

1920



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
W. G. SWENDSEN, COMMISSIONER

D. W. DAVIS, GOVERNOR

~~BOISE~~ Idaho Falls, Idaho,  
August 1, 1920.

RECEIVED  
AUG 3 1920  
DEPARTMENT OF RECLAMATION

Mr. W. G. Swendsen,  
Commissioner of Reclamation,  
Boise, Idaho.

Dear Mr. Swendsen:

Inclosed herewith please find copies of the minutes of four meetings held during the past week. The minutes of the meeting at St. Anthony are copied from those presented by the secretary, Mr. Lavery, while those for the other three meetings were prepared by me from the original notes of Mr. John Lee who acted as secretary for each of the other three meetings. I believe they summarize pretty well the proceedings of each meeting but since Mr. Lee has not yet had an opportunity to review my interpretation, it is possible that he might not wish to accept them as official minutes.

You will note that there was a considerable amount of disagreement, particularly relative to the matter of temporary transfers and in the meeting held yesterday I promised to notify you of the protest against temporary transfers which was made by the canals diverting from Fall River and Henrys Fork in the vicinity of St. Anthony. I find, however, that I do not have an exact notation as to just which six canals took this view but believe them to be the Consolidated Farmers, Salem Union, Twin Groves, Farmers Friend, Fall River and Farmers Own with a possible addition of the Marysville and Harrigfeld.

In discussing this subject at several of these meetings I stated that while it was recognized that there were some disadvantages to the system of temporary transfers, it was believed that the general effects were good and that they resulted in increased crop production. Furthermore, since you had authorized temporary transfers last year as an emergency measure and such authorization has not yet to my knowledge been revoked, I propose to recognize transfers of this character at least until such time as you might see fit to change your ruling on this matter or until otherwise directed by the Court.

There has been some talk on the part of the canals protesting against these temporary transfers of seeking to obtain an injunction or otherwise preventing the continuation of this policy through Court procedure but I do not know how serious this may be. As explained to you on former occasions, I think their objections arise primarily from the fact that the two oldest water rights in the upper country are those of the St. Anthony Union and the Egin Canals, both of which irrigate land on the west side of Henrys Fork in the Egin Bench area. These two canals last year made considerable use of the privilege of temporary transfers in giving water to other canals on the west side of Henrys Fork but those diverting from Fall River and from the east side of Henrys Fork did not benefit materially. With the exception of the protesting canals, you will note that practically the entire upper valley favors the continuation of temporary transfers.

I would be glad to have you give this matter some consideration and notify me as early as possible as to whether we should continue to operate on the present basis.



D. W. DAVIS, GOVERNOR

W.G.S.

**STATE OF IDAHO**  
**DEPARTMENT OF RECLAMATION**

W. G. SWENSON, COMMISSIONER  
**BOISE**

BUREAU OF WATER RESOURCES  
WATER APPROPRIATIONS  
CAREY ACT DEVELOPMENT

--2--

You will note further that in the matter of allowing water for domestic use, public opinion as expressed at these meetings is more uniform and favors a stricter observance of the law than has been customary in this matter during preceding years. As a result of this opinion, I propose when a canal is cut off under the Snake River Decree to grant no domestic allowance hereafter except same be obtained through the purchase or rental of water or from a temporary transfer.

The only exceptions to be made at present in our plan for not delivering domestic water will be the cities of St. Anthony and Idaho Falls and since both the city authorities of Idaho Falls and the power company which furnishes water to St. Anthony have been advised concerning the situation, it is believed that they will arrange to secure a valid water right on either some temporary basis or in some permanent form at an early date.

Trusting that you may approve my action in the above matter, I am,

Sincerely yours,

*Glyde Baldwin*  
Special Deputy.

CC: John Lee  
E.C. Howard  
F. A. Banks

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MINUTES OF MEETING OF THE WATER USERS ASSOCIATION OF THE NORTH FORK OF  
SNAKE RIVER, HELD ON JULY 29, 1926, AT ST. ANTHONY, IDAHO.

