A G E N D A

ANNUAL MEETING OF WATER DISTRICT NO. 1
Westbank Restaurant, Idaho Falls, Idaho

March 1, 1983

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9:00 a.m.	Will Anderson, Will Anderson Company "A New Method for Dealing with Seepage Loss"
9:20 a.m.	Ted Diehl, Idaho Water Users Legislative Committee Report
9:35 a.m.	Arthur Larson, IWUA Education Committee Presentation
9:45 a.m.	Welcome by Mayor Tom Campbell
10:00 a.m.	Call to Order
	Election of Temporary Chairman Election of Temporary Secretary
	Reading of Minutes of 1982 Meeting
	Selection of Committees
	Henrys Fork — District No. 1 (Main River abv Lorenzo) Lower Valley — District No. 2 (Feeder Canals) District No. 3 (Lorenzo to Shelley) District No. 4 (Below Shelley)
	Report of Committees & Elections
	Committees Excused: Order of Business, Credentials
	Roll Call
	Report of Committee on Order of Business
	Election of Committee of Nine
11:45 a.m.	LUNCH BREAK (No Host Luncheon-$4.15-Stuffed Pork Chop)
1:00 p.m.	REPORTS
	Annual Report of Committee of Nine
	Idaho Department of Water Resources Norman C. Young, Administrator
	U.S. Bureau of Reclamation John Keyes, Assistant Regional Director Leo Busch, "1982 Reservoir Operations"
	Water District No. 1 Lyle Swank, "1982 Runoff and Diversion Hydrographs"
	Watermaster's Report Ronald Carlson, "Outlook for 1983 and Beyond"
	Resolutions
	Election of Watermaster
	Unfinished Business
	New Business
	ADJOURN

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The 1932 Report of the Committee on Organization and Order of Business:

"We recommend that the temporary organization be made permanent and the following be adopted as the Order of Business of this meeting:

1. Roll Call of canals.

2. Appointment of a temporary organization.

3. Reading of minutes of previous meeting (omitting the resolutions.)

4. Recess for caucus and selection of committees.

5. Report of committees.

6. That the temporary organization be made permanent.

7. Election of Committee of Nine.

8. Financial Report of the District.

9. Resolutions.

10. Election of Watermaster.

11. Unfinished business.

12. New business.

13. Committee of Nine shall serve as a permanent resolution committee and anyone desiring to present a resolution is requested to present it to the Committee of Nine on or before their last meeting prior to Water District No. 1 general meeting.

1932 Report of Committee on Credentials:

"We, your Committee on Credentials, recommend the following for your consideration:

1. That the rights represented be determined by roll call in advance of voting. In addition, the officer authorized to vote on behalf of each organization, canal company, or irrigation district also be identified prior to voting.

2. That the companies or other organizations owning decreed or licensed consumptive rights shall be entitled to vote through their duly elected representative or by written proxy. Each stockholder or any company not represented by a duly elected officer or by written proxy shall be entitled to vote the stock held by them.

3. That non-consumptive rights not be recognized in voting.

4. That no person be elected to membership and service on the Committee of Nine, Committee on Organization and Order of Business, or Credential Committee unless he be a landowner and wateruser in the canal company or district which he represents during the term of his office.

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TOTAL WATER DISTRICT NO. 1 VOTING RIGHTS

DISTRICT		AMOUNT
District No. 1 (Main River abv Lorenzo)		17,048
	(Minus Willow Ck	15,898)
District No. 2 (Feeder Canals)		21,053
District No. 3 (Lorenzo to Shelley)		22,181
Willow Creek Rights		247
District No. 4 (Below Shelley)		22,313
Lower Valley		73,787
North Fork (Above Crosscut)		9,093
North Fork & Teton Canals (Below Crosscut)		25,862
Teton Basin		4,886
TOTAL VOTES		196,470

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ATER RIGHTS ENTITLED TO VOTE

1980 ANNUAL MEETING

WATER DISTRICT NO. 1

DISTRICT NO. 1 MAIN RIVER ABOVE LORENZO

NAME	IRRIGATION RIGHTS	VOTES
Poplar Irrigation Dist.	36.	180
Progressive Irrigation Dist.		
Snake River	1,196.9	5,984
Willow & Sand Creeks	230.	1,150
Farmers Friend Canal Co.	494.7	2,473
Enterprise Canal Co.	250.	1,250
Mattson-Craig	36.45	182
Sunnydell Irrigation Dist.	235.32	1,177
Lenroot Canal Co.	233.74	1,169
Reid Canal Co.	225.8	1,129
Texas Slough Irrigation	176.	880
Liberty Park Irrigation	182.	910
Bannock Jim	19.2	96
Hill Pettinger	12.96	65
Nelson-Corey	15.8	79
total		16,724
	(Minus Willow Ck	15,574)

MINOR RIGHTS

Taylor Lott	4.0	20
Ira Spaulding	1.1	5
Marvon Newby	11.6	58
M. Georgia	6.0	30
Nelson	0.18	1
Covington	16.	80
Arnsberger	9.	45
Preston Parkinson	14.	70
R. Roth	3.	15
total		324
		16,724
total		17,048
	(Minus Willow Ck	15,898)

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DISTRICT NO. 1 - WILLOW CREEK

NAME	IRRIGATION RIGHTS	VOTES
Loertscher	1.6	8
Ferguson	6.1	30
Wallace Reid	4.0	20
Sargent & Summers	11.0	55
Sperry	3.4	17
Orval Avery	9.72	49
Roy Avery	13.71	68
Total	49.53	247

DIVISION NO. 2 FEEDER CANALS

NAME	IRRIGATION RIGHTS	VOTES
Butler Island	67.57	338
Ross & Rand	8.14	41
Steele	13.	65
Harrison	621.9	3,109
Cheney	13.8	69
Lowder Slough Canal Co.	85.	425
Rudy Irrigation & Canal	291.13	1,456
Kite & Nord	16.2	81
Burgess	1,101.41	5,507
Clark & Edwards	105.	525
Labelle Irrigating Co.	176.2	881
Rigby Canal & Irrig. Co.	259.	1,295
Dilts Canal Co.	44.	220
Island Irrigation Co.	216.84	1,084
Long Island & Independent Irrig. Co.	453.26	2,266
W. Laßelle Irrig.	172.92	865
Parks & Lewisville Canal Co.	432.52	2,163
North Rigby Irrig. Co.	80.	400
White Ditch	10.	50
Bramwell	30.4	152
Ellis	6.8	34
total		21,026
Minor Rights		
M. Hill	1.5	8
Croft Ditch	3.8	19
total		27
		21,026
total		21,053

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DISTRICT NO. 3 LORENZO TO SHELLEY

NAME	IRRIGATION RIGHTS	VOTES
Butte & Market Lake	482.49	2,412
Bear Trap	50.2	251
Osgood	142.77	714
Kennedy	43.56	218
New Sweden Irrigation Dist.	1,027.04	5,135
Martin Canal Company	45.9	229
Bear Island	6.82	34
Idaho (Snake R.)	1,430.	7,150
Idaho (Sand Creek)	160.	800
Woodville Canal Co.	158.24	791
Snake River Valley	876.2	4,381
total		22,115
Minor Rights		
B. Tomchak	6.96	35
L. Brown	3.00	15
S.A. Construction	3.21	16
total		66
		22,115
		22,181

DISTRICT NO. 4

NAME	IRRIGATION RIGHTS	VOTES
Reservation	615.98	3,080
(U.S. Indian Service)		
Blackfoot Irrig. Co.	466.8	2,334
New Lava Side	180.4	902
Peoples Canal & Irrig. Co.	624.2	3,121
Aberdeen Springfield Canal Co.	1,480.	7,400
Corbett Slough	252.43	1,262
Nielson-Hansen	16.	80
Riverside Ditch Co.	192.16	961
Danskin Ditch	284.95	1,425
Trego Ditch Co.	87.11	435
Wearyrick Ditch Co.	87.86	439
Watson Slough Ditch Co.	122.15	611
Parsons Ditch Co.	50.85	254
	4,460.89	22,304
MINOR DIVERSIONS		
A.M. Cannon	1.8	9
total	4,462.69	22,313

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LOWER VALLEY

NAME	IRRIGATION RIGHTS	VOTES
Falls Irrigation Dist.	125.	625
Barkdull	12.481	62
Burley Irrigation Dist.	1,199.4	5,997
Minidoka Irrigation Dist.	1,956.6	9,783
A & B Irrigation Dist.	267.	1,335
Milner Low Lift Irrig. Dist.	307.	1,535
Reservoir Dist. #2	2,550.	12,750
North Side Canal Co.	4,560.	22,800
Twin Falls South Side	3,780.	18,900
total		73,787

NORTH FORK CANALS

NAME	IRRIGATION RIGHTS	VOTES
Primary Rights		
Dewey Canal Company	37.2	186
Yellowstone Canal Co.	100.	500
Marysville Canal Co.	322.	1,610
Farmers Own Ditch Co.	107.1	535
Conant Creek Canal	63.05	315
Boom Creek Canal	142.56	713
Squirrel Creek Canal	20.	100
Enterprise Irrig. Dist.	199.2	996
Fall River Canal Co.	492.	2,460
Chester Irrig. Dist.	112.6	563
McBee	4.43	22
Silkey Ditch	27.7	138
Curr Ditch Co.	47.5	237
total		8,375

NORTH FORK DIVERSIONS ABOVE CROSSCUT CANAL

Secondary Rights		
Group 1		
G. Marotz	.41	2
L. Cherry	3.2	16
F. Howell	5.1	25
D. Woodruff	1.6	8
E.G. Howell #1	5.	20
T. Holcomb	.6	3
R. Lee	2.7	13
R. Ritchey	4.4	22
R.D. Baker #2	5.38	27

D. Larson	2.57	13
Z.J. Egbert #4	2.	10
G. Nedrow	3.	15
M.F. Reynolds #1	2.	10
R & C Baum	1.	5
J. McCulloch	1.	5
A. Nedrow	5.3	26
L. Loosli #1	2.5	12
C.P. Lenz	10.	50
R. Baum	1.01	5
H. Griffel	1.	5
D. Reinke	1.	5
R. Sturm	8.	40
C. Loosli #1	4.	20
K. Nyborg	5.2	26
D. Harshbarger	25.	125
Orme Ditch	2.9	14
D. Zundell	6.13	31
L. Loosli #2	4.	20
C & L Loosli	4.	20
J. Hill	.82	4
T. Potter	4.4	22
L. Martindale #2	4.	20
R.D. Miller (formerly Bell Ditch)	11.2	56
L. Martindale #1	4.	20
G. Blanchard	.57	3
total		718
		8,375
total		9,093

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NORTH FORK & TETON CANALS BELOW CROSSCUT

NAME	IRRIGATION RIGHTS	VOTES
MAJOR DIVERSIONS		
Last Chance Canal Co.	225.	1,125
Farmers Friend Canal Co.	296.	1,480
Twin Groves Canal Co.	180.	900
St. Anthony Union Canal Co.	724.	3,620
Salem Union Canal Co.	315.	1,575
Egin Canal Co.	423.	2,115
Independent Canal Co.	435.	2,175
Consolidated Farmers Canal Co.	403.	2,015
Teton Pipeline #4	49.66	248
Teton Pipeline #3	13.94	70
Teton Pipeline #2	27.17	136
Teton Pipeline #1	53.19	266
Canyon Creek Irrig. Co.	70.	350
Canyon Creek Lateral Users	25.33	126
Wilford)	250.	1,250
Good Luck)	22.14	111
Teton Irrigation	124.17	621
Siddoway	35.99	180
Pioneer	28.56	143
Stewart	56.55	283
Pincock-Byington	59.12	296
Teton Island Feeder		
Teton Island Co.	366.7	1,833
Salem Irrig. Co.	241.6	1,208
North Salem	26.5	132
Roxana	42.	210
Island Ward	100.	500
Saurey-Sommers Canal	36.	180
McCormick-Rowe	8.6	43
Pincock-Garner	32.1	160
Woodmansee-Johnson	59.8	299
Rexburg Irrigation	300.	1,500
total		25,150

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North Fork & Teton Canals Below Crosscut (con't)

Minor Rights

J. Ricks	3.2	16
K.J. Arnold	21.2	106
B. Parkinson	24.93	125
V. Schwendiman	24.93	125
C.M. Olsen	2.53	13
N. Birch	1.2	6
Bud Leavitt	1.6	8
E. Gardner	4.8	24
Bigler Slough	1.6	8
R.R. Ricks	5.6	28
R.O. Wilding	4.15	21
City of Rexburg	46.5	232
total		712
		25,150
total		25,862

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TETON BASIN

NAME	IRRIGATION RIGHTS	VOTES
String Canal	88.74	443
Trail Creek Irrig. Co.	229.3	1,146
Fox Creek	141.5	707
Garden Water Company	90.8	484
Cherry Grove Canal	29.6	148
Grand Teton Canal	337.2	1,686
Leigh Creek Canal Co.	54.4	272
total		4,886

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R E S O L U T I O N S

Water District No. 1
March 1, 1983

1. That the watermaster continue to apply the best available methods and technology to better assure: more accurate deliveries of natural flow and stored water, improved regulation procedures, the availability of water supply and diversion records to the waterusers, and that all waterusers are charged for water deliveries on an accurate and equitable basis.

   BE IT FURTHER RESOLVED that the watermaster proceed toward automated data collection where it can effectively reduce personnel costs, travel costs, or result in cost-savings to the waterusers through better and more current data.

2. That the waterusers of Water District No. 1 continue the cooperative program with the Idaho Department of Water Resources as outlined in the Memorandum of Understanding signed by the Chairman of the Committee of Nine and the Director of the Department of Water Resources on March 3, 1979.

3. We recommend that Ronald D. Carlson be re-elected watermaster for the ensuing year. This recommendation shall authorize the watermaster to hire a full time staff of a deputy, assistant, and a clerk, with an aggregate salary not to exceed $75,500. This amount represents the entire salary of the clerk, assistant, and deputy, and 67% of the salary of the watermaster. Thirty-three percent of the watermaster's salary and benefits shall be paid from non-water district funding provided by the Idaho Department of Water Resources.

4. That the duties of a watermaster shall begin on this date and continue for a period of one full year.

5. Proposed Budget for Water District No. 1 for the year beginning March 1, 1983.

HYDROGRAPHERS

Teton Basin	6 mos. @ $850 (+ miles)	$5100	
Idaho Falls	6 mos. @ 900 (+ miles)	5400	
Lower Valley	5 mos. @ 850 (+ miles)	4250	
Henrys Fork	7 mos. @ 900 (+ miles)	6300	
Falls River	150 days @ 48 (inc. mi)	7200	
Teton River	130 days @ 48 (inc. mi)	6240	
			$34,490

RIVER RIDERS

Heise Division	150 days @ $ 60 (inc. mi)	$9000	
Blackfoot Division	100 days @ 40 (inc. mi)	4000	
Swan Valley	100 days @ 34 (inc. mi)	3500	
Upper Fall River	4 mos. @ 200 (inc. mi)	800	
South Leigh	200 days @ 5 (inc. mi)	1000	
Willow Creek	5 mos. @ 550 (inc. mi)	2750	
			$21,050

Social Security (.0670)	$ 6,325	
Mileage (70,000 @ .20)	14,000	
State Insurance Fund	1,200	
Employment Insurance	1,200	
Miscellaneous hydrographer expense	500	
Part-time help	3,500	
Streamgaging	16,419	
Committee of Nine	2,500	
		$45,644

Watermaster & staff		
Salary & Wages	$75,500	
Benefits	27,000	
Computer	12,000	
Watermaster report	1,000	
Watermaster travel	1,200	
Postage, supplies, rent, overhead, etc.	15,880	
		$132,580

Audit	$ 600
TOTAL	$234,364

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6. WHEREAS, it is the watermaster's responsibility to assure the proper delivery of both natual flow and storage supplies to all waterusers, and;

   WHEREAS, the normal cost of delivering water to many diversions is more than their normal assessments when based upon their total season use of water;

   NOW, THEREFORE, BE IT RESOLVED that the watermaster of Water District No. 1 is hereby authorized to assess a $15.00 minimum charge for every diversion within its jurisidiction.

7. Resolved that the watermaster shall prepare a report in accordance with Idaho Code, Section 42-614, which shall become the official billing to the individual waterusers, canal companies, and irrigation districts, and is hereby authorized to collect all of the expenses of delivering the waters of the district, including his salary and that of his assistants, and shall make all disbursements necessary to the conduct of the business of administering and delivering the waters of the district.

   Resolved that no ditch, canal company, or other wateruser shall have the right to demand and receive water, and the watermaster shall not deliver to such person until receipt of the amount due and payable from such such user.

   Resolved that copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and the report prepared in accordance with Section 42-614, shall be filed with the county clerks of Bonneville, Madison, Teton, and Fremont Counties.

8. WHEREAS, the Committee of Nine has been appointed by the Idaho Water Resource Board pursuant to Section 42-1765, Idaho Code, and;

   WHEREAS, the watermaster of Water District No. 1 has traditionally acted on behalf of the Committee of Nine in leasing stored water within Water District No. 1, and;

   WHEREAS, it is necessary to an orderly rental program that the watermaster continue to have the authority to act on behalf of the Committee of Nine,

   THEREFORE, BE IT RESOLVED that for the purpose of renting water, the watermaster be considered a member of the Committee of Nine.

9. With the exception noted in Resolution No. 8, we recommend that the Committee of Nine be continued with nine regular members. The members representing the Burley and Minidoka Irrigation Projects are to be alternated between the two districts as they arrange. In addition, advisory members representing the Bureau of Reclamation, Teton Basin, Gooding Canal, A & B Irrigation, and a member from the Burley or Minidoka District; whichever is not currently represented on the regular committee be included. Any canal company or district desiring to have representatives attend meetings of the Committee of Nine should notify the watermaster, who will then advise them of dates and time of committee meetings so that they may have the opportunity to attend such meetings.

10. WHEREAS, it is in the best interest of the waterusers of Water District No. 1 to account for all diversions which might adversely affect any prior natural flow or storage diversions;

BE IT RESOLVED that the watermaster shall collect records of water diversions during the entire year.

11. WHEREAS, the annual sale of stored water is the responsibility of the Committee of Nine, and;

WHEREAS, certain rules and regulations for the administration of the annual lease of reservoir space is essential to an orderly water banking process; now,

THEREFORE, BE IT RESOLVED that the following rules and regulations for administering storage rentals and sales be adopted.

Rule 1. A rental committee composed of three members of the Committee of Nine and the watermaster shall be appointed by the chairman for the following purposes:

1. To determine general policies regarding the annual rental of storage space and sales of water from this space which are not covered by the adopted rules and regulations.

2. To assist the watermaster in the allocation of water sold from the bank.

3. To consult with the watermaster on ways to most fully utilize available storage water.

4. To advise the Committee of Nine on water banking activities.

Rule 2. The operation of the "Water Bank" shall be consistent with the statutes creating the Water Supply Bank ~~and~~ the Rules and Regulations of the Water Resource Board the provisions of the applicable contracts of the USA.

Rule 3. Storage space taken into the water bank on a contingency basis will return payments to the lessor only if the water is subsequently leased from the water bank.

Holders of space in Palisades Reservoir or in any other reservoir may notify the Upper Snake River Watermaster by July 1 of each year of reservoir space they designate as available for lease by the water bank for that year's irrigation season. All such holders will share proportionately in the proceeds from the sale of all or any part of the water offered by July 1 for use in that year.

Holders of space in Palisades Reservoir or other reservoirs who notify the Upper Snake River watermaster after July 1 of any year of reservoir space they desire to lease to the water bank for that year's irrigation season shall receive any proceeds from the sale of all or any part of the water sold which was designated for sale after July 1 of that year on a "first come" basis.

All of the water designated for sale before July 1 of any year will be sold before any water assigned to the bank on or after July 1 will be sold.

The lessor shall be entitled to receive payment for the percentage of his water sold from the water supply bank according to the following formula:

Definitions:

Sp = Space holder payback

Rc = Annual reservoir O & M + construction

A_5 = Five-year average total storage use

i = Inflation factor

C_c = Average canal O & M

N_5 = Five-year average natural flow delivered

AF = Acre-feet sold

$$Sp = \frac{(Rc)}{A_5} + (C_c + i)\frac{A_5}{N_5} AF$$

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FORMULA

Definitions:

Sp = Space holder payback

Rc = Annual reservoir O & M + construction

A_5 = Five-year average total storage use

i = Inflation factor

N_5 = Five-year average natural flow delivered

AF = Acre-feet leased

C_c = Canal company O & M

$$Sp = \left[\frac{(Rc)}{A_5} = C_c + i \right) \frac{A_5}{N_5} \right] AF$$

$$Sp_{83} = \left(.47 + (7.87 + 4\% \times (7.87) \frac{1,714,800}{8,377,500} \right)$$

$$Sp_{83} = .47 + (7.87 + 4\% \times (7.87) \times (.205) = 47 + 1.68 = \$2.15$$

Space holder and lessor shall share the $ .50 administrative charge. Therefore, the total 1983 rental price will be $ 2.40.

Space holder payback will be $1.90.

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Rule 4. Any water available through the water bank for annual sales shall be provided on a priority basis according to the following priorities:

a. First priority in the rental of available reservoir space shall be given to those waterusers owning rights in the various storage reservoirs of the Bureau of Reclamation in the Snake River Basin above Milner Dam.

b. Second priority in the rental of available space shall be given to other irrigation waterusers in the areas of beneficial use described in the licenses issued by the State of Idaho for use of the waters from the storage reservoirs described in (a) above.

c. Priority among waterusers of each priority listed in (a) and (b) above and who execute leases to rent space during an irrigation season shall be determined by the date on which that wateruser's lease is received at the office of the Upper Snake River Watermaster at Idaho Falls, Idaho; the earlier in the year the executed lease is received by the watermaster, the higher priority in the priority group the enity will receive.

d. Any wateruser having once initiated a lease agreement may request water in subsequent years by confirming, in writing, that all of the information on the original lease is true and correct, and identifying the amount of water he wishes to lease.

e. The Committee of Nine may charge the lessor and lessee each twenty-five cents ($ .25) to cover administrative costs, costs of the Committee of Nine, and to secure funds to make such needed improvements in the water district as the committee may deem necessary and beneficial to the waterusers.

f. Any water not sold by August 15 may be provided to the highest bidder for such uses as may be determined beneficial by the Committee of Nine. Any sale of water which shall result in a price in excess of that calculated using the formula in Rule 3, plus administrative charges, shall be used for the general benefit of the waterusers in Water District No. 1.

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Rule 5. Space holders who wish to lease their reservoir storage space to the water supply bank on a long-term basis may request consideration by contacting the Snake River Watermaster or the Chairman of the Committee of Nine in writing. Any such request shall be reviewed by the rental Committee and if it is deemed proper, it shall be presented at the next regular meeting of the Committee of Nine. Upon approval, the committee shall commence seeking a lessee. No lessee shall be eligible if his proposed point of diversion is outside Water District No. 1 or if the requested water will be used for non-consumptive purposes. If a suitable lessee is found, the lessor will be notified and a contract between the lessor, lessee, and the Committee of Nine shall be executed setting forth the terms of the lease, lease price, point of delivery, and place of use. Any administrative costs to be imposed by the water supply bank may also be contained in said contract. The parties shall be exempt from Water Bank Rules 3 and 4, except the contracted lease price may not exceed that calculated using the formula of Rule 3.

12. WHEREAS, it is in the interest of all the waterusers to have the water rights within Water District No. 1 delivered according to the priority system, and;

WHEREAS, the accounting system now used by Water District No. 1 requires that each diversion have assigned to it a specific list of decreed, licensed, and storage entitlement, and;

WHEREAS, those diversions which have no record of water rights on file with the Department of Water Resources or the Water District Office will necessarily be taking storage water any time a diversion takes place.

NOW, THEREFORE, BE IT RESOLVED that no diversion shall be allowed to divert water unless the proper list of rights for that diversion are found in the watermaster's records or proper arrangements have been made to procure an adequate water supply prior to the start of the irrigation season.

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RESOLUTION NO. 13

North West Power Planning Council Membership

WHEREAS, the "Pacific North West Electric Power and Conservation Planning Council" decisions will affect the future of Idaho's water; and,

WHEREAS, it is the interest of Idaho to have a council member with extensive water resource knowledge to protect the water interest of the state; and,

WHEREAS, in addition to other duties prescribed by law, Idaho Code 42-1805(1) provides the Director of the Department of Water Resources represents the state in all matters pertaining to interstate and international water rights affecting Idaho's water:

NOW, THEREFORE, BE IT RESOLVED, that the water users of Water District One in regular annual session this 1st day of March, 1983 urges the legislature to amend Idaho Code, Section 61-1202, to provide that the Director of the Department of Water Resources be one of Idaho's appointees to the "Pacific North West Electric Power and Conservation Planning Council."

