



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 27, 2021

Kevin Lakey
Watermaster, Water District 37
107 W 1st St
Shoshone, ID 83352

Re: Delivery of Water Rights in Water District 37 from the Big Wood and Little Wood Rivers having the BOR-AFRD2-BWCC Exchange Condition.

Dear Kevin,

As you know, questions have been raised in some of the recent Big Wood River Groundwater Management Area ("BWRGWMA) Advisory Committee meetings about delivery of water rights from the Big Wood and Little Wood Rivers that have a condition indicating delivery of such rights is subject to the water exchange provisions found in specific contracts between the United States Bureau of Reclamation ("BOR"), the American Falls Reservoir District No. 2 ("AFRD2") and the Big Wood Canal Company ("BWCC"). The condition in question, known as "Condition No. 161" or the "Exchange Condition", was assigned to Snake River Basin Adjudication partial decrees for a number of water rights on the Big and Little Wood Rivers with places of use located below the Milner-Gooding Canal.

The attached memorandum gives instruction to you regarding the delivery of water rights with the Exchange Condition. Please review the instructions. The Department directs you to implement these instructions immediately.

Please contact me directly if you have any questions or need further clarification regarding this matter. Thank you for your ongoing assistance and sharing of information with the BWRGWMA Advisory Committee.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Luke', written in a cursive style.

Tim Luke
Water Compliance Bureau Chief

Copy: Corey Skinner, IDWR Southern Region Manager
Carl Pendleton, President, BWCC
Ellis Gooch, President, AFRD2

MEMO

State of Idaho

Department of Water Resources

322 E Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700

Date: April 27, 2021

To: Kevin Lakey, Water District 37 Watermaster

From: Tim Luke, Water Compliance Bureau Chief 

Subject: Delivery of Water Rights in Water District 37 from the Big Wood and Little Wood Rivers having the BOR-AFRD2-BWCC Exchange Condition

Purpose of Memo

This memo instructs you regarding the administration of water rights from the Big Wood and Little Wood Rivers that have the following condition, referred herein as the “Exchange Condition” or “Condition No. 161”:

Delivery of this right is subject to the water exchange provisions contained in Bureau of Reclamation contract no. 14-06-W-73, executed October 14, 1954, between the United States of America and American Falls Reservoir District No. 2, as supplemented by Bureau of Reclamation contract no. 14-06-100-6031, executed June 1, 1962, between and among the United States of America, American Falls Reservoir District No. 2, and the Big Wood Canal Company.

For purposes of this memo, Bureau of Reclamation contract no. 14-06-W-73 is referred to as the “BOR 1954 Contract”, and Bureau of Reclamation contract no. 14-06-100-6031 is referred as the “BOR 1962 Contract”.

Background

During recent Big Wood River Groundwater Management Area (“BWRGWMA”) Advisory Committee meetings, participants questioned you about your delivery of water rights from the Big Wood and Little Wood Rivers that have the above referenced Exchange Condition. In correspondence from you to the Idaho Department of Water Resources (“Department”) dated June 16, 2015, you explained you had only recently become aware of Condition No. 161 and that you “have never delivered water from either the Big Wood or Little Wood Rivers in relation to this condition.” Based on discussions in which you participated during recent BWRGWMA committee meetings, the Department understands you continue to deliver water and make priority cut determinations from the Big Wood

River below Magic Reservoir, and from the Little Wood River and Silver Creek, without consideration of the Exchange Condition.

The Exchange Condition is included on 72 water rights from the Big Wood River and 38 water rights from the Little Wood River shown in separate tables in Attachment 1 of this memo. The Exchange Condition is included in Snake River Basin Adjudication (“SRBA”) partial decrees for all 110 water rights identified in Attachment 1. During the SRBA, the Department assigned a number, 161, to the Exchange Condition. All water rights with the Exchange Condition have a place of use located below the Milner-Gooding Canal and within the service areas of American Falls Reservoir District No. 2 (“AFRD2”) and the Big Wood Canal Company (“BWCC”).

