

**OTHER DOCUMENTS
EXIST ON MICROFILM IN THE VAULT**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 12, 1992

Mitchell D. Sorensen
Committee of BLRPA
Route 1, Box 63C-1
Moore, ID 83255

Dear Mr. Sorensen:

I appreciate your letters of February 6 and 7 regarding the WORKING PLAN DRAFT dated January 6, 1992 from the BLRPA and the summary of the proposed Bylaws for BLRPA. I believe the DRAFT provides a nucleus from which a successful mitigation plan can be put in place. It would be premature for me to comment on your Bylaws until a mitigation plan is more fully developed.

As you are aware, since the DRAFT was submitted we have released the Proposed Director's Report for the Big Lost River Basin. The Proposed Report provides the framework within which we see the mitigation plan operating. Preparation of the Proposed Report required the Department to clearly state its goal for conjunctive administration of surface and ground water in the Big Lost River basin.

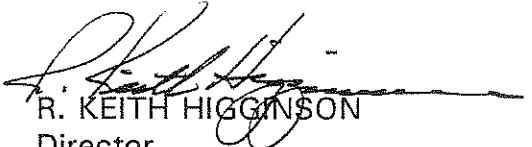
Having clarified the framework, the Department is now preparing a work schedule to develop and implement a mitigation plan. The work schedule is being developed around the DRAFT submitted by BLRPA and will, undoubtedly, seek additional assistance from BLRPA. Our work schedule will be completed in the next week to ten days.

The question of whether a mitigation plan, when implemented, will be the exclusive plan is still an open issue. I want to encourage the efforts of BLRPA and to that end David Shaw has made arrangements to attend your meeting on February 15, but the mitigation plan development has not yet progressed to the point of being able to address the issue of whether or not it will be the exclusive plan.

Mitchell D. Sorensen -- page 2 -- February 12, 1992

I appreciate the efforts of BLRPA and your personal efforts and commitment to preparing this plan. I apologize for not responding sooner and will make certain to keep you better informed of the Department's progress as we work toward implementing a mitigation plan.

Yours truly,


R. KEITH HIGGINSON
Director

Big Lost River Irrigation District

P. O. Box 205
MACKAY, ID 83251

January 22, 1992

RECEIVED
JAN 27 1992

Department of Water Resources

Mr. R. Keith Higginson
Director
Idaho Dept. Water Resources
Statehouse mail
Boise, Id. 83720

Dear Mr. Higginson:

Enclosed for you is a copy of the "Short history of Lost River Valley". We hope that you will find it interesting and enlightening.

Yours truly,

Rita M. Lundy
Assistant Secretary-treasurer

A SHORT HISTORY ON THE LOST RIVER VALLEY
THE MACKAY RESERVOIR-DROUGHTS AND FLOODS

IN THE EARLY 1900'S THERE WAS SO MUCH SNOW AND RUN-OFF(291,000 ACRE FEET) THAT A MAN NAMED W.R.THOMAS WAS CONVINCED THERE WAS SUFFICIENT QUANTITY TO IRRIGATE ALL THOSE LANDS EAST AND WEST OF ARCO .HE MADE APPLICATION WITH THE STATE OF IDAHO UNDER THE CAREY ACT TO CONSTRUCT THE MACKAY RESERVOIR ASSURING ALL CONCERNED THAT THE STORING OF THE WINTER RUN-OFF IN THE RESERVOIR AND THE SURPLUS RUN-OFF WOULD BE AN ADEQUATE WATER SUPPLY AND WOULD NOT DEPRIVE THE VALLEY SETTLERS OF THEIR WATER RIGHTS.

HISTORY TELLS US THAT HIS FILINGS ON THIS LAND AND HIS GRANDIOSE PLAN FAILED TOTALLY.THERE WERE SO MANY LAW SUITS BY CONCERNED RESIDENTS OF LOST RIVER VALLEY WHO FEARED FOR THEIR SAFETY,IN THE EVENT OF A DAM FAILURE, THAT THE OWNERS OF THE RESERVOIR PROJECT WERE NOT ABLE TO COMPLETE THE STRUCTURE.IT FINALLY WAS SOLD AT A SHERIFF'S SALE IN 1914 TO THE UTAH CONSTRUCTION CO.WHO OBTAINED AUTHORITY FROM THE STATE TO COMPLETE THE PROJECT PROVIDING THE EAST CAREY ACT LANDS WERE NOT DEVELOPED.THIS PROJECT WAS SUBSEQUENTLY COMPLETED IN 1917 AND READY TO DELIVER WATER TO THE CAREY ACT SETTLERS. THE UTAH CONSTRUCTION COMPANY WAS TO DELIVER THE DECREED RIGHTS TO THE SETTLERS ALONG THE RIVER AND THE MACKAY RESERVOIR WATER AND SURPLUS WATER TO THE ERA FLATS LANDS.BY THE EARLY TWENTIES ,WITH THE DROUGHT STILL PLAGUING THE VALLEY THE SETTLERS ALONG THE RIVER WERE BUILDING UP RESENTMENTS THAT THOSE LANDS OUT OF THE DISTRICT WERE RECEIVING STORAGE AND SURPLUS WATER WHILE THE LANDS OF THE PEOPLE IN THE DISTRICT WERE DRYING UP.

MANY STUDIES AND REPORTS WERE SUBMITTED AT THIS TIME TRYING TO SAVE A PART OF THE LARGE LOSSES TO THE UNDERGROUND FLOW.

THERE WAS A COMPREHENSIVE REPORT BY THE WATER COMMISSIONER OF THE BIG LOST RIVER LYNN CRANDALL AND GEOLOGIST HAROLD T. STEARNS ENTITLED "GEOLOGY AND GROUND WATER RESOURCES OF THE SNAKE RIVER BASIN" AND A REPORT ENTITLED "BIG LOST RIVER INVESTIGATIONS, IDAHO." BY ONE OF THE FOREMOST ENGINEERS WITH THE BUREAU OF RECLAMATION IN THE UNITED STATES, MR. E. B. DEBLER.

