

Henman, Christina

From: GARY LEUZINGER <gbgv16a@yahoo.com>
Sent: Friday, November 24, 2023 10:34 AM
To: Henman, Christina
Subject: Application for Permit No. 75-15092
Attachments: Jesse Creek_GuidanceFinal_master.pdf

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Christina

As we discussed previously the second option (informal settlement conference) that I could attend by phone would work best for Arrowhead.

I am attaching a document that was developed by Tim Luke IDWR as a guide for the district Water Master. The District water users have huge junior water rights, that would more than utilize existing available water. The City of Salmon has water rights that in the future will utilize much more water and the City is already pumping water from the River in early Spring and late Summer. Arrowhead also is more fully utilizing senior rights because of growth within the water district.

Tim developed this document to help a Watermaster administer water rights that are some of the most complex and over appropriated in the State. Hope it helps.

Thanks

Gary Leuzinger



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

October 24, 2012

Greg Lowell
Watermaster, Water District 75-A
307 State St.
Salmon, ID 83467

Re: Water District Guidance Outline

Dear Greg,

Please find enclosed a guidance outline and attachments regarding delivery of water rights in Water District 75-A. This guidance document was put together following the issuance of partial decrees from the Snake River Basin Adjudication (SRBA) District Court subsequent to the agreement between the City of Salmon, Arrowhead Water District, and the Edwards made in December, 2011. This guidance hopefully provides a useful summary of the numerous and somewhat complex conditions found in many of the water rights. I have shared or sent previous draft versions of this document to you and the parties involved in the agreement over the past several months. The version enclosed includes some suggested revisions or clarifications from you, Arrowhead and the Edwards. I have not received any comments from the City as of this date.

Please review the enclosed document and contact me if you have any further questions or need any additional clarification or information. Since the document is for watermaster guidance or assistance purposes only, we can continue to work on any improvements that may be necessary.

Thanks for your previous reviews, interest and patience in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Luke', is written over a horizontal line.

Tim Luke
IDWR Water Compliance Bureau

c: Gary Leuzinger, Arrowhead Water District
Dale and Laura Edwards
Mickey Verbeck, City of Salmon
Jo Beeman, Attorney for City of Salmon
IDWR Eastern Region

Watermaster Guidance for Delivery of Water Rights in Water District 75-A, Jesse Creek, Pollard Canyon Creek and Chipps Creek

The Idaho Department of Water Resources ("Department" or "IDWR") provides the following guidance to the Water District 75-A ("WD75A" or "water district") watermaster for the delivery and administration of water rights in the water district pursuant to partial decrees issued by the Snake River Basin Adjudication ("SRBA") District Court and other administrative rights issued by IDWR. Key conditions contained in a number of the partial decrees are based upon a private settlement agreement between the City of Salmon ("City"), Arrowhead Water District ("AWD"), and Myrtle, Dale and Laura Edwards ("Edwards"), recorded in the Lemhi County Recorder's Office on December 1, 2011 as instrument no. 288296.

Determination of Available Flow/Maintenance of Measuring Devices

It is critical that measuring devices and head gates or controlling works be maintained at all diversions from the creeks in order to provide the fair distribution of water in accordance with the various priority water rights and water right conditions. The water district should propose and adopt resolutions at each annual water district meeting requiring maintenance of these devices. Most of the WD75A partial decrees issued by SRBA District Court include conditions requiring right holders to install and maintain measuring devices and lockable controlling works. The watermaster may notify IDWR about any diversions in the district for which measuring devices and/or controlling works have not been installed or properly maintained. IDWR can issue orders or Notices of Violation to bring diversions into compliance with water right conditions and the law.

Determination of available flow or water supply in WD75A is the sum of all diversions in the water district, including the Farmers Ditch diversion on Jesse Creek and any water flowing in Jesse Creek past the Farmers Ditch, including water seeping through the Farmers Ditch diversion dam on Jesse Creek. This directive is listed as a condition in each of the partial decrees subject to the agreement between the City, AWD and Edwards. The condition specifically states as follows:

The total flow available for diversion in Water District 75A is the sum of all water being diverted above the Farmer's Ditch, water being diverted into the Farmer's Ditch, and the quantity of water spilling and seeping past the Farmer's Ditch diversion. The Farmer's Ditch diversion is located in T21N, R21E, S1, SWNW.

Total available flow must be determined when water right regulation occurs. Minor flows and seepage past the Farmers Ditch may be estimated. It is advised that any significant flow past the Farmers Ditch during any period of regulation be measured using a current meter or other standard portable measuring device. The watermaster shall record and report the total available flow with all other diversion or delivery reports. During any period of regulation, the watermaster may request the users of the Farmers Ditch to maintain their diversion dam in order to limit the amount of water leakage or seepage through the diversion dam and structure.