Article 28 of the BOR 1954 Contract¹ states in pertinent part:

- a. It is one of the objects of this contract to provide each irrigable acre of the old lands within the [American Falls Reservoir] District, whether located above or below the main canal, with substantially the same benefits from American Falls storage and other sources available to the District, either directly or indirectly.
- b. To carry out this object, it is agreed that:
 1. The owners of old lands below the main canal who are entitled to water from the Big Wood or the Little Wood River or Magic Reservoir are deemed to agree that the water from those sources may be used on old lands above the main canal, and to accept in lieu of water from those sources, an equal amount of water from American Falls storage and other sources available to the District, all to the extent necessary to permit the old lands above the main canal to benefit equally, as far as possible, with the old lands below the canal in the water supply made available under this contract.

The BOR 1954 Contract describes the “main canal” as the Milner-Gooding Canal.² Both the BOR 1954 Contract and the BOR 1962 Contract define “old lands” as “78,167.1 acres of irrigable lands within the [American Falls Reservoir] District ... including those 4,263 acres of land designated as “river-right lands.”³

Both the BOR 1954 Contract and the BOR 1962 Contract state that the [American Falls Reservoir] District “will deliver water made available under the United States-District amendatory contract ... into the Big Wood and Little Wood rivers for diversion by river-right lands.”⁴

¹ *Amendatory Contract Between the United States of America and American Falls Reservoir District No. 2, October 14, 1954*, at 35; and *Company-District Contract Among the United States of America, American Falls Reservoir District No.2 and Big Wood Canal Company, June 1, 1962* at 35.

² *Ibid.* at 5.

³ *Ibid.* at 3, and *Company-District Contract Among the United States of America, American Falls Reservoir District No.2 and Big Wood Canal Company, June 1, 1962*, at 3.

⁴ BOR 1954 Contract at 31 and BOR 1962 Contract at 5.

Due to repeated questions from some BWRGWMA Advisory Committee members, the BWCC arranged a separate meeting between you, advisory committee members, representatives from both AFRD2 and BWCC, and Department staff on March 31, 2021. In that meeting, Mr. Craig Hobdey, former and recently retired attorney for BWCC, stated that he was familiar with the Exchange Condition assigned to SRBA partial decrees for water rights from the Big Wood and Little Wood Rivers. Mr. Hobdey reported that AFRD2 delivers water from the Snake River conveyed via the Milner-Gooding Canal to lands within AFRD2 and BWCC service areas having water rights from the Big Wood and Little Wood Rivers with the Exchange Condition. Mr. Hobdey explained that, in accordance with the BOR contracts, Snake River water from the Milner-Gooding Canal is delivered to the Exchange Condition river rights, and water from the Big and Little Wood Rivers that would be delivered to the Exchange Condition river rights but for the delivery of Snake River water is instead delivered to water rights and lands located above the Milner-Gooding Canal.

During the March 31, 2021 meeting, you advised meeting participants that you have never delivered water from the Big Wood and Little Wood Rivers in the manner described by Mr. Hobdey. You reported that you make no distinction between river rights with or without the Exchange Condition when delivering water or making priority cut determinations. Department staff participating in the meeting advised that the Department would issue guidance to you regarding the delivery of water to Exchange Condition water rights given the different explanations and the Department's current understanding that the rights are not administered consistently with the condition.

Watermaster Guidance Regarding Delivery of Exchange Condition Water Rights

Upon review of the Exchange Condition, the BOR contracts, and information obtained from you and representatives of AFRD2 and BWCC, the Department directs you to administer the water rights in accordance with the exchange provisions of the contracts referenced in the Exchange Condition. In doing so, it is understood that the Exchange Condition water rights, to the extent they are in priority, shall receive Snake River water conveyed by the Milner-Gooding Canal in coordination with AFRD2. As a result, you shall not physically deliver or convey natural flow from the Little Wood or Big Wood Rivers below the Milner-Gooding Canal to benefit the Exchange Condition water rights. Pursuant to the Exchange Condition and provisions of the BOR exchange contracts, any natural flow from the Big Wood and Little Wood Rivers that is available to fill the Exchange Condition water rights below Milner-Gooding Canal, shall be delivered to BWCC's diversions located above the Milner-Gooding Canal for the benefit of "old lands" above the canal.