SIMULTANEOUSLY THE SERVICES OF W. G. SLOAN, CIVIL ENGINEER, WERE OBTAINED AND HE SUBMITTED "REPORT ON THE REHABILITATION OF THE BIG LOST RIVER". THIS REPORT COVERED HIS INVESTIGATIONS AND THE COSTS OF PROPOSED CONSTRUCTION WHICH WOULD INCREASE THE WATER SUPPLY BY REDUCING THE LOSSES TO THE UNDERGROUND.

THE "SUB" OF THE VALLEY HAD DRIED UP AND PEOPLE FELT IT WAS DUE TO THE RESERVOIR DELIVERIES TO THE SETTLERS IN ERA-FLATS. THIS LED TO A COURT ACTION BY THE UTAH CONSTRUCTION CO. VS. ABBOTT ET AL (THE PEOPLE OF THE VALLEY). THIS SUBSEQUENTLY WAS THE COURT ORDER ADJUDICATION OF THE DECREES OF THE WHOLE VALLEY IN 1923.

IN 1925 THE MACKAY RESERVOIR HAD TO BE DRAINED DUE TO A MALFUNCTION OF ONE OF THE GATES. LYNN CRANDALL, THE COMMISSIONER OF BIG LOST RIVER, OPTED TO LET ALL THE WATER GO DOWN THE ARCO CANAL INSTEAD OF DIVIDING IT FOR THE ERA FLATS (CAREY ACT) SETTLERS AT THE BLAINE DIVERSION. HIS REPORT FROM THAT TIME STATES AS FOLLOWS:

"WATER FOR THE CANALS IN THE VICINITY OF ARCO WAS CARRIED DOWN THE RIVER CHANNEL BETWEEN THE MOORE AND ARCO DIVERSIONS, INSTEAD OF CARRYING THE STORAGE WATER DOWN THE BLAINE CANAL. AT FIRST THERE WERE HEAVY LOSSES, ON ACCOUNT OF THE DEPLETED WATER TABLE IN THAT SECTION RESULTING FROM THE PREVIOUS DRY YEARS, BUT EXPERIENCE ON THE STREAM AMPLY DEMONSTRATED THE FACT THAT MATERIAL AND CONSIDERABLE BENEFIT RESULTS FROM THE MAINTENANCE OF A HIGH WATER TABLE IN THIS SECTION OF THE RIVER, NOT ONLY TO LANDS THAT ARE THUS "SUB-IRRIGATED", BUT ALSO TO THE HOLDERS OF NATURAL FLOW RIGHTS AROUND ARCO WHO RECEIVE A LARGE AMOUNT OF WATER FROM THE DRAIN OFF OF THIS WATER TABLE LATE IN THE SUMMER THAT THEY WOULD NOT OTHERWISE OBTAIN, IT THUS FOLLOWS THAT IT IS A FAIR AND PROPER PROCEDURE TO CARRY THE WATER THROUGH THIS SECTION OF RIVER CHANNEL, SO THAT THE LOSSES THAT THUS OCCUR

MAY BUILD UP THE WATER TABLE IN YEARS OF AVERAGE OR BETTER THAN AVERAGE RUN-OFF.

IN YEARS OF EXTREME SHORTAGE HOWEVER, WHEN THE AVAILABLE RUN-OFF WOULD BE ENTIRELY INSUFFICIENT TO BUILD UP THE WATER TABLE, IT IS MORE PRACTICAL TO CARRY THE WATER THROUGH THE BLAINE CANAL WITH AS LITTLE LOSS AS POSSIBLE."

1931 WAS ANOTHER DROUGHT YEAR WITH THE RUN OFF BEING THE LOWEST EVER RECORDED WITH A TOTAL RUN OFF OF ONLY 120,496 AF.

IN JULY 1931, UNDER THE AUTHORIZATION OF THE BIG LOST RIVER RECLAMATION ASSOCIATION, FUNDS WERE COLLECTED BY SUBSCRIPTION FROM DECREED WATER USERS AND THE UTAH CONSTRUCTION CO., TO CONSTRUCT A BY-PASS CANAL AROUND A PORTION OF THE RIVER CHANNEL KNOWN AS "THE DARLINGTON SINKS". THIS WORK WAS COMPLETED THE LATTER PART OF JULY AND WATER TURNED THRU THE NEW BY-PASS.

ON THE FIRST OF AUGUST, SAVINGS WERE MADE CUTTING THE PREVIOUS LOSSES SIXTY TO SEVENTY PERCENT

THIS CANAL PROJECT HAD BEEN RECOMMENDED BY THE BOARD OF ENGINEERS. THE DEPLETION OF GROUND WATER OVER A PERIOD OF THE PREVIOUS 5 YEARS CAUSED A GREATER THAN AVERAGE CARRIAGE LOSS IN THE DELIVERY OF WATER IN THE CANALS WITH THE YEAR 1932 HAVING A LOSS OF 71,846 AF AS COMPARED TO 29,460 AF IN THE YEAR FOLLOWING A GOOD YEAR. AN EXCERPT FROM LYNN CRANDALL, THE WATER COMMISSIONER OF THE BIG LOST RIVER FOLLOWS:

"NO WATER WAS DELIVERED FROM RIVER CHANNEL BELOW MOORE DAM, THE RIVER BEING DRY BELOW THIS POINT DURING THE IRRIGATION SEASON. THE DECREED USERS IN THE VICINITY OF ARCO RECEIVED NO IRRIGATION WATER DURING THE YEAR, EXCEPT THROUGH THE COURTESY OF THE UTAH CONSTRUCTION CO.. WHO FURNISHED ENOUGH OF THEIR WATER, SUPPLEMENTED BY A SMALL AMOUNT OF DECREED WATER RUN THROUGH THE BLAINE CANAL (UC) TO KEEP TREES AND LAWNS FROM DYING."

