

MEMORANDUM

TO: LITTLE CANYON CREEK WATER DISTRICT FILE

FROM: DANIEL A. NELSON

DATE: 1/14/03

SUBJECT: 2003 LITTLE CANYON CREEK WATER DISTRICT MEETING

The meeting for Little Canyon Creek Water District was called to order at 1:00 pm on 1/13/2003. The minutes of last year's meeting were read by Teresa McCallum and were approved. All the officers were retained and Jim Allen was retained as watermaster.

We spoke a great deal about the measurement order. Rock Trail was concerned about the need for a measurement device above his reservoir. I told him I would do some research and that we would need to speak with Gary Spackman about the possibility of waiving that portion of the requirement. I have attached a memo written to Mr. Spackman with this meeting memo. We went over different types of measurement devices and which would be acceptable. I had copied a paper put out by Idaho Dept. of Water Resources (IDWR) on 2/20/1996 titled "Minimum Acceptable Standards for Measurement and Reporting of Surface and Ground Water Diversions." This paper helped to give the users some ideas of how and what type of devices would work best in their particular situations.

I spoke with the district concerning the new transfer memo, status of the Snake River Basin Adjudication (SRBA), and stream channel changes.

NEXT YEARS MEETING WAS SCHEDULED FOR THE SECOND MONDAY IN JANUARY, 1/12/2004 AT 1:00.

The meeting was adjourned.

MEMORANDUM

TO: GARY SPACKMAN

FROM: DANIEL A. NELSON

DATE: 1/14/03

SUBJECT: TRAIL RESERVOIR MEASUREMENT

Rocky Trail asked that I explain to you the measurement requirements for his diversion pond, and see if he could get the measurement requirement for the measurement above his reservoir waived. The Trail's have a small diversion pond (65 acre feet) that is used to build up water to divert into their main irrigation reservoir. The diversion pond was applied for under application for permit 61-7079, but was never licensed. A statutory claim was filed and recommended in the Snake River Basin Adjudication (SRBA) under water rights 61-4123C and 61-4123D. He is not opposed to the measurements of his diversion into his irrigation reservoir or the overflow at the diversion pond, but he does not understand the need for a measurement of the creek above his diversion pond.

I reviewed all of the information from water district files for Mr. Trail's reservoir and found the enclosed memorandum decision by Keith Higginson on 4/15/1971. This decision required the Trail's to measure the Little Canyon Creek above and below their diversion dam for water right 61-7079, but the two SRBA claims do not have this requirement. All conversations recorded in the files refer to this memorandum, and measurements that were made from a weir located above the diversion pond. The information in the Water District files suggests that this memorandum was implemented, even though 61-7079 wasn't licensed. I did not find any information approving the removal of this measurement requirement from the reservoir, or any information that would suggest that removing the measurement requirement would be acceptable.

The information does imply that this measurement is needed to ensure that Mr. Trail is releasing water from his diversion pond when he no longer has a right to store water and there is still water flowing in the creek above the pond. This requirement resulted in conflicts over the use of the diversion pond and was used after the permit lapsed. The measurement requirement has been used in the regulation of the reservoir in the past, and the tension in the area over water delivery suggests that this measurement requirement is still needed. **I recommend that we require Mr. Trail to fix the existing device or install a new device in the creek.** Mr. Trail stated that the existing device has not been checked in quite a while and he could not find the device. I would be open to any suggestions that Mr. Trail would have to circumvent installing a new device, but we need some means to measure the water going into and out of the diversion pond.

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 61-7079 in the names of) MEMORANDUM DECISION
LEE T. TRAIL AND MARY A. BLAIR)

On November 16, 1970, Lee T. Trail and Mary A. Blair submitted an Application for a permit to appropriate 65 acre-feet of water per annum at the rate of 13 cubic feet of water per second from Little Canyon Creek in Elmore County. The storage is for recreation and Fish Propagation and the maintenance of 65 acre-feet to facilitate irrigation of 633 acres within Sections 21 and 28, T. 5S, R. 9E, B.M., in conjunction with other water rights held by the applicants. The lands described are included within the place of use under License No. 61-2228 (R-959), for the off-stream storage of 2532 acre-feet for irrigation purposes and License No. 61-2107 (25631), for diversion of water to the off-stream storage described in License No. 61-2228.

The water right developed under Licenses 61-2228 and 61-2107, in the opinion of the Department, allows the licensee to fill and utilize the diversion dam for diverting 2532 acre-feet per year to off-stream storage. However, it does not allow the licensee to maintain storage at the diversion dam during the times when no diversion is taking place under the above described licenses.