John E. Pincock, Chairman.  
W. J. Lavery, Secretary.

Roll call was made of the canals represented; the North Fork of Snake River, Wall River and Tetan River and it was found that 27 canals were represented and ten not represented.

The chairman explained the reason why the meeting was called. A report was asked for about the condition of the river. Mr. Howard, the engineer, stated the names of the canals that had been shut down. N. F. Herringfield asked if it was not true that the Independent was shut out. Mr. Howard answered "Yes". He had omitted that canal as he had not his report in hand. The Chairman asked that we act on the matter of water for domestic use. Moved by Jess Baker, that we distribute domestic water to the canals and that the Committee that will be appointed use their discretion as to what canal would be entitled to such use. An amendment was offered by J. A. Jensen that if this water is granted for domestic purposes that the elder rights will contribute their share of the domestic water. An amendment to the amendment was offered by Mr. Austin that the question to be voted on provided the water users of the South Fork make a provision to do the same as the water users of the North Fork of giving not to exceed ten per cent or as much as may be required commencing from the top and cutting down. Rescinded by Harry Wright.

Moved as a substitute motion that a committee of three be appointed by this meeting to find means to grant necessary relief, wherever it is possible. One member from Egin Beach, one from the South Side and one from Marysville. On a motion taken on the resolution, 11 canals voted for and three against.

The following members of the committee were unanimously appointed: Marysville, George Herringfield; Egin, John T. Fisher; South Side, W. J. Lavery.

Moved that the committee already named be appointed to attend the water meeting at Idaho Falls on Saturday, at ten o'clock.

That it be the sense of this meeting that each canal company from their board of Directors choose one delegate to attend the meeting at Idaho Falls.

Moved that this convention repudiate and recall the action of the water users association of last year concerning the transfer of water from one canal to another. This motion was not rescinded.

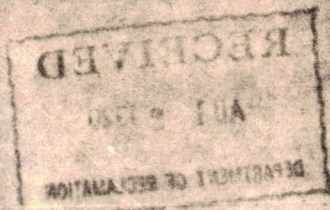
Moved by H. B. Kelly that no canal company be allowed to transfer any water whatever; that we act strictly by the law as made by the court decree.

Moved and carried that this vote be taken by roll call. One vote being taken, it was found 8 canals voted for the resolution and 4 against.

The following delegates were appointed to attend the Idaho Falls meeting from the following canals:

Squirrel Creek	Chris Herrigfeldt
Marysville	George Herrigfeldt
Farmers Own	Steve Davis
Fall River	Mr. Weiburg
Last Chance	A. B. Miller
Farmers Friend	Eric Johnson
Twin Grove	Ray Walker
Calum Union	V. J. Lavery
Egin	Hugh Davis
Independent	H. H. Hillman
Consolidated Farmers	E. J. Lavery
Yellowstone	Mr. Wilkie

Moved that we adjourn.



Idaho Falls, Idaho,  
July 31, 1929.

JOINT MEETING OF COMMITTEES FROM NORTH FORK AND SOUTH FORK AREAS

P. J. Davis elected chairman and John Lee, Secretary.

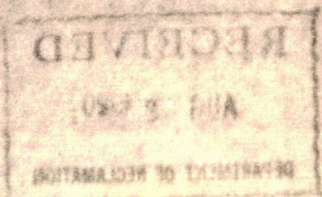
Minutes of the meeting held at St. Anthony, Idaho on July 29 and of the meeting at Idaho Falls on July 30 were received and read. Considerable discussion followed concerning the adequacy and representative character of the views expressed in the minutes of the North Fork meeting at St. Anthony. The minutes of the two meetings and the discussion which followed indicated that whereas both sections opposed the granting of water for domestic purposes whenever such water was obtainable either by purchase or transfer, the opinion of the majority of the North Fork representatives apparently was opposed to domestic water allowances under any circumstances although the South Fork representatives favored domestic allowances handled through a committee whose work was badly needed and other efforts to obtain it had failed. The views of the two sections as expressed in the minutes of their separate meetings were directly opposite, however, on the matter of granting temporary transfers of water. In this connection, the discussion indicated that whereas the South Fork canals were practically unanimous in favoring temporary transfers, the North Fork canals were not unanimous in their opposition. The Eaton canals in particular were in favor of temporary transfers and such transfers were also approved by Mr. Willson on behalf of the Eggs Bench canals.