THE GOVERNOR CAME FOR THE LARGEST MEETING EVER HELD TO DISCUSS THE WATER SHORTAGE THAT WAS BEING MADE WORSE BY THE STORAGE WATER GOING OUT TO CAREY ACT LANDS THAT WAS NOW CALLED "ERA FLATS" .

OVER 500 PEOPLE ASSEMBLED IN MOORE TO ADVISE THE GOVERNOR OF THE SHORTAGE AND THE WATER GOING OUT AND LEAVING THE

VALLEY.AT THAT TIME GOVERNOR ROSS SAID HE WAS THERE TO LISTEN AND PROMISED ACTION.

THE SETTLERS CHARGED THAT STORAGE RIGHTS HAD BEEN GIVEN TO THE UTAH CONSTRUCTION COMPANY FOR ERA FLATS SETTLERS UNDER MISREPRESENTATION OF FACTS.THEY HAD BEEN ASSURED THAT THIS WATER, WHICH RIGHTFULLY BELONGED TO THE SETTLERS ALONG THE RIVER,WOULD NOT DEPRIVE THEM OF THE SURPLUS WATERS.HOWEVER THE "SUB" WAS DRYING UP AND SURPLUS WATER WAS NO LONGER AVAILABLE TO THEM FOR IRRIGATION. W.M.PHILLIPPI OF BIG LOST RIVER IRRIGATION DISTRICT STATED HE AGREED WITH THE PEOPLE AND WOULD DO EVERYTHING IN HIS POWER TO ASSIST THE GROUP TO SOLVE THE PROBLEMS.

THE GROUP WAS DIVIDED INTO SEVERAL CAMPS-SOME WANTED TO PURCHASE THE RESERVOIR WHEREAS OTHERS WANTED TO FIGHT IT OUT IN COURT. THE PEOPLE WORKING WITH GOVERNOR BEN ROSS,ATTORNEY GEO. AMBROSE AND OTHERS, WERE ATTEMPTING TO PURCHASE THE MACKAY RESERVOIR. THE NEGOTIATIONS WERE FRUSTRATING AS THE UTAH CONSTRUCTION COMPANY FELT IT HAD TO HAVE A PRICE OF \$ 2 MILLION.

AFTER MANY STUDIES OF THE WATER SHORTAGE , COMMITTEES WERE FORMED TO CONSIDER THIS PURCHASE OF THE MACKAY RESERVOIR.

THE IDAHO LEGISLATURE HAD PASSED A BILL IN 1931 ALONG WITH THE FEDERAL CONGRESS TO ALLOW BIG LOST RIVER RECLAMATION ASSOCIATION TO PURCHASE THE CAREY ACT PROJECT (MACKAY RESERVOIR).

THE DROUGHT WAS STILL PLAGUING THE VALLEY WITH VERY LITTLE STORAGE AND HARDLY ENOUGH NATURAL FLOW RIGHTS. THE SETTLERS ALONG THE RIVER WERE HIGHLY FRUSTRATED.THEY WERE WILLING NOW AND ABLE TO BUY THE PROJECT BUT THE PRICE WAS PROHIBITIVE.MATTERS WERE TAKEN TO A CLIMAX IN 1933 WHEN FRUSTRATED PERSONS,STILL UNKNOWN, DYNAMITED THE RESERVOIR TOWER AND THE BLAINE DIVERSION.THAT DECISIVE ACTION CAUSED THE UTAH CONSTRUCTION COMPANY TO REDUCE THE PRICE OF THE RESERVOIR FROM TWO MILLION TO \$258,000.THE SALE TO THE BIG LOST RIVER IRRIGATION DISTRICT (IN 1936)OF THE MACKAY RESERVOIR MEANT BONDING THE PEOPLE FOR THE NEXT 20 YEARS,AT A TIME WHEN THE COUNTRY WAS IN ITS VERY WORST DEPRESSION.

AN INSPECTION BY THE COMMISSIONER OF THE UNITED STATES DEPT. OF THE INTERIOR ALONG WITH THE CHIEF ENGINEERS APPROVED OF THE

ENGINEERING FEASIBILITY OF THE PLAN TO PURCHASE THE CAREY ACT PROJECT AND KEEP THE WATER IN THE VALLEY PROPER. THE PLAN ALSO CALLED FOR BY-PASS CANALS TO CARRY THE RIVER FLOW AROUND THE MOST IMPORTANT SINKS AND THE UNIFICATION OF DITCHES, WHICH WOULD AUGMENT THE WATER SUPPLY BY SAVING WATER WHICH WAS THEN LOST TO THE UNDERGROUND.

ON APRIL 1ST, 1935 A "PLAN OF OPERATIONS" MEETING WAS HELD ACCORDING TO THE PROVISIONS OF IDAHO CODE 42-401 THIS GENERAL PLAN OF OPERATIONS WAS REQUIRED PURSUANT TO THE APPLICATION FOR THE LOAN. IN THAT PLAN OF OPERATIONS IT STATED "IT IS PLANNED THAT BY THIS DISTRICT HAVING THE PROPERTY AND CONTROL OF THE STORED SURPLUS WATER, WHICH WILL BE USED TO FURNISH A SUPPLEMENTAL WATER SUPPLY TO THOSE LANDS IN THE BIG LOST RIVER IRRIGATION DISTRICT AND NOW HAVING AN INSUFFICIENT WATER SUPPLY, AND THE EMPLOYMENT OF A ROTATION SYSTEM OF WATER FOR IRRIGATION PURPOSES, AND THE STORAGE OF THE NATURAL FLOW RIGHTS PRIVATELY OWNED, AT DIFFERENT TIMES IN THE SAID MACKAY DAM, THE BIG LOST RIVER IRRIGATION DISTRICT WILL BE ENABLED TO SAVE AND CONSERVE LARGE AMOUNTS OF WATER AND MAKE A SUCCESSFUL PROJECT OUT OF ONE THAT HAS HERETOFORE BEEN SHORT OF WATER".