City Rights and Conditions

The City has a number of rights with varying groups of conditions. The rights and condition groups are organized or summarized in Attachment A.

As shown on Attachment A, the City has four senior rights (priority dates ranging from 1867 to 1894) that are diverted from Jesse Creek only (see rights 75-17A, 75-19B, 75-114 and 75-7). There are five additional senior priority rights (75-17B, 75-10075, 75-19C, 75-26A and 75-4) that may be diverted from Jesse Creek, Pollard Canyon Creek, and Chipps Creek, but each of these rights include a condition that each right must be diverted from Jesse Creek first, then Pollard Canyon, Creek, and then Chipps Creek. These nine senior priority rights are for municipal use but are all limited to a standard irrigation season of use from 4/1 to 10/31.

The nine rights referenced above are limited to a combined total annual volume of 1,740.5 acre-feet (AF) from 4/1 to 10/31. However, no more than 970.5 AF of the 1,740.5 AF can be diverted from Pollard Canyon and Chipps Creeks under the five rights authorized from those creeks (75-17B, 75-10075, 75-19C, 75-26A and 75-4). Accrual of volume under all nine rights begins on April 1 of each year which is the first day of the authorized season of use for these rights. Recording of the City's volume accrued toward the 1,740.5 AF must be made from the meter installed on the city pipeline that comes directly from the City's diversion on Jesse Creek (meter installed on pipeline above the treatment plant ponds). The City's Jesse Creek point of diversion is also the point of re-diversion for the City's rights that can be diverted from Pollard Canyon and Chipps Creeks. Measurement of the 970.5 AF from Pollard Canyon and Chipps Creeks must be made using the weirs or installed measuring devices on the City's diversion from Pollard Canyon and Chipps Creeks. The City is responsible for maintaining measuring devices on their diversions from Pollard Canyon and Chipps Creeks.

The City owns two additional and more junior priority rights that overlap the 4/1 to 10/31 municipal season of use for the nine rights referenced above. Right 75-2167 has a 4/21/1905 priority date and municipal season of use from 1/1 to 12/31. Right 75-7563 has a 12/3/1990 priority date and two municipal seasons of use including a) 4/1/ to 10/31 for 1.01 cfs, and b) 11/1 to 3/31 for 5.00 cfs. Although these two rights have a season of use overlapping the nine senior priority rights, all eleven rights have a total maximum combined rate of diversion of 11.793 cfs from 4/1 to 10/31. This combined rate of diversion limit applies to rights 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114, 75-2167, 75-7563 & 75-10075. Note that the 11.793 combined diversion rate limit is the sum of the City's individual priority rights through April 1, 1894. Given the combined flow rate limitation of the irrigation season rights, the City can't actually divert the authorized flow rates under rights 75-2167 and 75-7563 during the irrigation season unless: a) the City's senior rights are curtailed as a result of reaching the total volume limit, and b) water is available to fill either of the two junior priority rights. Given these rather limited conditions, there may be a very limited or narrow window of time in which the City could divert rights 75-2167 and 75-7563 during the irrigation season, perhaps only late in the season when the conditions described above are met and when demand by other users is minimal. Rights 75-2167 and 75-7563 have no individual or combined water right annual volume limits.

Finally, the city owns two more junior priority rights, 75-14701 (4/12/1940 priority for 2.30 cfs) and 75-14700 (8/18/1961 priority for 0.24 cfs), that are limited to a winter municipal season of use only from 11/1 to 3/31. These two rights have no individual or combined annual volume limits or any combined rates of flow.

Right 75-2167 must be used from Jesse Creek first, then Pollard Canyon Creek and then Chipps Creek. The City cannot make a call for water from Chipps Creek under right 75-2167 from 4/1 to 10/31 if it affects delivery of water to rights 75-2162, 75-10046, 75-10047 (Edwards) and 75-14465 (AWD). Right 75-2167 would not affect these rights during the 4/1 to 10/31 irrigation season since it does not provide any additional rate of flow above the City's other senior priority rights.

The City's winter use rights 75-14701, 75-14700, and 75-7563 are junior in priority to AWD's domestic use rights from Chipps Creek and Edwards' storage right from Chipps Creek. City right 75-2167, which has a 1/1 to 12/31 season of use, is senior to Edwards's Chipps Creek storage right in the winter but use of 75-2167 from Chipps Creek during the irrigation season is effectively subordinated to Edwards's junior priority rights from Chipps Creek via the condition described above. The City may use right 75-2167 from Chipps Creek only after the water supply from Jesse and Pollard Canyon Creeks combined is not sufficient for use under the rights in priority and calling for water.

