

65-B



State of Idaho
DEPARTMENT OF WATER RESOURCES

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CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 26, 1994

TO: ATTACHED DISTRIBUTION LIST

RE: WATER DISTRICT NO. 65-B FIELD MEETING

Dear Interested Party:

We had a productive field meeting yesterday to discuss management methods for the Porter Creek Water District. To those of you able to attend, your efforts and interest are certainly appreciated.

The issue of "courtesy water", subsequently replaced by Watermaster delivery of adjudication expansion claims of the no. 1 right for minor uses, is now a closed issue. As we discussed, these uses can no longer be allowed during the time of year when the Watermaster is called on duty to deliver water.

Two alternatives to allow these minor uses exist. One, a new water right application can be filed. This might result in a new permit that would be usable only when an adequate water supply is available, typically during peak runoff periods. As you can imagine, this option does not provide a realistic solution during most, if not all, of a typical summer.

The other option involves changing an existing senior right. This is the Application for Transfer route that we discussed. The idea is that irrigation of minor acreage under an existing senior right would be curtailed and the water moved to acreage previously using "courtesy water". As you can see, something must be given up on the senior land to allow this to occur. Also, the Department is obligated to verify the extent of beneficial use within the past five years of the senior right prior to approval of the transfer. It is possible that part of a senior right can be found to be forfeited via lack of beneficial use within the past five years in a transfer application process. A transfer is the more practical method to meet the minor use needs. Please contact this office if you need assistance in filing any applications.

In order to use minor amounts of water along the no. 1 Double Diamond ditch via the transfer procedure, the no. 1 right must be in use for a small amount of water to travel from the creek to the place of use in question. Even under an approved transfer, the minor flow cannot be delivered to the ditch unless the no. 1 right was being delivered because the minor flow by itself would not reach the homes along the ditch.

Water District No. 65-B

May 26, 1994

Page 2

Two other items were clarified in the course of the meeting. In the past few years a practice has evolved by request of the water users whereby a standing call for water existed. This meant that the Watermaster could deliver water in order of priority any time water was available even if an individual user did not directly contact the Watermaster. It appears that this situation has led to unexpected problems when water was delivered and a user was not fully prepared to use the water.

To avoid this unintentional problem, the district will now revert to the normal practice used in most water districts. Each time that a water user wants water to be delivered, the user must contact the Watermaster. There will no longer be a standing call for water. By this method you will be assured that your diversion will not be supplied with water when you do not want it or cannot use it for whatever reason (maintenance problems, harvesting, etc.). Please remember that users should also contact the Watermaster when water use is no longer desired for a period of time. Water will then be available for the next right in priority order.

The second other item concerns a measuring device to be placed in Porter Creek to assist the Watermaster with water deliveries. This was previously suggested by George Dovel. Neither the water district nor the Department are obligated to install such a device. The district could decide to do this and pay for the work. The Department does not have the funds to undertake this step. To his credit, Mr. Dovel suggested yesterday that he might be able to fund the installation of a weir at or near the diversion point shared by him and Double Diamond. If he wants to pursue this at his expense, this office certainly encourages such a step and requests that he coordinate any activity with the Watermaster and the Department.

I hope that the meeting was useful for you. Anything that we can do to improve communication in the district cannot hurt and probably will help improve the operations of your water district. The idea behind a water district is to create a structure in which problems are handled locally by water users working with the Watermaster and the Advisory Committee. The Department will provide help as needed beyond that, keeping in mind that your own efforts to resolve problems are the key to success.

Sincerely,



Steve Lester
Water Rights Supervisor

c: Dave Tuthill, IDWR Western Regional Manager
enclosure: Distribution List