THE "PROPOSED PLAN OF OPERATIONS AND BENEFITS" AS RECOMMENDED BY J. RAY WEBER, ENGINEER FOR THE BIG LOST RIVER IRRIGATION DISTRICT WAS SUBMITTED TO THE SIXTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CUSTER. THE JUDGMENT AND DECREE ISSUED BY JUDGE GUY STEVENS ON JANUARY 25TH, 1936 ACCEPTED THE PLAN AS FOLLOWS:

"1) TO RETIRE FROM PRESENT PRODUCTION THOSE LANDS NOW HELD BY THE UTAH CONSTRUCTION COMPANY AND WHICH ARE FULLY DESCRIBED IN SCHEDULE "A", EXHIBIT "A" OF THE APPLICATION ABOVE REFERRED TO AND SITUATED ON CAREY ACT PROJECT TRACTS BELOW ARCO, BUTTE COUNTY, IDAHO AND COMPRISING OF APPROXIMATELY 6064.74 ACRES, AND TO SO DISPOSE OF THEM AS THE BOARD OF DIRECTORS OF THE BIG LOST RIVER IRRIGATION DISTRICT MAY DETERMINE.

2. TO RETIRE FROM PRESENT PRODUCTION OR DISPOSE OF, AS THE BOARD OF

DIRECTORS OF THE BIG LOST RIVER IRRIGATION DISTRICT MAY DETERMINE, THOSE LANDS PRIVATELY OWNED AND LYING WITHIN THE SAID CAREY ACT PROJECT OF THE UTAH CONSTRUCTION COMPANY, COMPRISING 1564.83 ACRES, AND FULLY DESCRIBED IN SCHEDULE B, EXHIBIT A OF THE SAID LOAN APPLICATION.

3. TO ABANDON ALL CANALS AND DISTRIBUTING SYSTEMS NOW IN USE, OR HERETOFORE IN USE BY THE UTAH CONSTRUCTION COMPANY BELOW THAT POINT ON THE BLAINE CANAL KNOWN AS THE BIFURCATION WORKS, AND WHICH WERE USED TO SERVE THE LANDS DESCRIBED ABOVE IN PARAGRAPHS 1 AND 2, EXCEPTING SUCH PART OF THE LOWER BLAINE CANAL AND THE ARCO CANAL WHICH WILL BE NECESSARY TO USE IN SERVING THE WATER USERS WITHIN THE DISTRICT UNDER THIS PLAN IN THE VICINITY OF ARCO.

4. TO HOLD THE MAIN BLAINE CANAL AND THE LOWER BLAINE CANAL IN RESERVE FOR FUTURE SERVICE AS MAY BE REQUIRED IN TIMES OF HIGH RUN OFF TO SERVE MORE EFFICIENTLY LANDS IN THE WEST SIDE OF BIG LOST RIVER VALLEY IN THE VICINITY OF MOORE AND THOSE BEING SERVED FROM THE ARCO CANAL AND ITS TRIBUTARIES IN THE VICINITY OF ARCO.

ALSO TO ACT AS A SUPPLEMENTARY CARRIER TO THE REGULAR SYSTEM IN USE DURING SUCH TIMES AS OCCASION MAY REQUIRE. ALSO TO USE THE SAID BLAINE CANAL AS A COLLECTOR OF FLOOD WATER ISSUING FROM THE ANTELOPE CREEK VALLEY AND TO DIVERT THE SAME TO THE MOORE WEST SIDE CANAL SYSTEM FOR MORE EFFICIENT APPLICATION TO LANDS ADJACENT TO MOORE.

5. TO MAINTAIN AND TO USE THE BLAINE DIVERSION DAM, AT THE HEAD OF THE BLAINE CANAL, AS NOW CONSTRUCTED, IN SUCH A MANNER AS REQUIREMENTS MAY DEMAND FOR THE PROPER CONTROL OF ALL WATER PASSING THAT POINT.

6. TO MAINTAIN AND TO OPERATE THE MACKAY RESERVOIR, THE DAM AND ALL CONTROL WORKS IN CONNECTION THEREWITH FOR THE STORAGE OF WINTER FLOW WATERS AND EXCESS FLOOD WATERS BEYOND THE REQUIREMENTS

OF THE PRESENT DECREED USERS IN THE SAID DISTRICT BELOW THAT POINT, AND TO EXERCISE IN CONNECTION THEREWITH ALL THE RIGHTS AND PRIVILEGES WHICH ARE SET FORTH IN THE DESCRIPTION OF RIGHTS AND HOLDINGS BEING ACQUIRED FROM THE UTAH CONSTRUCTION CO.

7. TO APPLY THE SAID STORED WATER, FLOOD WATER AND NATURAL FLOW RIGHTS ON THE BIG LOST RIVER AND ITS TRIBUTARIES, WHICH MAY BE

ACQUIRED FROM THE UTAH CONSTRUCTION COMPANY, AND THE PRIVATE RIGHTS TO BE PURCHASED, TO SUCH LANDS NOW OWNED BY THE LANDOWNERS WITHIN THE DISTRICT IN A MANNER AND ON SUCH TERMS AS MAY BE DETERMINED BY ACTION OF THE BOARD OF DIRECTORS OF THE BIG LOST RIVER IRRIGATION DISTRICT.

THE BENEFITS

1) WATER STORED IN THE MACKAY RESERVOIR WOULD BE MADE AVAILABLE FOR EQUITABLE DISTRIBUTION AMONG THE LANDOWNERS IN THE DISTRICT. STORED WATERS DELIVERED TO THE UTAH CONSTRUCTION CO. PROPERTY IN THE CAREY ACT PROJECT IN THE AMOUNT OF 29,163 ACRE FEET ANNUALLY (TEN YEAR AVERAGE PRIOR TO 1935) WOULD BE AVAILABLE TO DISTRICT LANDS. BY ABANDONMENT OF THE LANDS IN THE CAREY ACT PROJECT AND APPLYING THE WATER TO THE LAND WITHIN THE DISTRICT, EXISTING WATER RIGHTS WOULD BE SUBSTANTIALLY AUGMENTED AND LARGE QUANTITIES OF WATER SAVED THAT WOULD OTHERWISE BE LOST IN TRANSMISSION.