Arrowhead Water Rights and Conditions

Attachment B shows the water rights in WD75A held by AWD along with specific and important water right conditions.

Some important features of the AWD rights area as follows:

- The total maximum rate of flow that can be diverted under rights 75-22, 75-5 and 75-14465 is 6.11 cfs. Note from Attachment B that there are numerous small quantity rights that have been split from AWD's senior priority rights. The cumulative maximum rate of diversion for these three AWD rights and their splits is 6.567 cfs. The 7.00 cfs combined rate of diversion listed on right 75-14465 for rights 75-22, 75-5, 75-14465 and all future splits of these rights was intended as a maximum combined rate of flow for all the AWD rights and splits. Until such time as all of the remaining splits are assigned back to AWD, the current maximum rate of flow for AWD under all of its rights is limited to 6.567 cfs.
- AWD has two points of diversion from Chipps Creek in T21N, R21E, Section 11, SWNW. One of the diversions is dedicated to the domestic pipeline and the other to the irrigation pipeline. IDWR understands that the irrigation diversion from Chipps Creek diverts water directly to the reservoir, whereas the AWD Pollard Canyon Creek irrigation diversion does not discharge to the reservoir but goes around the reservoir to the irrigation place of use. Right no. 75-5 (4/1/1894 priority) is authorized to be diverted for irrigation use only from both Chipps and Pollard Canyon Creeks, but water under the right can only be diverted from Chipps Creek when AWD's 5/1/1985 priority right (75-14465 from Chipps Creek) is deliverable. Presumably, all or any portion of right 75-5 can be diverted from Pollard Canyon Creek to the extent it is in priority.
- AWD's right 75-22 (5/1/1889 priority; irrigation use only) may be diverted from either Chipps or Pollard Canyon Creeks, but water under this right can only be diverted from Pollard Canyon Creek when water is available to fill this right at AWD's Chipps Creek diversion.

- AWD's reservoir right is 75-14465. The reservoir may be filled up to the reservoir volume capacity of 40 AF in a single year under right 75-14465 (a 40 AF fill once per year). Water cannot be released from the reservoir when the reservoir is filling under this storage right. Note that right 75-14465 includes the standard SRBA enlargement right condition that specifies that the right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code.
- Once the reservoir is filled under AWD's right 75-14465 each year, no more than 0.75 cfs will be diverted from Chipps Creek under right 75-22 whenever there is sufficient flow available to satisfy any part of right 75-2 (Edwards 4/1/1894 priority right from Chipps Creek) and the right holder of 75-22 can satisfy its irrigation requirement with diversions from Pollard Canyon Creek under right 75-5. Once the reservoir under right 75-14465 is filled and right 75-2 is no longer in priority, right 75-22 may be exercised to the extent it is in priority.
- AWD's rights 75-22 and 75-5 allow water to be diverted through AWD's Chipps Creek irrigation diversion for irrigation of lands both above and below the reservoir. Water diverted to AWD's Chipps Creek irrigation diversion under rights 75-22 and/or 75-5 cannot be stored in the reservoir.
- AWD's domestic rights: Right 75-19G (6/1/1868 priority) is for year round domestic use (1/1 – 12/31) and limited to an annual diversion volume of 11.2 AF. Right 75-21 (5/1/1883 priority) is also for year round domestic use but limited to 38.0 AF. The total volume authorized under the two rights is 49.2 AF. Both rights include a condition that directs the watermaster to record the total volume of water diverted under right 75-19G when water is not available pursuant to right no 75-21. This condition is interpreted to mean that the watermaster will not begin the accrual of the 11.2 AF under right 75-19G until water right 75-21 is curtailed. In other words, AWD's domestic volume is accrued under its junior priority right first. The watermaster must record AWD's domestic volume use during the whole year, but will accrue volume under right 75-21 first, and only begin accrual of volume under 75-19G when 75-21 is curtailed and not fully satisfying AWD's domestic demand.

Edwards' Water Rights and Conditions

Attachment C lists the Edwards water rights. The Edwards rights are mostly junior to AWD and the City. Conditions on the Edwards rights are standard or straightforward, and lack unique features that require additional explanation or notice in this guidance document. Important information affecting the diversion of these rights is found in both the City's and AWD's rights as explained in Attachments A & B.

Other Water Rights on Jesse, Chipps and Pollard Canyon Creeks

Attachment D lists all of the other water rights on Jesse Creek, Chipps Creek and Pollard Canyon Creek. A majority of the other rights are on Jesse Creek and are diverted at the Farmer's Ditch below the City treatment plant. There are a number of senior priority rights on the Farmer's Ditch. These remaining rights on the creeks also lack any unique features that require additional explanation or notice.

