ADMINISTRATOR'S MEMORANDUM

To: Water Allocation Bureau and Regional Offices

From: Norman C. Young NCY

RE: APPLICATIONS PROPOSING DIRECT DIVERSION FROM THE SNAKE RIVER FOR IRRIGATION USE ASSOCIATED WITH DOMESTIC USE

Date: December 31, 1990

Applic. Proc. No. 49

The "Contract to Implement" and "Agreement" signed on October 25, 1984, in connection with resolution of the Swan Falls water right controversy provided that irrigation uses of up to 2 1/2 acres in connection with a domestic use would not need to be reviewed in the detail required of other filings in the trust water area hydraulically upstream of Swan Falls Dam. For practical reasons, the acreage was rounded to 3 acres.

Water Appropriation Rule 5,2,3. provides that a direct diversion of water from the Snake River for irrigation purposes between Milner Dam and Swan Falls dam is presumed to cause a significant reduction. Water Appropriation Rule 5,2,4. excludes DCMI uses from this presumption.

Water Appropriation Rule 5,3,9. provides that a direct diversion of water for irrigation purposes from the Snake River is presumed not to be in the public interest. Water Appropriation Rule 5,3,10. excludes DCMI uses from this presumption unless protested.

Because of the exemptions provided for DCMI uses in the Water Appropriation rules, the department will consider approval of direct diversions of water from the Snake River for irrigation purposes where such diversions are for the irrigation of not more than three (3) acres and the irrigation use is associated with a domestic use.