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Governor, Chairman of the Resources Committees of the Idaho State House of Representatives and the Idaho State Senate.

Dated this _____ day of March, 1983.

_____

REED OLDHAM, CHAIRMAN

Committee of Nine

12.

RESOLUTION NO. 14

WHEREAS, Idaho Code Section 42-605 provides that "water districts may, by resolution adopted at an annual meeting change the date for annual meetings in subsequent years to any weekday . . . between the Second Monday of January and the Third Monday in March . . ."; and,

WHEREAS, it has been determined that the First day of March is generally acceptable as a meeting day as long as it does not fall on a Saturday, Sunday, or Monday.

WHEREAS, it is the desire of the water users of Water District One here assembled to establish the First day of March as the date for future annual meetings unless it should fall on a Saturday, Sunday, or Monday, in which case it shall be scheduled for the First Tuesday in March.

NOW, THEREFORE, BE IT RESOLVED by the water users of Water District One, meeting this first day of March, 1983 in regular annual session, that the next annual meeting shall be scheduled for Thursday, March 1, 1984, and subsequent meetings shall be scheduled pursuant to this resolution unless otherwise modified and that the watermaster be directed to give appropriate notices thereof.

Dated this _____ day of March, 1983.

_____

REED OLDHAM, Chairman

Committee of Nine

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RESOLUTION NO. 15

WHEREAS, prosperity in the State of Idaho has always been dependent upon development of the resources of the state; and,

WHEREAS, water supplies are necessary to all development; and,

WHEREAS, the development of unallocated water supplies must be orderly and consistent with state law and be subject to prior existing water rights; and,

WHEREAS, this can only be accomplished if the Department of Water Resources has adequate information and personnel available to properly assess and control the impacts of new development.

NOW, THEREFORE, BE IT RESOLVED that the members of Water District One meeting in regular annual session this 1st day of March, 1983, encourages the legislature of the State of Idaho to enact HB 247 which would provide a dependable dedicated fund for the Idaho Department of Water Resources to assure that managed development of the state's water resources can proceed in an efficient and orderly manner.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Governor, Lt. Governor, Speaker of the House of Representatives, and Chairman of the Resource Committees of the Idaho State Senate and Idaho State House of Representatives.

Dated this _____day of March, 1983.

WATER DISTRICT NO. 1

_____
REED OLDHAM, Chairman

Committee of Nine

ATTEST:

_____
REED MURDOCK, Secretary

P.

RESOLUTION NO. 16

WHEREAS, the subordination of water rights for power purposes has been necessary for full economic development of the state's water resources; and,

WHEREAS, the Supreme Court has found the water rights of the Idaho Power Company at its Swan Falls Facility have not been subordinated; and,

WHEREAS, this decision could mean the end to water development in the Snake River Basin which would be devastating to the economy of the state;

BE IT RESOLVED that the water users of Water District One meeting in regular annual session this 1st day of March, 1983 encourages the legislature of the State of Idaho to enact HB 249 and subordinate all power rights to upstream development.

BE IT FURTHER RESOLVED that the legislature be encouraged to also enact HB 247 which would provide the funds to assure future development can take place in an orderly and controlled manner; and that copies of this resolution be sent to the Governor, Lt. Governor, Speaker of the House, and Chairman of the Resource Committees in the Idaho State Senate and the Idaho State House of Representatives.

Unanimously adopted this _____day of March, 1983.

WATER DISTRICT NO. 1

_____
REED OLDHAM, Chairman
Committee of Nine

ATTEST:

_____
REED MURDOCK, Secretary

P.

RESOLUTION NO. 17

WHEREAS, the Supreme Court of the State of Idaho has held that domestic wells drilled before 1978 are entitled to the ground-water levels that existed at the time the well was first installed; and,

WHEREAS, the Supreme Court has held that anyone lowering these initial water levels through the use of a well constructed later in time must compensate the owner of the original domestic well; and,

WHEREAS, other uses of ground water do not enjoy the privilege of being guaranteed anything more than "a reasonable pumping level"; and,

WHEREAS, protecting the water level for domestic wells could end ground water development in the State of Idaho or make the process so complex and costly as to move it beyond the reach of the average citizen.

NOW, THEREFORE, BE IT RESOLVED that the water users of Water District One meeting this 1st day of March, 1983 encourage the legislature to enact HB 157 to confirm the intent of the legislature that domestic well owners be and are subject to the same "reasonable pumping level" concept as other ground-water users.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Governor, Lt. Governor, Speaker of the House, and the Chairman of the Resource Committees of the Idaho State Senate and Idaho State House of Representatives.

Unanimously adopted this _____day of March, 1983.

WATER DISTRICT NO. 1

_____
REED OLDHAM, Chairman
Committee of Nine

ATTEST:

_____
REED MURDOCK, Secretary

P.

RESOLUTION NO. 18

WHEREAS, the First District Court has held in the case of Carpenter, et al -vs- Allred, et al that every water user, including those owning or using less than ten inches of water are entitled to vote at water district meetings; and,

WHEREAS, the water users of Water District One agree that water district voting procedures must be compatable with the intent of the Idaho Constitution; and,

WHEREAS, Senate Bill 1070 is designed to correct the constitutional questions which presently result from the existing voting procedures set forth in Idaho Code, Section 42-605;

NOW, THEREFORE, BE IT RESOLVED that the members of Snake River Water District One, Idaho's largest water district, encourage the legislature of the State of Idaho to enact Senate Bill 1070; and,

BE IT FURTHER RESOLVED that copies of this resolutions be sent to the Chairman of the Resource Committees of the Idaho State Senate and Idaho State House of Representatives.

Dated this _____day of March, 1983.

WATER DISTRICT NO. 1

_____
REED OLDHAM, Chairman
Committee of Nine

ATTEST:

_____
REED MURDOCK, Secretary

P.

RESOLUTION NO. 19

WHEREAS, the Idaho Code provides for the leasing of stored water through the authority of the Water Supply Bank; and,

WHEREAS, irrigation districts already have substantial flexibility in leasing water within their boundaries so long as the water rights of the district are not expanded in the process; and,

WHEREAS, Senate Bill 1109 would provide for leasing authority by irrigation districts which are not compatable with existing water law and could adversely impact the Water Supply Bank on the Upper Snake and its operation by the Committee of Nine;

NOW, THEREFORE, BE IT RESOLVED that the water users of Water District One express their opposition to Senate Bill 1109 and recommend to the 47th Legislature of the State of Idaho that Senate Bill 1109 not be enacted.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Chairman of the Resource Committees of the Idaho State Senate and Idaho State House of Representatives.

Dated this day of March, 1983.

WATER DISTRICT NO. 1

REED OLDHAM, Chairman
Committee of Nine

ATTEST:

REED MURDOCK, Secretary

P.

MINUTES OF ANNUAL MEETING

Westbank Restaurant
March 1, 1982

The meeting was called to order at 9:10 a.m. by Chairman Reed Oldham. The Committee of Nine member were introduced. Copies of the proposed resolutions were passed out to each person in attendance.

John Keys, Bureau of Reclamation, discussed operation and maintenance problems of reservoirs within the district. Island Park Dam will be strengthened. Bureau is studying rebuilding of Teton Dam, and enlargement of Minidoka and Palisades power plants. The 160-acre limit bills were discussed. Question from the floor was: "Where would the water come from for additional acreage to be put in the Minidoka Project?" A study on this being made.

Norman Young, Idaho Department of Water Resources, talked on the update of the system. The state staff was cut 15-20% last year. This has resulted in a slowing down of all services.

Ted Diehl gave Legislative Report and answered questions from the floor.

The roll call was taken at the door.

Ron asked Lyle Swank to read the roll call.

Watermaster Ronald Carlson called the 1982 meeting of Water District No. 1 to order at 10:00 a.m.

Ron called for nominations for temporary chairman. Reed Oldham was nominated. Nominations ceased. Reed Murdock was nominated for temporary secretary.

Minutes of the 1981 Annual Meeting were read by Reed Murdock and approved as read.

Report of the Committee on Credentials was read by Dale Rockwood (same as last year); and the report on Order of Business by Leonard Scheer (same as last year) were adopted.

Districts met to nominate Committee of Nine members.

Report of the Committee of Nine was presented by Reed Oldham, Chairman (attached). Mr. Oldham indicated the full committee had met four times and the various subcommittees had met several additional times during the year. Reed Oldham and Ken Anderson talked briefly about the Water Supply Bank activities during 1981.

P.

Ron Carlson read nominations of the Committee of Nine. The chairman called for election of nominees by voice vote. All members were elected by unanimous vote.

The watermaster, Ron Carlson, presented the financial report of the district. There were no questions raised from the floor. Report accepted and passed by voice vote.

Leo Busch, Bureau of Reclamation, gave the report on "Water Outlook for 1982." He indicated that 1981 was not looking to well at the time of the annual meeting a year ago. The average content on the Snake River water sheds was only 60% of normal. The reservoirs were operated accordingly and by May 20 all reservoirs were filled. Then abnormally high precipitation in May and June required a flood operation between June 8 and 12. The 1982 water supply presently averages 130% of normal snow pack for the Snake River water sheds.

Lyle Swank, Assistant Watermaster, presented graphs showing the water supply and distribution; and water right priorities and diversions within a period of time.

Adjourned for lunch until 1:15.

Ron Carlson presented the watermaster report. Ron explained the technical difficulties in distributing natural flow on a "real time basis." The computer is a tool that allows the watermaster to make more accurate estimates for daily water distribution. To make good estimates it is necessary to collect diversion, streamflow, reservoir, and evaporation data each day. Discussed the costs and finances, and explained billing charges. No questions from the floor. The watermaster report was approved by voice vote.

The chairman presented the 1982 resolutions and suggested that if there were no questions on the first twelve (12) resolutions, which were the same as the previous year, he would entertain a motion to approve them in total. A motion was made that the first twelve resolutions passed out at the door be accepted in total. These resolutions included the 1932 budget and the recommendation that Ronald Carlson be re-elected watermaster. The motion was seconded and adopted unanimously. Ron Carlson read the remaining resolutions, No. 13 through 21. All were approved as read.

Chairman Reed Oldham, gave Mayor Campbell and Dennis Hjelm, Snake River Valley Irrigation District, a chance to discuss the city's proposed hydropower project. It was suggested that a resolution stating the water user's concern about any project that will tend to reduce existing water supplies be drafted. Reed Oldham asked John Rosholt to draw up a resolution stating the position of the water users. This resolutions passed as read.

The feeder canals indicated opposition to a standing Credential and Order of Business Committee. The Committee of Nine will discuss this objection at a future meeting.

Requests made were: the resolutions be made available earlier than the annual meeting and the minutes of Committee of Nine meetings show who was present and how they voted.

Adjourned at 2:55 p.m.

Reed D. Murdock

REED MURDOCK, Secretary
Committee of Nine

P.

R E S O L U T I O N S

Water District No. 1
March 1, 1982

1. That the watermaster continue to apply the best available methods and technology to better assure: more accurate deliveries of natural flow and stored water, improved regulation procedures, the availability of water supply and diversion records to the water-users, and that all waterusers are charged for water deliveries on an accurate and equitable basis.

   BE IT FURTHER RESOLVED that the watermaster proceed toward automated data collection where it can effectively reduce personnel costs, travel costs, or result in cost-savings to the waterusers through better and more current data.

2. That the waterusers of Water District No. 1 continue the cooperative program with the Idaho Department of Water Resources as outlined in the Memorandum of Understanding previously signed by the Chairman of the Committee of Nine and the Director of the Department of Water Resources.

3. We recommend that Ronald D. Carlson be re-elected watermaster for the ensuing year, including a staff of a deputy, assistant, and a clerk, with an aggregate salary of $75,500.00. This amount represents the entire salary of the clerk, assistant, and deputy, and 67% of the salary of the watermaster. Thirty-three percent of the watermaster's salary and benefits shall be paid from non-water district funding provided by the Idaho Department of Water Resources.

4. That the duties of a watermaster shall begin on this date and continue for a period of one full year.

5. Proposed Budget for Water District No. 1 for the year beginning March 1, 1982.

P.

HYDROGRAPHERS

Teton Basin	6 mos. @	$850	(+ miles)	$5100
Idaho Falls	6 mos. @	900	(+ miles)	5400
Lower Valley	5 mos. @	850	(+ miles)	4250
Henrys Fork	7 mos. @	900	(+ miles)	6300
Falls River	150 days @	48	(inc. mi)	7200
Teton River	130 days @	48	(inc. mi)	6240
				$34,590

RIVER RIDERS

Heise Division	150 days @	$ 60	(inc. mi)	$9000
Blackfoot Division	100 days @	40	(inc. mi)	4000
Swan Valley	100 days @	35	(inc. mi)	3500
Upper Fall River	4 mos. @	200	(inc. mi)	800
South Leigh	200 days @	5	(inc. mi)	1000
Willow Creek	5 mos. @	550	(inc. mi)	2750
				$21,050

Social Security (.0670)	$ 6,325	
Mileage (70,000 @ .20)	14,000	
State Insurance Fund	1,200	
Employment Insurance	1,200	
Miscellaneous hydrographer expense	500	
Part-time help	3,500	
Streamgaging	17,125	
Committee of Nine	2,500	
		$46,350

Watermaster & staff		
Salary & wages	$75,500	
Benefits	27,000	
Computer	12,000	
Watermaster report	1,000	
Watermaster travel	1,200	
Postage, supplies, rent, overhead, etc.	15,880	
		$132,580
Audit		$ 800
TOTAL		$235,370

P.

6. WHEREAS, it is the watermaster's responsibility to assure the proper delivery of both natural flow and storage supplies to all waterusers, and;

WHEREAS, the normal cost of delivering water to many diversions is less than their normal assessments when based upon their total seasonal use of water;

NOW, THEREFORE, BE IT RESOLVED that the watermaster of Water District No. 1 is hereby authorized to assess a $15.00 minimum charge for every diversion within its jurisdiction.

7. Resolved that the watermaster shall prepare a report in accordance with Idaho Code, Section 42-614, which shall become the official billing to the individual waterusers, canal companies, and irrigation districts, and is hereby authorized to collect all of the expenses of delivering the waters of the district, including his salary and that of his assistants, and shall make all disbursements necessary to the conduct of the business of administering and delivering the waters of the district.

Resolved that no ditch, canal company, or other waterusers shall have the right to demand and receive water, and the watermaster shall not deliver to such person until receipt of the amount due and payable from such user.

Resolved that copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and the report prepared in accordance with Section 42-614, shall be filed with the county clerks of Bonneville, Madison, Teton, and Fremont Counties.

8. WHEREAS, the Committee of Nine has been appointed by the Idaho Water Resource Board pursuant to Section 42-1765, Idaho Code, and;

WHEREAS, the watermaster of Water District No. 1 has traditionally acted on behalf of the Committee of Nine in leasing stored water within Water District No. 1, and;

WHEREAS, it is necessary to an orderly rental program that the watermaster continue to have the authority to act on behalf of the Committee of Nine;

THEREFORE, BE IT RESOLVED that for the purpose of renting water, the watermaster be considered a member of the Committee of Nine.

P.

9. With the exception noted in Resolution No. 8, we recommend that the Committee of Nine be continued with nine regular members. The members representing the Burley and Minidoka Irrigation Projects are to be alternated between the two districts as they arrange. In addition, advisory members representing the Bureau of Reclamation, Teton Basin, Gooding Canal, A & B Irrigation, and a member from the Burley or Minidoka District; whichever is not currently represented on the regular committee be included. Any canal company or district desiring to have representatives attend meetings of the Committee of Nine should notify the watermaster, who will then advise them of dates and time of committee meetings so that they may have an opportunity to attend such meetings.

10. WHEREAS, it is in the best interest of the water-users of Water District No. 1 to account for all diversions which might adversely affect any prior natural flow or storage diversions;

BE IT RESOLVED that the watermaster shall collect records of water diversions during the entire year.

11. WHEREAS, the annual sale of stored water is the responsibility of the Committee of Nine, and;

WHEREAS, certain rules and regulations for the administration of the annual lease of reservoir space is essential to an orderly water banking process; now,

THEREFORE, BE IT RESOLVED that the following rules and regulations for administering storage rentals and sales be adopted.

Rule 1. A rental committee composed of three members of the Committee of Nine and the watermaster shall be appointed by the chairman for the following purposes:

1. To determine general policies regarding the annual rental of storage space and sales of water from this space which are not covered by the adopted rules and regulations.

2. To assist the watermaster in the allocation of water sold from the bank.

3. To consult with the watermaster on ways to most fully utilize available storage water.

4. To advise the Committee of Nine on water banking activities.

Rule 2. The operation of the "Water Bank" shall be consistent with the statutes creating the Water Supply Bank and the Rules and Regulations of the Water Resource Board.

Rule 3. Storage space is taken into the water bank on a contingency basis with payments to be made to the lessor only if the water is subsequently leased from the water bank.

Holders of space in Palisades Reservoir or in any other reservoir may notify the Upper Snake River Watermaster by July 1 of each year of reservoir space they designate as available for lease by the water bank for that year's irrigation season. All such holders will share proportionately in the proceeds from the sale of all or any part of the water offered by July 1 for use in that year.

Holders of space in Palisades Reservoir or other reservoirs who notify the Upper Snake River watermaster after July 1 of any year of reservoir space they desire to lease to the water bank for that year's irrigation season shall share proportionately in the proceeds from the sale of all or any part of the water sold which was designated for sale after July 1 of that year.

All of the water designated for sale before July 1 of any year will be sold before any water assigned to the bank on or after July 1 will be sold.

The lessor shall be entitled to receive payment for the percentage of his water sold from the water supply bank according to the following formula:

Definitions:

Sp = Space holder payback

Rc = Annual reservoir O & M + construction

A_5 = Five-year average total storage use

i = Inflation factor

C_c = Average canal O & M

N_5 = Five-year average natural flow delivered

AF = Acre-feet sold

$$Sp = \frac{(Rc)}{A_5} + (C_c + i)\frac{A_5}{N_5} AF$$

Rule 4. Any water available through the water bank shall be provided on a priority according to the following priorities:

a. First priority in the rental of available reservoir space shall be given to those waterusers owning rights in the various storage reservoirs of the Bureau of Reclamation in the Snake River Basin above Milner Dam.

b. Second priority in the rental of available space shall be given to other irrigation waterusers in the areas of beneficial use described in the licenses issued by the State of Idaho for use of the waters from the storage reservoirs described in (a) above.

c. Priority among waterusers of each priority listed in (a) and (b) above and who execute leases to rent space during an irrigation season shall be determined by the date on which that wateruser's executed lease is received at the office of the Upper Snake River Watermaster at Idaho Falls, Idaho; the earlier in the year the executed lease is received by the watermaster, the higher priority in the priority group the enity will receive.

d. Any wateruser having once initiated a lease agreement may request water in subsequent years by confirming, in writing, that all of the information on the original lease is true and correct, and identifying the amount of water he wishes to lease.

e. Administrative charges adequate to defray the costs of the Committee of Nine and Water District No. 1 may be added to the lease price.

f. Any water not sold by August 15 may be provided to the highest bidder for such uses as may be determined beneficial by the Committee of Nine. Any sale of water which shall result in a price in excess of that calculated using the formula in Rule 3, plus administrative charges, shall be used for the general benefit of the waterusers in Water District No. 1.

12. WHEREAS, it is in the interest of all the waterusers to have the water rights within Water District No. 1 delivered according to the priority system, and;

P-

WHEREAS, the accounting system now used by Water District No. 1 requires that each diversion have assigned to it a specific list of decreed, licensed, and storage entitlement, and;

WHEREAS, those diversions which have no record of water rights on file with the Department of Water Resources or the Water District Office will necessarily be taking storage water any time a diversion takes place.

NOW, THEREFORE, BE IT RESOLVED that no diversion shall be allowed to divert water unless the proper list of rights for that diversion are found in the watermaster's records or proper arrangements have been made to procure an adequate water supply prior to the start of the irrigation season.

P.

RESOLUTION NO. 13

WHEREAS, Title 42, Chapter 39 of the Idaho Code "declares the groundwater of this state to be a public resource which must be protected against unreasonable contamination or deterioriation . . ." and charges the Director of the Department of Water Resources with the responsibility for regulating waste disposal and injection wells, and;

WHEREAS, the state rules, regulations, and standards have been promulgated, which are compatable with existing federal EPA standards, and;

WHEREAS, it is consistent with present national policy that intrastate regulatory responsibilities be a state responsibility;

NOW, THEREFORE, BE IT RESOLVED that the Committee of Nine and Water District No. 1, meeting this first day of March, 1982, in regular annual session, urge the Federal Government of the United States to recognize primary control of underground injection being with the State of Idaho Department of Water Resources, and; further urge the legislature of the State of Idaho to provide adequate funds for the effective state regulation of waste disposal and injection wells.

Dated this 1st day of March, 1982.

Reed M Oldham

REED OLDHAM, Chairman
Committee of Nine

Reed Murdock

REED MURDOCK, Secretary
Committee of Nine

P.

RESOLUTION NO. 14

WHEREAS, the State of Idaho has a State Water Plan which has been adopted as a guide to future water resource development and management in the State of Idaho; and,

WHEREAS, Policy 21 of the State Water Plan proposes the protection of potential reservoir sites against land use changes which would reduce their future availability; and,

WHEREAS, the Lynn Crandall site has been designated in the State Water Plan as one of the potential reservoir sites which should be protected; and,

WHEREAS, the waterusers of Water District No. 1 have a vital interest in the preservation of all potential reservoir sites on the Upper Snake,

NOW, THEREFORE, BE IT RESOLVED that the waterusers of Water District No. 1 meeting in regular annual session this first day of March, 1982, urge the legislature of the State of Idaho and the Idaho Water Resource Board to develop an implementation plan for Policy 21 of the Idaho State Water Plan which will assure the protection of valuable potential reservoir sites, and particularly the location on the south fork of the Snake River known as the Lynn Crandall site.

Dated this 1st day of March, 1982.

Reed Oldham

REED OLDHAM, Chairman
Committee of Nine

Reed Murdock

REED MURDOCK, Secretary
Committee of Nine

P.

RESOLUTION NO. 15

WHEREAS, the Blackfoot River is a tributary to the Snake River; and,

WHEREAS, the water rights on the Blackfoot River were generally established earlier in time than those on the Snake River; and,

WHEREAS, the Snake River is administered by the watermaster of the Snake River, Water District No. 1; and,

WHEREAS, transfers of water rights from one watermaster's jurisdication to another will necessarily result in overlapping administration and probable injuries to other rights,

NOW, THEREFORE, BE IT RESOLVED by majority vote of the water users of Snake River, Water District No. 1, hereby request the Director of the Department of Water Resources adopt a general policy of disallowing all transfer requests which would result in a change in watermaster jurisdiction.

Dated this 1st day of March, 1982.

Reed Oldham

REED OLDHAM, Chairman
Committee of Nine

Reed Murdock

REED MURDOCK, Secretary
Committee of Nine

P.

RESOLUTION NO. 16

BE IT RESOLVED by Water District No. 1 meeting this first day of March, 1982, that the Bureau of Reclamation be encouraged to do those things necessary to effect the replacement of Jackson Lake Dam at the earliest possible date; and,

BE IT FURTHER RESOLVED that copies of this resolution be sent to members of the Idaho Congressional Delegation and the Secretary of Interior.

Unanimously adopted this 1st day of March, 1982.

Reed A. Oldham

REED OLDHAM, Chairman
Committee of Nine

Reed Murdock

REED MURDOCK, Secretary
Committee of Nine

P.

RESOLUTION NO. 17

WHEREAS, the Committee of Nine has supported legislation to allow Water District No. 1 to meet on a date other than the first Monday in March; and,

WHEREAS, S.B. 1247 has passed the Idaho State Legislature and has been signed by the Governor and allows the district to change by resolution the date for the annual meeting in the next subsequent year to any weekday except the Saturday between the second Monday of January and the third Monday in March; and,

WHEREAS, it is the desire of the members of Water District No. 1 here assembled to set an alternate date for their annual meeting in 1983;

NOW, THEREFORE, BE IT RESOLVED by the members of Water District No. 1, meeting this first day of March, 1982, in regular annual session, that the 1983 annual meeting be held on March 1, 1983, (the first Tuesday in March of 1983), and the Watermaster be directed to give appropriate notices thereof.

Dated this 1st day of March, 1982.

Reed Oldham

REED OLDHAM, Chairman
Committee of Nine

Reed Murdock

REED MURDOCK, Secretary
Committee of Nine

P.

