommended 68 inches of exchange water, along with more typical decreed water. The table on the next page shows the original breakdown of the recommended rights.

Claimant	Right No.	Priority Date	Diversion Rate	Notes
Bill & Barbara Slavin	75-10061E	5/1/1875	0.882 cfs	44 inches of exchange water only
	75-10062E	5/1/1882	0.248 cfs	12.5 inches of exchange water only
	75-14421	4/1/1915	1.63 cfs	High water
Derrold & Madge Slavin	75-74A	5/1/1896	0.25 cfs	Decreed water
	75-10061G	5/1/1875	0.15 cfs	7.5 inches of exchange water only
	75-10178	5/1/1882	0.38 cfs	Combination of 4 inches of exchange water and decreed right 75-75 (15 inches, or 0.30 cfs)
	75-4340A	4/1/1915	0.17 cfs	High water

After the director's report, Bill & Barbara Slavin filed claim 75-14637 for a portion of water right 75-74. Derrold & Madge Slavin claimed a portion of this decreed right as 75-74A (see table above). Bill & Barbara Slavin claimed the remainder, or 0.75 cfs, under 75-14637. The original decreed right 75-74 was for 50 inches, or 1.0 cfs.

Adding up the amounts of exchange water in the table above (44 inches plus 12.5 plus 7.5 plus 4), the two Slavin groups together were recommended 68 inches of exchange water.

A full share of exchange water is 45 inches, as understood from the details of the McNutt v. Palmer decree. The Slavins had contended through their arguments before the court that they were entitled to 2 shares, or 90 inches, of exchange water. The McFarlands, who count several former watermasters in their numbers, argued the Slavins had never been delivered 2 shares of exchange water. The deeds the Slavins produced as part of their evidence were thoroughly discussed in the 706 report for this matter. Essentially, this became a discussion of deeds versus delivery.

At the settlement conference of May 18, 2011, the parties indicated an amicable solution would be for the Slavins to have one full share, or 45 inches of exchange water, along with their share of decreed water. The parties indicated I should draw up SF5 recommendations indicating this agreement. The table below shows the new amounts.

There is one important change to note from the earlier director's report to these recommendations. Previously, claim 75-10178 was for the full allotment of decreed right 75-75 and a share of the 1882 exchange water. I have now split those shares out for easier administration and understanding. 75-10178 is now for the full allotment of decreed right 75-75. 75-14704 is now Derrold and Madge Slavin's 1882 exchange water.

I have highlighted the new claim numbers (75-14637 and 75-14704) in yellow below.

Claimant	Right No.	Priority Date	Diversion Rate	Notes
Bill & Barbara Slavin	75-10061E	5/1/1875	0.39 cfs	19.5 inches of exchange water only
	75-10062E	5/1/1882	0.22 cfs	11 inches of exchange water only
	75-14637	5/1/1896	0.75 cfs	LATE CLAIM – Based on decree 75-74
	75-14421	4/1/1915	1.63 cfs	High water – NO CHANGE
Derrold & Madge Slavin	75-74A	5/1/1896	0.25 cfs	Decreed water – NO CHANGE
	75-10061G	5/1/1875	0.19 cfs	9.5 inches of exchange water only
	75-10178	5/1/1882	0.30 cfs	Based on decree 75-75
	75-14704	5/1/1882	0.10 cfs	5 inches of exchange water only
	75-4340A	4/1/1915	0.17 cfs	High water – NO CHANGE

Adding up the exchange water (19.5 plus 11 plus 9.5 plus 5) equals 45 inches of exchange water, or one full share, as agreed upon by the parties.

The 45 inches had to be divided between the two Slavin parties. To determine how much of each exchange right, I consulted with the watermaster, who indicated a 45-inch share of exchange water is generally divided as 29 inches of 1875 exchange water and 16 inches of 1882 exchange water. Barbara & Bill Slavin own 68% (69.1 acres) of the Slavin irrigated ground, so I recommended 68% of the available exchange water under each priority date (19.5 and 11 inches, respectively). Derrold & Madge Slavin own 32% (32.5 acres) of the Slavin irrigated ground, so I recommended 32% of the available exchange water under each priority date (9.5 and 5 inches, respectively).

There is one more important note regarding the allocation of the exchange water. In the original director's report, Barbara & Bill Slavin received 56.5 inches of exchange water and Derrold & Madge Slavin received 11.5 inches of exchange water. It does not appear the exchange water was split proportionally between the two Slavin groups in the director's reports. If it had been split proportionally (as indicated in the previous paragraph, with 68% going to Bill & Barbara Slavin and 32% going to Derrold & Madge Slavin), Barbara & Bill Slavin would have received less exchange water and Derrold & Madge Slavin would have received more. I believe the earlier director's reports are in error regarding the allocation of exchange water. I have tried to correct that in this set of recommendations.

Derrold & Madge Slavin are now recommended more exchange water than they were previously, which could be confusing to someone unfamiliar with the situation. At first glance, it would appear Barbara & Bill Slavin were severely cut and Derrold & Madge benefitted. However, upon further review, it should be clear there is a disproportionate split in the first director's reports and this latest round corrects that mistake.

For ease for future agents, I have included some additional remarks in the recommendations about water right lineage. The exchange water rights got remarks indicating they were for exchange water and the decreed right recommendations got remarks indicating their decreed parents.