A motion was made by Mr. Lavery to the effect that the meeting express itself as being opposed to the granting of water for domestic purposes and also to temporary transfers on both the North Fork and South Fork of Snake River. After some discussion, this motion was withdrawn on condition that Mr. Baldwin notify the Commissioner of Reclamation of the protest against temporary transfers which has been made by certain canals in the North Fork area.

Mr. Broadway, mayor of Idaho Falls, expressed opposition to any plan which contemplated cutting off the municipal water supply. He further intimated, however, that it would probably be necessary for the City to take steps to provide a water supply which would be available even during the ice water period when the present city rights are no longer valid.

Meeting adjourned.

Secretary.



MEETING OF WATER USERS' ADVISORY COMMITTEE  
Idaho Falls, Idaho, April 30, 1920.

Attended by Messrs. F. A. Banks, D. H. Blossom and J. E. Thomson,  
members of the Committee and G. Clyde Baldwin, Special Deputy State Commissioner  
of Reclamation.

Summary of Proceedings

It was decided to employ the deputy water masters, river riders, etc.  
beginning June 1, 1920 as during the season of 1919.

A letter was drafted and signed by members of the committee recommend-  
ing that money be advanced to create the Normal Flow Fund in the same manner  
and amount as during the season of 1919.

In discussion of the personnel of the 1920 distribution organization,  
it was decided to employ an additional hydrographer for work primarily in the  
lower Teton River area, this hydrographer to be given headquarters at St. Anthony,  
Idaho and paid a salary of \$175.00 per month with actual living expenses when  
absent from headquarters and the regular allowance of 10 cents per mile for the  
use of a personally owned car on official business. It was further agreed that  
all hydrographers and deputy water masters employed strictly in connection with  
the natural flow delivery to canals diverting from the north fork of Snake River  
or tributaries should be paid from Normal Flow Funds.

Mr. E. Clyde Howard, who presumably will be appointed deputy water  
master in charge of distribution to canals diverting from the north fork and  
tributaries is to be employed beginning June 1, 1920 upon an annual basis at  
a salary of \$180.00 per month with regular government leave perquisites. Mr.  
Howard's salary from October 1, 1920 to May 31, 1921 is to be paid on the  
regular percentage basis jointly by the stored and natural flow water users  
of District No. 36 except for two months of this period when his salary will  
be paid entirely by the Water Users' Protector Association of the North Fork  
of Snake River and Tributaries. It was further agreed that Mr. Howard should  
maintain a desk or office space at the St. Anthony headquarters during the  
active summer distribution period and that the expense of same including  
rental of office, telephone expense and any necessary expense incident to  
clerk hire should also be charged to the Normal Flow Funds.

In a discussion of distribution methods, it was decided that the  
stored water losses should be computed in the same manner as during the  
season of 1919. Inasmuch as the 1919 data indicated a return flow to the river  
of approximately 150 second-feet between the heading of the Parsons Canal and  
the Blackfoot gaging station on Snake River throughout the last six weeks of  
the season. It was agreed that in the 1920 deliveries instead of figuring  
the natural flow as zero at the Blackfoot station during periods when no natural  
flow should pass the lowest canal in the Idaho Falls-Blackfoot area, 150 second-  
feet should be allowed as the estimated average return flow entering the river  
between the Parsons Canal and the Blackfoot gaging station. It is recognized  
that this amount is not necessarily correct at all times but it is believed  
to represent an approximate average for the entire season.

In a discussion of allowances which should be made for domestic  
water during critical periods, a plan was tentatively approved which if followed  
would grant no allowance for domestic use except the canal desiring same present  
a written order authorizing a temporary transfer from some other canal or canals  
whose right was still valid.

