

TRIP REPORT

DATE: October 27, 2004

PREPARED BY: S. C. Burrell

LOCATION: Water Allocations, State Office

TRAVELED TO: Croy Creek, west of Hailey

DISTRIBUTION: Water district file

DATE(S) OF TRAVEL: 10/07/2004

PERSONS CONTACTED: Kevin Lakey (WD 37 watermaster)

PURPOSE OF TRIP: Tour Croy Creek POD's to inventory headgate/r

Met Kevin Lakey at 8:30 a.m. in Hailey. We met representatives of the Concern (Concern). These people included Greg and Lee Ann Feiler, the ditch rider. The Concern sent a letter asking for administration by

There are six water rights with a 06/01/1880 priority on Croy/Elk Creek. Diversion rates range from 1.6 cfs (Faulkner Land & Livestock) to 37-208A, is farthest upstream and irrigates 80 acres. Water for 37-208A flows through a ditch to a storage pond, and then pumped to two half-pivots on Croy Creek were splits and sold as property rights with subdivisions. The divisions visited on this trip are shown on Figure 1.

The Concern reps said the pond and pivots were constructed late in the 1980s since, the Concern reps say they haven't been able to receive water off the creek downstream. The Concern reps say that Faulkner diverts the whole creek into the pond, because the low flows in the creek wouldn't make it downstream. The Concern reps think that there would be sufficient water for them if Faulkner diverted the creek on a continuous basis to his pond. The day of my visit, the pond and pump were not running, so water was allowed to flow downstream from the check dam below Faulkner's pond. The Concern reps said that Faulkner had just recently ceased irrigating his

It was discussed that Faulkner may be irrigating some BLM property. Also, one of the pivot wheels crosses through the creek instead of over it, which is normally used as pivot crossings over water courses. It is also in question whether the pivots served by the pivots correspond to the claimed acreages in the 37-208A

We then visited two of the POD's downstream with 06/01/1880 water rights. No water was in Croy Creek at these POD's. None of these POD's have locking headgates or measuring devices. Diversions for most of these POD's are screened, 6" plastic pipes that are routed to splitter boxes (see Figure 4). Submerged orifices may be the best solution for measuring devices for these systems. Kevin Lakey is familiar with a company that makes these.

The owners of the two POD's we visited downstream of the Faulkner POD raise horses and had resorted to irrigating their pastures with domestic supplies this summer

10-28

a few

thanks, nice job
on field visit

& summary. Gary said
Glen has went ahead w/

revising your order - mostly
format & minor revisions.

I don't need to review

letter. Please work
w/ Debbie on making the
order, preparing a cover
letter etc.

you may want to file this
in WD 37 file if not done
already. That
Tim

The farthest downstream right is an 1883 right belonging to McAtee. He apparently used Big Wood water this summer for his hay crops because of the lack of water in Croy Creek. He pumps water from Croy Creek, and has no measuring devices. The remaining lower Croy Creek users also have no measuring devices, or locking headgates, per statements from the Concern reps. The most upstream user is the Red Elephant Ranch with an 1881 priority. This POD consists of a concrete check structure that backs up water for a pump intake, and has no measuring device (see Figure 5).

The Concern reps desire regulation under water district 37 to stop Faulkner from using all Croy Creek water and to proportion available water in Croy Creek among the right holders with the same priority.