Application No. 61-7079 was filed to provide for maintenance of storage at the diversion dam during the irrigation season, subject to prior rights below the diversion.

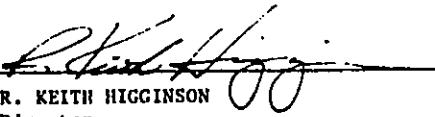
Since the irrigation of lands described is covered by valid water rights to the extent provided by law, no additional rate of diversion of water to said lands may be allowed and the applicant should be authorized to store water at any rate that such water is available, subject to downstream prior rights, in order to fill the storage behind the diversion dam. It is also recognized that the 65 acre-feet requested will not be used for the actual physical application to irrigated crops, but is intended to provide a means of readily-diverting water to off-stream storage

61-7079

when available under previous licenses and to provide water for fish, wildlife, and recreational purposes.

Therefore, it is hereby ordered and Application for Permit No. 61-7079 is approved only for the storage of 65 acre-feet of water, subject to the condition that measuring devices of a type approved by the Department be installed and maintained above and below the reservoir, and that any use of water under this permit be subject to the control and regulation of the Watermaster of Water District No. 61-D, Little Canyon Creek.

Dated this 15th day of April, 1971.


R. KEITH HIGGINSON
Director

BDF:DR

61 7079

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 61-7079

WATER RIGHT NUMBER: 61-7079

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEE T TRAIL
	, ZZ
Current Owner	MARY L BLAIR
	, ID

Priority Date:
 Basis:
 Status: Lapsed

<u>Source</u>	<u>Tributary</u>
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<u>Beneficial Use</u>	<u>From</u> _____ <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
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Total Diversion:

Location of Point(s) of Diversion

Place of Use

Conditions of Approval:

Remarks:

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 61-4123C V1

WATER RIGHT NUMBER: 61-4123C V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BLAIR & TRAIL PTR PO BOX 962 GLENN'S FERRY, ID 83623 (208)366-2278
Current Owner	LEE T TRAIL RT 1 BOX 66 KING HILL, ID 83633
Current Owner	ALICE TRAIL RT 1 BOX 66 KING HILL, ID 83633 (208)366-2188

Priority Date: 11/06/1957
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE CANYON CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	11/16 to 3/16		71.50 AF
IRRIGATION FROM STORAGE	3/15 to 11/15		71.50 AF
	<u>Total Diversion:</u>		71.50 AF

<u>Location of Point(s) of Diversion</u>		
LITTLE CANYON CREEK ELMORE County	NE1/4NE1/4	Sec. 29, Twp 04S, Rge 10E, B.M.

Place of Use
 IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	09E	16	35.0	40.0	41.0	32.0													294.0
05S	09E	21	40.0		39.0	40.0													279.0
05S	09E	28		40.0															40.0

Total Acres: 613

IRRIGATION STORAGE same as IRRIGATION FROM STORAGE

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 61-4123C V1

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 61-04123D IS LIMITED TO A TOTAL COMBINED ANNUAL STORAGE VOLUME OF 71.5 ACRE FEET.
USE OF THIS RIGHT WITH RIGHT NOS. 61-04123D, 61-04123E AND 61-04123F IS LIMITED TO A TOTAL COMBINED ANNUAL STORAGE VOLUME OF 143 ACRE FEET.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 61-02107B, 61-02228B, 61-04079.
3. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 61-02228B, 61-04079, 61-02107B, 61-04123D, 61-04123E & 61-04123F.

Comments:

1. JSHURTE 2/24/2000 SPLIT TO RESOLVE BLM OBJECTION
 Comment: THIS RIGHT IS A SPLIT OF 61-04123B AS A RESOLUTION TO THE OBJECTION BY BLM TO THE PLACE OF USE OF THE STORAGE. THIS IS A MAINTENANCE RESERVOIR THAT THE TRAIL'S USE TO FILL THEIR MAIN RESERVOIR COVERED BY 61-04079 & 61-02228B. THE RECREATION PORTION OF THIS STORAGE RIGHT IS THE PORTION BEING SPLIT TO BLM PER THEIR REQUEST AND DUE TO THE LAND BEING UNDER PUBLIC DOMAIN. THE RESERVOIR IS STOCKED AND OPEN TO FISHING BY THE PUBLIC. THE ADDITION OF THE IRRIGATION FROM STORAGE IS DUE TO A REQUEST BY THE CLAIMANTS BECAUSE WHEN BOTH RESERVOIRS ARE FULL, THIS RESERVOIR IS THEN ALSO USED FOR IRRIGATION FROM STORAGE. THE ACRES ARE BEING ADDED BASED ON THE RECOMMENDED ACRES UNDER THEIR OTHER RIGHTS. NO ADDITIONAL FEES NEEDED SINCE ACRES HAVE BEEN PAID FOR. NO ADDITIONAL WATER ADDED AND THE IRRIGATION FROM STORAGE HAS BEEN OCCURRING AS LONG AS THE MAINTENANCE RESERVOIR HAS BEEN THERE, SO NO EXPANSION HAS OCCURRED WITH THE ADDITION OF IRRIGATION FROM STORAGE. THE CLAIMANTS AGREED TO THE SPLIT TO BLM OF THE RECREATION STORAGE AT A SETTLEMENT CONFERENCE ON 2-17-00. THE BLM AGREED TO ADDING 1 DAY OF PRIORITY TO THEIR PORTION OF THE SPLIT TO PROTECT THE TRAIL'S FROM A POSSIBLE CHANGE IN USE BY BLM IN THE FUTURE WHICH COULD AFFECT THE STORAGE UNDER THIS RIGHT.

Dates and Other Information:

Decreed Date: 1/9/2001
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 61D
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 61-4123C V1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 61-4123C V1

WATER RIGHT NUMBER: 61-4123C V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BLAIR & TRAIL PTR PO BOX 962 GLENN'S FERRY, ID 83623 (208)366-2278
Current Owner	LEE T TRAIL RT 1 BOX 66 KING HILL, ID 83633
Current Owner	ALICE TRAIL RT 1 BOX 66 KING HILL, ID 83633 (208)366-2188

Priority Date: 11/06/1957
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE CANYON CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	11/16 to 3/16		71.50 AF
IRRIGATION FROM STORAGE	3/15 to 11/15		71.50 AF
	<u>Total Diversion:</u>		71.50 AF

Location of Point(s) of Diversion

LITTLE CANYON CREEK NE1/4NE1/4 Sec. 29, Twp 04S, Rge 10E, B.M.
ELMORE County

Place of Use

IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	09E	16	35.0	40.0	41.0	32.0													294.0
05S	09E	21	40.0		39.0	40.0													279.0
05S	09E	28		40.0															40.0

Total Acres: 613

IRRIGATION STORAGE same as IRRIGATION FROM STORAGE

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 61-4123C V1

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 61-04123D IS LIMITED TO A TOTAL COMBINED ANNUAL STORAGE VOLUME OF 71.5 ACRE FEET.
USE OF THIS RIGHT WITH RIGHT NOS. 61-04123D, 61-04123E AND 61-04123F IS LIMITED TO A TOTAL COMBINED ANNUAL STORAGE VOLUME OF 143 ACRE FEET.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 61-02107B, 61-02228B, 61-04079.
3. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 61-02228B, 61-04079, 61-02107B, 61-04123D, 61-04123E & 61-04123F.

Comments:

1. JSHURTE 2/24/2000 SPLIT TO RESOLVE BLM OBJECTION
 Comment: THIS RIGHT IS A SPLIT OF 61-04123B AS A RESOLUTION TO THE OBJECTION BY BLM TO THE PLACE OF USE OF THE STORAGE. THIS IS A MAINTENANCE RESERVOIR THAT THE TRAIL'S USE TO FILL THEIR MAIN RESERVOIR COVERED BY 61-04079 & 61-02228B. THE RECREATION PORTION OF THIS STORAGE RIGHT IS THE PORTION BEING SPLIT TO BLM PER THEIR REQUEST AND DUE TO THE LAND BEING UNDER PUBLIC DOMAIN. THE RESERVOIR IS STOCKED AND OPEN TO FISHING BY THE PUBLIC. THE ADDITION OF THE IRRIGATION FROM STORAGE IS DUE TO A REQUEST BY THE CLAIMANTS BECAUSE WHEN BOTH RESERVOIRS ARE FULL, THIS RESERVOIR IS THEN ALSO USED FOR IRRIGATION FROM STORAGE. THE ACRES ARE BEING ADDED BASED ON THE RECOMMENDED ACRES UNDER THEIR OTHER RIGHTS. NO ADDITIONAL FEES NEEDED SINCE ACRES HAVE BEEN PAID FOR. NO ADDITIONAL WATER ADDED AND THE IRRIGATION FROM STORAGE HAS BEEN OCCURRING AS LONG AS THE MAINTENANCE RESERVOIR HAS BEEN THERE, SO NO EXPANSION HAS OCCURRED WITH THE ADDITION OF IRRIGATION FROM STORAGE. THE CLAIMANTS AGREED TO THE SPLIT TO BLM OF THE RECREATION STORAGE AT A SETTLEMENT CONFERENCE ON 2-17-00. THE BLM AGREED TO ADDING 1 DAY OF PRIORITY TO THEIR PORTION OF THE SPLIT TO PROTECT THE TRAIL'S FROM A POSSIBLE CHANGE IN USE BY BLM IN THE FUTURE WHICH COULD AFFECT THE STORAGE UNDER THIS RIGHT.