Starting immediately, and until given further notice, you shall implement the following procedures regarding the delivery of water to the Exchange Condition water rights from the Big Wood and Little Wood Rivers referenced in Attachment 1 of this memo:

1. Determine the available natural flow and river right priority cuts for the Big Wood River below Magic Reservoir, and for Silver Creek-Little Wood River using the same methods for those river reaches you have employed in the past;
2. Based on your priority cut determination in Step 1, identify the Exchange Condition water rights from each source that are in priority and sum the diversion rates for those deliverable rights by source (Little Wood River or Big Wood River). The sum of the deliverable Exchange Condition water rights by source shall be distributed respectively to BWCC's diversions from the Big Wood and Little Wood Rivers above the Milner-Gooding Canal (the Lincoln Bypass/North Shoshone Canals on the Big Wood River, and the Main Dietrich Canal on the Little Wood River).
 - a. If the BWCC has no demand or need for water above the Milner-Gooding Canal that is deliverable by priority to the Exchange Condition water rights, then the water shall be distributed to the next available rights in priority (rights that do not have the Exchange Condition) either above or below the Milner Gooding Canal on the Big Wood River, and the Little Wood River and Silver Creek.
3. In making your priority cut determination on all surface water sources in Water District 37, you should require the holders of all rights to call for initial delivery of water at or near the start of the irrigation season and then make subsequent calls or requests during the season for any change in delivery (example: increase or decrease delivery, turn off or turn on). Delivery based on user demand may allow delivery of additional priority rights when demand decreases. Similarly, you should account for rights that are not used for any reason, such as enrollment in crop set-aside programs or lease to water supply bank, and adjust priority cut determinations accordingly.

ATTACHMENT 1
Big Wood River Water Rights with Exchange Condition

| Owner | Water Right | Priority Date | Div Rate (cfs) | Uses | Source | RiverReach |
|---|-------------|---------------|----------------|------------------------|----------------|------------------|
| OPPIO LAND & LIVESTOCK LLC | 37-238A | 18830415 | 2 | IRRIGATION | MALAD RIVER | Sta 9 to Sta 21 |
| SHERI PATTERSON INC | 37-20385 | 18830415 | 0.04 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| SLIMAN LAND & LIVESTOCK | 37-21163 | 18830415 | 0.76 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| SABALA FARMS INC | 37-619A | 18840501 | 2.4 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| WESTENDORF, JENNIFER L; WESTENDORF, NICHOLAS K | 37-619B | 18840501 | 0.8 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| BLISS POINT CATTLE INC | 37-22658 | 18840601 | 0.77 | IRRIGATION | BIG WOOD RIVER | Sta 9 to Sta 21 |
| CRUZ, ALFREDO; LAGUNAS, JUANA | 37-21749 | 18840601 | 0.05 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| DESERT ROSE RANCH INC | 37-287A | 18840601 | 0.33 | IRRIGATION | BIG WOOD RIVER | Sta 9 to Sta 21 |
| FAULKNER, KIM; FAULKNER, TOM | 37-22534 | 18840601 | 1.41 | IRRIGATION | BIG WOOD RIVER | Sta 9 to Sta 21 |
| GARY L & LUCY C OSBORNE FAMILY LTD PARTNERSHIP | 37-359B | 18840601 | 1.121 | IRRIGATION | BIG WOOD RIVER | Sta 9 to Sta 21 |
| HARRIS, ALTA K; HARRIS, DALE E | 37-21747 | 18840601 | 0.36 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| KOCHERT, MICHAEL M; KOCHERT, PHYLLIS K | 37-359D | 18840601 | 0.34 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| LAGUNAS, AMALIA; LAGUNAS, FRANCISCO | 37-21748 | 18840601 | 0.05 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| OSBORNE, GARY L; OSBORNE, LUCY C | 37-359E | 18840601 | 1.08 | IRRIGATION | BIG WOOD RIVER | Sta 9 to Sta 21 |
| COLEMAN, CAROLYN F; COLEMAN, GARY R | 37-239D | 18840829 | 0.68 | IRRIGATION | MALAD RIVER | Sta 9 to Sta 21 |
| OPPIO LAND & LIVESTOCK LLC | 37-239A | 18840829 | 1.72 | IRRIGATION | MALAD RIVER | Sta 9 to Sta 21 |
| M & M FARMS | 37-72B | 18850401 | 2.2 | IRRIGATION, STOCKWATER | BIG WOOD RIVER | MGC to Sta 9 |
| M & M FARMS | 37-72B | 18850401 | | IRRIGATION, STOCKWATER | BIG WOOD RIVER | Sta 9 to Sta 21 |
| RIXON, CARL H; RIXON, KARIN | 37-72A | 18850402 | 0.44 | IRRIGATION | BIG WOOD RIVER | Sta 9 to Sta 21 |
| COLEMAN, CAROLYN F; COLEMAN, GARY R | 37-607D | 18860815 | 1.29 | IRRIGATION | MALAD RIVER | Sta 9 to Sta 21 |
| KOYLE, BONNIE M; KOYLE, RANLEY A | 37-607B | 18860815 | 0.14 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| PIERSON, MARGARET A; PIERSON, MARVIN E | 37-10642 | 18860815 | 0.49 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| SLIMAN, DAVID; SLIMAN, LESTER | 37-607F | 18860815 | 0.48 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |

ATTACHMENT 1
Big Wood River Water Rights with Exchange Condition

| Owner | Water Right | Priority Date | Div Rate (cfs) | Uses | Source | RiverReach |
|--|-------------|---------------|----------------|------------------------|----------------|------------------|
| COLEMAN, CAROLYN F; COLEMAN, GARY R | 37-608D | 18870415 | 0.422 | IRRIGATION | MALAD RIVER | Sta 9 to Sta 21 |
| KOYLE, BONNIE M; KOYLE, RANLEY A | 37-608B | 18870415 | 0.098 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| PIERSON, MARGARET A; PIERSON, MARVIN E | 37-10643 | 18870415 | 0.16 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| SLIMAN, DAVID; SLIMAN, LESTER | 37-608C | 18870415 | 0.12 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| EDEN, GARY; EDEN, GLENNA R | 37-365 | 18880601 | 3 | IRRIGATION, STOCKWATER | BIG WOOD RIVER | Magic Res to MGC |
| MORRIS, AUDREY; MORRIS, HOWARD L; MORRIS, JEREMY; MORRIS, RHONDA K | 37-11131 | 18890701 | 5.6 | IRRIGATION, STOCKWATER | MALAD RIVER | Blw Sta 21 |
| MORRIS, HOWARD L; MORRIS, JEREMY; MORRIS, MEKENZIE; MORRIS, RHONDA K | 37-447D | 18890701 | 0.8 | IRRIGATION | MALAD RIVER | Blw Sta 21 |
| MORRIS, HOWARD L; MORRIS, RHONDA K | 37-447C | 18890701 | 4 | IRRIGATION, STOCKWATER | MALAD RIVER | Blw Sta 21 |
| NORTH SIDE CANAL CO LTD | 37-507 | 18900615 | 15 | IRRIGATION | BIG WOOD RIVER | Sta 9 to Sta 21 |
| NORTH SIDE CANAL CO LTD | 37-507 | 18900615 | | IRRIGATION | MALAD RIVER | Sta 9 to Sta 21 |
| SABALA FARMS INC | 37-620 | 18910501 | 1.3 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| OPPIO LAND & LIVESTOCK LLC | 37-240A | 18950601 | 2.28 | IRRIGATION | MALAD RIVER | Sta 9 to Sta 21 |
| COLEMAN, CAROLYN F; COLEMAN, GARY R | 37-240D | 18950829 | 0.92 | IRRIGATION | MALAD RIVER | Sta 9 to Sta 21 |
| EDEN, GARY; EDEN, GLENNA R | 37-366 | 18960415 | 1.4 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| 4 BROS DAIRY INC | 37-11114B | 18960427 | 5.3 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| BROWN, ANN A; BROWN, PHILIP A | 37-600B | 18960427 | 0.5 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| SABALA, SUSAN M | 37-669A | 18960430 | 1.6 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| LEGUINECHE, JOE; LEGUINECHE, LINDA | 37-178 | 18960501 | 2.5 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| PIERSON, MARGARET A | 37-175A | 18970501 | 0.8 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| PIERSON, MARGARET A; PIERSON, MARVIN E | 37-10644 | 18970501 | 0.6 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| NORTHVIEW FARMS LP | 37-616 | 18970510 | 2.7 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| ADAMS, RUTH M | 37-84A | 18970515 | 0.087 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |

