



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

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GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

November 21, 1994

Howard Hall  
McCammon Ditch Co.  
10159 S. Old Highway 91  
McCammon, ID 83250

Dear Mr. Hall:

Last month you called me and asked several questions concerning Portneuf River water rights and the status to the Chesterfield Reservoir survey. You had asked that I provide you with a written response. My responses are provided below.

Question 1. Does the Portneuf Marsh Valley Canal Company have a natural flow right from the Portneuf River and where is the reference to this right in the Portneuf River Decree?

- The Portneuf River decree, Union Grain and Elevator v. McCammon Ditch Co., dated August 6, 1932, lists a 'normal flow' right for the Portneuf Marsh Valley Canal Co. This right is listed as number 41 in the decree and is identified by IDWR as water right no. 29-0052. This right has a priority date of December 18, 1907 and provides for a diversion rate of up to 176.85 cfs. The point of diversion for this right as assigned by IDWR in its water rights computer database is the Portneuf Marsh Valley Canal heading which is located just upstream of the McCammon Ditch heading.

Since the 1907 normal flow right is junior to most other Portneuf River rights, the right is diverted only when all senior rights can be delivered.

Question 2. Does the City of Pocatello have any senior priority rights from the Portneuf River?

- According to Department records, there are no water rights from the Portneuf River which are owned or held by the City of Pocatello. Furthermore, the City of Pocatello has not filed any claims on the Portneuf River in the Snake River Basin Adjudication.

Question 3. What is the status of the survey which was to be completed by the Portneuf Marsh Valley Canal Company for the Chesterfield Reservoir?

- The Soil Conservation Service (SCS) completed a topographic survey of the reservoir last spring. The SCS did not however complete the reservoir stage-storage relationship which the Department had originally requested from Portneuf Marsh Valley. IDWR dam safety engineers constructed a stage-storage rating table

using the survey data gathered by the SCS. A copy of this table is attached. IDWR dam safety engineers have some concern about the accuracy of this stage-storage table based on the number of survey data points obtained by the SCS. Although Portneuf Marsh Valley has complied with IDWR's request to complete a survey, IDWR will probably require them to submit additional survey data in order to develop a more accurate stage-storage relationship.

I hope this response addresses your questions. Please contact me again if you have further questions.

Sincerely,



Tim Luke  
Water Allocations

cc: Dave Hollingshead, IDWR Dam Safety  
Ervin Gilbert, Portneuf Marsh Valley Canal Co.  
Arlin Olson, Watermaster  
Eastern Region