Dates and Other Information:

Decreed Date: 1/9/2001
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 61D
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 61-4123C V1

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 61-4123D V1

WATER RIGHT NUMBER: 61-4123D V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WY BOISE, ID 83709-1657 (208)373-4000

Priority Date: 11/07/1957
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE CANYON CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION STORAGE	1/01 to 12/31		31.50 AF
	<u>Total Diversion:</u>		31.50 AF

Location of Point(s) of Diversion
 LITTLE CANYON CREEK NE1/4NE1/4 Sec. 29, Twp 04S, Rge 10E, B.M.
 ELMORE County

Place of Use
 RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	10E	28							X										

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 61-04123C IS LIMITED TO A TOTAL COMBINED ANNUAL STORAGE VOLUME OF 71.5 ACRE FEET.
 USE OF THIS RIGHT WITH RIGHT NOS. 61-04123C, 61-04123E AND 61-04123F IS LIMITED TO A TOTAL COMBINED ANNUAL STORAGE VOLUME OF 143 ACRE FEET.
2. Purpose of Use RECREATION USE IS FOR FISHING.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 61-4123D V1

3. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE:61-02228B, 61-04079, 61-02107B, 61-04123C, 61-04123E & 61-04123F.

Comments:

1. JSHURTE 3/3/2000 SPLIT CREATED DUE TO BLM OBJECTION
Comment: THIS SPLIT IS A RESULT OF A SETTLEMENT BETWEEN TRAILS AND BLM ON BLM'S OBJECTION DUE TO THIS RESERVOIR BEING ON BLM LAND. THE SETTLEMENT WAS THAT BLM GET THE RECREATION PORTION IN THEIR NAME AND ONE DAY LATER PRIORITY DATE THAN TRAIL'S 61-04123C CLAIM WHICH IS NOW FOR IRRIGATION STORAGE AND IRRIGATION FROM STORAGE.

Dates and Other Information:

Decreed Date: 1/9/2001
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number: 61D
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 61-4123E V1

WATER RIGHT NUMBER: 61-4123E V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BLAIR & TRAIL PTR PO BOX 962 GLENN'S FERRY, ID 83623 (208)366-2278
Current Owner	RALPH CRANE PO BOX 177 GLENN'S FERRY, ID 83623 (208)366-2605
Current Owner	VERNESS CRANE PO BOX 177 GLENN'S FERRY, ID 83623 (208)366-2605

Priority Date: 11/06/1957
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE CANYON CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	11/16 to 3/31		71.50 AF
	<u>Total Diversion:</u>		71.50 AF

Location of Point(s) of Diversion

LITTLE CANYON CREEK NE1/4NE1/4 Sec. 29, Twp 04S, Rge 10E, B.M.
 ELMORE County

Place of Use

IRRIGATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	10E	28							X										

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 61-4123E V1

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 61-04123F IS LIMITED TO A TOTAL COMBINED ANNUAL STORAGE VOLUME OF 71.5 ACRE FEET.
USE OF THIS RIGHT WITH RIGHT NOS. 61-04123C, 61-04123D AND 61-04123F IS LIMITED TO A TOTAL COMBINED ANNUAL STORAGE VOLUME OF 143 ACRE FEET.
2. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE:61-02228A, 61-04090, 61-02107A, 61-04123C, 61-04123D AND 61-04123F.