RESOLUTION # 18

AT THE REQUEST of the Idaho Department of Parks and Recreation, consideration is being given to the establishment of a 300 second feet minimum stream flow from the junction of the Henry's Fork of the Snake River and the Buffalo River to a point one mile below Mesa Lower Falls;

AND WHEREAS: The average uninterrupted flow of the Buffalo River is now available for fish and wildlife, recreation and scenic beauty;

AND WHEREAS: The establishment of any minimum stream flow in this stretch of the Henry's Fork of the Snake River could prove detrimental to the water users who at great sacrifice and cost have purchased space in the Island Park Reservoir for the purpose of storing winter water to be used as supplemental water during the irrigation season;

AND WHEREAS; The establishment of a minimum stream flow could greatly influence the judgement of the river watermaster as to the amount of water to store and the amount to release from the Island Park Reservoir;

AND WHEREAS; The need of a 300 second feet flow in this stretch of the Henry's Fork of the Snake River cannot be justified for fish or wildlife, recreation or for scenic beauty;

THEREFORE BE IT RESOLVED: That the irrigators of Water District #1 go on record this 1st day of March, 1982, as being opposed to the establishment of any minimum stream flow by the Water Resources Board between the junction of the Henry's Fork of the Snake River and the Buffalo River to a point one mile below the Lower Mesa Falls on the Snake River.

Edward A. Trapp

P.

R E S O L U T I O N

No. 19

WHEREAS, on the 2nd day of May, 1969, the Fremont-Madison Irrigation District entered into a repayment contract with the United States of America for a supplemental water supply known as First Phase, and also a water supply for new lands within the District, known as the Second Phase, such water supply to be provided by means of a dam and reservoir and other works known as the Teton Division of the Teton Basin Federal Reclamation Project, and

WHEREAS, on the 5th day of June, 1976, construction of the dam and reservoir had been nearly completed and water was being impounded back of the dam and the Teton Dam had filled within a few feet of its capacity, and

WHEREAS, on the 5th day of June, 1976, the Teton Dam breached, releasing the stored water and destroying the dam and other works pertaining to the project, and

WHEREAS, the Fremont-Madison Irrigation District has been informed by representatives of the United States Bureau of Reclamation that the government has conducted studies of the dam site and the construction of the dam, and the need for the water supply impounded by the dam since the breach June 5, 1976, and has determined that it is possible to build a safe dam at the present dam site and that the need for the project is greater at this time than it was when this multi-purpose project was authorized,

NOW, THEREFORE, BE IT RESOLVED by this Assembly representing the water users of the Upper Snake River area of Idaho, that the U. S. Government immediately commence reconstruction of the Teton Dam.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Water District No. 1, of the Department of Idaho Water Resources, requesting that this resolution be adopted at the meeting of the water users March 1, 1982, in Idaho Falls, Idaho; that a copy also be sent to each member of Idaho's Congressional Delegation; to the Honorable James G. Watt, Secretary of Interior, and to the U.S. Commissioner of Reclamation.

/s/ Donald D. Trupp

P.

RESOLUTION NO. 20

WHEREAS, Water District No. 1 is in support of the development of water resource projects including hydro-power projects; and,

WHEREAS, some concern has been expressed that some hydro-developments on the Snake River proposed by the City of Idaho Falls and others could cause seepage and evaporation water losses by reason of the impoundments; and,

WHEREAS, Water District No. 1 users are the owners of the water that exists and is conveyed through the Idaho Falls-Shelley reach of the Snake River and wish to be assured that they will not suffer any reduction in their water deliveries by reason of the proposed hydro-power projects;

NOW, THEREFORE, BE IT RESOLVED that Water District No. 1 meeting this first day of March, 1982, in regular session, that the Department of Water Resources of the State of Idaho condition any non-consumptive hydro-power water permit that is issued so that the permit holder is subjected to all prior existing water rights and must make up any losses of Water District No. 1 users caused in any way by the impoundments, transmission, or the operation of the proposed power projects; and,

BE IT FURTHER RESOLVED, that this resolution shall not be construed as endorsing any particular applicant for a state hydro-power water permit.

Dated this 1st day of March, 1982.

REED OLDHAM, Chairman
Committee of Nine

REED MURDOCK, Secretary
Committee of Nine

P.

R E S O L U T I O N

WHEREAS, Title 42, Chapter 39 of the Idaho Code "declares the groundwater of this state to be a public resource which must be protected against unreasonable contamination or deterioriation . . ." and charges the Director of the Department of Water Resources with the responsibility for regulating waste disposal and injection wells, and;

WHEREAS, the state rules, regulations, and standards have been promulgated, which are compatable with existing federal EPA standards, and;

WHEREAS, it is consistent with present national policy that intrastate regulatory responsibilities be a state responsibility;

NOW, THEREFORE, BE IT RESOLVED that the Committee of Nine and Water District No. 1, meeting this first day of March, 1982, in regular annual session, urge the Federal Government of the United States to recognize primary control of underground injection being with the State of Idaho Department of Water Resources, and; further urge the legislature of the State of Idaho to provide adequate funds for the effective state regulation of waste disposal and injection wells.

Dated this 1st day of March, 1982.

/s/ REED OLDHAM, Chairman

Committee of Nine

P.

R E S O L U T I O N

WHEREAS, the State of Idaho has a State Water Plan which has been adopted as a guide to future water resource development and management in the State of Idaho; and,

WHEREAS, Policy 21 of the State Water Plan proposes the protection of potential reservoir sites against land use changes which would reduce their future availability; and,

WHEREAS, the Lynn Crandall site has been designated in the State Water Plan as one of the potential reservoir sites which should be protected; and,

WHEREAS, the waterusers of Water District No. 1 have a vital interest in the preservation of all potential reservoir sites on the Upper Snake,

NOW, THEREFORE, BE IT RESOLVED that the waterusers of Water District No. 1 meeting in regular annual session this first day of March, 1982, urge the legislature of the State of Idaho and the Idaho Water Resource Board to develop an implementation plan for Policy 21 of the Idaho State Water Plan which will assure the protection of valuable potential reservoir sites, and particularly the location on the south fork of the Snake River known as the Lynn Crandall site.

Dated this 1st day of March, 1982.

/s/REED OLDHAM, Chairman
Committee of Nine

P.

R E S O L U T I O N

WHEREAS, the Blackfoot River is a tributary to the Snake River; and,

WHEREAS, the water rights on the Blackfoot River were generally established earlier in time than those on the Snake River; and,

WHEREAS, the Snake River is administered by the watermaster of Snake River, Water District No. 1; and,

WHEREAS, transfers of water rights from one watermaster's jurisdiction to another will necessarily result in overlapping administration and probable injuries to other rights,

NOW, THEREFORE, BE IT RESOLVED by majority vote of the waterusers of Snake River, Water District No. 1, hereby request the Director of the Department of Water Resources adopt a general policy of disallowing all tranfer requests which would result in a change in watermaster jurisdiction.

DATED this 1st day of March, 1982.

/s/ REED OLDHAM, Chairman
Committee of Nine

P.

R E S O L U T I O N No.___

WHEREAS, winter water diversions from the Henry's Fork have occured since the various canal systems were developed, for domestic, livestock uses, and groundwater recharge in the Upper Snake River Valley, and;

WHEREAS, sub-irrigated districts depend to a large extent on winter groundwater recharge, and;

WHEREAS, hundreds of domestic wells and several municipalities have depended on these deversions to maintain adequate water levels in those wells, and;

WHEREAS, those deversions are nonconsumptive and maintain spring flows into the Upper Snake, and recharge into the Snake River Plain Aquafer replentishing water supplies to springs and river return flows to the main Snake River system, and;

WHEREAS, the entire Snake River irrigation system benifits from these diversions, and;

WHEREAS, it is vertualy impossible to measure these diversions in cold wheather because of ice buildups.

NOW THEREFOR BE IT RESOLVED that the Committee of Nine and Water District No. I establish a delivery charge for winter deliveries in The Henry's Fork to $.01 per 24 hour second foot diverted for the benifit of the Snake River irrigators on the entire system.

Dated this _____ day of March, 1983.

_____

_____

PARSONS, SMITH, STONE & FLETCHER
ATTORNEYS AT LAW
137 WEST 13TH STREET
BURLEY, IDAHO 83318

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

P. O. BOX 910
TELEPHONE
(208) 678-8382

February 11, 1983

COPY

Mr. Reed Oldham
Hibbard
Rexburg, Idaho 83440

Mr. Kenny Anderson
Roberts, Idaho 83344

Re: Proposed Resolutions, Water District No. 1

Dear Mr. Oldham and Mr. Anderson:

The Minidoka Irrigation District would ask that an additional rule concerning the administration of storage rentals and sales be added to those set forth under Paragraph 11 of the Resolutions to be discussed at the next Committee of Nine meeting.

The rule that the District would propose would read as follows:

Rule 1

> All applicants for rental water must apply for the water at a local office of an irrigation district or canal company, should the applicant reside in the boundaries of a district or company or apply to use the water within the boundaries of a district or company.

Thank you for your attention to this matter.

Sincerely,

PARSONS, SMITH, STONE & FLETCHER

Kent Fletcher

KF:jb

cc - Minidoka Irrigation District

P.

RESOLUTION NO. 2

Whereas: Legislation has been introduced into the house of representatives of the State of Idaho in the 1983 session, under the title of House Bill No. 247 relating to the assessment of an annual water user fee on the distribution or use of public waters

And whereas the intent of the proposed legislation is to collect user fees for the purpose of (1) administering the appropriation, distribution and use of the state's public waters, and (2) to help fund development and conservation projects through the water resources conservation and development trust account, and (3) to provide reimbursement to county governments for the cost of collection of the fee

And whereas the proposed fee of up to ten cents per year for each twenty-four hour second foot of water diverted is exorbitant and would place undue hardships on water users

And whereas the water users paying the fees would not be provided any control over the use of the fees by the proposed legislation

And whereas the water users are aware of the need of funds for specific programs of the State Water Department that would be benificial to the water users of the state

And whereas the proposed legislation does not outline such specific programs or specific uses of the collected fees

And whereas the water users have not had time to formulate such programs that they would be willing to fund with water user fees

And whereas the proposed legislation does not contain provisions guaranteeing that a specific portion of the budget of the State Water Department will continue to be funded by the State of Idaho to enable the State Water Department to continue to supply services to the various state agencies and the general public who would not be paying the user fees

Now Therefore Be It Resolved that the water users of District #1 at the annual meeting in Idaho Falls, Idaho March 1, 1983 oppose the passage of House Bill No. 247 in it's present form.

Be it further resolved that the Committee of Nine, acting on behalf of the water users of District #1, be authorized and directed to forward copies of this resolution to the Governor of Idaho and the State Senators and State Representatives of the Idaho Legislature now in session.

P.

MAJOR RESPONSIBILITIES OF THE

DEPARTMENT OF WATER RESOURCES

Water Right Administration

-- Administration of the permit and license procedure for establishing new water rights.

-- Administration of claims to existing water rights (Mandatory that all such claims be filed by June 30, 1983.).

-- Assist the state's courts in the determination and adjudication of existing water rights.

-- Supervision of the distribution of the waters from the streams and groundwater basins of the state to those entitled to its use.

-- Administer changes in points of diversion, place of use, nature of use and period of use for all water rights.

-- Administer the Water Supply Bank.

-- Control the construction and use of waste disposal and injection wells (Public Law 93-523).

-- Manage groundwater basins to allow full development and protect prior rightholders; i.e., critical groundwater areas and groundwater management area designation and management.

-- Evaluate, establish and administer instream flows as recommended by the Water Resource Board.

Dam Safety

-- Approve plans for and supervise the construction and operation of dams to assure public safety.

-- Approve plans for and supervise the construction and operation of all mine tailings impoundment structures.

P.

Groundwater Protection

-- License all water well drillers and enforce minimum well construction standards.

-- Regulate the exploration and development of geothermal energy resources.

-- Assist in organization and provide some limited supervision of aquifer recharge districts.

Stream Channel Protection

-- Administer the provisions of the Stream Channel Protection Act.

-- State approval coordination for the Section 10 construction permit program of the U.S. Army Corps of Engineers and the Section 404 Public Law 92-500 Dredge and Fill Control Program.

Water Resource Development

-- Study, plan, design, build and/or operate water projects as authorized by the legislature using the Board's bonding authority or development funds.

-- Assist financially in the construction of water projects through the Revolving Development Fund and Water Management Account.

-- Supervise the selection, management and disposal of all Carey Act land.

-- Investigate and supply the public with information on the quantity and quality of Idaho's surface and groundwater resources.

-- Assist in organization and provide some limited supervision of irrigation and flood control districts.

-- Flood plain information -- national flood insurance program.

-- Drought assistance and program coordination.

P.

Water Planning and Policy

-- Participate in intrastate and interstate boards and commissions and represent the state in water resource matters.

-- Formulate a program for conservation, development and use of all unappropriated water resources.

-- Provide staff support and assistance to the Water Resource Board in the development of water resource policy and a plan to implement that policy.

Energy

-- Provide staff support and assistance to the Water Resource Board on the development of state energy policy and assist in implementing the policy.

-- Provide Idaho industry, business, agriculture, government and citizens with information and assistance relating to energy planning, policy, conservation, management and resource development to meet demands for increased efficiency in energy use and increased energy supplies.

-- Provide assistance in obtaining federal grant moneys for a variety of conservation and resource measures for individuals, communities, local governments and business.

P.

REPORT OF THE COMMITTEE OF NINE

Sixty-four years ago when the Committee of Nine was created to "devise a plan for a permanent organization to handle the distribution of the water of the Snake River and to collect such hydrologic information as would be necessary," the need for knowledge and continuity in the watermaster's office was apparent. It was also clear that active water user participation was an essential part of any administrative structure. The Committee of Nine has served as advisors to the watermaster since 1919.

There have been many changes since the Committee of Nine was first organized, in both water distribution and committee responsibilities. We have seen the construction of five major reclamation projects which have increased the total storage capacity in the Upper Snake system to nearly four million acre-feet. Water distribution has gone from a process which relied upon estimates and hand calculations to one using satellites and computers for data handling and processing. These improvements in water supply and distribution would not have been possible without active water user participation.

Similarly we are seeing new threats and challenges to our water resources. During this past year, for example, the Committee of Nine has confronted proposals by the Pacific North West Power Planning Council to "appropriate" unallocated storage in upstream reservoirs to provide for anadromous fish flows on the Snake and Columbia. One of the resolutions being presented today addresses this problem.

The committee is actively working with the Idaho Water Resource Board and the Idaho Department of Water Resources to find solutions to the Supreme Court decisions resulting from the cases of Parker -vs- Wallentine and Idaho Power -vs- the State of Idaho. The committee has also been supporting the Water Resource Board's construction of a power house enlargement at Palisades. We have received confirmation of support for this project from our congressional delegation.

Early in May of 1982, the committee, the watermaster, and the Director of IDWR met with a group of water users who had specific concerns and complaints about the distribution of water during the previous season. We believe that this meeting resulted in a better understanding of all parties involved.

P.

All of the issues the Committee of Nine has dealt with, and is presently addressing, confirm that solutions must come through the cooperative efforts of the water users, watermaster, IDWR, and the Water Resource Board. We have appreciated the interest that Reed Hansen, of the Idaho Water Resource Board, has shown in the activities of the Committee of Nine. It is clear that the State Water Plan is going to be a major instrument in the solution of water resource challenges now and in the future.

The Committee of Nine has additional responsibilities as the local operating committee for the Upper Snake Water Supply Bank. During 1982, 288,854 acre-feet of water was provided for lease through the bank--of which 203,515 acre-feet was leased. In accordance with the rules and regulations under which the bank is operated, the Committee of Nine approved the use of funds during 1982 to: install automatic controls on two of the Great Feeder headgates, install a cable way at Lorenzo and Idaho Falls, equip five canal gaging stations with hydromet platforms, and enter into a contract with the USGS to evaluate gaging and identify surface and ground-water relationships in the reach between Blackfoot and Milner.

During these stressful times we are fortunate to have the system which is presently in operation of the Upper Snake. We are in a good position to cope with future demands on surface water supplies. Unfortunately ground-water administration has never been adequately implemented. It is imperative that we, as water users, work together and with the state to assure orderly development in Idaho can continue in the interest of the water users and the people of the state without the stumbling blocks that can occur through regionalism and special interest considerations.

P.

ACCOUNTING BALANCE

Beginning Bank Balance (2/27/82)	$ 2,983.83
Certificate Carried Over	190,000.00
	$192,983.83
Cash receipts	721,297.99
Interest from checking account	1,763.23
Interest from certificates	40,012.80
	$956,057.85
Paid outs	579,112.39
	$376,945.46
Savings Account Balance	365,000.00
Bank Balance as of 2/24/83	$ 11,945.46

P.

WATER DISTRICT NO. 1

February 24, 1983

	BUDGETED	SPENT
Hydrographers		
Teton Basin	$ 5,100	$ 5,114.75
Idaho Falls	5,400	4,784.32
Lower Valley	4,250	1,225.74
Henrys Fork	6,300	9,160.54
Falls River	7,200	4,612.75
Teton River	6,240	3,582.71
	$34,490	$28,480.81
River Riders		
Heise & Rigby Div.	$ 9,000	$ 7,668.10
Blackfoot Div.	4,000	4,445.90
Swan Valley	3,500	2,351.15
Upper Fall River	800	1,135.85
South Leigh	1,000	---
Willow Creek	2,750	2,565.75
	$21,050	$18,166.75
Social Security	$ 6,325	$ 6,050.72
Mileage	14,000	11,467.42
State Insurance Fund	1,200	-----
Employment Insurance	1,200	816.99
Misc. Hydrographer Expense	500	219.36
Part-time Help	3,500	1,749.31
Streamgaging	17,125	17,125.00
Committee of Nine	2,500	2,000.07
	$46,350	$39,428.87
Watermaster & Staff		
Salary & Wages	$ 75,500	$ 55,981.48*
Benefits	27,000	14,524.61*
Leave Account	------	8,263.08*
Computer Cost (through Nov.)	12,000	5,881.08*
Watermaster Report	1,000	712.50
Watermaster Travel	1,200	747.41
Postage, supplies, telephone copying costs, etc.	15,880	5,336.88
Audit	800	500.00
	$133,380	$ 91,947.04
Total	$235,270	$178,023.47

*IDWR-WD Coop forwarded $87,000.00

P.

DISBURSEMENTS FROM March 1, 1982 to February 24, 1983

Social Security (hydrographers)	6,050.72
Postage	2,485.37
Audit	500.00
Petty Cash Reimbursement	100.00
IBM	1,718.60
Water District & Water Resource Coop	87,000.00
Employment Insurance	816.99
State Insurance Fund	----
Bookshelf Bindery	712.50
Streamgaging	17,125.00
Office Expense	512.59
Miscellaneous Expense	490.32
Committee of Nine Expense	2,000.07
Fremont Madison Data Coop Agreement	1,800.00
Littleman Feeder Control Expense	2,509.58
Watermaster/staff travel & expense	747.41
Watermaster bond	30.00
Rental Pool Disbursements	
Rental payments - 1981	27,642.59
Rental payments - 1982	366,787.00
Bitton, Dennis ($2,351.15 net wage)	2,351.15
Blanchard, Gail ($3,582.71 net wage)	3,582.71
Blauer, Harold ($1,225.74 net wage, $560.34 mi, $87.01 misc. expense)	1,873.09
Brown, Lucy ($1,763.36 net wage, $1,350.00 auto hire)	3,113.36
Brown, Wilbur ($2,579.74 net wage, $1,975.00 auto hire)	4,554.74
Carl, Richard ($307.89 net wage)	307.89
Garrett, Sam $4,612.75 net wage)	4,612.75
Larson, Arthur L. ($1,062.25 net wage, $98.28 mileage)	1,160.53
Lenz, Viola $548.35 net wage, $587.50 auto hire)	1,135.85
McCormick, Steve ($379.17 net wage)	379.17
O'Brien, Dee ($5,114.75 net wage, $2,308.68 mileage)	7,423.43
Richards, Val ($9,160.54 net wage $6,557.00 mileage, $50.73 misc. exp)	15,768.27
Smith, Verall $2,145.90 net wage, $2,300.00 auto hire, $71.75 misc.)	4,517.65
Steele, James B. ($2,565.75 net wage)	2,565.75
Wright, W. Lee ($4,784.32 net wage, $1,943.12 mileage, $9.87 misc.)	6,737.31
TOTAL	$579,112.39

P.

COST FROM 1-31-82 to 2-24-83

WATER DISTRICT - WATER RESOURCE COOP ACCOUNT

Funds Transferred	$ 87,000.00
Balance Coop Funds 2/28/82	9,740.04
	$ 96,740.04

Watermaster & Staff	
Salary & Wages	$ 55,981.48
Benefits	14,524.61
Leave Factor	8,263.08
Print Shop	1,768.99
Data Processing	5,881.08
Travel	1,092.97
	87,512.21
	$ 9,227.83
Auditor's Overhead Charge	1,100.00
	8,127.83
Indirect Charges	$ 10,984.61
	-2,856.78

P.

WATER DISTRICT NO. 1
150 Shoup, Suite 15 - Phone 525-7172
Idaho Falls, Idaho 83402

SNAKE RIVER WATER REPORT ON February 3, 1983
(From reports by Bureau of Reclamation,
Geological Survey, and cooperating parties)

STATION	DISCH or CONT	YEAR AGO
Jackson Lake	497,500 (a)	519,300 (a)
Snake River at Moran	565	471
Palisades Reservoir (usable)	1,088,800 (a)	631,500 (a)
Snake River at Irwin	3,870	1,050
Snake River nr Heise	4,370	1,270
Island Park Reservoir	111,100 (a)	97,600 (a)
Henrys Fork blw Isl. Park Dam	525	230
Grassy Lake	12,270 (a)	12,690 (a)
Henrys Fork nr Rexburg	2,210	2,240
Ririe Reservoir	43,100 (a)	36,720 (a)
Willow Creek	0	215
Snake River nr Shelley	6,150	3,020
Snake River nr Blackfoot	5,910	1,840
American Falls Reservoir	1,227,600 (a)	1,017,000 (a)
Snake River at Neeley	9,290	1,100
Lake Walcott	54,400 (a)	31,000 (a)
Snake River nr Minidoka	8,600	1,420
Milner Reservoir	10,900 (a)	6,250 (a)
Snake River at Milner	9,070	1,340

(a) acre-feet; other quantities in cfs

PRECIPITATION

	Last Week	Total Month of Jan.	Normal for Jan.	Snow Depth 1982	Snow Depth 1983
Moran	.21"	2.42"	2.35"	51"	30"
Island Park	.47	1.69	3.12	54	51
Palisades	.26	1.41	1.93	21	11
Ririe	.27	.72	--	--	1

Those individuals wishing to remain on the Weekly Report mailing list please notify this office before April 1, 1983.

The Annual Meeting for Water District No. 1 is scheduled for Tuesday, March 1, 1983 at the Westbank Restaurant. Copies of the proposed resolutions are being sent to canal company officers. Anyone not receiving a copy may obtain one at the watermaster's office.

RONALD D. CARLSON
Watermaster

R.

SNOW SURVEYS - February 1, 1983

(By U.S. Soil Conservation Service, Bureau of Reclamation and Forest Service)

All figures in inches

Station	Drainage	Snow Depth	Water Content	Content Year Ago	1963-1977 Average	Percent of Average
Arizona	Jackson Lake	49	14.1	16.9	13.4	105
Aster Creek	"	59	18.5	27.9	21.4	86
Base Camp	"	43	12.4	20.3	14.9	83
Glade Creek	"	53	16.1	22.2	15.8	102
Huckleberry Divide	"	49	14.3	18.7	15.0	95
Lewis Lake Divide	"	82	26.7	40.8	28.6	93
Moran	"	30	7.4	13.5	9.7	76
Colter Creek	"	47	14.0	20.0	14.5	97
Snake River Sta.	"	47	14.0	19.7	14.6	96
Thumb Divide	"	41	12.2	16.3	15.1	81
AVERAGE 10 STATIONS			15.0	21.6	16.3	92
Togwotee Pass	Buffalo Fork	62	18.2	26.3	20.1	91
Blackrock	"	53	14.3	20.3	14.8	97
Turpin Meadows	"	27	6.3	12.0	7.7	82
Four-mile Meadows	"	32	7.5	12.0	9.2	82
AVERAGE 4 STATIONS			11.6	17.6	12.9	90
Big Springs	Henry's Fork	47	14.9	16.1	14.7	101
Island Park	"	45	13.9	13.4	12.0	116
Valley View	"	43	13.9	11.0	12.5	111
Targhee Pass	"	36	10.1	10.2	10.5	96
Sawtelle Mountain	"	79	30.1	28.7	22.8	132
White Elephant	"	58	18.8	19.2	13.2	142
AVERAGE 6 STATIONS			17.0	16.4	14.3	119
Grassy Lake	Falls River	69	22.9	31.6	24.8	92
Fred's Mt.	Teton River	52	17.0	21.5	13.9	122
Pine Ck. Pass	"	37	11.0	15.1	12.0	92
State Line	"	34	9.8	11.9	10.0	98
Indian Meadows	"	87	30.8	28.3	--	--
Jackpine Creek	"	52	15.9	18.6	14.9	107
McReynolds	"	47	13.7	16.1	13.0	105
Darby	"	53	15.6	21.4	15.4	101
Packsaddle Springs	"	62	21.5	26.4	--	--
AVERAGE 6 STATIONS			13.8	17.5	13.2	105
Sheep Mountain	Willow Creek	39	11.3	11.6	9.8	115
Aspen Grove	"	31	7.3	14.3	8.4	87
Bone	"	21	5.3	7.0	6.0	88
Birch Creek	"	27	7.3	12.3	7.4	99
Blue Ridge	"	55	14.8	19.8	--	--
Brockman Station	"	28	7.3	9.2	--	--
Hell Creek	"	41	12.4	--	--	--
Tex Creek	"	30	7.8	8.5	6.5	120
Mud Creek	"	51	15.6	18.8	--	--
AVERAGE 5 STATIONS			7.8	10.7	7.6	103

P.

