

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**WATER DISTRICT NO. 37 & 37M**  
107 WEST 1<sup>ST</sup>  
SHOSHONE, IDAHO 83352  
(208) 886-2451



RECEIVED

MAR 19 2008

DEPARTMENT OF  
WATER RESOURCES

Tim Luke  
Water Distribution Section  
Idaho Department of Water Resources  
322 East Front Street, P.O. Box 83720  
Boise, Idaho 83720-0098

March 12, 2008

Tim,

I am writing this letter to formally request your department's help and direction on the following issues as related to Water Districts 37 & 37 M:

- 1.) Compile a list of all surface water Permits and Licenses (excluding Hydro Power) within Basins 37 & 37M that have Conditions of Use with Watermaster authority.
- 2.) Query the list developed by SPF Engineering and organized by Daniel Nelson to show wells that have both ground water and surface water in the same well. (Example 37-7775D with 37-604E or 37-7064E with 37-102b). I'm wondering whether these wells would be allowed to keep running even if the surface priority has be shut off, because the ground water right is not regulated. Or, are the groundwater rights supplemental and should therefore be shut off with the surface water? The list is an excellent tool from which to start, but I'm finding some diversions that need further explanation.
- 3.) Identify total deliveries by priority to the following canals:
  - a.) Bannon 49
  - b.) Baseline #55C
  - c.) Black 61
  - d.) Cove #33
  - e.) District 45
  - f.) Glendale 50
  - g.) Hiawatha #22

I can get the legal description of the PODs when you're ready. My concern with these major diversions is that we may be delivering the incorrect totals due to transfers, splits, etc. I will attach a copy of the current delivery sheet for the District 45 to give an example of what I am looking for.

- 4.) How much of the old "Hiawatha Flood Water" Decree was claimed in the SRBA? The decree numbers are 37-896 thru 37-923. The original decree has some confusing language about priority of delivery. It looks like one of those "saved water" decrees, but I've never delivered it that way. I believe Brockway Engineering claimed a piece of this for Rinker and Co., so I will need some guidance on how this will be delivered.

If you could add these responses to the other twelve issues we have discussed, I would really appreciate it.

Thanks for all of the help. I will be talking to you soon.

Respectfully,

A handwritten signature in black ink, appearing to read "Kevin Lakey", with a long, sweeping horizontal stroke extending to the right.

Kevin Lakey  
Watermaster, Districts 37 & 37M

April 1, 2003

DISTRICT CANAL #45

ABOVE MAGIC

DECREE NO	DECREED TO	DATE OF DECREE	INCHES	TOTAL CFS	TOTAL
37-0713	JAMES WRENCHER	06/10/1880	150.00	3.00	3.00
37-0158	E CRAMER	07/01/1881	47.00	0.94	3.94
37-0481	ANNIE I MILLER ET AL	08/01/1882	850.00	17.00	20.94
37-0577	W T RILEY	03/24/1883	942.90	18.86	39.80
37-0004D	WILLIAM ABBOTT	03/24/1883	7.00	0.14	39.94
37-0363	U S JUSTUS	04/12/1883	14.00	0.28	40.22
37-0475	JOHN MELICH	04/17/1883	22.00	0.44	40.66
37-0111	R F & ROSA BUHLER	04/17/1883	3.00	0.06	40.72
37-0705	SAMUEL S WILSON	05/31/1883	100.00	2.00	42.72
37-0235	PETER FOSTER	06/15/1883	100.00	2.00	44.72
37-0886	W D SCHARIFF ET AL	06/01/1884	52.10	1.04	45.76
37-0509	S J MEYERS	06/01/1884	200.00	4.00	49.76
37-0234	PETER FOSTER	06/15/1884	300.00	6.00	55.76
37-0476	JOHN MELICH	06/20/1884	193.00	3.86	59.62
37-0112	R F & ROSA BUHLER	06/20/1884	32.00	0.64	60.26
37-0113	R F & ROSA BUHLER	07/10/1884	630.00	12.60	72.86
37-0664	UTAH & IDAHO IMPLEMENT	07/10/1884	218.00	4.36	77.22
37-0482	ANNIE I MILLER ET AL	08/01/1884	774.84	15.50	92.72
37-0103	M S & M BROWN	08/01/1884	160.00	3.20	95.92
37-0665	UTAH & IDAHO IMPLEMENT	10/15/1884	1296.00	25.92	121.84
37-0685	JOSEPH R WERRY JR	10/15/1884	320.00	6.40	128.24
37-0510	S J MEYERS	10/15/1884	140.00	2.80	131.04
37-0298	S G HAMLETT	09/18/1885	150.00	3.00	134.04
37-0590	LINDLEY ROGERS	05/01/1886	250.00	5.00	139.04
37-0501	W Y MORGAN	05/01/1886	400.00	8.00	147.04
37-0114	R F & ROSA BUHLER	05/01/1886	750.00	15.00	162.04
37-0597	A H SAMS	05/01/1886	115.00	2.30	164.34
37-0308	E H HENDRICKS	05/14/1886	80.00	1.60	165.94
37-0353	JAMES JOHNSON	06/12/1886	310.00	6.20	172.14
37-0666	UTAH & IDAHO IMPLEMENT	06/12/1886	892.10	17.84	189.98
37-0115	R F & ROSA BUHLER	06/12/1886	750.00	15.00	204.98
37-0102	M S SWEET & M BROWN	06/01/1887	400.00	8.00	212.98
37-0418	HORACE C LEWIS	06/23/1888	154.82	3.10	216.08
37-0419	HORACE C LEWIS	08/02/1889	81.00	1.62	217.70
37-0116	R F & ROSA BUHLER	06/02/1890	7.00	0.14	217.84
37-0477	JOHN MELICH	06/02/1890	43.00	0.86	218.70
37-0480	ANNIE I MILLER ET AL	06/15/1891	1000.00	20.00	238.70
37-0667	UTAH & IDAHO IMPLEMENT	06/15/1891	1802.00	36.04	274.74
37-0881	ALBERT BALDWIN	05/01/1901	180.00	3.60	278.34
37-0117	R F & ROSA BUHLER	05/01/1902	300.00	6.00	284.34
37-0483	ANNIE I MILLER ET AL	08/01/1902	4700.00	94.00	378.34
37-0833	ROCKWELL-BY-PASS	11/12/1936	65.00	1.30	379.64
37-0316	ADD TO CANAL BY TR# 1579	10/15/1884	16.00	0.32	379.96

37-0353	TRANSFERED TO GROUNDWATER	06/12/1886		-10.00		-0.20	
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