Discussion of the practice of allowing temporary transfers of water followed but no action was taken inasmuch as this practice has been authorized by Mr. W. G. Swanson, State Commissioner of Reclamation and unless revealed by him or altered by court action, will perhaps still hold throughout the 1923 irrigation season.

*W. Clyde Baldwin*  
Acting Secretary.

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Idaho Falls, Idaho,  
July 30, 1930.

A special meeting of the canal companies of the Farmers Protective Irrigation Association was held.

A roll was called and it was found that 27 canals were represented.

Chairman, Farley Davis.  
Secretary, John Lee.

Upon request by the chairman, Mr. Baldwin explained that this meeting was for the purpose of determining the views of the water users diverting from the North Fork and upper main Snake River upon the subject of allowances for domestic water and also on the question of granting temporary transfers from one canal to another. He explained that in accordance with the resolution passed at the Directors' meeting held in Idaho Falls on Tuesday, July 27, a similar separate meeting of the North Fork, Fall River and Cotton canals had been held the preceding evening at which it was understood that resolutions opposing both domestic water allowances and temporary transfers were passed. Mr. Baldwin explained that about a year ago temporary transfers were authorized by the State Commissioner of Irrigation, largely as an emergency measure to facilitate the sowing of the maximum possible amount of crops and that since this authorization had not been revoked, transfers of this character would continue to be in effect pending revocation of this authorization by Mr. Swanson or some decision to the effect that such transfers are improper.

Motion by Mr. Hall, seconded by Mr. Joe Williams to the effect that the meeting go on record as opposing the granting of any natural flow to canal companies for domestic use provided stored water can be obtained for that purpose. Opposition to the motion expressed by Messrs. Kisehoff of the Goodville canal and Johnson of the Burgess Canal and Harris of the Corbett Slough. Amendment offered by Mr. Johnson as follows: "We go on record as opposing the giving of natural water for domestic use as long as there is stored water which can be routed for that purpose but when the time comes that canals which are out dry under the damper cannot rent water or get it in any other way for domestic use, we favor the granting of natural water for that purpose." Rising vote showed 18 in favor of this amendment and 14 opposed.

Motion by Mark Smith and seconded by John Kelley that a committee of five consisting of one man from each of the canals of Burdick, Jefferson, Roseville and Kingston and the president of the Farmers Protective Irrigation Association be appointed for the purpose of soliciting and distributing water for domestic purposes under conditions imposed by the amendment previously carried. Motion carried.

Motion by G. J. Gail and seconded by Elyon Severson that we go on record as favoring the temporary transfer of water from one canal to another and that the committee of five provided for in the preceding motion be empowered to solicit and distribute water for irrigation purposes, such water to be pooled and then allotted to canal companies which in their judgment are most in need of same. Motion carried.



Roll call showed the following canals represented at this meeting:

Progressive Irrigation Dist.	Dunsmuir
Farmers Friend Canal Co.	Blackfoot
Enterprise	Peoples
Harrison	Aberdeen Springfield
Redy	Garrett Slough
Burgess	Parsons
Parks & Lewisville	Riverside
Rigby	Trapp
West LaBelle	North Rigby
Long Island	Nation Slough
Butte & Market Lake	Esperanza
Idaho	Great Western
Woodville	Snake River Valley
New Lava Side	

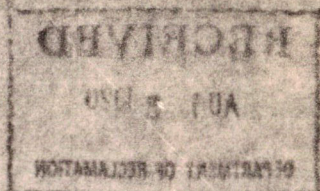
Motion by Mr. Jordan and seconded by Mr. J. D. Jensen that the directors of the Farmers Protective Irrigation Association act as a committee to meet with the committee from the North Post at Idaho Falls on Saturday, July 31 to present the action taken at today's meeting. Motion carried.

Business of five minutes taken for the purpose of selecting members of the distribution committee. Meeting re-suspended and the following committee members announced:

P. J. Davis, President Farmers Protective Irrigation Association.  
T. H. Burrows, member from Bonneville County.  
Hyrus Severson, member from Jefferson County.  
John M. Kelley, member from Blaine County.  
John Blackburn, member from Madison County.