In review of these water rights, IDWR has noted that the decreed point of diversion listed for rights 75-19D, 75-19H, 75-11614 and 75-14267 is incorrectly described or located. The correct point of diversion for these rights is the Farmer's Ditch. IDWR will work with the SRBA court to correct the point of diversion legal descriptions for these rights.

Attachment D, Pollard Canyon and Chipps Creeks Other Water Rights, has four rights of different senior priority dates each held by three separate owners, including Cummings, Irman and Machuga (total of 12 water rights). These rights are splits from AWD's senior priority rights. These rights are limited to irrigation use only and share the same points of diversion as AWD's irrigation rights. These rights may be delivered to the AWD Pollard Canyon and Chipps Creek irrigation diversions if called upon by the users. These rights cannot be used for storage in AWD's reservoir.

Watermaster Reporting Procedures

IDWR recommends the watermaster implement the following reporting procedures for the water district:

- Diversions should be recorded at least weekly or more frequently as needed during times of regulation. Diversions should be recorded as a rate of flow in units of cubic feet per second (cfs). Volume readings from the City municipal diversion and the AWD domestic diversion, which are measured by flow meters, should be recorded at least monthly during the irrigation season. Volume units may be recorded in gallons and converted to acre-feet.
- Diversions should be reported in a format acceptable to IDWR, using either the watermaster daily log books provided by IDWR, the IDWR water district diversion Internet application, or in a written log or electronic file format approved by IDWR.
- The watermaster shall report diversions to IDWR on a periodic basis as follows unless resolved differently by the water right holders at an annual meeting and upon approval of IDWR:
 - Period 1: April 1 to July 31
 - Period 2: August 1 to October 31
 - Period 3: November 1 to March 31

Diversion data for these reporting periods should be made available to water users upon request.

- The watermaster shall complete and submit to IDWR the annual watermaster report as required by Chapter 6, Title 42, Idaho Code.
- The water district shall complete a proposed budget prior to the annual meeting, and shall complete and submit to IDWR an adopted budget report in accordance with Chapter 6, Title 42, Idaho Code.

Attachment A:
City of Salmon Water Rights and Condition Groups

Water Rt No	Priority Date	Diversion Rate (cfs)	Cum Total (cfs)	Water Source	Water Use	Season of Use	Current Owner	Condition Group	Total Acres	Volume (AF)
75-17A	6/1/1867	1.26	1.26	JESSE CREEK	MUNICIPAL	4/1 - 10/31	CITY OF SALMON	1		
75-17B	6/1/1867	0.24	1.50	CHIPPS CREEK, JESSE CREEK, POLLARD CANYON CREEK	MUNICIPAL	4/1 - 10/31	CITY OF SALMON	4		
75-10075	6/1/1867	2.30	3.80	CHIPPS CREEK, JESSE CREEK, POLLARD CANYON CREEK	MUNICIPAL	4/1 - 10/31	CITY OF SALMON	4		403.0
75-19B	6/1/1868	0.49	4.29	JESSE CREEK	MUNICIPAL	4/1 - 10/31	CITY OF SALMON	1		
75-19C	6/1/1868	1.50	5.79	CHIPPS CREEK, JESSE CREEK, POLLARD CANYON CREEK	MUNICIPAL	4/1 - 10/31	CITY OF SALMON	4		
75-26A	5/1/1884	0.30	6.09	CHIPPS CREEK, JESSE CREEK, POLLARD CANYON CREEK	MUNICIPAL	4/1 - 10/31	CITY OF SALMON	3		52.5
75-114	4/1/1894	0.50	6.59	JESSE CREEK	MUNICIPAL	4/1 - 10/31	CITY OF SALMON	1		70.0
75-4	4/1/1894	1.20	7.79	CHIPPS CREEK, JESSE CREEK, POLLARD CANYON CREEK	MUNICIPAL	4/1 - 10/31	CITY OF SALMON	2		210.0
75-7	4/1/1894	4.00	11.79	JESSE CREEK	MUNICIPAL	4/1 - 10/31	CITY OF SALMON	1		
75-2167	4/21/1905	2.00		CHIPPS CREEK, JESSE CREEK, POLLARD CANYON CREEK	MUNICIPAL	1/1 - 12/31	CITY OF SALMON	5		
75-14701	4/12/1940	2.30		CHIPPS CREEK, JESSE CREEK, POLLARD CANYON CREEK	MUNICIPAL	11/1 - 3/31	CITY OF SALMON	6		
75-14700	8/18/1961	0.24		CHIPPS CREEK, JESSE CREEK, POLLARD CANYON CREEK	MUNICIPAL	11/1 - 3/31	CITY OF SALMON	6		
75-7563	12/3/1990	5.00		JESSE CREEK	MUNICIPAL	11/1 - 3/31	CITY OF SALMON	7		
75-7563	12/3/1990	1.01		JESSE CREEK	MUNICIPAL	4/1 - 10/31	CITY OF SALMON	7		
Condition Group 1: Source = Jesse Creek only; Combined diversion rate with other rights = 11.793 cfs; Combined volume limit with other rights = 1,740.5 AF;										
Condition Group 2: Source = Jesse Creek first, then Pollard Canyon Ck., then Chipps Ck.; Combined diversion rate with other rights = 11.793 cfs; Combined volume limit with other rights = 1,740.5 AF, with no more than 970.5 AF diverted from Chipps and Pollard Canyon Creeks; Right holder can not make call for water from Chipps or Pollard Canyon Creeks prior to August 1 if diversions under rights 75-2 & 75-5 are affected, but this condition not applicable anytime available flow in WD75A is 3.8 cfs or less.										
Condition Group 3: Source = Jesse Creek first, then Pollard Canyon Ck., then Chipps Ck.; Combined diversion rate with other rights = 11.793 cfs; Combined volume limit with other rights = 1,740.5 AF, with no more than 970.5 AF diverted from Chipps and Pollard Canyon Creeks; Right holder can not make call for water from Chipps or Pollard Canyon Creeks prior to August 1 if diversions under rights 75-2 & 75-5 are affected, but this condition is not applicable anytime available flow in WD75A is 3.8 cfs or less; Right holder can not make call for water from Chipps Creek prior to August 30 if diversions under right 75-22 are affected, but this condition is not applicable anytime available flow in WD75A is 3.8 cfs or less;										