ATTACHMENT 1
Big Wood River Water Rights with Exchange Condition

| Owner | Water Right | Priority Date | Div Rate (cfs) | Uses | Source | RiverReach |
|--|-------------|---------------|----------------|---|----------------|------------------|
| BIG SKY DAIRY | 37-84B | 18970515 | 0.74 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| BIG SKY DAIRY | 37-675A | 18970520 | 0.8 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| PIERSON, MARGARET A; PIERSON, MARVIN E | 37-10641 | 18970520 | 1.48 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| DRY CREEK PARTNERS | 37-865A | 4/1/1905 | 1.03 | IRRIGATION, WILDLIFE STORAGE, AESTHETIC STORAGE, DIVERSION TO STORAGE | BIG WOOD RIVER | MGC to Sta 9 |
| DRY CREEK PARTNERS | 37-865B | 4/1/1905 | 4.57 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| JUSTICE DITCH CO | 37-1175 | 4/1/1906 | 3.34 | IRRIGATION, STOCKWATER | MALAD RIVER | Blw Sta 21 |
| JUSTICE DITCH CO | 37-4091 | 4/1/1934 | 9.1 | IRRIGATION, STOCKWATER | MALAD RIVER | Blw Sta 21 |
| BILBAO, EDWARD; BILBAO, ROSEMARIE; BILBAO, STACIE A; BILBAO, STEVEN; HANEY, CARL A | 37-367A | 4/15/1902 | 1.6 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| DRY CREEK PARTNERS | 37-580 | 4/2/1906 | 3.2 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| SABALA FARMS INC | 37-581 | 4/2/1906 | 3.2 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| TURNER, CODY R; TURNER, TORI J | 37-583 | 4/2/1906 | 3.2 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| TURNER, CODY R; TURNER, TORI J | 37-584 | 4/2/1906 | 3.2 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| CRUZ, ALFREDO; LAGUNAS, JUANA | 37-21752 | 4/20/1907 | 0.025 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| GARY L & LUCY C OSBORNE FAMILY LTD PARTNERSHIP | 37-1164G | 4/20/1907 | 0.89 | IRRIGATION | BIG WOOD RIVER | Sta 9 to Sta 21 |
| HARRIS, ALTA K; HARRIS, DALE E | 37-21750 | 4/20/1907 | 0.17 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| KOCHERT, MICHAEL M; KOCHERT, PHYLLIS K | 37-1164H | 4/20/1907 | 0.22 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| LAGUNAS, AMALIA; LAGUNAS, FRANCISCO | 37-21751 | 4/20/1907 | 0.025 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| OSBORNE, GARY L; OSBORNE, LUCY C | 37-1164D | 4/20/1907 | 0.06 | IRRIGATION | BIG WOOD RIVER | Sta 9 to Sta 21 |
| OSBORNE, GARY L; OSBORNE, LUCY C | 37-1164L | 4/20/1907 | 1.01 | IRRIGATION | BIG WOOD RIVER | Sta 9 to Sta 21 |
| HULTS, DAVID; HULTS, NICOLE | 37-22795 | 5/1/1905 | 1.2 | IRRIGATION | BIG WOOD RIVER | Sta 9 to Sta 21 |
| PALACIO, WILLIAM M | 37-174D | 5/1/1905 | 0.4 | IRRIGATION, STOCKWATER | BIG WOOD RIVER | MGC to Sta 9 |