700-760

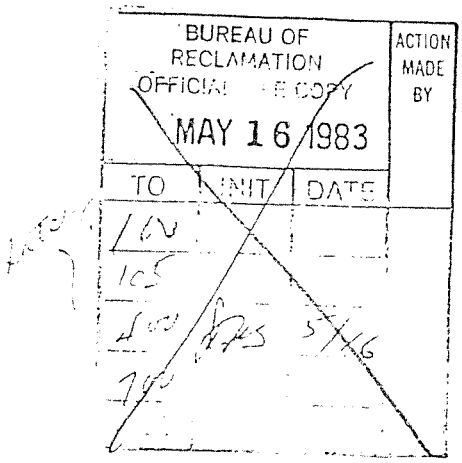
State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 13, 1983



RE: Minidoka Gain

Bill Lloyd, Jr.
Regional Director
Bureau of Reclamation
550 W. Fort Street
Boise, ID 83724

Dear Bill:

There has been a continuing discussion between the staffs of IDWR and Bureau of Reclamation regarding the calculation of gains and losses in the Neeley to Minidoka Dam to Milner Dam reaches of the Snake River and how these gains and losses should be credited to the Minidoka project and others such as Twin Falls Northside and Southside holding natural flow rights in the river. The Bureau of Reclamation staff has expressed a concern that the present procedure for computing gains and losses does not allow evaporation losses from Lake Walcott to be offset by gains between Neeley and Minidoka Dam. The procedure used prior to the present computer assisted technique apparently allowed evaporation losses to be balanced by these return flows.

The department and Water District #1 have been guided by the Foster Decree and the Idaho statutes in developing the procedure for distributing the Snake River waters. The relevant paragraph in the Foster Decrees is:

> "It is further ORDERED, ADJUDGED AND DECREED, until otherwise provided by Statute, the State Engineer of the State of Idaho, or his duly authorized deputy, shall determine what part of the water flowing in Snake River at the Minidoka and Milner Dams, is storage waters, and what part is natural flow, as provided by the Idaho Session Laws of 1909, entitled: 'An act to provide for the safe-guarding of the rights of those Conserving Public Waters in Reservoirs and Prohibiting Misappropriation of such waters by those having no Right to the Use of Same, and Declaring a 'Misdeameanor", the amount of the natural flow to be determined as such natural flow would be, if unaffected by the diversion or acts of the parties hereto or any or either of them or by the release of stored water, the natural flow to which the Twin Falls Projects are entitled to be measured to them at the Milner Dam. (emphasis added.)"

D

In accordance with the decree, the department and the water district have developed a computation procedure to remove the effects of the Minidoka project operation from the determination of natural flow belonging to the Twin Falls projects. Perhaps it does not duplicate the results of the previous computation procedure but, in my opinion, it is a technical procedure that more correctly achieves the intent of the decree. If the previous procedure used natural flow gain above Minidoka Dam to offset evaporation from the Minidoka Reservoir, the Twin Falls project would have received correspondingly less natural flow under their prior rights. Case law would not likely support a demand to have a less accurate practice of the past continued which injures the rights of others when the watermaster has available an improved method.

My understanding of the earlier meeting between the bureau and department is that you would have your field solicitor review the existing operation. If as a result of that review he develops some legal basis for re-evaluating this position, I will be happy to have my legal staff respond to such an analysis and then if necessary seek advice from the Attorney General's office.

Sincerely,

Ken

A. KENNETH DUNN
Director

AKD:alw

cc: Twin Falls Southside Canal Co.
Twin Falls Northside Canal Co
Ron Carlson, Watermaster--Water District 01

P.

March 23, 1983

RE: Water District No. 1

Ronald D. Carlson, Watermaster
150 Shoup, Suite 15
Idaho Falls, ID 83402

Dear Watermaster:

Your CERTIFICATE OF APPOINTMENT is enclosed herewith. You will, therefore, take charge of the waters of such district and distribute the same in accordance with the law and the decrees of the courts to the various users in such district in accordance with the terms and conditions of their respective rights, and perform such other duties as may be required by the Department of Water Resources, under the laws of the State of Idaho, and you are hereby requested to assume your duties at once and continue thereat until the necessity therefore shall cease.

Please feel free to call upon this office whenever we can be of assistance to you. We shall have a personal interest in the success of your year's work and desire to keep in as close touch with you as conditions will permit.

Respectfully submitted,

A. KENNETH DUNN
Director

AKD:cw

Enclosure: Certificate

cc: IDWR - State Office

P.

April 13, 1983

Ronald D. Carlson, Watermaster
Water District No. 1
150 Shoup, Suite 15
Idaho Falls, ID 83402

Dear Ron:

Enclosed herewith is your CERTIFICATE OF APPOINTMENT as Special Deputy to administer the released and stored waters of the lakes and reservoirs in your district, as set forth in Section 42-801 and 42-802, Idaho Code.

Please feel free to call upon this office whenever we can be of assistance to you.

Very truly yours,

A. KENNETH DUNN
Director

AKD:cw

Enc: Certificate of Appointment

cc: IDWR - State Office
Don Tracy
Bureau of Reclamation
1359 Hansen
Burley, ID 83318

P.

File W.D. 01 1983

1. SAXTON
2. Tuthill
3. Johnson

United States Department of the Interior

BUREAU OF RECLAMATION
~~WATER AND POWER RESOURCES SERVICE~~
MINIDOKA PROJECT OFFICE
1359 HANSEN AVENUE
BURLEY, IDAHO 83318

IN REPLY REFER TO: 406
550.-

March 29, 1983

RECEIVED
APR 4 1983
Department of Water Resources

Mr. Kenneth Dunn, Director
Department of Water Resources
373 West Jefferson
Boise, Idaho 83706

Dear Mr. Dunn:

Pursuant to the provisions of Chapter 7, Section 41-701 and 41-702 of the Idaho Complied Statutes, notice is hereby given that the United States, as owner of Jackson Lake, Grassy Lake, Island Park, Palisades, American Falls, and Ririe Reservoirs, desires to use the bed of the Snake River and its tributaries natural water courses in the State of Idaho, for the purpose of carrying the stored water from said reservoirs to the several projects entitled to use the same, and requests that a special deputy be appointed as provided in said sections to adjust the headgates of the various canals diverting from said stream in such a manner that the parties having the right to the use of such stored water shall secure the volume thereof to which they are entitled.

The dates when the stored water will be discharged, its volume in acre-feet, and rate of flow in cubic feet per second will depend upon climatic and runoff conditions and cannot be determined at this time. Stored water released from Island Park and Grassy Lake Reservoirs during the 1983 irrigation season will be for the benefit of the Fremont-Madison Irrigation District.

It has been the custom in the past for the Watermaster of District 01 to act in the capacity of the special deputy under appointment by your office. The continuation of this custom is requested for the current year.

Sincerely yours,

Donald E. Tracy

Donald E. Tracy
Project Superintendent

cc: Reg. Dir., Boise, Idaho, Attn: 150 and 400
Watermaster, Idaho Department of Water Resources, Idaho Falls, Idaho

P.

WATER DISTRICT NO. 1
150 Shoup, Suite 15 - Phone 525-7172
Idaho Falls, Idaho 83402

SNAKE RIVER WATER REPORT ON May 24, 1983
(From reports by Bureau of Reclamation, Geological Survey, and cooperating parties)

STATION	DISCH or CONT	YEAR AGO
Jackson Lake	506,300 (a)	333,000 (a)
Snake River at Moran	1,570	3,620
Palisades Reservoir (usable)	724,600 (a)	236,900 (a)
Snake River at Irwin	12,500	17,030
Snake River nr Heise	14,600	18,500
Island Park Reservoir	130,000 (a)	129,800 (a)
Henrys Fork blw Isl. Park Dam	1,360	1,860
Grassy Lake	13,430 (a)	12,550 (a)
Henrys Fork nr Rexburg	7,100	8,800
Ririe Reservoir	80,500 (a)	79,000 (a)
Willow Creek	1,150	584
Snake River nr Shelley	18,500	19,200
Snake River nr Blackfoot	19,300	16,300
American Falls Reservoir	1,661,000 (a)	1,650,000 (a)
Snake River at Neeley	20,800	20,700
Minidoka N.S. Canal	1,080	1,240
Minidoka S.S. Canal	884	523
Lake Walcott	95,400 (a)	94,600 (a)
Snake River nr Minidoka	19,700	20,100
A & B Irrigation	60	282
P.A. Lateral	39	54
Milner Low Lift	189	282
A Lateral + N.S. X-Cut Gooding	1,000	868
Reservoir Dist. #2	1,030	1,080
Twin Falls N.S. Canal	1,750	2,000
Twin Falls S.S. Canal	2,970	3,215
Milner Reservoir	28,100 (a)	28,500 (a)
Snake River at Milner	14,500	12,500
Diversions Heise to Shelley	3,679	7,140
Diversions Shelley to Blackfoot	1,292	2,640

(a) Acre-feet; other quantities in cfs

PRECIPITATION

	Last Week	Month to Date	Normal for May
Moran (Jackson)	.06"	1.28"	1.85"
Island Park	.12	.85	2.60
Palisades	.92	2.69	1.82
Ririe	.29	1.46	--

RONALD D. CARLSON
Watermaster

United States Department of the Interior
BUREAU OF RECLAMATION
~~WATER AND POWER RESOURCES SERVICE~~
MINIDOKA PROJECT OFFICE
1359 HANSEN AVENUE
BURLEY, IDAHO 83318

IN REPLY
REFER TO: 405

June 10, 1983

The Bureau of Reclamation has for the last couple of years been reviewing the water accounting procedures below American Falls Dam. Procedures associated with the Foster Decree particularly have been discussed with the Water District No. 01 Watermaster and Idaho Department of Water Resources (IDWR). Since your organizations are affected by this Decree, the Bureau feels a meeting of the various entities would be beneficial in clarifying areas of concerns, if any, by various parties.

A meeting date of Friday, June 24, at 10 a.m., here at the Minidoka Project Office in Burley was mutually agreed upon by yourselves via telephone conversation with Leo Busch. Ron Carlson, Water District No. 01 Watermaster and Idaho Department of Water Resources have been invited to take part in these discussions.

The meeting will deal with concerns in the interpretation of the Foster Decree as related to present water accounting procedures within the reaches of the Snake River between Neeley to Minidoka Dam to Milner Dam. The procedures in question are those dealing with computation of credit to the Minidoka Project (Burley and Minidoka Irrigation Districts) as to gains and/or losses and the effect of such computations on the natural flow rights of Twin Falls and North Side Canal Companies.

In order to give all parties additional knowledge of past/present hydrological facts, computational procedures, and Water District No. 01/IDWR/USBR reasoning, enclosures have been included of various reports and previous correspondence. Given below is a list of these enclosures:

1. Report of April 1, 1926, Water Distribution Below Neeley Gaging Station by Lynn Crandall.

2. Letter of September 25, 1981, from Minidoka Project to Water District No. 01 including various attached documents.

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3. Response letter of October 21, 1981, from Water District No. 01 to Minidoka Project.

4. Letter of November 13, 1981, from Minidoka Project to USBR, Regional Director.

5. Letter of November 19, 1982, from USBR, Regional Director to IDWR Director requesting IDWR's answer to basic question on Foster Decree.

6. Response letter of May 13, 1983, from IDWR, Director to USBR, Regional Director on State's position as related to Foster Decree.

If further information is desired, contact Leo Busch of this office.

The desired outcome of this particular meeting is to explore interest of the affected parties involved and if there is any need to pursue this matter further.

Sincerely yours,

Donald E. Tracy
Project Superintendent

Enclosure

cc: Water District No. 01 Watermaster, 150 Shoup, Suite 15, Idaho Falls, Idaho 83402 (w/encl.)
Director, Idaho Department of Water Resources, Statehouse, Boise, Idaho 83720 (w/encl.)
Reg. Dir., Boise, Idaho, Attn: 420 (w/encl.) and 700 (w/o encl.)

Distribution: Burley Irrigation District
Minidoka Irrigation District
Twin Falls Canal Company
North Side Canal Company

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Water distribution below Neeley Gaging Station.

The first gaging station installed on Snake River was located in August, 1895, at Montgomerys Ferry, 10 miles below the present Minidoka Dam, and 25 miles above the present Milner dam. Records were secured at that point until 1910 when the station was abandoned due to backwater effect from Milner Dam. The Minidoka dam was constructed 1905-1907 and the Neeley gaging station was established in 1906 to show the flow of Snake River above Lake Walcott, the reservoir created by the Minidoka Dam.

Some storage was available at Jackson Lake in 1907, but no attempt was apparently made to deliver Jackson Lake water to the Minidoka project until 1908. In 1908 stored water was released from Jackson Lake and left to find its way down the river, with stored water losses determined by LaRue of 76.5% between Jackson Lake and Milner. In 1909 some attempt was made to prevent canals in the Idaho Falls valley from diverting all the stored water, and the losses in stored water from Jackson Lake to Milner in that year, including illegal diversions, amounted to 29.3% according to LaRues determination. 1909 was a year of abundant run-off, with plenty of water thruout the irrigation season from natural flow alone, and apparently the question of river regulation on Snake River below Neeley did not become important until 1910.

On July 1, 1910, D. C. Martin, State Engineer, was appointed Commissioner of the Court by Judge Walters in the case of Twin Falls

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Canal Co. vs. Chas. H. Porter et al. Paragraph 5 of the injunction and restraining order issued by Judge Walters at that time is as follows,-

> "D. J. Martin, State Engineer of the State of Idaho, or his duly appointed deputy, shall determine what part of the water flowing in Snake River at the Milner dam is natural or normal flow and what is not; the amount of the natural flow to be determined as such natural flow would be if unaffected by the diversions or acts of the parties or any or either of them or by the release of the stored water; and the normal flow so determined shall be measured out to the said North Side Canal Co. and the Twin Falls Canal Co. at said Milner Dam, in the ratio and subject to the limitations above mentioned"

On July 1, 1910 Mr. Martin appointed W. O. Cotton as his deputy to handle Jackson Lake stored water, supplying him with a copy of the order issued by the Court, and instructing him to begin work when notified by Mr. Meysouth or Mr. LaRue, the latter having been engaged by the Reclamation Service to make additional study of stored water transmission losses during 1910. In a letter from Mr. Martin to Mr. Cotton under date of July 21, 1910 the following additional instructions are given,-

> "The flow at Montgomery Ferry should be equal to the normal flow at Heeley of the preceeding day, plus ½ the excess of the observed over the normal flow, less the estimated gain between Montgomery Ferry and Milner and the estimated flow of the River below the Milner Dam"

I am unable to derive any meaning from this instruction, and apparently no attempt was made to follow it, whatever it may mean.

In Mr. Martins report to the court under date of Nov. 18, 1910 he advises that the normal flow was estimated from past years records at Montgomerys Ferry, and he states,-

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> "it was assumed that the normal flow of Snake River, if un-affected by other causes, would reach a minimum flow of 2,000 Sec.ft. for this season (1910) about the latter part of July or the 1st of August. As you will note, in the schedule submitted herewith that on the 1st day of August, the distribution to the Twin Falls Canal Co. was based on the assumption that the normal flow in Snake River would be approximately 2,000 sec.ft. and was held at that point until the river began to rise, the water in the upper valley having been turned out by the canals and left to flow in the natural channel of the river"

It thus appears that the 1910 order of Judge Walters was interpeted by Mr. Martin to mean that the Twin Falls Canal was to receive the amount of water that would have been available if the Minidoka Project had never been built.

During the 1911 season, water was distributed under another temporary court order similar to the 1910 order, and containing the paragraph previously quoted from the 1910 order. Under date of July 18, 1911, Mr. A. E. Robinson, State Engineer and Court Commissioner issued instructions to D. C. Martin, his special deputy in charge of delivery of stored water on Snake River from which the following is quoted,-

> "Prior to the arrival of stored water at the Neeley gaging station, the determined flow at Neeley will be considered the natural flow of the river at that point, and that flow will also be considered as the natural flow of the river at the Milner Dam, if un-affected by the diversions of the Minidoka and Milner Canals. After the arrival of the stored water at the Neeley gaging station, the amount of stored water and amount of natural flow at that station will be determined as follows; The curve showing the daily discharge at the Neeley station shall be extended parallel to that of previous similar years at this station, to conform as nearly as can be determined to what the natural flow of the river would be during the period while the stored water is being delivered."

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The 1912 temporary court order for water distribution contained the following paragraph,-

> "The State Engineer of the State of Idaho, or his duly authorized deputy shall determine what part of the water flowing in the Snake River at the Minidoka and Milner Dams is storage waters and what part is natural flow as provided by the Idaho Session Laws of 1909, entitled "An Act to provide for the safeguarding of the rights of those conserving public waters in reservoirs, and prohibiting mis-appropriation of such waters by those having no right to the use of the same and declaring a misdemeanor." The amount of the natural flow to be determined as such natural flow would be if unaffected by the diversions or acts of the parties or any or either of them or by the release of stored water, the natural flow to which the Twin Falls projects are entitled to be measured to them at the Milner Dam."

The above paragraph also appears in the Foster decree which was finally entered in June, 1915, and in conformity with the practice prior to 1913, has been interpeted by the various Special Deputy State Engineers in charge of stored water distribution on Snake River, to mean that the Twin Falls Canal Co. and the 1st Segregation of the North Side Canal Co. have a prior right to the natural flow of Snake River up to 3400 sec.ft. at such times and in such amounts as same would be available if the Minidoka project had never been built.

In the method of operation that has been followed from 1910 to date, the assumption is made that the normal flow at Neeley during the irrigation season is the same as the normal flow at Milner would have been if the Minidoka dam had never been constructed. Raft River and several small tributaries enter Snake River between Neeley and Milner, but their combined flow during

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the late summer does not exceed 50 sec.ft., which is probably less than the loss in this section of the river prior to the building of the Minidoka project. A small amount of water was used on the Minidoka Project in 1907, so that the only comparative records of the flow of Snake River between Heeley and Milner prior to the construction and operation of the Minidoka project, are those from April to Oct. incl. 1906, which show a loss of 292,000 acre feet between Heeley and Montgomerys Ferry during the above period. This would indicate that the normal flow measured at Heeley is equal to or greater than the same flow would have been at the Milner dam prior to building the Minidoka project.

Prior to 1916 the computed normal flow at Heeley was largely based on a method of extending the hydrograph at that station parallel with old records at Heeley and Montgomerys Ferry, but from 1916 to date the normal flow at Heeley has been calculated as the normal flow at the Blackfoot station plus the gain from Blackfoot to Heeley. The present method of river operation gives to the Minidoka project the net gain between Heeley and Milner, which now exists due to return flow from the Minidoka project. In the section from Heeley to the Minidoka dam, which includes Lake Walcott, a loss occurs, varying during 1919-24 from 46 to 301 sec. ft. average for the low water season. The gain from the Minidoka dam to Milner during the same years has varied from 206 to 366 sec.ft. during the low water period.

The net gain over the entire section from Heeley to Milner

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during the period covered by Mr. Baldwins reports is stated in his reports to be as follows,-

Gain in Sec.ft. Average for low water period. Heeley to Milner Dam.

Year	Average Gain in Sec.Ft.
1919	104
1920	21
1921	42
1922	96
1923	156
1924	160

In a previous report on Snake River Water supply prepared by myself in 1917 the net gain from Heeley to Milner, from 1913 to 1916, incl, averaged 510 sec.ft. during the months July to Sept. incl., so that this net gain during the past 6 years, while increasing since 1920, has averaged less than it formerly did.

The water lost in Lake Walcott probably re-appears, in part at least, as gain between the Minidoka dam and Milner, so that the section from Heeley to Milner should be considered as a unit as far as determining gains or losses between those two points is concerned. If the net gains now occuring between Heeley and Milner, which under the existing arrangement are delivered to the Minidoka Project, are to be considered as natural flow available for users in accordance with their established priorities, the Twin Falls Canal Co. would secure 30/34ths and the North Side Canal Co. 4/34ths of the same during the extreme low water period when the natural flow of the stream was 3400 sec.ft. or less, but these companies would on the other hand have to stand whatever loss occured in the

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transmission of stored water between Neeley and Milner, which loss is now absorbed by the Minidoka project. The normal flow right of the Minidoka Project being next in priority to the 5400 sec.ft. right, the net gain between Neeley and Milner would accrue to the Minidoka project during periods when the normal flow of the stream was between 3400 and 5126 sec.ft. and for still higher natural flow discharges of the stream, the gain would accrue to the latest right being filled at the particular date.

Lynn Crandall.

Mackay, Idaho
April 1,1926

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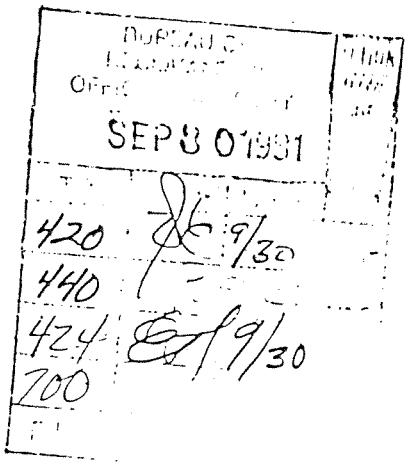
United States Department of the Interior
BUREAU OF RECLAMATION
~~WATER-ASSISTANCE-RESOURCES-BRANCH~~
MINIDOKA PROJECT OFFICE
1359 HANSEN AVENUE
BURLEY, IDAHO 83318

IN REPLY
REFER TO: 405
135.

September 25, 1981



Water District No. 01
Ronald D. Carlson, Watermaster
150 Shoup
Idaho Falls, Idaho 83402

Dear Ron:

Attached are copies of various litigations and materials of interest which Leo Busch has discussed with you concerning the Foster Decree as to the proper intended adjudication of gain or loss of water within that reach of the Snake River between the Neeley Gage and Milner Dam. It is our understanding that the present Idaho Department of Water Resources interpretation of the Foster Decree differs from all previous (1919-1977) State computational allocations of water within this reach. Since the United States holds in trust the water rights for the Minidoka Project (being in this case the Minidoka and Burley Irrigation Districts), it is felt that clarification of present procedures in allocation of water in this reach are necessary in order to determine whether these changes are injurious to the Minidoka Project water supply.

The basic computational method for this section (Neeley-Milner) of the Snake River is to treat it as two reaches between the stations of Neeley-Minidoka and Minidoka-Milner Dam. It is our understanding that the lower reach, being the Minidoka-Milner reach, is basically computed as has been done since 1919. The only noted exception of this is that the return flows are now credited to Minidoka Project as daily flow rather than the accrual of such water as storage and allocated at the end of the irrigation season. This, in our opinion, is only a difference in procedural methods of water accounting and should not be detrimental to Minidoka Project rights.

The present interpretation for the allocation of water between the stations of Neeley-Minidoka is felt to be injurious to the water supply of the Minidoka Project. The present allocation by yourself, as Watermaster, of gains in this reach of the Snake River are understood to be adjudicated as natural flow. In computing natural flow, the general procedure is to include evaporation from Lake Walcott which in turn would be charged to the Minidoka Project storage use.

This present method of allocation of water results in a substantial loss of water supply to the Minidoka Project. Initial analysis indicates a loss of

over thirty thousand acre-feet (30,000 acre-feet) based on the analysis of fifty (50) years of records (1931-1980 inclusive). This results from the fact that the average loss and/or gain of this reach indicates a near zero or balanced hydrological reach in terms of loss and/or gain. This then would result in over thirty thousand acre-feet of evaporational loss being taken from Minidoka Project irrigation storage supply. Documentation of such evaporational losses are included in an extracted section of a report on geology and ground water resources of Snake River Plain, a copy of which is attached. The possible loss of a valid water right under past Idaho State Statute gave rise to our researching the past history of the Foster Decree and analysis of these past records. We have highlighted what we feel are the pertinent parts in the enclosure. Below is only a brief summary of portions of various documents which, in our opinion, strongly indicate justification for the adjudication of all loss and/or gain from the stations of Neeley to Minidoka.