Comments:

1. SBOCK 11/2/1998 COPIED FROM REMARKS
Comment: THIS FILING COVERS THE YR. ROUND MAINTENANCE POOL BEHIND TRAIL DIV. DAM & THE STORAGE NEEDED DURING THE DIV. SEASON TO RAISE THE WATER TO FLOW TO THE MAIN BLAIR-TRAIL STORAGE DAM. PER CHANGE OF OWNERSHIP OF MARY BLAIR TO THE CLAIMANT, THIS RIGHT REFLECTS ONE-HALF OF THE ORIGINAL RIGHT WITH THE REMAINING HALF IN THE NAME OF LEE TRAIL. TOTAL AMOUNT UNDER ORIGINAL RIGHT IS 143 AF.
2. SBOCK 11/19/1998 WILDLIFE
Comment: THE WILDLIFE COMPONENT WAS REMOVED AS PER BASIN WIDE ISSUE #12.
3. AJU10-JS 11/21/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
4. JSHURTE 3/13/2000 SPLIT TO RESOLVE BLM OBJECTION
Comment: THIS RIGHT IS A SPLIT OF 61-04123A AS A RESOLUTION TO THE OBJECTION BY BLM TO THE PLACE OF USE OF STORAGE. THIS IS A MAINTENANCE RESERVOIR THAT THE CRANE'S USE TO FILL THEIR MAIN RESERVOIR COVERED BY 61-04079 AND 61-02228B. THE RECREATION PORTION OF THIS STORAGE RIGHT IS THE PORTION BEING SPLIT TO BLM PER THEIR REQUEST AND DUE TO THE LAND BEING UNDER PUBLIC DOMAIN. THE RESERVOIR IS STOCKED AND OPEN TO FISHING BY THE PUBLIC. THE CRANE'S OPTED TO MAINTAIN THE IRRIGATION STORAGE PORTION ONLY. BLM OPTED TO SPLIT OFF THE RECREATION STORAGE AND TAKE ONE DAY LATER PRIORITY DATE ON THEIR PORTION.

Dates and Other Information:

Decreed Date: 6/14/2000
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector:
 Water District Number: 61D
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 61-4123F V1

WATER RIGHT NUMBER: 61-4123F V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WY BOISE, ID 83709-1657 (208)373-4000

Priority Date: 11/07/1957
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE CANYON CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION STORAGE	1/01 to 12/31		31.50 AF
	<u>Total Diversion:</u>		31.50 AF

Location of Point(s) of Diversion
LITTLE CANYON CREEK NE1/4NE1/4 Sec. 29, Twp 04S, Rge 10E, B.M.
ELMORE County

Place of Use
RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S	10E	28							X										

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 61-04123E IS LIMITED TO A TOTAL COMBINED ANNUAL STORAGE VOLUME OF 71.5 ACRE FEET.
USE OF THIS RIGHT WITH RIGHT NOS. 61-04123C, 61-04123D AND 61-04123E IS LIMITED TO A TOTAL COMBINED ANNUAL STORAGE VOLUME OF 143 ACRE FEET.
2. Purpose of Use RECREATION USE IS FOR FISHING.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 61-4123F V1

3. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 61-02228A, 61-04090, 61-02107A, 61-04123C, 61-04123D AND 61-04123E.

Comments:

1. SBOCK 11/2/1998 COPIED FROM REMARKS

Comment: THIS FILING COVERS THE YR. ROUND MAINTENANCE POOL BEHIND TRAIL DIV. DAM & THE STORAGE NEEDED DURING THE DIV. SEASON TO RAISE THE WATER TO FLOW TO THE MAIN BLAIR-TRAIL STORAGE DAM. PER CHANGE OF OWNERSHIP OF MARY BLAIR TO THE CLAIMANT, THIS RIGHT REFLECTS ONE-HALF OF THE ORIGINAL RIGHT WITH THE REMAINING HALF IN THE NAME OF LEE TRAIL. TOTAL AMOUNT UNDER ORIGINAL RIGHT IS 143 AF.

2. SBOCK 11/19/1998 WILDLIFE

Comment: THE WILDLIFE COMPONENT WAS REMOVED AS PER BASIN WIDE ISSUE #12.

3. AJU10-JS 11/21/1998 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

4. JSHURTE 3/10/2000 SPLIT CREATED DUE TO BLM OBJECTION

Comment: THIS SPLIT IS A RESULT OF A SETTLEMENT BETWEEN THE CRANES AND BLM ON BLM'S OBJECTION DUE TO THIS RESERVOIR BEING LOCATED ON BLM LAND. THE SETTLEMENT WAS THAT BLM GET THE RECREATION PORTION IN THEIR NAME WITH A ONE DAY LATER PRIORITY THAN CRANE'S 61-04123E CLAIM WHICH IS NOW FOR IRRIGATION STORAGE ONLY.

Dates and Other Information:

Decreed Date: 6/14/2000
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector:
 Water District Number: 61D
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False