ATTACHMENT 1

Big Wood River Water Rights with Exchange Condition

| Owner | Water Right | Priority Date | Div Rate (cfs) | Uses | Source | RiverReach |
|---|-------------|---------------|----------------|------------------------|----------------|------------------|
| PIERSON, MARGARET A; PIERSON, MARVIN E | 37-174C | 5/1/1905 | 0.12 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| PIERSON, MARGARET A; PIERSON, MARVIN E | 37-10645 | 5/1/1905 | 0.18 | IRRIGATION | BIG WOOD RIVER | MGC to Sta 9 |
| RIVER VIEW FARMS | 37-499B | 5/1/1905 | 0.3 | IRRIGATION | BIG WOOD RIVER | Sta 9 to Sta 21 |
| JUSTICE DITCH CO | 37-1160 | 5/31/1900 | 4 | IRRIGATION, STOCKWATER | MALAD RIVER | Blw Sta 21 |
| BRAUN, ENNICE; BRAUN, RONALD | 37-21658 | 8/6/1902 | 0.07 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| BRAUN, ENNICE; BRAUN, RONALD | 37-21659 | 8/6/1902 | 0.53 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| WESTENDORF, JENNIFER L; WESTENDORF, NICHOLAS K | 37-1191 | 9/2/1902 | 2.4 | IRRIGATION | BIG WOOD RIVER | Magic Res to MGC |
| M & M FARMS | 37-21279 | 11/1/1913 | 6.4 | IRRIGATION, STOCKWATER | BIG WOOD RIVER | MGC to Sta 9 |
| M & M FARMS | 37-21279 | 11/1/1913 | | IRRIGATION, STOCKWATER | BIG WOOD RIVER | Sta 9 to Sta 21 |