Attachment A:
City of Salmon Water Rights and Condition Groups

Condition Group 4: Source = Jesse Creek first, then Pollard Canyon Ck., then Chipps Ck.; Combined diversion rate with other rights = 11.793 cfs; Combined volume limit with other rights = 1,740.5 AF, with no more than 970.5 AF diverted from Chipps and Pollard Canyon Creeks; Right holder can not make call for water from Chipps or Pollard Canyon Creeks prior to August 1 if diversions under rights 75-2 & 75-5 are affected, but this condition is not applicable anytime available flow in WD75A is 3.8 cfs or less; Right holder can not make call for water from Chipps Creek prior to August 30 if diversions under right 75-22 are affected, but this condition is not applicable anytime available flow in WD75A is 3.8 cfs or less; Right holder can not make call on rights 75-19G or 75-21 from 4/1 to 10/31, but this condition does not limit diversions from Jesse Creek or Pollard Canyon Creek.

Condition Group 5: Source = Jesse Creek first, then Pollard Canyon Ck., then Chipps Ck.; Season of use = 1/1 to 12/31; Combined diversion rate with other rights = 11.793 cfs; Right holder can not make call for water from Chipps Creek from 4/1 to 10/31 if diversions under rights 75-2162, 75-10046, 75-10047 (Edwards and 75-14465 (AWD) are affected; No volume limit or combined volume limit with other rights.

Condition Group 6: Season of use = 11/1 - 3/31 (winter use only); Source = Jesse Creek, Pollard Canyon Ck. & Chipps Ck. (no restriction on source since right is junior to other winter rights on Pollard Canyon and Chipps Creeks)

Condition Group 7: Source = Jesse Creek only; Two seasons of use with separate diversion rate limits: a) 11/1 - 3/31 (winter use) for 5.0 cfs, and b) 4/1 - 10/31 (irrigation season use) for 1.01 cfs;

Water rights with combined diversion rate limit of 11.793 cfs = 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114, 75-2167, 75-7563 & 75-10075

Water rights with combined diversion volume limit of 1,740.5 AF = 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114 & 75-10075

Water rights with combined diversion volume limit of 1,7450.5 AF, with no more than 970.5 AF diverted from Pollard Canyon Creek and Chipps Creek = 75-4, 75-17B, 75-19C, 75-26A, & 75-10075 (these rights must be diverted from Jesse Ck first, then Pollard Canyon Ck, then Chipps Ck, other conditions or restrictions apply - see Condition group 2, 3 and 4)