Meeting adjourned.

Secretary.



RECORD

MINUTES OF SPECIAL MEETING HELD AT THE CURE HOUSE, IDAHO FALLS, IDAHO

at 10 a.m., July 27, 1936.

DEPARTMENT OF RECLAMATION

PRESENT: Directors of the Water Users Protector Association of the North Fork of Snake River and Tributaries, Directors of the Farmers Protective Irrigation Association, members of the Water Users Advisory Committee for District No. 86 and others.

Mr. John Pincock was elected chairman and Mr. John Lee, secretary of the meeting.

Mr. Baldwin outlined the purpose of the meeting, stating that in view of the rapid decrease in the natural flow of Snake River which has occurred throughout the past ten days, it will only be a short time until a number of canals would be cut dry under strict interpretation of the law. He further explained that although no legal authority existed for the granting of domestic allowances, public opinion as evidenced by expressions on the part of water users during preceding years appeared to sanction the granting of such allowances whenever same were badly needed. Under the system which was followed during 1935, however, where these domestic allowances were taken from the natural flow of the river, the resultant depletion necessitated cutting off additional canals from the use of water for irrigation purposes and hence, worked a distinct hardship in certain cases, particularly during the latter part of the season when the flow in the river was at a very low and more uniform stage. Mr. Baldwin also explained that the granting of domestic allowances also involved the cities of Idaho Falls and St. Anthony as in both of these cases the deeded water rights were not of sufficiently early date to remain valid throughout the season.

Mr. Banks stated that during the present season something over 50,000 acre-feet of storage was available at Jackson Lake for sale or rent for this season only.

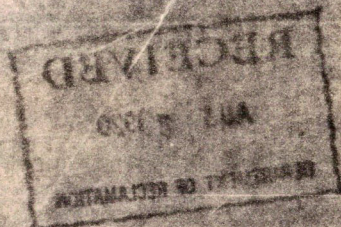
Discussion followed on both the questions of granting domestic water allowances and also the practice of allowing temporary transfers. Mr. Lavery Lavery and others representing six canals diverting from the North Fork and Fall River who attended the meeting under the impression that it was a general user meeting of interested water users expressed themselves as being opposed both to the granting of domestic water and also to temporary transfers. After much discussion, Mr. Lavery noted that no domestic water be given to canals not entitled to it under strict observance of deeded rights and that cities also be cut off in accordance with their priority rights. Mr. Lavery further desired to secure a vote on this motion by roll call of the different canals in the upper valley. The chairman ruled that action out of order on the ground that since Mr. Lavery was a director of neither water users association and furthermore, that he was not a member of the Water Users Advisory Committee, he was not officially included in the call for the meeting; hence, in justice to the water users on other canal systems not represented, he was not entitled to a voice in the meeting.

It then appearing that some difference of opinion on these questions was probable, on motion by Mr. Banks, it was decided to convene separate meetings of the North Fork Water Users and of those in the South Fork area prior to Saturday, July 31 and that representatives should be selected at each

of these separate meetings to meet again in joint session on Saturday, July 28, at Idaho Falls.

The meeting then adjourned.

Secretary.



Idaho Falls, Idaho.

March 1, 1920.

A preliminary meeting was held at the Court House on the above date before the Annual Election for Water Master for District 36.

The meeting was called to order by Clyde Baldwin and on motion John E. Pincock of Sugar City, was selected as chairman and John Lee of Idaho Falls Route # 5, was selected Secretary.

Mr. Baldwin stated that the following questions should be discussed at the meetings:

Who should be entitled to vote at the election of water master for District 36. A credential committee should be selected. Compensation of the water master for the year of 1920.

A committee to be selected as an advisory board.

John E. Pincock stated that he with others had been authorized to vote the stock of the Canal Co's on the North Work.

Motion by John W. Hart and second by Martin Garn, that the Chair appoint a committee of 5 men as a credential committee. Motion carried.