District No. 36 Annual Reports:

1. 1919 report was found to obtain the first water accounting of irrigation diversions within the Upper Snake River. On pages 30-31 a brief explanation is given on how the reach was to be treated under the Foster Decree. Table X verifies the fact that computations are carried out separately for each reach. It should be noted that 1919 was a drought year and with water supplies being critical each water right was subjectively analyzed by various water protection groups. Also, Mr. G. Clyde Baldwin and others were closest in time to the decision making that went into the Foster Decree in regard to the intent of the Decree as set forth by Judge Edward A. Walters.

2. 1920-1922 reports continue the computations in Table X. Minor discussion concerning loss and/or gain from Neeley-Milner.

3. 1923 report gives an analysis of Neeley-Minidoka reach as discussed in pages 35-37 in which bank storage is being realized and discussed as a possible water resource for the lower valley irrigation use.

4. 1924 report, page 24 gives some interesting discussion concerning bank storage. Dialogue as to the awareness of bank storage had arose, thus possibly leading to litigation mentioned in the 1927 report.

5. 1925 report, page 27 indicates an awareness of substantial gains taking place in reaches under question and analysis of such gains.

6. 1926 report, page 41 seems to substantiate that 1919 was the first year a water accounting record was kept.

7. 1927 report, page 14 provides for the initiation of litigation which gave rise for further clarification of the Foster Decree in the District Court of the United States, in and for the District of Idaho, Southern Division - No. 1487 Decree, a copy of which is attached.

8. 1928 report, page 32 provides again the gain from Neeley through to Milner as the algebraic combination of the two sections.

9. 1929 report, page 18 brings out the fact that the Jackson Lake Contract as having a direct influence on the Foster Decree. Also noteworthy on page 34 is mention of the new drains on return flow between Minidoka and Milner.

10. 1930-1977 District No. 36 and later District No. 1 reports provide for continuous evidence that computations were carried substantially the same even after Federal Court Decree No. 1487. Only the format was changed.

In our opinion, the supporting affidavits to the Federal Court Decree give added evidence that the intended adjudication is to treat the Neeley-Milner reach of the river the same as the past watermasters of the Upper Snake have done in interpreting the Foster Decree. We believe the historical methods and procedures as adopted by the previous watermasters should continue.

Please review the above and advise us of your thoughts on this important matter.

Sincerely yours,

Donald E. Tracy
Project Superintendent

Enclosure

bcc: Regional Director, Attn: 400 (w/o encl.)

LA Busch:dw

P.

B-11-16

Excerpt from report

by

Harold T. Stearns

on

Geology and Ground
Water Resources of
Snake River

Prepared about 1929—
(Not yet published as of 5/13/35)

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ABSTRACT

The Snake River Plain above King Hill, Idaho, is about 250 miles long and has a general east and west trend. This region and the alluvial valleys immediately tributary to it contain about 16,000 square miles. The principal cities in the region are Pocatello, Idaho Falls, and Twin Falls. The discharge of the Snake River at King Hill averages about 9,000,000 acre-feet a year.

The chief purpose of the investigation was to obtain data regarding the source, movement, and disposal of the ground water supply of the lava plains that occupy most of the region. By assembling and correlating numerous well records obtained in this and related investigations, tied together by a system of levels, it has been possible to prepare a map of the region showing contours of the water table. This map shows the direction of the movement of the ground water in all parts of the region, and, hence, largely determines the source and disposal of the water. Since the altitude of most places in the region is known, this map makes it possible to predict the depth necessary for a drilled

well to obtain water. The total annual ground water supply of the Snake River Plain is herein estimated at 4,000,000 acre-feet, of which only a small part is now utilized for irrigation. One result of the study is the conclusion that, from the standpoint of groundwater supply, it is desirable so far as practicable to confine future irrigation development to the southeast side of the Snake River above Milner in order that the seepage water may return to a stretch of the river where it will be available for reuse. By heeding this hydrologic condition more land can be irrigated with the remaining available water supply than would be possible if the water is used on the northwest side of the river because most of the return flow from the northwest side enters the river at too low an elevation to be reused.

The geology of the region in its relation to water supply has been studied with care and much new information of many kinds has been obtained. One of the principal results of this study is the conclusion that exceptionally large springs along the canyon of the Snake River owe their existence to the fact that the modern canyon

intercepts a series of roughly parallel former canyons of the river which are now filled with especially permeable lava and hence serve as channels for ground water. The alcoves formed where many of the springs emerge are thought to have been formed to some degree through agency of thermal weathering. Light is thrown on other peculiarities of the behaviour of ground water in basalt by a study of the exceptionally well exposed and very recent volcanic area of the Craters of the Moon National Monument.

The losses and gains in different stretches of the Snake River are estimated on the basis of available stream-flow records. An inventory of the water supply of the Plain and its tributary valleys is made. The springs in and near the Snake River Plain are described and all available records of their discharge are tabulated. Many of the heretofore unpublished groundwater conditions in both the plain and tributary valleys are summarized.

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INTRODUCTION

Location and Area

The Snake River, the largest of the tributaries of the Columbia, is the drainage channel for the greater part of the State of Idaho. The South Fork enters southern Idaho from its source in Wyoming with an average annual discharge of nearly 5,000,000 acre-feet. The Henry's Fork, rising in Henry's Lake and deriving its water chiefly from sources in Idaho contributes an average of fully 1,250,000 acre feet annually. Below the junction of the two forks the river takes first a southwestward and then a westward course through southeastern Idaho. In addition to the surface stream, a great quantity of water percolates underground, largely through the system of ancient channels of the Snake River that are now filled and covered with permeable lava, and reapears in many large springs in the canyon of the river above King Hill. The total discharge of these springs amounts to about 4,000,000 acre-feet a year. At Weiser, where the Snake River leaves southern Idaho, it has an average annual discharge of about 13,000,000 acre-feet. For over 200 miles north of Weiser it forms the

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boundary between Idaho and the neighboring states of Oregon and Washington, and after receiving the inflow from the Salmon and Clearwater Rivers and from tributaries in Oregon, and Washington, it leaves Idaho at Lewiston with an average annual discharge of about 40,000,000 acre-feet. Pl. 1 shows the major features of the topography of this part of Idaho and its relation to the underlying water table. The waters of the Snake River have aptly been called the life blood of Idaho. The river with its tributaries furnishes water for irrigation of about 2,000,000 acres of land in this State.

The present report deals with the part of the Snake River Plain lying above the town of King Hill and with the valleys immediately tributary thereto. The U. S. Geographic Board has recently decided to use the singular form for the name of this region. According to the official

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Decisions of the U. S. Geographic Board No. 4 Decisions rendered by the Board Feb. 4, 1932, p.2.

definition this plain comprises the broad valley of the Snake River with relatively subdued topography mainly underlain by Snake River basalt and related sediments, beginning near the town of Spencer, Kilgore and Ashton in northeast Idaho, and extending south and west across the entire State to the point where the valley narrows sharply in the vicinity of Huntington, Oregon. In the region covered by this report, the Snake River Plain is about 250 miles long, has an average width of 70 miles, and covers about 12,500 square miles. The tributary valleys, whose conditions are described in this report, cover an additional area of about 3,000 square miles. The principal cities in the region and their population according to the 1930 U. S. Census are: Pocatello, 16,471; Idaho Falls, 9,429; and Twin Falls, 8,787. As shown in Plates 1 and 5, the region is traversed by two main lines of the Union Pacific Railroad, one extending westward and one northward from Pocatello. Several branch lines connect with these two main lines.

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The probable return flow to Snake River from irrigation on the Springfield-Aberdeen project, north of the Snake River, between Cloughs ranch and American Falls, is shown in the following table. Net duty of water has been estimated at 1.7 acre-feet per acre from irrigation water, exclusive of precipitation, except in years of deficient water supply when a slightly larger amount has been used, based on water deliveries to the project. As some ground water percolates northward or westward away from the project and enters the Snake River many miles downstream, the contributions listed in the last column of the following table do not all reach the Snake River between Cloughs ranch and Neeley.

Average Winter Elevations at Lake Walcott.

	1934-05	1933-04	1932-03	1931-02
November	* 4240.2	4241.5	4242.0	4242.5
December	4242.0	4243.0	4242.0	4242.0
January	4242.2	4243.0	4242.5	4242.3
February	4242.2	4243.0	4242.5	4243.0
March	4243.0	4243.0	4242.4	4244.0
April	4244.5	4245.0	4243.0	4244.5
	45.0			

Normal summer operating elevation - 4245.0

* Lake filling.

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Extract from Water-supply report on Geology and Ground-water resources of Snake River Plain

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GAINS BETWEEN CLOUGH RANCH AND NEELEY

In the 40-mile stretch between Clough's ranch and Neeley, the river has a gain, which is supplied chiefly from spring inflow but also in part from irrigation waste and surface streams. The uniformity of this gain, about 2,500 second-feet, is noteworthy and indicates that the spring inflow in this section has a source far enough removed from its outlet to equalize by underground storage the major irregularities in the original contributions. The American Falls Dam creating a reservoir to store 1,700,000 acre-feet was constructed on Snake River in this section of the stream in 1925-26 and a small amount of water was stored in this reservoir during 1926 but not enough to effect materially these gains. The large amounts stored in 1927 are, however, responsible largely on account of heavy evaporation losses for reduced gains during the summer of that year.

The earliest measurement of the gain in this section of Snake River was made on August 11, 1905[1/], and showed a discharge of 1,996 second-feet at

1/ U. S. Geol. Survey, Water Supply Paper No. 178, p. 96, 1906.

American Falls, while the Snake River was dry below Blackfoot. The surface inflow from the upper Portneuf River was not measured at the time, but it is known from later measurements that in very dry years the low-water flow of

Average daily gain, in second-feet, in the Snake River between the Clough ranch and Neeley gaging stations.

Year	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Yearly Average
1913	2,440	2,670	2,740	2,740	2,830	2,730	2,080	2,170	2,770	2,770	2,570	2,970	2,670
1913	3,230	2,950	2,240	2,600	2,810	2,510	2,250	2,460	3,050	2,400	2,550	3,540	2,640
1914	2,750	2,640	2,500	2,750	3,050	2,920	2,630	3,570	3,150	2,660	2,050	2,050	2,500
1915	2,240	2,230	2,260	2,190	2,240	2,160	2,160	2,150	1,920	2,170	2,080	2,100	2,170
		a/	a/										
1916	2,080	2,190	2,300	2,080	2,410	2,560	2,200	2,450	2,140	2,330	2,280	2,350	2,250
									a/	a/			
1917	2,480	2,450	2,200	2,140	2,310	2,480	2,080	2,740	2,400	2,440	2,550	2,720	2,460
1918	2,540	2,580	2,550	2,410	2,110	2,540	2,400	2,470	2,150	2,880	2,570	2,380	2,470
1919	2,550	2,550	2,550	2,380	2,300	2,850	2,500	2,570	2,360	2,300	2,390	2,310	2,480
1920	2,330	2,460	2,540	2,390	2,500	2,600	2,640	2,490	2,690	2,640	2,370	2,450	2,470
1921	2,410	2,650	2,670	2,700	2,660	2,700	2,390	2,210	2,730	2,400	2,460	2,500	2,540
1922	2,440	2,400	2,420	2,540	2,530	2,870	2,760	2,510	2,640	2,460	2,380	2,500	2,570
1923	2,470	2,440	2,300	2,600	2,420	2,710	2,560	2,640	2,750	2,730	2,700	2,600	2,590
1924	2,720	2,790	2,690	2,460	2,610	2,730	2,500	2,360	2,210	2,220	2,360	2,390	2,500
1925	2,260	2,430	2,370	2,300	2,750	2,150	2,800	2,150	2,290	2,400	2,600	2,680	2,490
1926	2,610	2,640	2,550	2,540	2,630	2,670	2,580	2,370	2,400	2,400	2,450	2,610	2,540
1927	2,670	2,570	2,330	2,400	2,280	2,370	2,430	2,320	2,100	1,750	2,340	2,510	2,400
Average b/ 1912-26	2,500	2,540	2,420	2,470	2,570	2,620	2,380	2,400	2,450	2,380	2,440	2,470	2,490

a/ Based on partially estimated records.

b/ For years prior to American Falls Reservoir construction.

this stream at Pocatello is about 60 second-feet. The low-water flow at Cloughs ranch on August 11, 1905 was probably about 120 second-feet and Ruegar Springs tributary to Snake River between American Falls and Neeley probably discharged about 15 second-feet. This would make the gain between Cloughs and Neeley in August, 1905, about 1,830 second-feet. During the month of August in subsequent low-water years, the gain was as follows; about 2,080 second-feet in 1915; about 2,390 second-feet in 1919; about 2,360 second-feet in 1924; and about 2,450 second-feet in 1926. It thus appears that the gain in this section of the Snake River during the month of August in dry years has increased persistently from 1905 to 1927.

The figures shown in the table above have been computed by adding the flow of Snake River at Cloughs Ranch to the flow of Portneuf River at Pocatello, and subtracting the result so obtained from the flow of Snake River at Neeley. Results as shown above are corrected to Cloughs Ranch dates allowing a time interval of 14 hours between Cloughs ranch and Neeley. The 1926-27 records include corrections for water stored in or released from the American Falls reservoir, but do not include corrections for evaporation from the reservoir or other reservoir losses.

The development of the Fort Hall tract between Blackfoot and Pocatello has undoubtedly contributed to the gain between Cloughs ranch and Neeley. In the following table are given the records of the diversions and the cultivated acreage on this project for the years since 1903. Also the estimated crop consumption, based on a duty of water of 1.7 second-feet and the surface waste and ground-water contributions to the Snake River. On page _____ it was shown that 13,800 acre-feet per year, or 19 second-feet of continuous flow, has been absorbed as ground-water storage under the Fort Hall-Blackfoot area between 1914 and 1927. In the table no account is taken of this increase in ground-water storage.

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Use of water on the Fort Hall Project.

Year	Total diversions from Snake River Blackfoot River and Ross Fork (acre-feet)	Cultivated area (acres)	Estimated crop consumption (acre-feet)	Surface waste and ground water contributions to Snake River. Acre-feet	Average, in second-feet
1908	10,000	1,885	3,210	6,790	9
1909	15,000	2,126	3,620	11,380	16
1910	18,000	2,700	4,590	13,410	18
1911	21,200	3,654	6,210	14,990	21
1912	56,970	8,540	14,500	42,470	59
1913	70,780	12,600	21,400	49,380	68
1914	77,300	16,432	28,000	49,300	68
1915	91,200	18,542	31,500	59,700	82
1916	109,600	19,565	33,300	76,600	106
1917	138,300	23,168	39,400	98,900	136
1918	173,000	23,917	40,700	132,300	183
1919	153,400	26,700	45,400	108,000	149
1920	158,600	25,232	43,000	115,600	159
1921	151,600	29,313	49,800	101,800	141
1922	159,900	24,988	42,500	117,400	162
1923	160,200	25,026	42,500	117,700	162
1924	150,300	24,743	42,100	108,200	149
1925	163,000	25,640	43,600	119,400	165
1926	207,800	27,527	46,900	160,900	222
1927	185,500	30,000	51,000	134,500	186
Average 1920-27					168

The probable return flow to Snake River from irrigation on the Springfield-Aberdeen project, north of the Snake River, between Cloughs ranch and American Falls, is shown in the following table. Net duty of water has been estimated at 1.7 acre-feet per acre from irrigation water, exclusive of precipitation, except in years of deficient water supply when a slightly larger amount has been used, based on water deliveries to the project. As some ground water percolates northward or westward away from the project and enters the Snake River many miles downstream, the contributions listed in the last column of the following table do not all reach the Snake River between Cloughs ranch and Neeley.

Use of water on the Aberdeen Project.

Year	Diversions (acre-feet)	Cultivated area (acres)	Estimated crop consumption (acre-feet)	Surface water and ground-water contribution to Snake River	
				Acre-feet	Average in Second-feet
1912	120,000	20,000	34,000	86,000	119
1913	130,000	22,000	37,400	92,600	128
1914	140,000	24,000	40,800	99,200	137
1915	138,000	27,000	45,000	93,000	128
1916	158,000	28,000	47,600	110,400	152
1917	157,000	29,000	49,300	107,700	149
1918	209,000	30,000	51,000	158,000	218
1919	123,000	32,500	50,000	73,000	101
1920	216,000	36,400	61,800	154,200	213
1921	215,000	39,869	67,700	147,300	203
1922	217,000	41,171	70,000	147,000	203
1923	239,000	37,671	64,000	175,000	241
1924	175,000	36,207	57,000	118,000	163
1925	241,000	38,712	65,700	175,300	242
1926	176,100	40,145	62,000	114,100	157
1927	256,100	41,569	70,900	185,200	256
Average 1920-27					210

LOSSES BETWEEN NEELEY AND MINIDOKA DAM

The section of Snake River between the Neeley and Minidoka gaging stations, a distance of 35 miles, is largely occupied by Lake Walcott, which backs water to a point about three miles below the Neeley station. Lake Walcott, formed by the Minidoka dam which is 65 feet high, contains about 160,000 acre-feet of water, of which about 55,000 acre-feet are dead storage not available for withdrawal. The lake when full covers 12,000 acres and extends for 50 miles along the stream. The dam serves as a diversion dam for the Minidoka canals, and also is being used to develop power for irrigation pumping on the Minidoka project. The lake is maintained at its maximum stage during July to provide sufficient head at the dam to meet the peak demands for power at that time, and it is not until the latter part of the irrigation season, during September and October, that the storage in the lake can be withdrawn. The full amount of this storage is not usually withdrawn except in very dry years or when repairs to the power plant are necessary.

A number of springs, having an aggregate flow of about 25 second-feet, enter the river from the north near the upper end of the reservoir. Rock Creek, Fall Creek, and Raft River are perennial tributaries from the south. During August, 1905, prior to the construction of the dam, 33 second-feet of water, in addition to inflow of the streams and springs above mentioned was lost by evaporation and percolation between American Falls and Montgomerys Ferry, 7 miles below the Minidoka Dam. 1/

1/ U. S. Geol. Survey Water Supply Paper 178, p. 96, 1906.

Losses in this section from 1909 to 1927 are shown in the following table:

Average apparent loss, in second-feet, in Snake River between the Neeley and Minidoka gaging stations.

(+ indicates gain)

Year ending Sept. 30.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Mean
1909	210	50	+180	+260	105	70	350	430	1220	1490	710	180	385
1910	205	390	40	+100 e/	+100 e/	590	1460	2350	860	670	320	80	564
1911	75	+105	710	+1110 e/	+430	+360	+135	70	980	980	140	350	97
1912	+140	+340	240	100	40	170	130	+560	70	370	250	215	45
1913	+ 15	90	+90	+40	270	40	320	110	850	650	480	390	254
1914	+210	145	+200	+140	55	115	+50	300	210	100	+150	+10	14
1915	+10	590	810	+355	+285	+110	+20	+10	200	245	+105	+40	76
1916	+295	360	+245	+860	+450	+80	+550	190	90	625	200	195	+68
1917	+135	+100	+65	+260	+490	+440	+280	+200	460	1250	330	180	23
1918	+110	0	+215	+390	+580	+10	180	450	+170	790	245	+130	5
1919	+95	100	65	+240	+110	30	360	350	550	315	125	+210	103
1920	+175	395	60	65	20	165	115	70	750	280	230	90	172
1921	+270	+40	+30	+105	+420	+15	+395	+940	500	270	210	+25	+101
1922	+330	35	+170	85	130	+250	80	+220	400	480	250	+40	35
1923	+380	+210	+290	+110	+325	10	+90	15	210	530	300	+270	+51
1924	+135	40	+170	155	+250	340	70	+70	200	250	20	+100	29
1925	+110	100	50	1090	+15	+80	230	+150	150	520	280	65	179
1926	+25	10	+45	+160	+165	75	80	320	450	350	+10	+120	63
1927	30	+130	+260	+ 65	+85	70	50	+80	70	700	200	390	76
Mean	+38	73	1	+142	+163	17	102	128	423	572	212	63	99

e/ Estimated.

The figures shown in the table above have been computed by adding the discharge of Snake River near Minidoka and diversions by the Minidoka canals, and subtracting the result so obtained from the discharge of Snake River at Neeley. Results as shown above are corrected for changes in the water level of Lake Walcott and are adjusted to Neeley dates, allowing a time interval of 24 hours between Neeley and Minidoka stations.

These apparent losses should be increased by the inflow from tributaries between the station to get the actual losses. Records of this inflow are not available during the above period but the following estimates have been made for the years 1926-27 based on occasional measurements and gage readings supplied by the Twin Falls Canal Co.

Flow in acre-feet, into the Snake River between Heise and Palisades Dam

in 1926-27

Stream	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Year
Franklin Springs	794	806 a/	806	780	728	930	900	831	858	680	862	798	9973
North Side Springs b/	1550	1500	1550	1550	1400	1550	1500	1550	1500	1550	1550	1500	18250
Spring in sec. 19, T.9 S., R.28 E. c/	93	90	93	93	84	93	90	93	90	93	93	90	1095
Rock Creek	992	1300	1100	1150	2200	1750	2250	361	30	0	30	330	11493
Fall Creek	919	1100	1000	1050	1400	1200	1440	955	648	595	776	816	11899
Raft River	979	1150 d/	1100	950	1175	1050	1200	285	234	211	214	300	9848
Total	5327	5946	5649	5573	6987	6573	7380	4075	3360	3329	3525	3834	61558
Average flow in second-feet	87	100	92	91	126	107	124	66	56	54	57	64	85

a/ Inflow from November to March estimated from miscellaneous observation.

b/ 15.5 second-feet measured September 29, 1926. Estimated 9.5 second-feet additional.

c/ Estimated average discharge 1.5 second-feet.

d/ Inflow from November to March estimated by comparison with Goose Creek.

No records of evaporation losses from Lake Walcott have been obtained, but this reservoir is located about midway between the American Falls and Milner, at which points evaporation records are available. The average of the Milner and American Falls evaporation records is assumed to apply to Lake Walcott.

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Losses by evaporation from and gains by precipitation on Lake Walcott

Month	Milner Lake evaporation (inches) 1927	Milner Lake evaporation (inches) 1928	American Falls lake pan evaporation (inches) 1927	American Falls lake pan evaporation (inches) 1928	Average (inches)	Estimated reservoir evaporation (inches)	Precipitation (inches) e/	Net gain (+) or loss (-) due to precipitation and evaporation (inches)	Average area submerged 1909-27 (acres)	Net gain (+) or loss (-) due to precipitation and evaporation. (acre-feet)	Average, in second-feet
Oct.	4.11	2.22 a/	4.00	2.80	3.28	2.95 c/	1.18	- 1.77	10,700	- 1,580	-26
Nov.	----	----	----	----	----	1.25 d/	1.10	- 0.15	10,900	- 140	- 2
Dec.	----	----	----	----	----	0.70 d/	1.15	+0.45	10,900	+410	+7
Jan.	----	----	----	----	----	0.52 d/	1.14	+0.62	11,000	+570	+9
Feb.	----	----	----	----	----	0.56 d/	1.00	+0.44	11,000	+400	+7
Mar.	----	----	----	----	----	2.15 d/	0.94	- 1.21	11,100	-1,120	-18
Apr.	4.02	5.66	----	----	4.84	4.36 c/	1.43	- 2.93	11,100	-2,710	-46
May	5.79	7.38	5.83 b/	----	6.33	5.70 c/	1.34	- 4.36	11,300	-4,100	-67
June	7.27	7.27	7.73	7.37	7.41	6.67 c/	0.88	- 5.79	11,500	-5,550	-93
July	9.20	7.66 a/	9.72	8.46	8.76	7.88 c/	0.52	- 7.36	11,600	-7,240	-118
Aug.	7.20	7.92 a/	7.70	7.91	7.66	6.91 c/	0.66	- 6.25	11,300	-5,890	- 96
Sept.	6.69	4.83 a/	4.78	4.75	5.26	4.73 c/	0.72	- 4.01	11,000	-3,670	- 62
Year						44.38	12.06	- 32.32	11,100	-30,620	42

a/ 88% of land pan records based on relation between lake pan and land pan during April, May and June
b/ 74% of land pan record based on relation between land and lake pans during other months of year.
c/ Taken as 90% of lake pan records. Transaction American Society of Civil Engineers , Vol. 90, p.266, 1927.
d/ From winter records at Jerome.
e/ Average of Burley and American Falls records.