2) SUCH APPLICATION OF STORED WATER WITHIN THE DISTRICT ABOVE THE SECTION NORTH AND WEST OF LESLIE WOULD BE EXPECTED TO DO DOUBLE DUTY TO A LARGE EXTENT BECAUSE A MATERIAL AMOUNT OF RETURN FLOW WOULD BE COLLECTED AND AGAIN MADE AVAILABLE FOR USE BELOW LESLIE.

3) THE OPERATION OF THE MACKAY RESERVOIR UNDER CONTROL OF THE DISTRICT WOULD PROVIDE A DEFINITE CONTROL AND REGULATION OF THE ENTIRE FLOW OF THE RIVER AT ALL TIMES, MAKING IT POSSIBLE TO PREVENT EXCESSIVE LOSS THROUGH UNCONTROLLED DISSIPATION OF FLOOD WATER BELOW THAT POINT, AND WOULD PROVIDE FOR MORE EFFICIENT DELIVERY AND UNIFORM CONTROL OF DELIVERY TO THE VARIOUS CANALS SUPPLYING THE LANDS WITHIN THE DISTRICT.

4) THE USE AND CONTROL OF THE RESERVOIR AND OTHER CONSTRUCTION WORKS WOULD MAKE POSSIBLE AN EFFICIENT SYSTEM OF ROTATION AMONG THE WATER USERS AND INCREASE THE DUTY AND CONSERVATION OF WATER.

(IT WAS FURTHER SET FORTH THAT NOTHING IN THE APPLICATION SHOULD BE CONSTRUED TO PREVENT THE STORAGE IN SAID RESERVOIR, WHENEVER THE SAME MAY BE LAWFULLY DONE, OF DECREED WATER BELONGING TO ANY INDIVIDUAL LANDOWNER OF THE DISTRICT AND SUBSEQUENT DISTRIBUTION TO SUCH LANDOWNER FOR HIS USE, WITH SUCH REASONABLE DEDUCTION FOR

LOSSES AS MAY HEREAFTER BE FIXED BY THE RULES AND REGULATIONS OF THE DISTRICT.)

5) THE OPERATION AND CONTROL OF ALL IRRIGATION WORKS AND RIGHTS BEING ACQUIRED FROM THE UTAH CONSTRUCTION COMPANY AND THE PRIVATE WATER RIGHTS TO BE PURCHASED, WHEN USED IN CONJUNCTION WITH THE EXISTING SYSTEM NOW OWNED BY LANDOWNERS WITHIN THE DISTRICT WOULD PROVIDE FOR A CONCENTRATED APPLICATION OF ALL AVAILABLE WATER FROM BIG LOST RIVER AND PRINCIPAL TRIBUTARIES WITHIN THE DISTRICT, WITH AN ANTICIPATED RESULT THAT THE UNDERGROUND WATER TABLE WOULD GRADUALLY BE BUILT UP THROUGH SUCH OPERATION, ACRUING MATERIAL BENEFITS TO DECREED WATERS WITHIN THE DISTRICT."

IN 1938 THE FOLLOWING WAS REPORTED BY THE WATERMASTER:

"THE ANNUAL SNOW SURVEY OF THE WATERSHED OF THE BIG LOST RIVER WAS NOT MADE AS USUAL ON APRIL 1ST, DUE TO EXTREME WEATHER CONDITIONS. ALL ROADS WERE CLOSED TO TRAVEL EXCEPT BY SKIS BECAUSE OF HEAVY SNOW. THE RUNOFF WAS ESTIMATED AT 300,000 ACRE FEET, HOWEVER THE ACTUAL RUN-OFF WAS 299,683 ACRE FEET WHICH WAS THE 3RD LARGEST RUN-OFF FOR THE PAST 34 YEARS DURING WHICH TIME RECORDS HAVE BEEN KEPT AND NEARLY DOUBLE FOR THE YEARS 1928 TO 1938. THE RECORDED PRECIPITATION WAS TWICE THE AVERAGE AT 16.39".

THE MACKAY RESERVOIR FILLED TO ITS CAPACITY AND IT WAS A TIME OF GREAT REJOICING. WATER WAS TURNED IN TO ALL CANALS AND DITCHES AND OVERFLOWED IN MANY OLD CHANNELS WHICH HAD BEEN DRY FOR YEARS. WATER OVERFLOWED INTO THE EAST AND WEST CHANNELS OF THE BIG LOST RIVER BELOW THE BLAINE HEADING, AND THE LESLIE BY-PASS WAS ALSO USED AS A CARRIER UNTIL AUGUST 1ST, WHEN ALL WATER THEN WAS TURNED INTO THE EAST CHANNEL. THE EAST SIDE CANAL FROM MOORE DAM TO ARCO WAS ALSO USED, NOT ONLY TO CARRY WATER TO ARCO, BUT TO SPILL WATER INTO THE OLD DRY BEDS BETWEEN THE MOORE DAM AND JAMES LANE TO ASSIST IN FILLING THE DRY UNDERGROUND."

THE YEAR OF 1939 WAS A STARK COMPARISON TO THE ABUNDANT WATER OF 1938. WHEREAS 1938 HAD A HIGH AT THE HOWELL GAGE OF 2970 CFS, THE YEAR OF 1939 BROUGHT ONLY A HIGH OF 840 CFS. THE RUN-OFF WAS ONLY

51% OF THE PREVIOUS YEAR. AN AVERAGE RUN OFF FOR THE 35 YEARS OF RECORD KEEPING WAS 212,051 ACRES FEET BUT FROM 1928 TO 1939 THE RUN OFF WAS AN AVERAGE OF ONLY 162,114 ACRE FEET WITH 9.66" OF PRECIP.