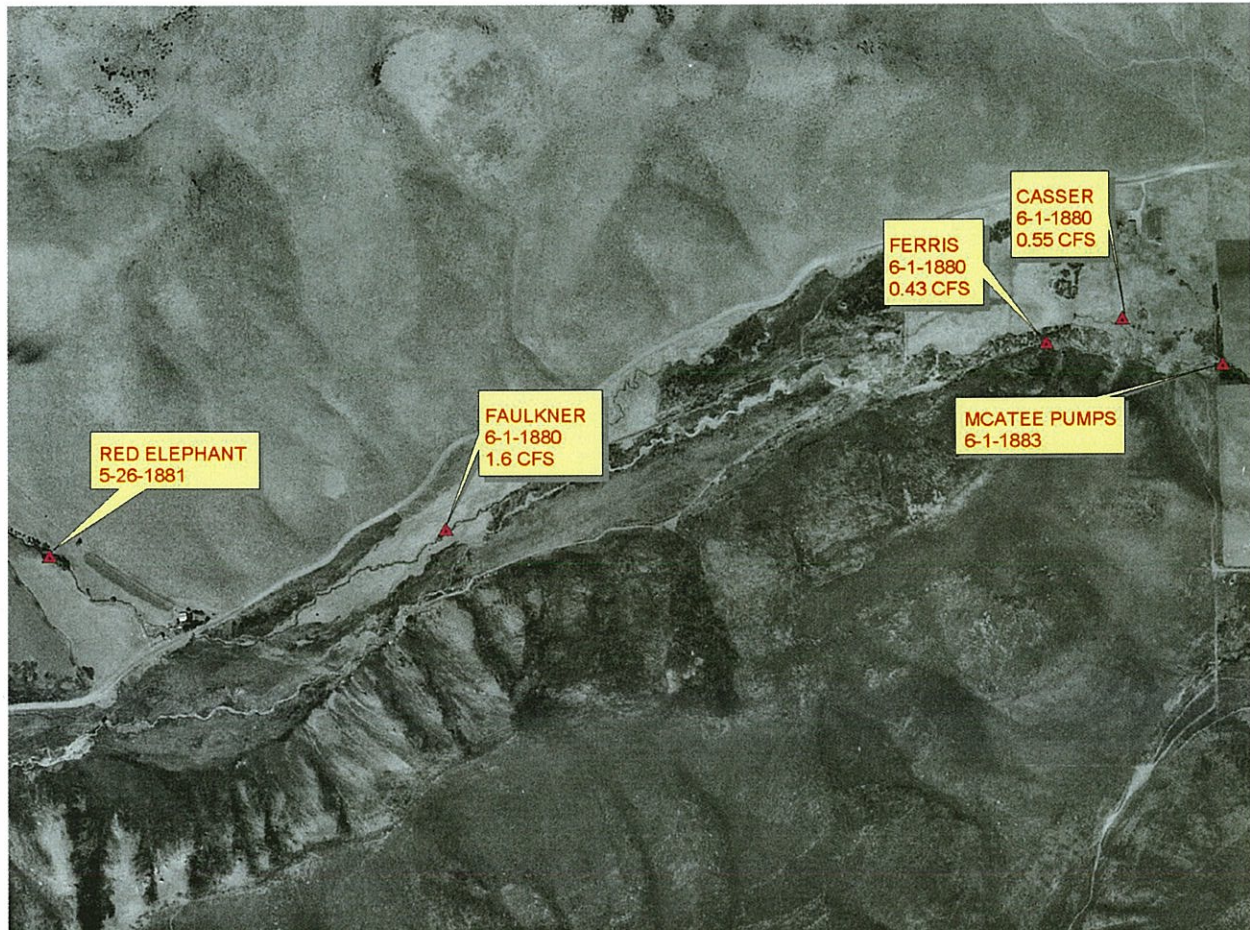


Figure 1-Croy Creek GPS'd POD's and priorities



Figure 2-Faulkner diversion and check dam on Croy Creek



Figure 3-Faulkner pivot wheel crossing on Croy Creek

RECEIVED *WJ*

AUG 05 2004

DEPARTMENT OF
WATER RESOURCES

Gary S

AUGUST 03, 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

KARL DREHER - DIRECTOR

P O BOX 83720
BOISE IDAHO 83720-0098

DEAR MR DREHER:

BY WAY OF INTRODUCTION WE ARE THE CROY CREEK ELK CREEK WATER CONCERN.

IDWR RECORDS WILL INDICATE THAT CROY CREEK AND ELK CREEK TRIBUTARIES ARE INCLUDED IN WATER DISTRICT 37.

CURRENTLY THE WATER DISTRICT 37 WATER MASTER DOES NOT REGULATE CROY CREEK AND ELK CREEK.

THIS LETTER WILL SERVE TO FORMALLY REQUEST THAT CROY CREEK AND ELK CREEK BE CONSIDERED ACTIVE IN WATER DISTRICT 37 AND BE REGULATED BY THE WATER DISTRICT 37 WATER MASTER PER THE REGULATIONS AS RECOMMENDED BY THE IDWR REGULATORY COMMISSION.

PLEASE CONTACT THE CROY CREEK WATER CONCERN AT YOUR EARLIEST CONVENIENCE REGARDING ANY FURTHER INFORMATION YOU MAY REQUIRE PROCESSING THIS REQUEST.

THANK YOU FOR YOUR TIME AND CONSIDERATION AND WE LOOK FORWARD TO YOUR REPLY.

PLEASE MAIL AND FAX YOUR RESPONSE TO GREG FERRIS 13 W CARBONATE HAILEY IDAHO 83333, FAX 208 788 7785.

SINCERELY,

CROY CREEK ELK CREEK CONCERN:
GREG AND LEE ANN FERRIS
CONRAD AND MINA CASSER
KEVIN McCAULEY
VINCE AND KENT McATEE
GEORGE DEHLMAR
DENZEL ROWLAND
FRITZ HAMMERLE (REPRESENTATION)

P.O. 240
KEVIN SWIGERT
HAILEY

Allen suggestion on
introduction in water
& reporting HF's
home
Talk to Kevin today



Figure 4-Splitter box used on several Croy Creek POD's.



Figure 5-Check structure at Red Elephant Ranch POD on Croy Creek.