ATTACHMENT 1
Little Wood River Water Rights with Exchange Condition

| Owner | Water Right | Priority Date | Div Rate (cfs) | Uses | Source | River Reach |
|--|-------------|---------------|----------------|-----------------------------------|-------------------|--------------|
| CITY OF GOODING | 37-282 | 18770401 | 1 | GROUND WATER RECHARGE | LITTLE WOOD RIVER | 16 to 17 |
| CITY OF GOODING | 37-271A | 18820630 | 0.32 | GROUND WATER RECHARGE | LITTLE WOOD RIVER | 16 to 17 |
| ARKOOSH, CARRIE R; ARKOOSH, JOHN W | 37-326 | 18821101 | 0.4 | IRRIGATION | LITTLE WOOD RIVER | 14 to 16 |
| CITY OF GOODING | 37-262A | 18830222 | 3.16 | GROUND WATER RECHARGE | LITTLE WOOD RIVER | 16 to 17 |
| CITY OF GOODING | 37-709A | 18830222 | 0.74 | GROUND WATER RECHARGE | LITTLE WOOD RIVER | 16 to 17 |
| STATE OF IDAHO | 37-10839 | 18830222 | 0.66 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| GLANBIA FOODS INC | 37-177M | 18830401 | 0.14 | IRRIGATION | LITTLE WOOD RIVER | 14 to 16 |
| FLF SAWTOOTH LLC | 37-177N | 18830401 | 0.06 | IRRIGATION | LITTLE WOOD RIVER | 14 to 16 |
| KUNTZ, CALVIN D; KUNTZ, JOYCE DARLENE | 37-193A | 18830401 | 1 | IRRIGATION | LITTLE WOOD RIVER | 17X to Malad |
| CITY OF GOODING | 37-960A | 18830401 | 0.57 | GROUND WATER RECHARGE | LITTLE WOOD RIVER | 16 to 17 |
| GARZA, MELISSA; GARZA, ROMAN | 37-20847 | 18830401 | 0.04 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| HOSKOVEC, BARBARA; HOSKOVEC, STANLEY E | 37-21173 | 18830401 | 0.04 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| INFANGER, DEBRA A; INFANGER, JOHN N | 37-21649 | 18830401 | 0.2 | IRRIGATION, GROUND WATER RECHARGE | LITTLE WOOD RIVER | 17X to Malad |
| SIMPSON, CARL D | 37-21650 | 18830401 | 0.04 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| BURNETT, CHRISTA L; BURNETT, SCOTT O | 37-22832 | 18830401 | 0.08 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| RIGBY, DEVIN O; RIGBY, KRISTEN; RIGBY, MATHEW ODELL; RIGBY, RAELYN | 37-194A | 18840401 | 0.06 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| DAVENPORT, LEWIS M; DAVENPORT, NITA F | 37-194B | 18840401 | 0.24 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| MC DADE, ERNEST J; MC DADE, JOYCE A | 37-609B | 18840401 | 0.17 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| SPOONER, KATHRYN R | 37-609E | 18840401 | 2.22 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| CHAMBERS, JOHN F | 37-609F | 18840401 | 0.15 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| MAGIC VALLEY GROWERS LTD | 37-613 | 18840401 | 3.2 | IRRIGATION | LITTLE WOOD RIVER | 14 to 16 |
| GALLUP, JOHN; GALLUP, MELANIE A | 37-10933B | 18840401 | 0.045 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| DAVENPORT, LEWIS M; DAVENPORT, NITA F | 37-22177 | 18840401 | 0.025 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| BARNETT, CAROLE | 37-22178 | 18840401 | 0.05 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| ULRICH, THOMAS J | 37-23126 | 18840401 | 0.03 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| ARKOOSH, KAREN A; ARKOOSH, WILLIAM | 37-327 | 18840515 | 2.2 | IRRIGATION | LITTLE WOOD RIVER | 14 to 16 |
| GLANBIA FOODS INC | 37-374A | 18840515 | 0.56 | IRRIGATION | LITTLE WOOD RIVER | 14 to 16 |
| FLF SAWTOOTH LLC | 37-374B | 18840515 | 0.24 | IRRIGATION | LITTLE WOOD RIVER | 14 to 16 |
| ARKOOSH, CARRIE R; ARKOOSH, JOHN W | 37-460 | 18840603 | 4 | IRRIGATION | LITTLE WOOD RIVER | 14 to 16 |
| ARKOOSH, CARRIE R; ARKOOSH, JOHN W | 37-461 | 18840717 | 1.4 | IRRIGATION | LITTLE WOOD RIVER | 14 to 16 |
| ARKOOSH, CARRIE R; ARKOOSH, JOHN W | 37-328 | 18850401 | 0.6 | IRRIGATION | LITTLE WOOD RIVER | 14 to 16 |
| MAGIC VALLEY GROWERS LTD | 37-375A | 18850515 | 0.2 | IRRIGATION | LITTLE WOOD RIVER | 14 to 16 |
| CITY OF GOODING | 37-662 | 18850615 | 1.42 | GROUND WATER RECHARGE | LITTLE WOOD RIVER | 16 to 17 |
| ARKOOSH, KAREN A; ARKOOSH, WILLIAM | 37-329 | 18860515 | 2 | IRRIGATION | LITTLE WOOD RIVER | 14 to 16 |
| MAGIC VALLEY GROWERS LTD | 37-614 | 18890501 | 0.8 | IRRIGATION | LITTLE WOOD RIVER | 14 to 16 |

ATTACHMENT 1

Little Wood River Water Rights with Exchange Condition

| Owner | Water Right | Priority Date | Div Rate (cfs) | Uses | Source | River Reach |
|------------------------------------|-------------|---------------|----------------|------------|-------------------|-------------|
| ARKOOSH, KAREN A; ARKOOSH, WILLIAM | 37-176 | 18900401 | 2 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |
| ARKOOSH, CARRIE R; ARKOOSH, JOHN W | 37-1127 | 4/1/1905 | 1.6 | IRRIGATION | LITTLE WOOD RIVER | 14 to 16 |
| ARKOOSH, KAREN A; ARKOOSH, WILLIAM | 37-1131 | 8/1/1906 | 2.4 | IRRIGATION | LITTLE WOOD RIVER | 16 to 17 |