J. D. Jensen, Peter Taylor, J. C. Whelan, William Sauer and John M. Kelley were appointed by the Chair.

Motion by John W. Hart and second by W. D. Smith, that we adjourn for 10 minutes to supply credentials to the committee. Carried.

Meeting adjourned.

Mr. Baldwin stated that every Canal Co is assessed according to the amount of water they use during the entire irrigation season. Said there was no money available to pay the water master and river riggers until fall.

The committee in the Spring of 1919 thought the State would set aside a revolving fund to be used for the expenses of running the water during the year and then they could be reimbursed by the Canal Co's. Last year the Protective Association on the North Fork advanced \$1,800.00, the Protective Association on the South Fork advanced \$3,600. The North and South side Twin Falls tracts advanced \$5,000.00, in all \$10,400.00 to pay the expense during the season of 1919.

Mr. Baldwin was made treasurer of this fund under bond and he paid the bills as they came due.

The expense was greater last year because of the fact that the season was nearly twice as long and the water available for assessment less than in previous years.

John Empey stated that his expenses ~~making~~ for car, gas, Hotel bill, etc. amounted to more than \$5.00 per day.

It was stated that the Hydrographers received 10 cents per mile for the use of personally owned cars. Moved by John W. Hart and seconded by P. J. Davis that the salary of the State Water Master be fixed at \$7.00 per day and he be allowed \$5.00 per day for expenses, the same arrangement as was made in 1919. Carried.

Motion by J. R. Thompson and second by John W. Hart, that a committee of three men be selected as an advisory committee for District 36, they to give advice when asked as to how District 36 shall be run, how to finance the running of it and other questions that may come up before them, these men to be selected by each District, and the districts to be divided as follows: North Fork, South Fork and North and South Side Twin Falls. Carried.

Motion by John W. Hart and second by Orin Lee, that we take a recess of 15 minutes so that each District can get together and select their man and present him at the meeting. Carried.

Barry Dibble stated that the stored interests would cooperate with the natural interests in the making of investigations to determine if there were any mistakes made in the way the water had been divided in the past, and that the stored interests would pay their portion of the expense for such an investigation.

The following men were selected as the Advisory Committee:

J. R. Thompson, North Fork District.  
D. H. Blossom, South Fork District.  
F. A. Banks, Twin Falls District.

The Credentials Committee report was read as follows:

We your committee on Credentials beg to submit:

That the Protective Associations of the North Fork and South Fork of Snake river be allowed the privilege of voting all the stock, belonging to those associations, that is not represented by their own delegates

That in the case of canals that do not belong to a central organization, we allow any stock holder, whether he be an officer or not to vote the stock of his canal company.

That in case two or more members are present, from any canal, central organization, or protective association, they select one man to vote their stock.

Committee on Credentials.

J. G. Wheelon,  
Peter Taylor.  
Wm. Sauer.  
John B. Kelley.  
J. D. Jensen.

The report of the credentials committee was adopted.

On motion, meeting adjourned until 2 o'clock PM.

Meeting reconvened at 2 o'clock P.M.

The minutes of the forenoon session were read.

Motion by Wm. Sauer and second by O. S. Lee, that we accept the minutes as read except the motion fixing the salary of the State Water Master. Carried.

Moved by John W. Hart and second by Hiram Severson, that we reconsider the question of the salary to be paid the State Water Master.

Mr. Lavery offered a substitute motion to the above motion and it was second by P. J. Davis, that the salary of the State Water Master be fixed at \$7.00 per day and that he be allowed \$5.00 per day for his expenses. Carried.

Motion by P. J. Davis and second by Martin Garn, that John Empey be nominated for the position of water master for District 36. Carried.

Motion by P. J. Davis and second by Orin Lee, that we suspend the rules and that the secretary be instructed to cast the entire vote for John Empey. Carried.

The secretary cast the vote and John Empey was declared elected.

Motion by John W. Hart and second by Orin Lee, that the Farmers Protective Irrigation Association be empowered to employ a competent Engineer to make any investigations that they decide necessary. Carried.

On motion, meeting adjourned.

John C. Cameron  
Chairman.  
John W. Hart  
Secretary.