Attachment B
Arrowhead Water District (AWD) Water Rights and Conditions

Water Rt No	Priority Date	Diversion Rate (cfs)	Cum Total (cfs)	Source List	Water Use	Season of Use	Current Owner	Total Acres	Volume (AF)	Status
75-19G	6/1/1868	0.28	0.286	CHIPPS CREEK	DOMESTIC	1/1 - 12/31	ARROWHEAD WATER DISTRICT		11.2	Decreed
75-21	5/1/1883	0.09	0.379	CHIPPS CREEK	DOMESTIC	1/1 - 12/31	ARROWHEAD WATER DISTRICT		38.0	Decreed
75-22	5/1/1889	1.75	2.206	CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	287.1		Decreed
75-5	4/1/1894	4.36	6.567	CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	287.1		Decreed
75-14465	5/1/1985	6.11	6.567	CHIPPS CREEK	DIVERSION TO STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE	4/1 - 10/31 4/1 - 10/31 1/1 - 12/31	ARROWHEAD WATER DISTRICT	287.1	40.0	Decreed
75-14467	6/26/2007	0.02		CHIPPS CREEK	DOMESTIC		ARROWHEAD WATER DISTRICT			Permit
75-14491	6/15/2009	2.00		WASTE WATER	DIVERSION TO STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE	1/1 - 12/31 4/1 - 12/31 1/1 - 12/31	ARROWHEAD WATER DISTRICT	288.0	15.0	Permit

Right No.s 75-5, 75-22 and 75-14465 are limited to a total combined diversion rate of 6.11 cfs.

Water Right 75-5 can be diverted from the Chipps Creek point of diversion only when the April 1, 1985 or later priority rights are deliverable (AWD is currently the only user on Chipps Ck with a 1985 or later priority water right - see 75-14465, actual priority is 5/1/1985).

The accrual of volume for right no. 75-19G (11.2 AF) will not be recorded by the watermaster (or not begin) until water is not available under AWD right no. 75-21. When a total of 11.2 AF have been diverted under right 75-19G in a single year, no additional water may be diverted under 75-19G for the remainder of the year.

Right no. 75-22: Water under this right shall only be diverted from AWD's Pollard Canyon Ck point of diversion when water is available for diversion under this right at AWD's Chipps Creek irrigation point of diversion.

Right no. 75-14465: Capacity of the storage reservoir under this right is limited to 40 AF. The reservoir may be filled up to the total diversion volume (40 AF) in a single year. No diversions from the reservoir shall occur during the period of time the reservoir is being filled.

Rights 75-22 & 75-14465: Once the reservoir under right 75-14465 is filled each year, no more than 0.75 cfs will be diverted from Chipps Ck under right 75-22 whenever there is sufficient flow available to satisfy any part of water right 75-2 (Edwards' 4/1/1894 right) and AWD can satisfy its irrigation requirements from Pollard Canyon Ck under water right 75-5 (AWD's 4/1/1894 priority). Once the reservoir is filled and water right 75-2 is not in priority, right 75-22 may be exercised to the extent it is in priority. (In other words, once the reservoir is filled, if a portion of Edwards' 4/1/1894 priority right is deliverable, AWD must limit its irrigation diversion from Chipps Ck under 75-22 to 0.75 cfs. This condition does not limit AWD to divert any or all of right 75-22 from Pollard Canyon Ck. when it is in priority.)

Attachment B
Arrowhead Water District (AWD) Water Rights and Conditions

Water Rt No	Priority Date	Diversion Rate (cfs)	Cum Total (cfs)	Source List	Water Use	Season of Use	Current Owner	Total Acres	Volume (AF)	Status
75-14653	6/1/1868	0.0010		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	2.0		Decreed
75-14654	6/1/1868	0.0005		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	1.0		Decreed
75-14655	6/1/1868	0.0010		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	2.0		Decreed
75-14656	6/1/1868	0.0019		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	4.0		Decreed
75-14672	6/1/1868	0.0010		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	2.0		Decreed
75-14674	6/1/1868	0.0008		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	1.7		Decreed
		0.0062								
75-14658	5/1/1883	0.0005		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	2.0		Decreed
75-14659	5/1/1883	0.0002		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	1.0		Decreed
75-14660	5/1/1883	0.0005		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	2.0		Decreed
75-14661	5/1/1883	0.0010		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	4.0		Decreed
75-14676	5/1/1883	0.0005		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	2.0		Decreed
75-14678	5/1/1883	0.0004		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	1.7		Decreed
		0.0031								
75-14663	5/1/1889	0.0120		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	2.0		Decreed
75-14664	5/1/1889	0.0060		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	1.0		Decreed
75-14665	5/1/1889	0.0120		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	2.0		Decreed
75-14666	5/1/1889	0.0240		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	4.0		Decreed
75-14680	5/1/1889	0.0120		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	2.0		Decreed

