



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

May 19, 1999

KARL J. DREHER
DIRECTOR

Mr. Dan Smith, Watermaster
Water District 74-W
Box 22
Leadore, ID. 83464

Dear Mr. Smith:

Enclosed is an August 27, 1990, letter from Glen Saxton to Lloyd Clark. As you can see, it addresses an informal exchange of Warm Springs Creek and Texas Creek by James Whittaker.

In the fourth paragraph (highlighted) is the suggestion that the water users will need to adopt a resolution to allow this to continue. If no resolution is in place then there should be no exchange.

I would ask you to follow up so that one option or the other is in place for 1999.

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::dn

enc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mall, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 27, 1990

Lloyd Clark
Box 8
Leadore, ID 83467

RE: WATER DISTRICT 74-W, TEXAS CREEK

Dear Mr. Clark:

I have reviewed your letter dated August 3, 1990 which you sent in response to my letter of July 27, 1990.

On August 15, 1990, personnel from our Idaho Falls office conducted some measurements and field work on Warm Springs Creek associated with whether water remaining in the creek below the James Whittaker diversion would reach Texas Creek. The conditions which existed at the time the field work was done showed that the 0.96 cfs of water remaining in Warm Springs Creek, below the Whittaker diversion would reach Texas Creek since Warm Springs Creek gains water in its lower reach.

In order to minimize channel losses in Warm Springs Creek and to make efficient use of the available water in the Creek, the department will allow the available water in Warm Springs Creek to be diverted at the Whittaker diversion provided the watermaster credits Texas Creek with water in excess of Whittaker's right. This crediting can be accomplished by shorting one of Whittaker's Texas Creek rights by the amount of Warm Springs Creek water which would reach Texas Creek. This arrangement will provide the same amount of water in Texas Creek to be distributed to those entitled to its use.

The department will continue to supervise and assist the watermaster in the distribution of water in the system. We appreciate your extensive knowledge of the system and plan to be responsive to concerns which you may raise in the future. The watersuers may want to adopt some resolutions at the next water district meeting to document "exchanges" such as this one.

Please feel free to contact our office in Idaho Falls with water distribution questions which may arise.

Sincerely,

A handwritten signature in cursive script that reads "L. Glen Saxton".

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - E. Region
Danni Smith