According to records presented in the foregoing table, the average annual evaporation from the surface of Lake Walcott is 44.38 inches in depth, and the average annual loss by excess of evaporation over precipitation is 32.32 inches in depth, which amounts to an average annual loss from Lake Walcott to 30,620 acre-feet, equivalent to an average flow of 42 second-feet. The average apparent loss between Neeley and Minidoka dam, considering only the river records without regard to inflow, is 99 second-feet. If the inflow in 1926-27, amounting to an average for the year of 85 second-feet, is assumed to represent the average inflow, the total average loss is 184 second-feet. Of this, as previously shown, 42 second-feet is caused by evaporation, leaving 142 second-feet to be accounted for by seepage into the underlying lavas. The seepage losses are greatest in July, doubtless because of the warm temperatures and high stages of the lake. In many years the lake has been drawn down late in the season, which has resulted in lower losses during the latter part of the season and a gain during October from the return of bank storage. The indicated gains during January and Febraury may be due to poor winter records at the river gaging stations or to unmeasured large inflows in certain years from the tributary streams which sometimes are in flood stages during these

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Losses and gains in the Snake River between the Neeley and Minidoka gaging stations in second-feet.

Month	Loss(-) or gain(+) indicated by records at Neeley and Minidoka dam	Estimated inflow between Neeley and Minidoka dam.	Actual loss(-) or gain(+) (second-feet)	Net loss(-) or gain(+) in Lake Walcott due to evaporation from and precipitation upon this reservoir	Seepage loss(-) or gain(+)
Oct.	-98	87	-11	-26	-37
Nov.	-73	100	-173	- 2	-171
Dec.	- 1	92	- 93	+ 7	-100
Jan.	+142	91	+51	+ 9	+42
Feb.	+162	126	+36	+ 7	+29
Mar.	-17	107	-124	-18	-116
Apr.	-103	124	-227	-46	-181
May	-128	66	-194	-67	-127
June	-423	56	-479	-93	-386
July	-573	54	-627	-118	-509
Aug.	-212	57	-269	-96	-173
Sept.	- 63	64	-127	-62	- 65
Year	- 99	85	-184	-42	-142

a/ 88% of land pan records based on relation between lake pan and land pan during April, May and June.
b/ 74% of land pan record based on relation between land and lake pans during other months of year.
c/ Mean of 90% of land pan records. Transactions American Society of Civil Engineers, Vol. 90, p. 226, 1927.
d/ For later records at Jerome. e/ Average of Burley and American Falls records.

months. Over a million acres of drainage area are tributary to Snake River between Neeley and Minidoka dam. In some years the snow covering this area is melted by "chinooks" during January and February, resulting in heavy run-off while the ground is still frozen. Such floods, doubtless produce a much greater average inflow from tributaries during January and February than occurred during the winter 1926-27 when the estimates of inflow were made. A comparison of the stream-flow records at Neeley and Minidoka dam during the early years of operation of Lake Walcott indicate that large losses were experienced.

In April, 1906, water was diverted through a diversion channel and the foundation of Minidoka dam was laid.[1/] On June 20, 1906, the water in the reservoir reached its maximum height for that year at elevation 4,237 corresponding to 9,500 acre-feet above the dead storage level of 55,000 acre-feet, at which time 1,000 second-feet was passing through the rock-fill dam and escaping at its lower toe. In October, 1906, the control gates were lowered allowing water to rise in the reservoir, but a leak developed around the North Canal headgates and the reservoir was again lowered to permit the driving of

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1/ Fogg, P. M., A history of the Minidoka Project: Unpublished report U. S. Bureau of Reclamation, Burley, Idaho, 1915.

piles to stop this leakage. The gates were closed in November, 1906[1/]

1/ U. S. Geol. Survey Water Supply Paper 214, p. 74, 1907.

The Canal System was not completed until July 7, 1907, and apparently no water was diverted by the Minidoka canals prior to that time.

No records of canal diversions were made until the spring of 1909, but records of river discharges above and below the reservoir are available from 1906 to 1908, inclusive, and are shown in the following table:

The canal diversions in 1909, the first year of record, amounted to 314,000 acre-feet. The diversions started in July, 1907, and from meagre information available it is estimated that 100,000 acre-feet may have been diverted in 1907 and 250,000 acre-feet in 1908. The loss as determined by subtraction of the Minidoka dam records from the Neeley records for the period March 17, 1906, to Sept. 30, 1908, (estimating the period from Nov. 1, 1906, to Feb. 11, 1907, at 17,000 acre-feet, loss per month) amounts to a total of 1,506,000 acre-feet. If the estimated diversions of 350,000 acre-feet in 1907 and 1908, and the water in storage in the reservoir on Sept. 30, 1908, which has been estimated at 106,000 acre-feet including the dead storage, are added together, and,if the sum thus obtained is subtracted from 1,506,000 acre-feet the apparent loss during this period is found to be 1,050,000 acre-feet. Heavy apparent losses continued during the years 1909 and 1910, is shown in the table amounting to 264,000 acre-feet in 1909 and to 408,000 acre-feet in 1910. The total apparent loss, neglecting inflow, from March 17,1906, to Sept. 30, 1910, is therefore computed to be 1, 722,000 acre-feet. Inflow based on the records for 1927 would increase this by 270,000 acre-feet, making a total loss of

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1,992,000 acre-feet in the 52-month period. Of this loss 137,000 acre-feet may be attributed to evaporation, leaving 1,855,000 acre-feet as seepage losses. Average seepage losses in later years amounted to 142 second-feet, equivalent to 463,000 acre-feet in 52 months. It thus appears that the seepage losses from Lake Walcott in the first 4½ years of its existence were 1,392,000 acre-feet greater than the average seepage losses in more recent years have been for a similar period. While this figure may be considered only roughly approximate, because of the incomplete character of the records for a portion of the period, it does indicate that a very great amount of water went into permanent ground-water storage in the lava beds adjacent to Lake Walcott during the early years of its existence.

Evidence of this ground storage is afforded also by the testimony of Mr. Liberty Hunter, a rancher located on the Lake Channel, an ancient abandoned spring alcove several miles north of Lake Walcott. He reported that the ground water in the vicinity of his place began to rise about 18 months after the construction of Lake Walcott, and began to appear in sloughs in the bottom of the Lake Channel in about 1909 at points as far as five miles from the shores of Lake Walcott.

P.

GAINS BETWEEN MINIDOKA DAM AND MILNER

In the 35 mile stretch of channel between the Minidoka dam and Milner there is a consistent gain in all years. The gains shown in the table below have been computed by subtracting the discharge of the Snake River at the Minidoka dam from the combined discharge of the Snake River at Milner and the Milner canal diversions. The results are adjusted to Minidoka dates, allowing a time interval of 14 hours from Minidoka to Milner. This time interval seems to represent the average time of transit between these stations better than the 24-hour period used by the Snake River water distribution organization during times of storage delivery. Prior to the summer of 1916, the measuring section on Snake River at Milner was unsatisfactory except at very low stages because of a large dead-water area with cross currents and upstream eddies. The measuring cable was moved during September 1916, to a more favorable location and on this account it is believed that the records obtained since 1916 are more reliable than those obtained prior to that date.

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Average apparent gain, in second-feet, in the Snake River between the Minidoka dam and the Milner gaging stations.

Year ending Sept. 30.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Year
1910	1600	1380	-290	300 a/	290 a/	2340	3220	3740	390	120	190	-130	1090
1911	-120	-110	660	-270	-130	-380	-400	630	3770	350	260	120	370
1912	250	-790	-540	150	250	30	480	320	1730	-190	160	-380	120
1913	620	380	130	200	280	-40	470	1280	720	390	580	510	460
1914	740	880	380	250	400	340	590	470	560	380	330	190	460
1915	1490	1350	500	200	530	470	160	450	820	250	310	400	650
1916	1280	1190	880	1050 a/	1400	1210	830	870	770	850	330	420	910
1917	410 a/	390 a/	320 a/	330 a/	290 a/	340 a/	580	200	330	100	100	480	330
1918	150	280	240	200	240	650	660	60	630	450	590	740	375
1919	130	310	270	260	90	400	740	160	370	220	170	210	285
1920	440	470	280	270	250	230	100	270	130	350	420	530	310
1921	410	300	130	180	310	210	170	340	-180	240	450	850	275
1922	300	370	300	270	300	320	440	90	10	250	690	550	325
1923	540	230	250	240	60	120	200	140	230	260	450	580	275
[illegible]	740	265	200	80	190	20	-90	350	210	230	270	170	230
1925	510	270	160	510	225	90	320	490	150	120	440	660	285
1926	365	570	340	240	338	160	125	190	230	290	235	200	265
1927	330	300	470	190	130	70	540	270	300	100	300	640	290
Aver. 11 years	560	330	242	242	294	348	426	373	631	270	302	374	406
Aver. 8	510	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	233	206	[illegible]	[illegible]	510	296

a/ [illegible]

P.

GAINS BETWEEN MILNER AND BLUE LAKES

Between Milner and Blue Lakes, a distance of 26 miles, Snake River receives considerable inflow. Of this inflow about 115 second-feet is provided by springs from the north bank, the balance being supplied by inflow from the south. In 1902, prior to irrigation on the south side lands, the springs entering the river from the south in this section had a total flow of about 28 second-feet. The wasteway from the main Twin Falls South Side Canal, half a mile below Milner, at times discharges large volumes of water into this section of the river, of which no record is available.

The total gain from Milner to Blue Lakes from all sources is shown by the following table.

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Average apparent gain, in

Second-feet, in the Snake River between Milner and Blue Lakes.

(- indicates loss)

[illegible]ding Sept.30.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Year
912	1040	940	1230	720 a/	720	820	460	630	-1450	100	510	960	540
913	940	480	540	560	620	670	1200	1300	600	630	240	640	705
914	940	370	490	960	680	770	910	1200	610	450	550	860	760
915	40	-170	650 a/	700 a/	730	760	770	910	190	465	475	485	505
91[illegible]	590	360	[illegible]	[illegible] a/	330	360	220	320	390	570	[illegible]	650	420
917	2320	2340	2040	[illegible]	[illegible]	1310	1320	1540	760	---	---	---	---
[illegible]	---	---	---	---	---	---	---	930	520	510	525	590	---
920	700	900	1030	850	840	650	630	630	1030	540	585	650	770
921	1020	1280	1100	1270	[illegible]	1300	1370	1820	1830	615	660	920	1190
922	950	1310	1300	1160	1100	[illegible]	1390	1040	1750	640	650	710	1200
923	[illegible]	1290	1130	1000	980	850	[illegible]	940	1030	660	655	725	910
924	[illegible]	1270	1080	960	900	[illegible]	725	520	540	535	555	560	820
[illegible]	585	1070	960	1870	950	[illegible]	1040	[illegible]	990	600	690	950	1020
926	[illegible]	1310	1130	930	1010	[illegible]	920	535	560	590	605	650	870
927	[illegible]	645	750	840	615	[illegible]	450	770	1170	740	750	780	720
[illegible]verage all [illegible]ears	922	953	976	978	[illegible]	[illegible]	878	[illegible]	718	653	587	738	840
[illegible]verage [illegible]-27	1050	[illegible]	[illegible]	[illegible]	[illegible]	935	971	1110	1020	632	634	726	977

a/ Partly estimated.

The figures shown in the table above have been computed by subtracting the discharge of Snake River at Milner from the discharge of Snake River at Blue Lakes ranch. Results are adjusted to Milner dates allowing time interval of 9 hours between stations. The actual time interval varies from about 6 hours at high stages to about 20 hours at low stages when the river is practically dry at Milner; the time of transit for average discharges being about 9 hours.

is taken of the Lake Walcott exchange amounted to 86.2 per cent of the total credited to them at the reservoir.

The small W. S. Lyle and the Bradbury and McMullen rights were not fully utilized by the owners, chiefly because of insufficient canal capacity but as explained in the notes on Plate IX, the surplus available to them was delivered to the Progressive Irrigation District in exchange for natural water which, however, was never required.

LAKE WALCOTT STORAGE DELIVERIES

Except for the time June 6 to 11 when the North Side Twin Falls canals were delivered Lake Walcott storage in lieu of that from Jackson Lake, all Walcott deliveries to the Twin Falls canals were later repaid from natural flow rights. Two principal exchanges of this character were made, one with the Hillsdale Irrigation District and one with the Twin Falls Canal Company. There were numerous other dates, however, on which either small amounts of Lake Walcott storage were delivered to the Twin Falls canals or on which the latter did not get all of the natural flow to which they were entitled.

The tables on Plate X have been prepared for the purpose of showing in detail the plus or minus deliveries of Lake Walcott water to the Twin Falls canals as segregated from the natural flow and Jackson Lake deliveries. Inconsidering Lake Walcott deliveries, we also include any net gain in flow between the Neeley gaging station and Milner Dam because under the court decree of June 13, 1913 the natural flow must in effect be measured at the Neeley station or at some other point or points where it will be unaffected by losses or return flow resulting from the construction of the Minidoka Project. This provision, therefore, results in crediting Lake Walcott with any net gain or the reverse when a net loss occurs. In addition to the above mentioned data, Plate X also shows the actual draft on Lake Walcott together

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with the losses and gains throughout different sections of the river between Neeley and Milner. These latter are shown graphically on Plate No. XIII.

Attention should be called to the fact that neither the tables on Plate X nor the diagrams on Plate XIII take into account the small storage created by the Milner Dam, for the reason that no capacity tables for Lake Milner are available. This storage effect for the entire season as a whole is almost negligible but variations in the height of the water surface at Lake Milner serve to explain some of the apparent inconsistencies in the gains between Minidoka and Milner.

During the latter part of September an exchange of natural flow was made between the two Twin Falls companies and this also is illustrated by the tables on Plate X since these tables really summarize by plus or minus quantities any differences between the actual deliveries to the Twin Falls canals and the amounts to which they were entitled from Jackson Lake storage and natural flow combined.

The flow in the river at the Milner stations which represents the wastage past the Milner Dam has been prorated and is included in the amounts charged against the two Twin Falls canals. Prior to August 17 this wastage was divided between the two companies in proportion to their relative draft but thereafter by special agreement, 5/11 was charged against the North Side canals and 6/11 against the South Side Canal, this being in proportion to their relative ownership of the Milner Dam.

RIVER LOSSES AND GAINS

Losses and gains throughout different sections of the river have already been referred to in this report but are believed to be of sufficient importance to warrant further discussion.

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It is interesting to note that with the exception of the section from Woodville to Blackfoot, which shows very little change, gains in return flow or decreases in net losses in comparison with preceding years are indicated on practically all other sections of the main river during 1923. A comprehensive ground water study extending over a considerable period of time is needed if the real cause of such variations is to be determined, but it seems doubtful whether this knowledge would be of sufficient value to justify the necessary expense.

Plate XIII shows net gain or loss graphs for the two sections between the Neeley and Minidoka and the Minidoka and Milner gaging stations respectively. It also includes graphs showing the fluctuations in water surface elevation at both Lake Walcott and Lake Milner, together with hydrographs for the river stations below the Minidoka and Milner dams. All graphs are plotted to coincide with Lake Walcott or Minidoka dates.

Because of the demand for power on the Minidoka Project a stage of 45.33 feet was again set as the minimum level for Lake Walcott prior to about August 15th. Following this date a schedule was submitted which permitted lowering this reservoir to 45.00 feet on August 18, 44.00 feet on August 31, 40.00 feet on September 15 and 38.50 feet on September 30. This allowed rather haavy draft upon the Walcott storage to fill the demands of lower valley canals during the latter part of the season, but in view of the extreme hot, dry weather which prevailed during much of this time an adequate supply could not be maintained from this source supplemented only by normal flow. Hence Jackson Lake storage was again requisitioned in September as previously explained. The use of about 70,000 acre-feet of storage from the lower reservoir aided materially, however, in the conservation of water for the 1924 season at Jackson Lake.

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The periods of extraordinary waste past Milner Dam are clearly indicated on the Milner graph. That portion of this waste occurring from July 14-18 (Minidoka dates) was due to a bad break which necessitated shutting all water out of the large Aberdeen-Springfield Canal for a corresponding slightly earlier time. Extra waste during the latter part of July and the first few days of August was attributable to the effect of summer rains which were particularly heavy throughout the actual valley irrigated sections about July 24th and which resulted in a subsequent material decrease in the use of water. During the latter period especially, efforts were made through the reinstatement of rights and through personal contact with watermasters to encourage larger upper valley use of water, but little could be accomplished in this respect at times when a surplus was known to be available. The total extra waste of 11,753 second-feet during the storage delivery period amounted to 3.31 per cent of the storage released from Jackson Lake Reservoir, a quantity large enough to warrant some criticism of the judgment exercised in river control by the Special Deputy. However, the exact net effect of an extensive summer rain storm is very difficult to estimate in advance and for this reason it is extremely hard to anticipate just how much storage should be released from Jackson Lake at such times in order to completely fill requirements without waste and without undue drawdown of Lake Walcott.

The general trend of the loss curves, as well as the irregularities noted therein, differ but little from those of former years and can probably be similarly explained.

From June 3 to August 26 when Lake Walcott was practically full the average daily net loss in the section from Neeley to Minidoka was 399 second-feet while from August 27 to September 13, during the rapid drop

during rapid drop
and low stage period for this reservoir, an average daily net gain of 340 second-feet is indicated for the same section.

This affords another illustration of reservoir bank storage, an item whose exact amount seems to depend somewhat upon the rapidity with which the water surface is lowered as well as upon the length of time the stage is maintained at a relatively low point. Records of the past five years suffice, however, to show that it is of material consequence and can be depended upon in this case to increase the late season water supply available for lower valley irrigation use, provided the river flow is so regulated as to bring about the requisite drop and continued low stage in Lake Walcott.

No account is taken in this report of the storage capacity of Lake Milner, and this, together with wind effect on the two lakes and the failure of a single time interval to apply throughout the entire season probably affords an explanation for most of the irregularities in the loss graphs.

From Neeley through to Milner the average daily net gain for the regular 122 day season amounts to 156 second-feet, an increase of 60 second feet over 1922 and the largest average gain noted in this section for the past five years.

NORMAL FLOW COMPARISON

The monthly summary which was included in the 1922 report for the purpose of showing the normal flow water supply available during different irrigation seasons for the so-called Idaho Falls area has been extended to include 1923, and appears herein as Plate XIV.

In this tabulation an attempt has been made to show by months the principal component parts which make up the normal flow supply and also

1923 DISTRIBUTION WATER

DATE JULY	ACT DELIV Sec Ft	ADJUSTMT Sec Ft	ADJUSTED Sec Ft	DELIV'E [illegible]
OSGOOD (UTAH-IDAHO SUGAR CO.)	425	0	425	8[illegible]

DATE JULY	ACT DELIV Sec Ft	ADJUSTMT Sec Ft	ADJUSTED Sec Ft	DELIV'E [illegible]
POPLAR IRRIGATION DIST. (RILEY)	574	0	574	[illegible]
FARMERS FRIEND CANAL CO.	959	0	959	[illegible]
ENTERPRISE CANAL CO.	2692	0	2692	[illegible]
HARRISON CANAL CO.	1296	0	1296	[illegible]
RUDY CANAL CO.	984	0	984	[illegible]
BURGESS CANAL CO.	2409	0	2409	[illegible]
LOWDER CANAL CO.	0	0	0	
SUNNYDELL IRRIGATION DISTRICT	1691	0	1691	[illegible]
LENROOT CANAL CO.	1412	0	1412	[illegible]
NEW SWEDEN IRR. DIST. (INCLUDES BLAKE)	1697	0	1697	[illegible]
MARTIN CANAL CO.	635	0	635	[illegible]
LYLE, BRADBURY & McMULLEN	0	0	0	
SNAKE RIVER VALLEY IRRIG. DIST.	11127	0	11127	[illegible]
TOTAL HEISE TO SHELLEY	28910	0		
PEOPLES CANAL CO.	9691	0	9691	[illegible]
ABERDEEN SPRINGFIELD CANAL CO.	20070	0	20070	[illegible]
TOTAL SHELLEY TO BLACKFOOT	29763	0		
USRS - STORED IN LAKE WALCOTT	13937			
USRS - MINIDOKA CANALS	90445	[illegible]	10,995	[illegible]
MILNER LOW LIFT IRRIG. DISTRICT	5192	[illegible]	[illegible]	[illegible]
TWIN FALLS CANAL CO.	29721	[illegible]	[illegible]	[illegible]
NORTH SIDE CANAL CO. LTD.	118127	[illegible]	[illegible]	[illegible]
EXTRAORDINARY WASTE MILNER	11725	[illegible]		
HOLDOVER JACKSON LAKE 1924				
LESS CREDIT FROM TWIN LAKES				
AVAILABLE 1923				

DATE JULY				
USRS - MINIDOKA CANALS	47725	-13337	4438	[illegible]
MILNER LOW LIFT IRRIG. DISTRICT	786	0	786	[illegible]
TWIN FALLS CANAL CO.	46	0	46	[illegible]
NORTH SIDE CANAL CO. LTD.	15885	0	15885	[illegible]
DRAFT ON LAKE WALCOTT JULY 12 - SEPT 2			- 24 326	
TOTAL			26 779	
NEELEY - MILNER GAIN JULY 12 - SEPT 2			26 779	

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Because of the extent and irregularity as to time of the normal flow-storage exchanges, which necessitated making corresponding variations in the amount of water released from Jackson Lake Reservoir, total discharge fluctuations during 1924 were somewhat larger and more frequent than usual in an ordinary season.

JACKSON LAKE AND LAKE WALCOTT STORAGE DELIVERIES

The amount of stored water released each day from Jackson Lake was determined from the reservoir capacity tables by noting the quantity corresponding to the daily decrease in stage indicated by the lake gage readings. Occasional irregularities in the latter, attributable to wind effect, were largely eliminated by short period interpolations or adjustments.

This method of determining the proportion of the total daily flow passing the dam and the Moran gaging station, which is stored water, has been in use for several years. Its use assumes a certain balancing of comparatively unknown factors. Normal flow rights should obtain the benefi of such natural storage as would have been created in the old lake during flood periods and they should not be required to stand the extra evaporatior loss attributable to the larger flooded area of the present reservoir. On the other hand the storage owners should obtain the benefit of all the additional ground or bank storage which results from the increased elevatior of the water surface in the lake.

The primary object of the investigations conducted during 1924 by Thomas R. Newell and for several years previous by employees of the U. S. Bureau of Reclamation was to secure a more accurate segregation between stored water and normal flow at the outlet of the reservoir. The data thu secured indicate that the method just described is not strictly applicable

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These quantities differ materially from those of the dry season of 1924 but are very consistent with similar items of 1923.

From Neeley through to Milner, however, the seasonal means for the last three years all agree very closely and show daily net gains of 156, 160 and 167 second-feet respectively.

Most of the more pronounced irregularities in the two gain or loss graphs are probably due to (1) in-applicability at certain river stages of the single time interval used; (2) wind effect on the ponded water of Lakes Walcott and Milner; (3) increase or decrease of Lake Milner storage which was not taken into account in the computations.

NORMAL FLOW COMPARISON

The purpose of Plate XVII is to afford a condensed comparison of the normal flow water supply available during the respective irrigation seasons 1919-1925 for the so-called Idaho Falls area. It consists of a table showing by months the principal component parts which make up the normal flow of Snake River and the extent to which water of this character is used in the territory between the Heise and Rexburg gaging stations at the upper end and the Blackfoot or Clough station at the lower end of this section.

The quantities listed are all summarized from the more extensive river data tables contained in District No. 36 water distribution reports. Time intervals have been adjusted to correspond as nearly as practicable to Heise dates.*

The following brief explanation which is almost identical with that contained in the 1924 report is included for the convenience of the reader:

*1922 and 1923 reports erroneously state that these records have been adjusted to correspond with actual canal diversion dates.

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The flow past Milner Dam was limited at all times during the summer to leakage and was so small in amount as to be almost undecipherable on the scale of these diagrams.

The general trend of the gain or loss curves, as well as the irregularities noted therein, differ but little from those of former years and can probably be similarly explained.

The average net loss for the entire season for the section from Neeley to Minidoka amounted to 197 second-feet while for the corresponding period the average net gain recorded between Minidoka and Milner was 230 second-feet, or a mean daily gain for the combined section of only .33 second-feet. This is by far the smallest net gain recorded for this portion of the river during any one of the last eight seasons and seems to indicate unusual conservation of water on the Minidoka Project.

Most of the more pronounced irregularities in the two gain or loss graphs are probably due to (1) in-applicability at certain river stages of the single time interval used; (2) wind effect on the ponded water of Lakes Walcott and Milner; (3) increase or decrease of Lake Milner storage which was not taken into account in the computations.

NORMAL FLOW COMPARISON

The purpose of Plate XIX is to afford a condensed comparison of the normal flow water supply available during the respective irrigation seasons 1919-1926 for the socalled Idaho Falls area. It consists of a table showing by months the principal component parts which make up the normal flow of Snake River and the extent to which water of this character

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LITIGATION

In April 1927 the Twin Falls Canal Company started a suit in the District Court of the Eleventh Judicial District against George N. Carter as Commissioner of Reclamation and G. Clyde Baldwin as both Deputy Commissioner of Reclamation and Water Master of District No. 36, for the purpose of abrogating or changing the interpretation heretofore given to the so-called Foster Decree in which the principal water rights of all lower valley canals are fixed.