Attachment B
Arrowhead Water District (AWD) Water Rights and Conditions

Water Rt No	Priority Date	Diversion Rate (cfs)	Cum Total (cfs)	Source List	Water Use	Season of Use	Current Owner	Total Acres	Volume (AF)	Status
75-14682	5/1/1889	0.0102		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	1.7		Decreed
		0.0762								
75-14648	4/1/1894	0.0307		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	2.0		Decreed
75-14649	4/1/1894	0.0153		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	1.0		Decreed
75-14650	4/1/1894	0.0307		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	2.0		Decreed
75-14651	4/1/1894	0.0614		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	4.0		Decreed
75-14668	4/1/1894	0.0307		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	2.0		Decreed
75-14670	4/1/1894	0.0261		CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	4/1 - 10/31	ARROWHEAD WATER DISTRICT	1.7		Decreed
		0.1949								

Attachment C
Edwards' Water Rights

Water Rt No	Priority Date	Diversion Rate (cfs)	Source List	Water Use	Season of Use	Current Owner	Total Acres	Acre Limit	Volume
75-2	4/1/1894	1.70	CHIPPS CREEK	IRRIGATION	4/1 - 10/31	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE	962.8	160.0	
75-11A	9/14/1914	0.09	CHIPPS CREEK	STOCKWATER	5/1 - 7/1	EDWARDS, EUGENE F; EDWARDS, VIOLA M			
75-10046	9/14/1914	4.23	CHIPPS CREEK	IRRIGATION	4/1 - 10/31	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE	962.8	320.0	
75-2162	8/31/1960	3.20	CHIPPS CREEK	IRRIGATION	4/1 - 10/31	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE	962.8	160.0	480.0
75-2035	2/24/1913	2.40	BILLY CREEK, SPRINGS	IRRIGATION	4/1 - 10/31	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE	962.8	120.0	
75-10047	4/1/1916	10.40	BILLY CREEK, CHIPPS CREEK	DIVERSION TO STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE, IRRIGATION	1/1 - 12/31 4/1 - 10/31 1/1 - 12/31 4/1 - 10/31	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE	962.8		70 (irrig storage); 140 (irrig from storage)
75-2034	2/28/1913	2.50	GORLEY CREEK	DIVERSION TO STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE, IRRIGATION	1/1 - 12/31 4/1 - 10/31 1/1 - 12/31 4/1 - 10/31	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE	791.5	410.0	50 (irrig storage); 50 (irrig from storage)
75-14254	6/1/1952	9.50	GORLEY CREEK	DIVERSION TO STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE, IRRIGATION, STOCKWATER	4/1 - 10/31 4/1 - 10/31 4/1 - 7/31 4/1 - 10/31 1/1 - 12/31	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE	791.5	798.0	50 (irrig storage); 50 (irrig from storage)
75-10051	10/1/1956	0.07	SPRINGS	STOCKWATER	1/1 - 12/31	EDWARDS, EDGAR S; EDWARDS, MYRTLE			
75-10052	4/1/1913	1.60	SPRINGS	IRRIGATION, STOCKWATER	4/1 - 10/31 1/1 - 12/31	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE	198.5		
75-10103	9/14/1914	0.20	SPRINGS	IRRIGATION, STOCKWATER	4/1 - 10/31 1/1 - 12/31	EDWARDS, DALE; EDWARDS, LAURA; EDWARDS, MYRTLE	800.0		