BUT IN 1939 THIS PRECIP WAS RECORDED AS 5.76 " .THIS WAS THE LOWEST RECORDED PRECIP EXCEPT FOR THE YEARS 1924 (3.94"PRECIP) AND 1937 AT (4.87" PRECIP).THE LEVEL OF THE RESERVOIR FOR FULL AT THAT TIME(1937) 38,405AF THE WATER WENT OVER THE SPILLWAY FOR THE FIRST TIME SINCE 1925 .

AT THIS TIME THE BURNETT DITCH WAS TURNED OVER TO THE BLRID,AS WELL AS THE SHARP,HARRIS/VAUGHT/SWAUGER AND SUTTER,A RIGHT OF WAY WAS PURCHASED FOR \$30.00 FOR THE BECK DITCH HEADING.

PROBLEMS WERE ARISING WITH MR. ZOLLINGER ABOUT USING THE LANDS AT THE RESERVOIR BACK WATERS FOR PASTURE AND PROBLEMS WITH MR. CLARK FOR THE SEEPAGE ON HIS HOMESTEADED LAND AT THE BASE OF MACKAY DAM.

FARMERS WERE UPSET AT THE ASSESSMENTS BECAUSE THEY ALSO HAD TO PAY FOR THE BONDED INDEBTEDNESS ON THE PURCHASE OF THE RESERVOIR. A DECISION WAS MADE AT THIS TIME TO SELL THE ERA FLATS LAND TO REDUCE EXPENSES.FORTY ACRES WAS SOLD TO W.H.JONES FOR \$400.00. MR.A.R.BABCOCK AGREED TO LOAN THE BLRID \$3500.TO BE REPAID AT 6% INTEREST AT \$500 PER PAYMENT THROUGH 7/1/1944 BECAUSE THE BLRID COULD ONLY BORROW \$3500 FROM THE BANK.THIS WAS TO PAY OFF THE UTAH CONSTRUCTION COMPANY ON A DEBT OF 11,219.50.(THEY HAD NEGOTIATED TO PAY A REDUCED AMOUNT OF ONLY \$7000).

THE CREW WAS ALSO WORKING ON THE RIVER CHANNEL AT CHILLY IN JUNE OF 1940.THIS WORK WAS COMPLETED 11/13/1940 AND ALL WATERUSERS WERE INVITED TO ATTEND THE INSPECTION .AT THAT TIME THE BLRID WAS SO PLEASED WITH THE WORK ACCOMPLISHED THAT THERE WAS TALK OF COOPERATING WITH THE WATER USERS ABOVE THE MACKAY DAM IN EVERY WAY POSSIBLE,EVEN CONSIDERING SPONSORING THE INSTALLATION OF HEADGATES ABOVE THE DAM ON THE SEVERAL DITCHES AND CANALS.THE INSPECTION ALSO INCLUDED THE CONSTRUCTION WORKS ON THE DARLINGTON WHERE CONSIDERABLE WORK HAD ALSO BEEN DONE ON THE RIVER CHANNEL.

THERE WAS A MEETING OF OVER 200 PEOPLE REPRESENTING THE ENTIRE

VALLEY; A VOTE WAS TAKEN AND IT WAS ALMOST UNANIMOUSLY AGREED THAT THE WATER USERS WOULD DO ALL THE MAINTENANCE ON THE CANALS IN THE BLRID AND THE BLRID WOULD INSTALL ALL THE HEADGATES, WEIRS AND CHECKS..

BY 1942 MR. CLARK RELINQUISHED HIS HOMESTEAD APPLICATION ON THE LANDS AT THE BASE OF THE MACKAY DAM AND THE BIG LOST RIVER IRRIGATION DISTRICT MADE A NEW APPLICATION FOR THE LAND. THEY ALSO PURCHASED 40 ACRES FOR \$400 FROM MR. CLARK FOR OTHER PRIVATELY OWNED LANDS AT THE BASE OF THE MACKAY DAM.

A UNIQUE THING THAT WAS DONE IN THE YEARS 1943/44/45 WAS TO END THE IRRIGATION SEASON EARLIER-AS EARLY AS SEPTEMBER 24TH TO GET THE RUN OFF TO FILL THE RESERVOIR AS MUCH AS POSSIBLE, THEN TO RELEASE THIS EXCESS WATER STARTING IN THE WINTER MONTHS, STILL BEING SURE THE RESERVOIR WOULD FILL BY MAY 1ST.

WATERMASTER J.H. PEARSON IN HIS 1943 REPORT SAID:

"THE RESULTS OF SURVEYS FOR THE LAST 8 YEARS WERE 75% AND 55% FOR 1943. THE PROSPECTS FOR THE SEASON ARE NOT TOO BRIGHT AT THIS TIME, HOWEVER THE MACKAY RESERVOIR FILLED EARLY IN THE WINTER (37,000 AF DECEMBER 9TH) AND WATER WAS RELEASED THROUGH THE CONTROL GATES AND DISSIPATED WHERE EVER POSSIBLE THROUGHOUT THE VALLEY, WHICH WAS A VERY MATERIAL HELP IN FEEDING AND KEEPING THE UNDERGROUND WATER TABLE AT A HIGH LEVEL WHERE THE RETURN FLOW LATER IN THE SEASON WOULD HELP TO OFF-SET THE SHORTAGE OF THE SNOW FALL ON THE WATER SHED"

IN 1946 THE FLOW AT HOWELL'S GAGE REACHED 1580 ON APRIL 25TH AND WHEN THE IRRIGATION SEASON OPENED ON MAY 1ST THE THE RIVER WAS ADMINISTERED AS ONE CONTINUOUS STREAM WITH DECREES ON FOR ABOVE THE RESERVOIR AND BELOW THE RESERVOIR UNTIL JULY 20TH.