Since the proposed changes would chiefly affect the rights of the Minidoka Project of the U. S. Bureau of Reclamation, a motion was filed asking that the Secretary of the Interior be made a party defendant in the action. After a hearing before Judge Wm. A. Babcock at Twin Falls, Idaho, on June 1, 1927, this motion was granted. Shortly thereafter, upon motion by attorneys representing the interests of the Government, the case was removed from the State to the Federal District court. It is now understood that a demurrer has been filed by the plaintiffs for the purpose of having the case remanded to the jurisdiction of the State courts but no date for a hearing or argument on this demurrer had been set at the time this resume was written.

The status of all other pending litigation pertaining to the administration of Water District No. 36 remains practically as outlined on pages 17 to 19 of the 1926 report, although some progress is understood to have been made during the past year toward the settlement, by stipulated agreement, of the Woodville or "High Water Decree" case.

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channel losses must be expected until the ground reservoir is sufficiently replenished to once more establish a condition of equilibrium. The heavy loss of 1927 is probably accounted for in this way.

(2) Gain between Minidoka and Milner may be expected to vary more or less directly with the general water supply for the particular season. In deficient supply years such as 1919, 1924 and 1926 less water was delivered to Minidoka Project lands and the water applied was more carefully conserved than in such years as 1925, 1927 and 1928. Hence in the former both the ground return and the surface waste were undoubtedly smaller in amount than in other seasons when the available supply was in excess of all requirements.

(3) Gain from Neeley through to Milner is an algebraic combination of the quantities listed for the other two sections and for this reason the seasonal variations are harder to analyze than those for the shorter intervening sections.

Small percentage errors in river data would appear relatively large in the preceding table of losses and for this reason too much weight should not be given to the results secured during any one season. With this fact in mind, attention is called to the small loss noted between Neeley and Minidoka for 1928 and to the possibility that this may be attributable to a rise in the adjacent ground water table which in turn may be due to the higher water levels in the American Falls Reservoir which have pertained during the past two years.

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motion for change of venue to Cassia or other specified counties (See two previous reports for further details).

What might be termed a companion or related case has meanwhile been filed in the name of the United States as plaintiff against the Twin Falls Canal Company and North Side Canal Company as defendants in the Federal Court, for the purpose of having the Foster decree made a decree of that court. In this action, a demurrer filed by the Twin Falls Canal Company was overruled by Judge McNary in an order dated October 3, 1929. The Court also held that the defendants were estopped by their Jackson Lake contract from questioning the right of the United States to file this action in the Federal Court and to have the relief sought. The Twin Falls Canal Company failed to answer and a default order was thereupon entered. Recently this company filed a motion to have the default order set aside and the case is now pending upon this motion.

On February 7, 1930 a complaint was filed in the District Court of the Ninth Judicial District of the State of Idaho by John A. Garner, Royal Garn and others against G. Clyde Baldwin, Water Master, seeking to secure an exact definition of the irrigation water right which they claim should be appurtenant to their lands under the following as quoted from the so-called Rexburg Decree:

> "Rexburg Milling Company, 3,000 inches, October 1, 1889; Teton River (Woodmansee-Johnston Ditch), for power purposes only, and subject to rights of users for agricultural purposes of water through same ditch."

This case was referred to the Attorney General of Idaho and presumably will not be contested unless other water users should intervene.

adjacent ground water table which in turn may be due to the higher water levels in the American Falls Reservoir which have pertained during the past three years.

New drains on the Minidoka South Side tract partially explain the pronounced increase in the gain noted between the Minidoka and Milner River stations during 1929. Independent surface return flow measurements made throughout this section during the last three summers by Messrs. W. G. Steward and H. G. Haight of the Twin Falls Canal Company show the following average totals which are reasonably consistent with the tabular quantities obtained from the river data sheets:

YEAR	AMOUNT
1927	312 second-feet
1928	281 " "
1929	370 " "

NORMAL FLOW COMPARISON

The purpose of Plate XV is to afford a condensed comparison of the normal flow water supply available during the respective irrigation seasons 1919-1929 for the so-called Idaho Falls area. It consists of a table showing by months the principal component parts which make up the normal flow of Snake River and the extent to which water of this character is used in the territory between the Heise and Rexburg gaging stations at the upper end and the Blackfoot or Clough station at the lower end of this section.

The quantities listed are all summarized from the more extensive river data tables contained in District No. 36 Water Distribution Reports. Time intervals have been adjusted to correspond as nearly as practicable to Heise dates.*

*1922 and 1923 reports erroneously state that these records have been adjusted to correspond with actual canal diversion dates.

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(1977)

REUGAR SPRINGS

The following measurements of Reugar Springs flows were obtained:

Date	Discharge in cfs	Date	Discharge in cfs
April 9, 1977	24	Aug. 5, 1977	21
April 30, 1977	24	Aug. 29, 1977	21
May 13, 1977	20	Sept. 17, 1977	21
June 22, 1977	21	Oct. 3, 1977	21
July 13, 1977	21		

GAIN OR LOSS IN SNAKE RIVER, NEELEY TO MINIDOKA - 1977

(Minidoka dates and 24-hour cfs except as noted)

Station	Apr.	May	June	July	Aug.	Sept.	Total
Neeley	204,300	219,400	278,600	335,000	232,400	121,730	1,391,430
Walcott	+2,117	-756	+454	-1,210	+38,203	-1,865	36,943
Total supply	206,417	218,644	279,054	333,790	270,603	119,865	1,428,373
N. Minidoka	32,025	14,875	37,159	39,594	32,650	15,714	172,017
S. Minidoka	20,701	10,212	29,232	37,506	28,952	15,333	141,936
Snake at Minidoka	160,300	207,700	215,800	251,800	219,200	83,200	1,138,000
Total acc't for	213,026	232,787	282,191	328,900	280,802	114,247	1,451,953
Total diff cfs	6,609	14,143	3,137	-4,890	10,199	-5,618	23,580
Mean diff cfs	220	456	105	-158	329	-187	129
Total diff ac-ft	13,110	28,050	6,220	-9,700	20,230	-11,140	46,770

GAIN IN SNAKE RIVER, MINIDOKA TO MILNER - 1977

(Milner Dates and 24-hour cfs except as noted)

Station	Apr.	May	June	July	Aug.	Sept.	Total
Snake at Minidoka	158,400	208,200	214,700	252,200	221,400	84,240	1,139,140
Minidoka N.S.Pump	2,245	3,639	5,451	7,738	5,905	2,143	27,121
PA Lateral	687	1,833	1,771	2,144	2,016	1,240	9,691
Milner Low Lift	2,344	4,790	5,281	7,501	5,805	2,791	28,512
Milner North Side	34,691	51,160	53,510	71,250	55,591	15,637	281,839
Gooding at Head	47,360	56,660	59,320	64,890	59,030	15,840	303,100
Milner South Side	69,858	89,470	88,800	99,070	95,310	54,680	497,188
Lake Milner Stored	151	-504	1,411	-151	-2,621	-2,218	-3,932
Snake at Milner	5,676	150	218	387	278	255	6,964
Total acc't for	163,012	207,198	215,762	252,829	221,314	90,368	1,150,483
Total gain cfs	4,612	-1,002	1,062	629	-86	6,128	11,343
Mean gain cfs	154	-32	35	20	-3	204	62
Total gain ac-ft	9,150	-1,990	2,110	1,250	-170	12,150	22,500

TOTAL GAIN IN SNAKE RIVER, NEELEY TO MILNER - 1977

Total gain, ac-ft	22,260	26,060	8,330	-8,450	20,060	1,010	69,270

The total gain Neeley to Milner for period April 1 through September was 69,270 acre-feet. This gain is credited to the Minidoka Project as stored water as has been done for many years.

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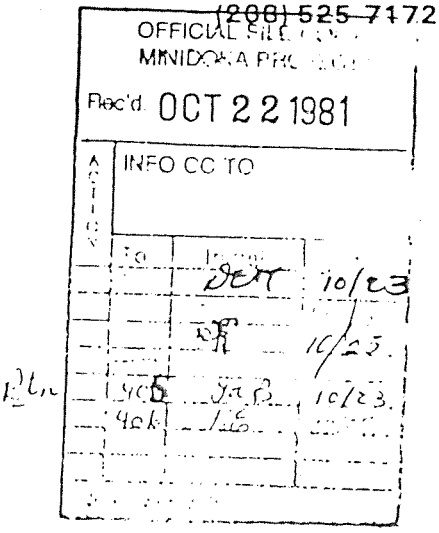
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER DISTRICT NO. 1

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7172



October 21, 1981

Mr. Donald E. Tracy
Project Superintendent
Minidoka Project Office
U. S. Bureau of Reclamation
1359 Hansen Avenue
Burley, Idaho 83318

Dear Don:

Your letter of September 29 questioned our method of determining the natual flow at Minidoka which is allocated to the Minidoka project canals and others below Minidoka. In setting up the procedure for natual flow determination and allocation in Water District 1, we have followed the requirements of Idaho law and the details of the various rights as they are expressed in the decrees. In the case of the gain from Neeley to Minidoka, we had originally reviewed the various materials supplied by USBR and these were discussed with staff of your office.

We did not find then, and still do not find, any basis for allocating natural gain above Minidoka Dam to the project canals. Please note carefully paragraphs 2 and 3 in the attached memo of January 14, 1920, which was supplied to us by USBR. The present method of accounting accomplishes the return flow allocation intent described in the memo because Minidoka project return flow (par.3) cannot occur above Minidoka Dam. The Neeley to Minidoka reach was apparently included in the original computations to account for unnatural losses in that reach. The fact that the previous accounting procedure did not distinguish between the two reaches does not somehow restrict us from making more equitable allocations now that we have capability for managing more data. A number of similar reach segregations have also been added in the upper basin and, as you know, some of these work to the benefit of the project canals and others during certain flow conditions.

The 1913 Foster Decree specifically refers to natural and storage flow computations to be made at Minidoka and Milner, and does not mention return flow. It should be noted that in no other instance in the upper

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basin is a credit given for return flow as it is, and always has been, treated the same as natural flow.

With regard to evaporation, it cannot reasonably be argued that it is not caused by the reservoir, nor that other users should have less natural flow allocated to them because of it. The evaporation computation for Lake Walcott is similar to that used for other reservoirs and is consistent with the intent expressed in paragraph 2 of the enclosed memo.

Sincerely,

RONALD D. CARLSON
Watermaster

RDC:cw

Enclosure

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11/032.

BRS-FH.

Boise, Idaho, Jan. 14, 1920.

From - District Counsel, B. E. Stoutemyer.

To - Project Manager, Burley, Idaho.

Subject- Information requested by A. B. Hartley of the Hillsdale Irrigation District.

1. Referring to your letters of Dec. 4, 1919, and Dec. 11, 1919, in regard to the above subject:

2. At the time of the settlement of the case of Twin Falls Canal Co. v. Foster, et al (which was settled by stipulation) there was some discussion in regard to losses in running the natural flow through Lake Walcott Reservoir, and in regard to gains from return flow on the Minidoka Project, and it was agreed among the representatives of the several parties, and their attorneys, that the Minidoka Project should stand the losses in Lake Walcott and have the benefit of the gains from return flow from the Minidoka Project.

3. This understanding was embodied in the Decree of the Court in the following language:

> "The amount of the natural flow to be determined as such natural flow would be if unaffected by the diversions or acts of the parties hereto, or any or either of them, or by the release of stored water, the natural flow to which the Twin Falls Projects are entitled to be measured to them at the Milner Dam."

As the return flow from the Minidoka Project is not a natural condition, but is one which results from the acts of the parties in diverting water on that project, the return flow of the Minidoka Project is excluded from the water to which the Twin Falls Projects are entitled as natural flow.

4. This provision of the Decree was fully understood at the time of the stipulation and has been in full force and effect ever since the Decree was rendered, and the Minidoka Project has had the possession and use of the return flow every year since the Decree was rendered, which is considerably more than five years, and

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I believe that that was also true for a year or two prior to the final Decree under similar provisions in the temporary orders of the Court.

5. Under the Decree all the rights for the North Side Twin Falls Project were decreed to the North Side Company. The Hillsdale Irrigation District holds no rights under the Decree.

- - - - - - - -

B. K. STOUTEMYER.

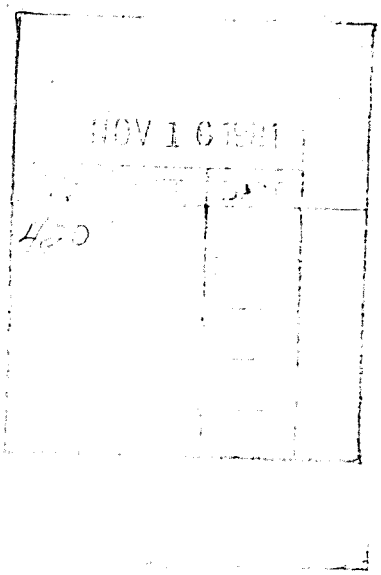
CC-C. of C.

P.

United States Department of the Interior

BUREAU OF RECLAMATION
MINIDOKA PROJECT OFFICE
1359 HANSEN AVENUE
BURLEY, IDAHO 83318

IN REPLY
REFER TO 400



November 13, 1981

Memorandum

To: Regional Director, Boise, Idaho
Attention: 420

From: ACTING Project Superintendent, Burley, Idaho

Subject: Clarification of Foster Decree Relative to Minidoka Project, Minidoka Project, Idaho

Since the State of Idaho Department of Water Resources (IDWR) initiated their computerized water accounting model of the Upper Snake River District No. 01 there has existed a question as to the proper interpretation of the Foster Decree. This matter was brought to the attention of the Watermaster of District No. 1 by our letter of September 25, 1981, a copy of which you received without attachments. The attached copy of letter dated October 21, 1981, is the Watermaster's reply to our September 25 letter.

We request that your office give consideration as to whether an established Water Right of the United States held in trust for the Minidoka Project has been forfeited due to the new interpretation placed on the 1913 Foster Decree which differs from that of all past District No. 36 and No. 01 Watermasters.

We feel the present Watermaster fails to recognize that the area which makes up the Minidoka Project includes Lake Walcott. The benefits from the Neeley-Minidoka reach to the Minidoka Project are the return flows from bank storage and additional water from a decrease in seepage losses due to reservoir siltation and resulting sealant effect. This area has historically been a loss reach until the mid-1920's at which time a definite hydrological change was noted, in that gain was now appearing. As this gain became apparent as noted in "Water Distribution and Hydrometric Water District No. 36 - Reports" litigation was initiated in April 1927 against the Watermaster's method of water accounting relative to the Foster Decree. Letter, litigation, and reports are attached.

P.

Special note should be made of this litigation by Twin Falls Canal Company, which started in the Eleventh Judicial District Court against the United States and Mr. G. Clyde Baldwin, Watermaster of District No. 36. This later was moved to Federal District Court with United States vs Twin Falls and Northside Canal Companies. This led to No. 1487 Decree of June 22, 1932, in which can be found clarifying arguments, especially that being the Amended Bill of complaint entered by Mr. Ray, U.S. Attorney and Mr. Stoutenyer, District Council.

The attached material gives emphasis to the fact that natural flow is an integral body of water occurring at Neeley Gage and was meant to be distributed through Lake Walcott intact. All previous Watermasters have treated the accrual of natural flow as being at the Neeley Gage site and distributed to Milner Dam. All losses and gains between Neeley and Milner were credited to the Minidoka Project whenever natural flow was being used by the Project.

This letter is intended to provide for initial discussion concerning this water right. We believe further discussion with the IDWR may be beneficial if you feel this subject needs additional investigation.

Please do not hesitate to contact this office regarding further information.

Robert R Pollard

Enclosures

P.

WATER DISTRICT NO. 1
150 Shoup, Suite 15 - Phone 525-7172
Idaho Falls, Idaho 83402

SNAKE RIVER WATER REPORT ON June 7, 1983
(From reports by Bureau of Reclamation, Geological Survey, and cooperating parties)

STATION	DISCH or CONT	YEAR AGO
Jackson Lake	554,400 (a)	346,400 (a)
Snake River at Moran	2,350	6,520
Palisades Reservoir (usable)	1,111,000 (a)	442,000 (a)
Snake River at Irwin	20,100	17,100
Snake River nr Heise	20,960	18,100
Island Park Reservoir	136,800 (a)	128,700 (a)
Henrys Fork blw Isl. Park Dam	1,856	59
Grassy Lake	14,918 (a)	12,880 (a)
Henrys Fork nr Rexburg	9,450	5,220
Ririe Reservoir	80,500 (a)	80,000 (a)
Willow Creek	826	580
Snake River nr Shelley	22,900	18,000
Snake River nr Blackfoot	21,940	15,600
American Falls Reservoir	1,665,600 (a)	1,658,600 (a)
Snake River at Neeley	22,860	21,000
Minidoka N.S. Canal	1,480	1,040
Minidoka S.S. Canal	1,325	941
Lake Walcott	94,800	93,400
Snake River nr Minidoka	20,309	19,250
A & B Irrigation	230	250
P.A. Lateral	58	47
Milner Low Lift	281	224
A Lateral + N.S. X-Cut Gooding	1,049	1,101
Reservoir Dist. #2	1,229	1,330
Twin Falls N.S. Canal	2,410	2,080
Twin Falls S.S. Canal	3,440	3,180
Milner Reservoir	29,200 (a)	28,700 (a)
Snake River at Milner	12,800	12,800
Diversions Heise to Shelley	11,600	8,130
Diversions Shelley to Blackfoot	5,680	3,100

(a) Acre-feet; other quantities in cfs

PRECIPITATION

	Last Week	Month to Date	Normal for June
Moran	.23"	.23"	1.77"
Island Park	--	--	2.86
Palisades	.28	.28	2.37
Ririe	.30	.30	--

We are projecting water supplies will allow all rights to be filled through the month of June in most reaches.

RONALD D. CARLSON
Snake River Watermaster

P.

WATER DISTRICT NO. 1
150 Shoup, Suite 15 - Phone 525-7172
Idaho Falls, Idaho 83402

SNAKE RIVER WATER REPORT ON June 14, 1983
(From reports by Bureau of Reclamation,
Geological Survey, and cooperating parties)

STATION	DISCH or CONT	YEAR AGO
Jackson Lake	637,100 (a)	352,300 (a)
Snake River at Moran	486	3,520
Palisades Reservoir (usable)	1,180,700 (a)	547,600 (a)
Snake River at Irwin	22,050	12,050
Snake River nr Heise	22,900	13,100
Island Park Reservoir	137,500 (a)	129,300 (a)
Henrys Fork blw Isl. Park Dam	1,990	1,130
Grassy Lake	15,420 (a)	13,870 (a)
Henrys Fork nr Rexburg	10,800	4,280
Ririe Reservoir	80,700 (a)	79,980 (a)
Willow Creek	591	428
Snake River nr Shelley	25,450	8,660
Snake River nr Blackfoot	25,050	5,710
American Falls Reservoir	1,676,100 (a)	1,661,600 (a)
Snake River at Neeley	25,900	11,600
Minidoka N.S. Canal	1,120	1,320
Minidoka S.S. Canal	1,030	1,290
Lake Walcott	95,200 (a)	91,800 (a)
Snake River nr Minidoka	22,600	8,870
A & B Irrigation	225	143
P.A. Lateral	50	53
Milner Low Lift	200	242
A Lateral + N.S. X-Cut Gooding	1,030	1,010
Reservoir Dist. #2	1,240	1,450
Twin Falls N.S. Canal	2,300	2,100
Twin Falls S.S. Canal	3,320	3,090
Milner Reservoir	28,300 (a)	29,100 (a)
Snake River at Milner	14,500	446
Diversions Heise to Shelley	8,709	9,619
Diversions Shelley to Blackfoot	2,547	3,087

(a) Acre-feet; other quantities in cfs

PRECIPITATION

	Last Week	Month to Date	Normal for June
Moran (Jackson Lake)	.37"	.60"	1.77"
Island Park	1.41	2.12	2.86
Palisades	.82	1.15	2.37
Ririe	.40	.85	--

All major stations above Idaho Falls except possibly the Falls River have probably peaked for the season.

RONALD D. CARLSON, Watermaster

R.

WATER DISTRICT NO. 1
150 Shoup, Suite 15 - Phone 525-7172
Idaho Falls, Idaho 83402

SNAKE RIVER WATER REPORT ON June 21, 1983
(From reports by Bureau of Reclamation,
Geological Survey, and cooperating parties)

STATION	DISCH or CONT	YEAR AGO
Jackson Lake	669,200 (a)	460,550 (a)
Snake River at Moran	3,530	1,040
Palisades Reservoir (usable)	1,190,600 (a)	728,600 (a)
Snake River at Irwin	21,500	12,030
Snake River nr Heise	22,300	13,010
Island Park Reservoir	136,300 (a)	130,500 (a)
Henrys Fork blw Isl. Park Dam	963	1,280
Grassy Lake	15,190 (a)	13,870 (a)
Henrys Fork nr Rexburg	5,920	5,940
Ririe Reservoir	80,600 (a)	78,300 (a)
Willow Creek	320	373
Snake River nr Shelley	21,050	10,400
Snake River nr Blackfoot	20,250	7,280
American Falls Reservoir	1,669,100 (a)	1,644,700 (a)
Snake River at Neeley	21,900	13,000
Minidoka N.S. Canal	1,290	1,130
Minidoka S.S. Canal	1,250	1,330
Lake Walcott	98,100 (a)	89,900 (a)
Snake River nr Minidoka	19,000	9,130
A & B Irrigation	206	158
P.A. Lateral	52	55
Milner Low Lift	289	232
A Lateral + N.S. X-Cut Gooding	1,030	1,028
Reservoir Dist. #2	1,235	1,460
Twin Falls N.S. Canal	2,280	2,230
Twin Falls S.S. Canal	3,230	3,140
Milner Reservoir	28,800 (a)	29,400 (a)
Snake River at Milner	11,000	436
Diversions Heise to Shelley	9,645	10,300
Diversions Shelley to Blackfoot	2,397	3,254

(a) Acre-feet; other quantities in cfs

PRECIPITATION

	Last Week	Month to Date	Normal for June
Moran (Jackson)	0	.60"	1.77"
Island Park	0	2.12	2.86
Palisades	0.05"	1.20	2.37
Ririe	0.01	.86	--

Milner spill is projected to continue until early July.

RONALD D. CARLSON
Watermaster

P

WATER DISTRICT NO. 1
150 Shoup, Suite 15 - Phone 525-7172
Idaho Falls, Idaho 83402

SNAKE RIVER WATER REPORT ON June 28, 1983
(From reports by Bureau of Reclamation,
Geological Survey, and cooperating parties)

STATION	DISCH or CONT	YEAR AGO
Jackson Lake	704,000 (a)	568,000 (a)
Snake River at Moran	3,104	4,550
Palisades Reservoir (usable)	1,198,000 (a)	947,900 (a)
Snake River at Irwin	22,000	15,000
Snake River nr Heise	22,450	16,200
Island Park Reservoir	135,000 (a)	134,500 (a)
Henrys Fork blw Isl. Park Dam	1,380	1,200
Grassy Lake	15,000 (a)	13,870 (a)
Henrys Fork nr Rexburg	6,135	7,020
Ririe Reservoir	80,700 (a)	78,500 (a)
Willow Creek	322	273
Snake River nr Shelley	20,900	13,860
Snake River nr Blackfoot	19,440	10,575
American Falls Reservoir	1,670,000 (a)	1,626,400 (a)
Snake River at Neeley	21,480	10,400
Minidoka N.S. Canal	1,356	1,175
Minidoka S.S. Canal	1,262	1,210
Lake Walcott	95,200 (a)	95,300 (a)
Snake River nr Minidoka	18,720	8,730
A & B Irrigation	232	184
P.A. Lateral	59	50
Milner Low Lift	259	214
A Lateral + N.S. X-Cut Gooding	1,089	1,020
Reservoir Dist. #2	1,324	1,477
Twin Falls N.S. Canal	2,565	2,420
Twin Falls S.S. Canal	2,314	3,210
Milner Reservoir	29,100 (a)	29,300 (a)
Snake River at Milner	9,600	507
Diversions Heise to Shelley	9,587	10,063
Diversions Shelley to Blackfoot	2,770	3,445

(a) Acre-feet; other quantities in cfs

Precipitation

	Last Week	Month to Date	Normal for June
Moran	0	.60"	1.77"
Island Park	--	--	2.86
Palisades	.03"	1.23	2.37
Ririe	.29	1.15	--

The fee for recording constitutional use rights will increase to $100.00 on July 1, 1983.