Attachment D
Other Rights on Jesse Creek

Water Rt No	Ditch	Priority Date	Diversion Rate (cfs)	Water Source	Water Use	Current Owner	Total Acres	Acre Limit	Volume (AF)
75-10676		6/1/1867	0.04	JESSE CREEK	DOMESTIC	THE GRACE M LYON LIMITED PARTNERSHIP			
75-19D	Farmers Ditch	6/1/1868	0.50	JESSE CREEK	IRRIGATION	BLACKADAR, LOIS	22.0		
75-19H	Farmers Ditch	6/1/1868	0.81	JESSE CREEK	IRRIGATION	BLACKADAR, ROBERT L	88.8		
75-14535	Farmers Ditch	6/1/1877	0.06	JESSE CREEK	IRRIGATION	GAVER, MARGARET W	7.0		
75-14536	Farmers Ditch	6/1/1877	0.04	JESSE CREEK	IRRIGATION	GAVER, JAMI	4.0		
75-14123	Farmers Ditch	5/1/1884	0.04	JESSE CREEK	IRRIGATION	BOESE, KENNETH; BOESE, WENDY L	6.5		
75-14124	Farmers Ditch	5/1/1884	0.13	JESSE CREEK	IRRIGATION	SKUNBERG, ILONA; SKUNBERG, LEONARD	21.0		
75-14125	Farmers Ditch	5/1/1884	0.03	JESSE CREEK	IRRIGATION	POWER, GARY D; POWER, TAMARA	5.0		
75-14533	Farmers Ditch	6/1/1888	0.19	JESSE CREEK	IRRIGATION	GAVER, MARGARET W	7.0		
75-14534	Farmers Ditch	6/1/1888	0.11	JESSE CREEK	IRRIGATION	GAVER, JAMI	4.0		
75-1A	Power/Haddock	4/1/1894	0.10	JESSE CREEK	IRRIGATION	POWER, GARY D; POWER, TAMARA	7.0		
75-1B	Power/Haddock	4/1/1894	0.10	JESSE CREEK	IRRIGATION	HADDOCK, CHERYL S; HADDOCK, STANTON	15.0	15.0	
75-113A	Farmers Ditch	4/1/1894	0.19	JESSE CREEK	IRRIGATION	BLACKADAR, LOIS	22.0		
75-113B	Farmers Ditch	4/1/1894	0.12	JESSE CREEK	IRRIGATION	BILLS, RICHARD J; BILLS, SANDRA L	14.0		
75-113C	Farmers Ditch	4/1/1894	0.25	JESSE CREEK	IRRIGATION	BLACKADAR, ROBERT L	15.0		
75-10475	Farmers Ditch	4/1/1894	1.44	JESSE CREEK	IRRIGATION	SILVER PEAK RANCH TRUST	29.7		
75-10491		12/4/1904	0.01	JESSE CREEK	DOMESTIC	TILFORD, WILMA R			
75-4443	Farmers Ditch	6/30/1906	0.01	JESSE CREEK	DOMESTIC	WALLINGFORD, KIMBERLEE ANN			
75-13A	Power/Haddock	9/14/1914	0.10	JESSE CREEK	IRRIGATION	POWER, GARY D; POWER, TAMARA	7.0		
75-13B	Power/Haddock	9/14/1914	0.10	JESSE CREEK	IRRIGATION	HADDOCK, CHERYL S; HADDOCK, STANTON	15.0	15.0	
75-14267	Farmers Ditch	7/30/1962	0.04	JESSE CREEK	DOMESTIC	PETRICK, ELMA			
75-10774		4/1/1950	0.02	JESSE CREEK	DOMESTIC	WEBB, ERNEST P; WEBB, REINA			
75-11614	Farmers Ditch	4/1/1961	0.02	JESSE CREEK	IRRIGATION	MORGAN, ELISABETH; MORGAN, STANNLEY	0.5		
75-14607		5/4/2009	0.04	JESSE CREEK	IRRIGATION	RUSCILLI, ROBERT	1.9		6.7

Attachment E
Other Rights on Pollard Canyon Creek and Chipps Creek

Water Rt No	Priority Date	Diversion Rate (cfs)	Water Source	Water Use	Current Owner	Total Acres	Acre Limit	Volume (AF)
75-14673	6/1/1868	0.0005	CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	IRMAN R GOTT & BETTY L GOTT FAMILY TRUST	1.0		
75-14689	6/1/1868	0.0200	CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	CUMMINGS, JON; CUMMINGS, NANCY	25.1		
75-14690	6/1/1868	0.0100	CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	MACHUGA, JOE; MACHUGA, SANDY	2.9		
75-14677	5/1/1883	0.0002	CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	IRMAN R GOTT & BETTY L GOTT FAMILY TRUST	1.0		
75-14691	5/1/1883	0.0100	CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	CUMMINGS, JON; CUMMINGS, NANCY	25.1		
75-14692	5/1/1883	0.0100	CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	MACHUGA, JOE; MACHUGA, SANDY	2.9		
75-14681	5/1/1889	0.0060	CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	IRMAN R GOTT & BETTY L GOTT FAMILY TRUST	1.0		
75-14693	5/1/1889	0.1600	CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	CUMMINGS, JON; CUMMINGS, NANCY	25.1		
75-14694	5/1/1889	0.2000	CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	MACHUGA, JOE; MACHUGA, SANDY	2.9		
75-14669	4/1/1894	0.0153	CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	IRMAN R GOTT & BETTY L GOTT FAMILY TRUST	1.0		
75-14687	4/1/1894	0.3900	CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	CUMMINGS, JON; CUMMINGS, NANCY	25.1		
75-14688	4/1/1894	0.0500	CHIPPS CREEK, POLLARD CANYON CREEK	IRRIGATION	MACHUGA, JOE; MACHUGA, SANDY	2.9		
75-14	4/1/1902	1.2000	POLLARD CANYON CREEK	IRRIGATION	BENEDICT, COLLEEN; BENEDICT, RALPH; PROKSCH, HALLIE H; PROKSCH, JOSEPH A	40.0		
75-14063	4/1/1913	0.0800	POLLARD CANYON CREEK	IRRIGATION	GOODMAN, JOHN; GOODMAN, SHERRI	4.0		