

MEMORANDUM

TO: A. MERRITT, J. JOHNSON

FROM: DJONES

DATE: September 2, 1994

RE: FISH CREEK WATER DISTRICT, 37-U DISTRIBUTION PROBLEMS

THROUGH THE WEEK OF 8/29 TO 9/1 I WAS CONTACTED SEVERAL TIMES BY A HOLDER OF AN 1883 WATER RIGHT AND ALSO BY AN ADVISORY BOARD MEMBER FOR THE WATER DISTRICT. STORAGE IN FISH CREEK RESERVOIR ENDED IN LATE JULY AND NATURAL FLOWS WERE DELIVERED SINCE THEN TO SOME EXTENT. FLOWS HAVE DECREASED TO THE POINT WHERE ONLY A FRACTION OF A RIGHT COULD BE DELIVERED TO THE VARIOUS 1883 DECREED RIGHT HOLDERS, ESSENTIALLY FOR STOCKWATER PURPOSES. THE PROBLEM INVOLVED ONE OWNER CHANGING THE HEADGATES TO DELIVER ENOUGH WATER TO RUN TWO 1/4 MILE WHEEL LINES, WHILE OTHER FOLKS COULDN'T IRRIGATE OR PROVIDE STOCKWATER. WHEN THIS HAPPENED THE DISTRICT ADVISORY BOARD CALLED A MEETING OF THE '83 RIGHT HOLDERS AND ASKED IDWR FOR A REPRESENTATIVE. I PARTICIPATED IN THIS MEETING AT 3 PM ON 9/1 AT GARTH COOK'S HOME OUTSIDE OF CAREY.

THERE WERE THREE MAIN OPINIONS OF WHAT SHOULD BE DONE WITH THE SMALL AMOUNT OF '83 WATER THAT IS AVAILABLE. ONE SIDE WANTS TO CONTINUE WITH STOCKWATER DELIVERY, ONLY. ANOTHER GROUP WANTS TO ROTATE DELIVERY TO KEEP THE PASTURES GOING THIS YEAR. THE OTHER FACTION WANTS TO TURN THE WATER OFF AND STORE IT. AFTER CONSIDERABLE DEBATE COVERING THE VARIOUS SUBISSUES THAT EACH ALTERNATIVE WOULD ENGENDER, CONSENSUS WAS REACHED TO PROVIDE STOCKWATER.

DELIVERY OF STOCKWATER WOULD BE LIMITED TO '83 RIGHT HOLDERS AND OTHERS WITH FLOAT CONTROLLED TROUGHS. FISH CR WATER FLOWS TO ONE MAIN SPLITTER AND WOULD NORMALLY BE DELIVERED THROUGH THREE MAIN BRANCHES (WARM SPRING DITCH (OLD FISH CR CHANNEL), HIGH LINE CANAL AND A PIPELINE). BECAUSE ONE OF THE BRANCHES, THE WARM SPRING DITCH, LOSES A LOT OF WATER IT WON'T BE USED. THE WATER WILL INITIALLY FLOW INTO THE PIPELINE AND THE HIGHLINE. WATER WILL THEN BE DIVERTED FROM THE HIGHLINE INTO A SECOND PIPELINE, WHICH CROSSES THE WARM SPRINGS DITCH FURTHER DOWN, AND ENOUGH WATER WILL BE DUMPED INTO THE LOWER WARM SPRING DITCH TO REACH THE GILBERT CROSS' PLACE (AN '83 HOLDER). OTHER USERS FROM THE TWO PIPELINES WILL BE LIMITED TO FLOAT CONTROLLED TROUGHS - MANY ARE ALREADY IN PLACE. FURTHER OUT THE HIGHLINE ARE TWO USERS WHO MAY ROTATE IN OPERATING ONE LINE OF SPRINKLERS. ALLOWING THE TWO USERS TO KEEP PASTURE WATERED IS ACCEPTABLE TO THE OTHER '83 HOLDERS. MAURICE ELSWORTH, AT THE END OF THE HIGHLINE, RUNS CATTLE IN A FIELD WHICH HAS NO OTHER SUPPLY OF WATER. ELSWORTH WILL TAKE WHATEVER WATER IS LEFT OVER AND MAKE DO.

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DISCUSSION WAS MADE TO CHARGE \$1 PER DAY PER STOCKWATER USER TO COVER WATERMASTER EXPENSES. TALKING WITH TIM LUKE IN S.O. I HAVE LEARNED THAT THIS MAY BE DIFFICULT TO ACCOUNT FOR IN THE WATER MASTER RECORDS AND I HAVE SINCE (9/2) ADVISED THE WATERMASTER, LAWRENCE KIMBALL, TO SCRAP THAT PLAN AND TO ONLY CHARGE FOR SECOND- FEET-DAY DELIVERY, AS IS STANDARD.

A SECOND PROBLEM WHICH WAS DISCUSSED CONCERNED BEAVER DAMS ON FISH CR, ABOVE THE RESERVOIR. IT WAS ASSERTED THAT FLOWS OF FISH CR DRAMATICALLY DECREASES THROUGH A SERIES OF BEAVER DAMS ON LEE ELDRIDGE'S PLACE. REVIEW OF IDWR'S BEAVER CONTROL POLICY AND DISCUSSIONS WITH TIM LUKE POINTED TO THE NEED FOR THE WATERMASTER TO COORDINATE DAM REMOVAL WITH IDF&G. I TOLD LAWRENCE KIMBALL THAT IF HE COULDN'T MEASURE WATER TO DOCUMENT LOSSES TO SATISFY IDF&G LIABILITY CONCERNS, THEN AN IDWR AGENT WOULD ASSIST.