BY 1947 THE PRECIPITATION WAS ONLY 5.75", THE LOWEST ON RECORD SINCE 1937 WHEN IT WAS 4.87" THE FLOW AT THE HOWELL GAGING STATION REACHED 750 CFS ON MAY 17TH AND CONNECTED AS A SURFACE FLOW OVER

THE CHILLY SINKS ON THE 19TH. AT THIS TIME THE RIGHTS WERE CUT TO 1884 IN THE CHILLY BARTON SECTIONS, THIS BEING THE PRIORITIES THAT WERE BEING FILLED BY THE NATURAL FLOW OF THE RIVER IN THE SECTION BELOW THE MACKAY RESERVOIR.

ON APRIL 2ND, 1947 THERE WAS A MEETING OF THE ADVISORY BOARD FOR THE PURPOSE OF DISCUSSING WAYS AND MEANS OF HAVING HEADGATES AND WEIRS INSTALLED WHERE THERE WERE NONE, AND THE ONES REPAIRED WHERE NECESSARY SO AS TO BETTER CONTROL THE WATERS OF THE RIVER. A COMMITTEE FROM THE GRANGE AND THE FARM BUREAU ALONG WITH MR. ROY THOMPSON OF THE BUREAU OF RECLAMATION WERE PRESENT. "THE MOST URGENT NEED AT THIS TIME, FOR GATES, BEING IN THAT SECTION OF THE RIVER ABOVE THE MACKAY RESERVOIR."

A MEETING WAS CALLED AND HELD AT THE BARTON SCHOOL HOUSE ON THE 5TH OF APRIL WITH NEARLY ALL THE USERS THERE OR REPRESENTED. AT THIS MEETING A COMMITTEE OF FIVE, CONSISTING OF JOHN MCKELVEY, GEORGE MILLER, FRANK LEAVITT, LOU BITTON AND CHARLES HOWELL WERE APPOINTED TO SEE THAT GATES WERE INSTALLED. GATES WERE INSTALLED ON WARM SPRINGS CREEK BUT NONE ON THE RIVER.

IN 1949 A SPECIAL FUND WAS APPROVED AT THE ANNUAL WATERMASTERS MEETING TO INSTALL HEAD GATES AT THE POINTS OF DIVERSION OF ANY CANALS WHERE USERS HAD FAILED TO INSTALL THEM WITH THE COST TO BE SHARED PRO-RATA TO USERS IN SAID CANALS. THE HEADGATE AND SPILLWAY WAS INSTALLED AT THE HEAD OF THE CHILLY CANAL IN 1950.

THE DROUGHT CONTINUED INTO 1950 WITH DECREES ABOVE THE RESERVOIR CONTINUING UNTIL EARLY JULY WHEN THE RIVER DROPPED BACK TO 300 CFS. BY 1951 THE SNOW PACK WAS HIGH ENOUGH THAT THE RESERVOIR WAS FULL SO NO DECREES WERE CUT IN THE CHILLY BARTON AREA. WITH GOOD RAIN THE SEASON ENDED WITH 29,350 AF IN STORAGE ON OCTOBER 15TH.

HEAVY STORMS IN 1954 BROKE THE DROUGHT AND THE HEAVY MELTING SNOW WASHED OUT THE WILD HORSE AND THE KENT BRIDGE WITH HOWELL GAGE CRESTING AT 3,980 CFS. HOWEVER THE FOLLOWING YEAR OF 1955 WAS ONE OF THE LOWEST WATER YEARS WITH HOWELL GAGE STATION REACHING A PEAK AT 1740 CFS.

BY THE 19TH OF SEPTEMBER THE RESERVOIR WAS DOWN TO 393 ACRE FEET. 1956 HAD SUCH AN EXTREMELY HIGH RUN-OFF THAT THE RUN-OFF WASHED

OUT THE HERB BROWN HEADGATE IN KENT DITCH AND THE HEADGATES IN BOTH CLARK DITCHES, THE JOHNSON-DONAHUE DITCH, THE HEADGATE IN THE KIMBALL WARREN DITCH AND HEADGATE IN THE PENCE PARKER DITCH. ALSO ABOUT WRECKED THE IMPROVED CHANNEL OF THE RIVER FROM THE DIVERSION POINT OF THE BACK CHANNEL TO ABOUT A MILE BELOW. WASHED OUT FOUR DROPS AND LEVELED THE RIVER BANKS IN SEVERAL PLACES, CAUSING DAMAGE TO THE IMPROVED CHANNEL OF MANY DOLLARS. THE BACK CHANNEL, BELOW THE LOWER OUTLET FROM THE RIVER, WAS BADLY DAMAGED BY GRAVEL FILLS AND TREES LODGED IN THE CHANNEL. THE MAIN RIVER WASHED BADLY BUT NOT TOO MUCH DAMAGE WAS DONE.

IN 1957 THE BIG LOST RIVER IRRIGATION DISTRICT DECIDED TO INSTALL A 5 FOOT CREST ON THE EXISTING SPILLWAY TO BE ABLE TO STORE MORE WATER IN THE MACKAY RESERVOIR. THE DEPT. OF WATER RESOURCES OBJECTED TO THIS METHOD AND WISHED TO SEE TANTIER GATES INSTALLED. COURT ACTION FOLLOWED AND THE COURTS UPHELD THE DECISION OF BIG LOST RIVER IRRIGATION DISTRICT TO INSTALL WHAT IS NOW CALLED "THE OGEE PLUG". EXTRA STORAGE WATER WAS NOW AVAILABLE DUE TO THE FIVE FOOT CREST IN THE SPILLWAY. HOWEVER THE PEOPLE BELOW THE MACKAY RESERVOIR WERE CONCERNED FOR THEIR SAFETY AND GOVERNOR SMYLLIE AND TWO ENGINEERS, MR. HOWARD PRESTON AND MR. SPECK WERE SENT TO MAKE AN INSPECTION. AFTER CAREFUL CHECKING THEY STATED THERE WAS NO CAUSE FOR ALARM.

