



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

May 20, 2015

Joseph F. James  
Brown & James  
130 Fourth Ave. West  
Gooding, ID 83330

**Re: Big Wood River Delivery Call, Docket # CM-DC-2015-001; Little Wood River Delivery Call, Docket # CM-DC-2015-002  
Request for Additional Information**

Dear Mr. James:

Thank you for your participation at the status conference held by the Idaho Department of Water Resources ("Department") in Shoshone on May 4, 2015, regarding the above referenced delivery calls initiated by members of the Big Wood & Little Wood Water Users Association ("Association"). I stated at the conference that the Department would submit a letter to you seeking additional information about the Association members' diversion and use of water. Consistent with that statement, I respectfully submit the Information Request attached to this letter. Your responses and submittal of additional information will assist me in determining whether the holders of senior water rights are suffering material injury and using water efficiently and without waste as required by the Department's Conjunctive Management Rules.

I ask that you respond to the attached Information Request within thirty (30) days from the date of this letter. Please contact me directly or Tim Luke at 208-287-4800 with any questions related to this request.

Sincerely,

A handwritten signature in black ink that reads "Gary Spackman".

Gary Spackman  
Director

Cc: Allen Merritt, Southern Region Manager  
Kevin D. Lakey, Watermaster, WD37

## INFORMATION REQUEST

Big Wood River Delivery Call, Docket # CM-DC-2015-001  
Little Wood River Delivery Call, Docket # CM-DC-2015-002

Pursuant to Rule 42 of the Department's *Rules for Conjunctive Management of Surface Water and Ground Water Resources* ("CM Rules"), when a delivery call is made, the Director must determine whether the holders of senior water rights are suffering material injury and using water efficiently and without waste. The Department is collecting information related to the senior surface water rights in these two delivery call proceedings to aid in that determination. Attached to this Information Request are two lists of water rights. Attachment A is a list of water rights for the senior surface water users on the Big Wood River. Attachment B is a list of water rights for the senior surface users on the Little Wood River. The lists are sorted by current owner name for each water right on record with the Department. The lists also include the diversion name(s) for each water right as determined by water right points of diversion and review of Water District 37 water delivery records from 2013 and 2014, as well as personal communication with the Water District 37 watermaster. Also included on the lists is a column showing whether each right includes the condition regarding exchange of water pursuant to Bureau of Reclamation contracts between the United States, Big Wood Canal Company ("BWCC") and American Falls Reservoir District #2 ("AFRD2"). An additional column is included showing whether each right contains conditions about the right being used with water from the BWCC and AFRD2. It will be necessary or helpful to refer to these lists in responding to some of the following requests for information.

1. A few of the senior surface water right owners listed for individual water rights in the delivery calls are not the current owners of record on file with the Department. Attachments A & B list the current owners of record on file with the Department.

Please confirm the current owners for the water rights listed in Attachments A & B. If the Department does not have the most current ownership information, you will need to work with the Department's southern regional office to update the information.

2. Please confirm the name and number of diversions for each water right listed in Attachments A & B. Note, the diversion names shown on Attachments A & B are the names of the points of diversion only and any points of injection or re-diversion are not included.
3. Please confirm any points of injection and/or points of re-diversion for each water right listed on Attachments A & B. Please provide a hardcopy map, or preferably, one or more GIS shape files showing any points of injection and/or points of re-diversion. Include locations of points of measurement for river gages, canal gages, injections and re-diversions used to deliver the water to each water right.

4. Please provide the following information related to the BWCC Little Wood River water rights:
  - a. Explain where and how the BWCC Little Wood River water rights are delivered to the seven authorized points of diversion identified under the BWCC Little Wood River rights.
  - b. Describe how the water is ordered or demanded by the BWCC, and/or any method or procedure for delivery of the BWCC rights.
  - c. Identify the total acres irrigated with BWCC Little Wood River water rights and identify the specific parcels that are irrigated with those rights.
5. Please describe the measuring device, and any recording device, used at each point of diversion or re-diversion for each water right listed on Attachments A & B.
6. Please describe the method of water conveyance or delivery from the water right point(s) of diversion to the field head gate or place of use (e.g., conveyed to field head gate by open ditch, pressurized pipeline, etc.) for each water right listed on Attachments A & B. A hardcopy map, or preferably, GIS shape file may be provided for more complex conveyance systems.
7. Please confirm the POU for each of the water rights listed on Attachments A & B and describe the method of application of water at the POU (e.g., flood irrigation, sprinkler system and type such as pivot, wheel lines etc.). With this request, the Department is providing maps showing the POU for all water rights listed on Attachments A & B except for the BWCC.
8. Provide specific types of crops planted and acreage planted for each crop type since 2004 for each water right listed on Attachments A & B.
9. Please confirm or identify whether each water right listed on Attachments A & B receive benefit of any water exchange as described by the following water right condition (known as Condition No. 161):

Delivery of this right is subject to the water exchange provisions contained in Bureau of Reclamation contract no. 14-06-W-73, executed October 14, 1954, between the United States of America and American Falls Reservoir District No. 2, as supplemented by Bureau of Reclamation contract no. 14-06-100-6031, executed June 1, 1962, between and among the United States of America, American Falls Reservoir District No. 2, and the Big Wood Canal Company.

Please provide a written explanation of how the Association understands the water exchange provisions referenced in the above water right condition are implemented.

10. Please confirm or identify whether each water right listed on Attachments A & B receive supplemental water from either or both the BWCC and AFRD2. Please identify the number of shares owned by each user and supplemental to the water rights in Attachments A & B, and if possible, the place of use for the supplemental water.

11. Please provide a hardcopy map or, preferably, a GIS shape file showing the location of all irrigated acres served by the BWCC and AFRD2. Note, this is different from the service area boundaries of BWCC and AFRD2. If possible, identify whether the acres irrigated receive a supplemental supply or full supply of water from BWCC and/or AFRD2.
12. Please provide a hardcopy map, or preferably, one or more GIS shape files showing the water delivery network and areas serviced by the BWCC and AFRD2. Include locations of points of measurement for river gages, canal gages, injections, re-diversions and return flow monitoring locations used by the Water District 37 watermaster and/or BWCC and AFRD2 to deliver the water to the calling surface water rights.
13. If water from Magic Reservoir is not used within the entire BWCC service area, please identify the acres where Magic Reservoir water is used.
14. Please identify the full headgate allotment (e.g., 5/8"/acre) for BWCC shareholders and the full headgate allotment for AFRD2 shareholders.
15. Please identify whether each water right listed on Attachments A & B receive supplemental water from any source other than BWCC and/or AFRD2.
16. Please provide information in your possession showing the water rights listed on Attachments A & B are suffering material injury and using water efficiently and without waste. Please provide historical information evidencing a shortage of water and crop damage (if applicable) for each water right listed on Attachments A & B.