RONALD D. CARLSON, Watermaster

WATER DISTRICT NO. 1
150 Shoup, Suite 15 - Phone 525-7172
Idaho Falls, Idaho 83402

SNAKE RIVER WATER REPORT ON July 5, 1983
(From reports by Bureau of Reclamation,
Geological Survey, and cooperating parties)

STATION	DISCH or CONT	YEAR AGO
Jackson Lake	731,700 (a)	618,400 (a)
Snake River at Moran	3,690	5,470
Palisades Reservoir (usable)	1,209,200 (a)	1,118,500 (a)
Snake River at Irwin	22,000	18,050
Snake River nr Heise	22,300	18,200
Island Park Reservoir	135,500 (a)	133,900 (a)
Henrys Fork blw Isl. Park Dam	248	1,130
Grassy Lake	15,200 (a)	15,006 (a)
Henrys Fork nr Rexburg	7,180	6,170
Ririe Reservoir	80,500 (a)	78,200 (a)
Willow Creek	306	183
Snake River nr Shelley	22,500	17,700
Snake River nr Blackfoot	21,200	14,300
American Falls Reservoir	1,672,000 (a)	1,665,000 (a)
Snake River at Neeley	23,000	11,700
Minidoka N.S. Canal	1,180	1,330
Minidoka S.S. Canal	1,240	1,370
Lake Walcott	95,400 (a)	95,100 (a)
Snake River nr Minidoka	21,200	11,300
A & B Irrigation	237	186
P.A. Lateral	59	57
Milner Low Lift	242	218
A Lateral + N.S. X-Cut Gooding	1,110	1,046
Reservoir Dist. #2	1,230	1,490
Twin Falls N.S. Canal	2,470	2,420
Twin Falls S.S. Canal	3,350	3,350
Milner Reservoir	28,700 (a)	31,000 (a)
Snake River at Milner	10,700	5,200
Diversions Heise to Shelley	8,533	9,048
Diversions Shelley to Blackfoot	2,340	2,870

(a) Acre-feet; other quantities in cfs

PRECIPITATION

	Last Week	Total Month of June	Normal for June
Moran (Jackson Lake)	.87"	1.17"	1.77"
Island Park	--	3.25	2.86
Palisades	.84	1.65	2.37
Ririe	.14	1.36	--

Milner is still spilling and should continue to spill for another week to ten days.

RONALD D. CARLSON, Watermaster

D

WATER DISTRICT NO. 1
150 Shoup - Phone 525-7172
Idaho Falls, Idaho 83401

SNAKE RIVER WATER REPORT ON July 12, 1983
(From reports by USBR, Geological Survey,
and cooperating parties)

STATION	DISCH or CONT	YEAR AGO
Jackson Lake	734,200 (a)	624,600 (a)
Snake River at Moran	3900	6540
Palisades Reservoir (usable)	1,208,900 (a)	1,187,900 (a)
Snake River at Irwin	22,200	20,050
Snake River nr Heise	22,500	20,350
Island Park Reservoir	135,800 (a)	135,200 (a)
Henrys Fork blw Ist. Park Dam	1250	834
Grassy Lake	15,200 (a)	15,220 (a)
Henrys Fork nr Rexburg	7680	5600
Ririe Reservoir	80,400 (a)	78,150 (a)
Willow Creek	210	192
Snake River nr Shelley	21,750	17,800
Snake River nr Blackfoot	19,350	14,000
American Falls Reservoir	1,675,500 (a)	1,670,900 (a)
Snake River at Neeley	20,000	16,100
Minidoka N.S. Canal	1460	1440
Minidoka S.S. Canal	1240	1340
Lake Walcott	97,400 (a)	94,100 (a)
Snake River nr Minidoka	15,800	14,700
A & B Irrigation	265	180
P.A. Lateral	58	62
Milner Low Lift	258	294
A Lateral + N.S. X-Cut Gooding	1074	1046
Reservoir Dist. #2	1230	1400
Twin Falls N.S. Canal	2645	2370
Twin Falls S.S. Canal	3515	3370
Milner Reservoir	30,000 (a)	30,450 (a)
Snake River at Milner	5095	5970
Diversions Heise to Shelley	8690	9441
Diversions Shelley to Blackfoot	2969	3045

(a) Acre-feet; other quantities in cfs

PRECIPITATION

	Last Week	Month to Date	Normal for July
Moran	.42"	.72"	.97"
Island Park	1.50	2.09	1.02
Palisades	1.11	2.04	.94
Ririe	1.09	1.19	------

First water right cuts are anticipated July 15th on S.F. Snake River and Henrys Fork. July 19-20th below Blackfoot.

RONALD D. CARLSON
Watermaster

P.

WATER DISTRICT NO. 1
150 Shoup, Suite 15 - Phone 525-7172
Idaho Falls, Idaho 83402

SNAKE RIVER WATER REPORT ON July 19, 1983
(From reports by Bureau of Reclamation,
Geological Survey, and cooperating parties)

STATION	DISCH or CONT	STORED	NORMAL
Jackson Lake	673,100 (a)		
Snake River at Moran	8,790	5,350	3,440
Palisades Reservoir (usable)	1,197,500 (a)		
Snake River at Irwin	16,700	4,600	12,100
Snake River nr Heise	17,500	4,600	12,900
Island Park Reservoir	135,200 (a)		
Henrys Fork blw Isl. Park Dam	1,090	30	1,060
Grassy Lake	15,200 (a)		
Henrys Fork nr Rexburg	4,320	840	3,480
Ririe Reservoir	80,400 (a)		
Willow Creek	211	68	143
Snake River nr Shelley	18,300	5,380	12,920
Snake River nr Blackfoot	17,000	5,380	11,620
American Falls Reservoir	1,669,700 (a)		
Snake River at Neeley	17,400	9,750	7,630
Minidoka N.S. Canal	1,490 (1)	123	2,727
Minidoka S.S. Canal	1,360 (1)		
Lake Walcott	97,100 (a)		
Snake River nr Minidoka	17,700	7,400	10,300
A & B Irrigation	241	241	0
P.A. Lateral	62 (2)		
Milner Low Lift	265	130	135
A Lateral + N.S. X-Cut Gooding	1,050 (2)		
Reservoir Dist. #2	1,550	69	1,481
Twin Falls N.S. Canal	2,640 (2)	452	3,300
Twin Falls S.S. Canal	3,530	3,530	0
Milner Reservoir	29,900 (a)		
Snake River at Milner	7,710	7,710	0
Diversions Heise to Shelley	8,834	112	8,722
Diversions Shelley to Blackfoot	3,010	19	2,991

(a) Acre-feet; other quantities in cfs
(1) Minidoka N.S. & S.S. added together
(2) Storage for P.A. Lateral, A Lateral, N.S. X-Cut Gooding added to Twin Falls N.S.

PRECIPITATION

	Last Week	Month to Date	Normal for July
Moran	.13"	.85"	.97"
Island Park	1.06	3.15	1.02
Palisades	.14	2.18	.94
Ririe	.22	1.41	--

Filling all 1/22/1916 rights for all reaches of the Snake River, with further water right cuts predicted for later this week.

RONALD D. CARLSON, Watermaster

P.

WATER DISTRICT NO. 1
150 Shoup, Suite 15 - Phone 525-7172
Idaho Falls, Idaho 83402

SNAKE RIVER WATER REPORT ON July 26, 1983
(From reports by Bureau of Reclamation,
Geological Survey, and cooperating parties)

STATION	DISCH or CONT	STORED	NORMAL
Jackson Lake	619,800 (a)		
Snake River at Moran	2,840	170	2,670
Palisades Reservoir (usable)	1,200,300 (a)		
Snake River at Irwin	13,800	2,700	11,000
Snake River nr Heise	14,600	2,500	12,100
Island Park Reservoir	133,100 (a)		
Henrys Fork blw Isl. Park Dam	1,180	400	780
Grassy Lake	15,025 (a)		
Henrys Fork nr Rexburg	2,380	100	2,280
Ririe Reservoir	79,000 (a)		
Willow Creek	216	71	145
Snake River nr Shelley	8,920	1,750	7,170
Snake River nr Blackfoot	6,180	1,920	4,260
American Falls Reservoir	1,636,700 (a)		
Snake River at Neeley	12,060	5,720	6,340
Minidoka N.S. Canal	1,350 (1)	2,580	0
Minidoka S.S. Canal	1,230 (1)		
Lake Walcott	95,400 (a)		
Snake River nr Minidoka	9,230	3,950	5,280
A & B Irrigation	245	245	0
P.A. Lateral	62 (2)		
Milner Low Lift	272	272	0
A Lateral + N.S. X-Cut Gooding	1,078 (2)		
Reservoir Dist. #2	1,550	1,550	0
Twin Falls N.S. Canal	2,680 (2)	3,420	400
Twin Falls S.S. Canal	3,530	530	3,000
Milner Reservoir	31,100 (a)		
Snake River at Milner	66	66	0
Diversions Heise to Shelley	10,306	2,256	8,050
Diversions Shelley to Blackfoot	2,860	179	2,681

(a) Acre-feet; other quantities in cfs
(1) Minidoka N.S. & S.S. added together.
(2) Storage for P.A. Lateral, A. Lateral, N.S. X-Cut Gooding added to Twin Falls N.S.

PRECIPITATION

	Last Week	Month to Date	Normal for July
Moran	.65"	1.50"	.97"
Island Park	.73	3.88	1.02
Palisades	.16	2.34	.94
Ririe	.03	1.44	--

Filling all of October 11, 1900 rights on all reaches of the Snake River except Willow Creek, which is filling part of 5/01/1888 rights.

RONALD D. CARLSON, Watermaster

WATER DISTRICT NO. 1
150 Shoup, Suite 15 - Phone 525-7172
Idaho Falls, Idaho 83402

SNAKE RIVER WATER REPORT ON August 9, 1983
(From reports by Bureau of Reclamation,
Geological Survey, and cooperating parties)

STATION	DISCH or CONT	STORED	NORMAL
Jackson Lake	610,700 (a)		
Snake River at Moran	2,050	920	1,130
Palisades Reservoir (usable)	1,179,300 (a)		
Snake River at Irwin	9,300	2,090	7,210
Snake River nr Heise	9,500	2,170	7,330
Island Park Reservoir	107,900 (a)		
Henrys Fork blw Isl. Park Dam	2,000	900	1,100
Grassy Lake	15,200 (a)		
Henrys Fork nr Rexburg	2,530	580	1,950
Ririe Reservoir	73,300 (a)		
Willow Creek	296	208	88
Snake River nr Shelley	4,660	1,010	3,650
Snake River nr Blackfoot	2,050	660	1,390
American Falls Reservoir	1,502,400 (a)		
Snake River at Neeley	11,500	7,020	4,480
Minidoka N.S. Canal	1,160 (1)	434	1,444
Minidoka S.S. Canal	718 (1)		
Lake Walcott	93,800 (a)		
Snake River nr Minidoka	9,740	6,340	3,400
A & B Irrigation	177	177	0
P.A. Lateral	61 (2)		
Milner Low Lift	138	138	0
A Lateral + N.S. X-Cut Gooding	1,000 (2)		
Reservoir Dist. #2	1,409	1,409	0
Twin Falls N.S. Canal	2,320 (2)	2,981	400
Twin Falls S.S. Canal	3,370	370	3,000
Milner Reservoir	30,100 (a)		
Snake River at Milner	1,530	1,530	0
Diversions Heise to Shelley	9,232	1,466	7,766
Diversions Shelley to Blackfoot	2,665	59	2,606

(a) Acre-feet; other quantities in cfs
(1) Minidoka N.S. & S.S. added together
(2) Storage for P.A. Lateral, A Lateral, N.S. X-Cut Gooding added to Twin Falls N.S.

PRECIPITATION

	Last Week	Month to Date	Normal for Aug
Moran (Jackson Lake)	.0"	.23"	1.30"
Island Park	.83	.93	1.38
Palisades	0	.30	1.16
Ririe	.17	.17	--

Filling part of March 26, 1903 rights on the main reaches of the Snake River both above and below Blackfoot. Filling all of June 1, 1885 priority on the Teton River. Filling part of April 1, 1885 priority on Willow Creek.

Committee of Nine Meeting August 18, 1983, 7:30 p.m. Westbank Restaurant.

RONALD D. CARLSON, Watermaster

P2

WATER DISTRICT NO. 1
150 Shoup, Suite 15 - Phone 525-7172
Idaho Falls, Idaho 83402

SNAKE RIVER WATER REPORT ON August 16, 1983
(From reports by Bureau of Reclamation, Geological Survey, and cooperating parties)

STATION	DISCH or CONT	STORED	NORMAL
Jackson Lake	596,700 (a)		
Snake River at Moran	2,340	1,255	1,085
Palisades Reservoir (usable)	1,168,000 (a)		
Snake River at Irwin	7,910	1,490	6,420
Snake River nr Heise	8,280	1,510	6,770
Island Park Reservoir	92,500 (a)		
Henrys Fork blw Isl. Park Dam	2,110	1,090	1,020
Grassy Lake	15,200 (a)		
Henrys Fork nr Rexburg	2,880	740	2,140
Ririe Reservoir	70,600 (a)		
Willow Creek	300	198	102
Snake River nr Shelley	5,330	1,630	3,700
Snake River nr Blackfoot	3,150	2,150	1,000
American Falls Reservoir	1,437,300 (a)		
Snake River at Neeley	11,400	6,360	5,040
Minidoka N.S. Canal	1,030 (1)	0	1,651
Minidoka S.S. Canal	621 (1)		
Lake Walcott	92,000 (a)		
Snake River nr Minidoka	9,440	6,040	3,400
A & B Irrigation	141	141	0
P.A. Lateral	53 (2)		
Milner Low Lift	51	51	0
A Lateral + N.S. X-Cut Gooding	975 (2)		
Reservoir Dist. #2	1,370	1,370	0
Twin Falls N.S. Canal	2,340 (2)	2,473	895
Twin Falls S.S. Canal	3,330	330	3,000
Milner Reservoir	30,300 (a)		
Snake River at Milner	1,450	1,450	0
Diversions Heise to Shelley	7,854	818	7,036
Diversions Shelley to Blackfoot	2,377	73	2,304

(a) Acre-feet; other quantities in cfs
(1) Minidoka N.S. & S.S. added together
(2) Storage for P.A. Lateral, A Lateral, N.S. X-Cut Gooding added to Twin Falls N.S.

PRECIPITATION

	Last Week	Month to Date	Normal for Aug
Moran (Jackson Lake)	.28"	.51"	1.30"
Island Park	.40	1.33	1.38
Palisades	.84	1.14	1.16
Ririe	.53	.70	--

Filling all of Mar. 26, 1903 rights on Henrys Fork and Snake River above Lake Walcott Reservoir. Filling part of Oct. 7, 1905 rights from Lake Walcott to Milner Reservoir. Filling part of April 1, 1898 on Teton River; part of April 1, 1885 rights on Willow Creek.

Idaho Water Users Meeting August 18, 1983 at 10:30 a.m. Westbank Restaurant.

A G E N D A

Committee of Nine

Westbank Restaurant
August 18, 1983 - 7:30 p.m.

7:30 p.m. Call to Order - Reed Oldham, Chairman

Reading of Minutes Last Meeting - Reed Murdock, Secretary

Reports by Ron Carlson, Watermaster

1983 Distribution Status Report

1982 Audit Report

1983 Water Bank Report

a) Supply and requests

b) Rules and regulations

Improvement Fund Report

a) Present projects

b) New proposals

IDWR Comments - Norm Young

a) Swan Falls Contract

b) New improvement/repair financing opportunities

c) Etc.

American Falls Erosion Complaints - Reed Murdock

Other business

9:00 p.m. Adjourn

P.

August 18, 1983

RENTAL SUMMARY

Acre-feet supplied to water bank for 1983 . . .	540,647.57
Acre-feet rented from water bank for 1983 . . .	353,078.
Balance	187,569.57

P.

IMPROVEMENT FUND

March Balance		$170,237.12
Disbursements:		
Fremont-Madison	$ 1,200.00	
Littleman Control	56.39	
USGS Lower Snake Gaging Study	23,000.00	
		$ 24,756.39
Balance		$145,480.73

P.

IMPROVEMENT FUND SUMMARY

DATE	PROJECT	FUNDS COMMITTED	FUNDS SPENT
5/14/81	Great Feeder Headgate Automation		$ 5,610.59
12/03/81	Support of Computer Data Link with Fremont Madison Irrigation	$ 4,800	3,000.00
	Hydromet O & M for Crosscut to Teton, Eagle Rock, Anderson, Idaho & Great Western Canals	$ 4,000/yr.	
4/11/83	Install Cableway-Snake at Lorenzo	$ 5,250	
4/11/83	Relocation of Snake nr Lewisville Gage & Installation of Cable Way	$ 6,100	
4/11/83	Lower Snake Gaging Study	$47,000	$23,500.00
6/14/83	Predicting Flows & Diversions	$ 7,500	

IMPROVEMENT FUND PROJECT PROPOSALS

DATE	PROJECT	ESTIMATED COSTS
	Streamgaging on Upper Snake for next FY	$16,500 Water District 17,000 IDWR
	New Streamgaging Ground-water Studies	$ 8,000

P.

WATER DISTRICT NO. 1 PROPOSED IMPROVEMENTS

DATE: August 18, 1983

SUBJECT: Expanded Automated Data Collection

PROPOSAL: Install Hydromet Platforms on Five (5) Additional Canals and Three (3) River Stations

ANALYSIS: Last year five (5) hydromet stations were added. These stations were provided by the BOR with O & M costs being paid by improvement funds. This represents about a $4,000 annual committment. Since the water users have indicated improved data collection methods are high priority, the eventual inclusion of all major diversions on hydromet is a reasonable goal. The stations proposed above represent the second step in this on-going improvement process. The selection analysis to determine which five canal gages would be automated has not been done. These stations would probably cost about $50,000 if the hydromet platforms are purchased.

R-

WATER DISTRICT NO. 1 PROPOSED IMPROVEMENTS

DATE: August 17, 1983

SUBJECT: Gaging Station - Crosscut End

PROPOSAL: Furnish Materials Associated with Installation of a Gaging Station at the End of the Crosscut Canal

ANALYSIS: The Crosscut Canal is a facility owned and operated by the Fremont Madison Irrigation District for bringing stored water from the Henry's Fork to the lower Teton River. There are two canals which divert water directly from the Crosscut and one which diverts water into it. Since the amount diverted into the Crosscut is affecting these canals, a gaging station is needed at the end to determine the actual flow into the Teton. Fremont Madison has agreed to install a gage house and stilling well which will be provided by the IDWR. There are some associated items such as valves, valve openers, flushing tanks, and stage recorder which might be needed. If the improvement fund commits the expenditure of up to $500, the complete and proper installation of this station can be assured.

P.

WATER DISTRICT NO. 1 PROPOSED IMPROVEMENTS

DATE: August 17, 1983

SUBJECT: Streamgaging

PROPOSAL: Fund the Matched Portion of the Cooperative Streamgaging Program

ANALYSIS: The improvement funds generated from the operation of the Upper Snake Water Supply Bank have been designated for those projects which collectively benefit the water users of Water District No. 1.

The Snake River streamgaging program is an on-going program which the water users collectively have been partially funding for many years. The water users and IDWR have been matched by federal USGS monies. The 1983 water district billing included $17,125 for stream gaging. In 1984 these costs will be $16,724.

While accurate and continuous hydrographic data are becoming increasingly important, the IDWR's ability to continue its support of basic data collection is continually being reduced by funding cuts. The uninterrupted collection of basic data is always important but has been critical in addressing the issues associated with the Supreme Court's Swan Falls decision. It seems reasonable for the Committee of Nine to express its support by committing improvement funds to support the Upper Snake data collection program for the coming year thus giving all water users a break through reduction in normal assessments and the Department the ability to continue stations that are presently planned to be dropped, and to allow additional data collecting efforts to be commenced. The total cost to the improvement fund would be $36,211.

Passed by "Committee of 9" 8/18/83
Means 8/19 + IC to Dept

R.

WATER DISTRICT NO. 1 PROPOSED IMPROVEMENTS

DATE: August 17, 1983

SUBJECT: Gaging Station Willow Creek Floodway End

PROPOSAL: Cover Incidental Costs Associated with the Installation of a Gaging Station at End of Willow Creek Floodway

ANALYSIS: It is frequently important to know the amount of water reaching the river from the Willow Creek flood channel. The BOR has agreed to install a station and provide a recorder for this location, and the IDWR will provide the gage house and stilling well. This is normally about an $11,000 project when labor and material costs have to be paid. There will, however, be items such as flushing tanks, shutoff rods, and valves which may have to be purchased.

It is recommended that the Water District improvement fund commit up to $500 for these associated materials to assure complete installation of this station.

P-

MEMORANDUM

THRU: Norm Young, Administrator, Administration Division
Bob Fleenor, Chief, Regional Offices Bureau

~~TO:~~ FROM Ronald D. Carlson, Watermaster of Water District No. 01

~~FROM:~~ TO Phil Rassier, Deputy Attorney General

DATE: December 15, 1983

RE: Nedrow v. Carlson/Measuring Devices on Snow Creek

Attached is a second letter dated November 18, 1983 from J.D. Hancock with reference to the stipulation entered into by the Department in the above-referenced matter on June 1, 1981.

A draft response to Mr. Hancock regarding my interpretation of Alwyn Nedrow's water right under the stipulation is also attached. The draft response does not address the issue of installation of headgates and measuring devices in compliance with the stipulation.

Paragraph 3 of the attached stipulation appears to require the installation of measuring devices at each point of diversion from Snow Creek. The stipulation appears to provide for watermaster discretion only with respect to certain other locations such as to measure water diverted into Snow Creek from other sources. I suggest the Department order the installation of measuring devices for all diversions from Snow Creek and put this matter to rest.

Your suggestions on an appropriate response to Mr. Hancock will be appreciated.

Phil

PHILLIP J. RASSIER

P.

SMITH, HANCOCK & MOSS
Attorneys at Law

MARY SMITH
J. D. HANCOCK
BRENT J. MOSS
VAL DEAN DALLING, JR.
W. LLOYD ADAMS (1885-1969)

30 SOUTH 2nd WEST
REXBURG, IDAHO 83440
PHONE: 208-356-5493

November 18, 1983

Mr. Phillip Rassier
Deputy Attorney General
Department of Water Resources
Statehouse
Boise, ID 83720

Dear Phil:

We do appreciate all the helpfulness and cooperation which you have given to us regarding the quiet title action filed by Mr. Alwyn Nedrow to the waters in Snow Creek.

Apparently there is still some misunderstanding with respect to the interpretation of the stipulation which we entered into at the time the suit was resolved. It was my understanding that Alwyn would be entitled to the amount of water specified in the decree in Snow Creek with the priority date established by the recitals in the stipulation.

Apparently the District Water Master and his assistants have some other interpretation. We would appreciate it if you would verify what your understanding regarding the interpretation of this portion of the stipulation is.

At the present time, those who have illegally been pumping water out of Snow Creek upstream from Mr. Nedrow's point of diversion, have not installed any measuring devices on their pumps. It is virtually impossible to tell how much water is being put in or taken out of Snow Creek unless there are measuring devices pursuant to the law. Also, Mr. Baum has never made application for a pumping permit to take water out of Snow Creek and has been irrigating more and more acres each year without ever having any sanctions imposed by the department.

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We would appreciate it if you would request that Mr. Carlson and Mr. Richards seek strict enforcement of the law as it applies to the other water users on Snow Creek as well as to Mr. Alwyn Nedrow.

If you have any questions or comments regarding this, I would appreciate discussing this matter with you by telephone. Would you please let me know your thoughts regarding these matters.

Sincerely,

J. D. Hancock

JDH/jmh

CC: Alwyn Nedrow

P.

December 14, 1983

DRAFT

J.D. Hancock
SMITH, HANCOCK & MOSS
30 South 2nd West
Rexburg, Idaho 83440

RE: Nedrow v. Carlson

Dear Mr. Hancock:

In response to your letter of November 18, 1983 I have reviewed the Stipulation and Judgment entered into on June 1, 1981 resolving the above-referenced litigation.

My reading of the stipulation is that it recognizes the right of your client, Alwyn Nedrow, to water right No. 21-0079 decreed to Simington Nedrow from "springs on land" with a priority of June 19, 1893 in the amount of 1.5 cfs. The stipulation recognizes your client's right to use this water right upon 110 acres on the west side of Snow Creek within the SE1/4 of Sec. 32, Twp. 9N, Rge. 42E, B.M. The water right is to be diverted from two points on Snow Creek for irrigation use from April 1 to November 1. My interpretation as to the delivery of this right is that it is limited to waters naturally arising in Snow Creek. The right does not extend to the use of any waters diverted into Snow Creek from other sources or from storage.

Sincerely,

Phillip J. Rassier
Deputy Attorney General
Department of Water Resources

PJR:jh

P.