BY MAY OF 1959 THERE WAS DISCUSSION OF SETTLING THE LAW SUIT WITH MR. ZOLLINGER OVER THE USE OF SOME OF HIS PROPERTY FOR THE EXTRA STORAGE CAUSED BY THE 5 FOOT CREST. THROUGH THIS COURT ACTION AN EASEMENT TO ELEVATION 6700 FT. WAS OBTAINED.

ABOUT THE SAME TIME THERE WAS A LAWSUIT AGAINST THE BIG LOST RIVER IRRIGATION BY WATER USERS ABOVE THE MACKAY RESERVOIR. THE IRRIGATION DISTRICT CREW HAD WORKED ON THE RIVER CHANNEL TRYING TO REPAIR SOME OF THE DAMAGE THAT HAD BEEN DONE ON THE RIVER BY THE PREVIOUS YEARS FLOODING.

BIG LOST RIVER IRRIGATION DISTRICT WAS ALSO TRYING TO REDUCE THE RIVER LOSSES CAUSED BY THE SINKS. THIS LAWSUIT RENDERED IN FAVOR OF THE WATER USERS SINCE THE IRRIGATION DISTRICT HAD NOT OBTAINED THE AUTHORITY TO PERFORM SUCH SERVICE.

GOOD WATER CONTINUED THROUGH 1957,1958,BUT IT WAS A DROUGHT AGAIN FOR THE YEARS 1959,1960,1961,1962.IT WAS ABOUT THIS TIME THAT THE UNITED STATES GOVERNMENT ASSISTED THE VALLEY FARMERS WITH THE CAPITAL TO INSTALL GROUNDWATER PUMPS TO SUPPLEMENT THE SURFACE RIGHTS.

1963 AND 1964 WERE BETTER WATER YEARS WITH HOWELL GAGING STATION REACHING A PEAK OF 1940 CFS IN 1964.

1965 WAS ONE OF THE BIGGEST WATER YEARS ON RECORDS IN LOST RIVER VALLEY HISTORY WITH A RUN-OFF OF 388,452 ACRE FEET .THERE WAS A GREAT DEAL OF DESTRUCTION AND THE CORPS OF ENGRS. WERE ASKED TO COME IN AND HELP WITH SOME OF THE CLEAN UP OF THE RIVER.

IN 1969 THERE WAS EARLY PRECIPITATION AND ALL RIGHTS WERE ON FOR THE ENTIRE SEASON.

THE YEARS 1970,1971,1972,1973 WERE ONCE AGAIN BELOW AVERAGE YEARS.

1974 SHOWED AN ACTUAL 282,380 ACRE FEET GIVING THE VALLEY FARMERS AN EXCELLENT YEAR.THERE WAS SOME DAMAGE TO THE RIVER AND THE CORPS OF ENGINEERS CAME IN AND HELPED OUT.

BACK TO BELOW AVERAGE AGAIN IN 1976 WITH DROUGHT CONDITIONS VERY SEVERE IN 1977.

BY 1978 THE SNOW PACK HAD INCREASED AND A MODERATE WATER YEAR BROUGHT A HIGH RIVER AT HOWELL'S GAGE OF 2200 CFS.THIS CONTINUED THROUGH THE YEARS 1978,79,80,81.BY 1982 THERE WAS AN AVERAGE AMOUNT OF WATER FOR CROPS.

IN 1985 THERE WAS A FLASH FLOOD IN WILDHORSE THAT WIPED OUT THE WILDHORSE BRIDGE .WHEREAS IT NORMALLY TAKES 24 HOURS FOR BIG LOST RIVER TO ENTER THE RESERVOIR FROM THE HEADWATERS,IT ONLY TOOK 4 HOURS WITH THE GAGE AT HOWELL UNOFFICIALLY AT 4300 CSF.

DUE TO THE EARTHQUAKE OF 10/28/1983 THE RECORDED FLOW IN 1984 WAS 369,800 ACRE FEET,173% OF THE 20 YEAR AVERAGE..

IN MAY OF 1986 THERE WERE 10 UNSEASONAL VERY HOT DAYS AND 61,000

ACRE FEET OF THE WATER IN WATER SHED MELTED ALL AT ONCE CAUSING DAMAGE TO THE LESLIE BRIDGE BUT IT WAS A DROUGHT BY JULY WITH VERY LITTLE NATURAL FLOW, ONLY THE STORAGE WATER IN THE RESERVOIR MADE COMPLETION OF CROPS POSSIBLE.

THE YEARS 1987, 1988, 1989, 1990, 1991 HAVE BEEN DROUGHT YEARS WITH MORE THAN 300 DOMESTIC AND IRRIGATION WELLS DRILLING DEEPER. MANY OF THE TREES IN THE ARCO AREA HAVE DIED, THE SUB (WATER) HAS NOT BEEN SEEN FOR MANY YEARS.

THE SIXTH DISTRICT COURT IN 1936 RECOGNIZED THAT THE ECONOMY OF THE LOWER VALLEY WAS DEPENDENT ON A SYSTEM OF WATER RIGHT ROTATION AND PUMPING WITHIN THE BIG LOST RIVER IRRIGATION DISTRICT THEN AND IT CONTINUES TO HOLD TRUE TODAY.

THE ROTATION OF DECREED AND STORAGE WATER HAS BEEN THE ONE THING THAT HAS ENABLED THE DISTRICT FARMERS IN THE LOWER VALLEY TO HAVE SUFFICIENT WATER TO AT LEAST PRODUCE SOME KIND OF CROP IN EVEN A DROUGHT YEAR.

THE STORAGE WATER, PUMP WATER AND NATURAL FLOW MUST REMAIN IN THE IRRIGATION DISTRICT IN ORDER TO HAVE SUFFICIENT WATER AND HAVE ANY KIND OF PROSPERITY.

Compiled from the records of the Big Lost River Irrigation District, the records of the Watermaster's, the ASCS snow Forecast, Court records.



Assistant Secretary-treasurer

Rita M. Lundy

BIG LOST RIVER IRRIGATION DISTRICT