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DIRECTOR'S REPORT PART I FOR BASIN 34

DESCRIPTIVE SUMMARY

This document is the Director's Report Part I for Basin 34, and was prepared by the Director of the Idaho Department of Water Resources (IDWR) as part of the Snake River Basin Adjudication (SRBA). This report contains the director's recommendations as to claims to water rights appropriated under state law from Basin 34, commonly known as the Big Lost River Basin.

This report does not include all claims of the United States to water rights appropriated under state law from Basin 34. A Supplemental Director's Report Part I for Basin 34, containing the remaining United States' claims to water rights appropriated under state law in Basin 34 is proposed to be filed with the SRBA District Court on November 1, 1992. The Director's Report Part II for Basin 34, containing abstracts of claims to or negotiated agreements of claims to water rights reserved under federal law in Basin 34, except for federal instream flow and tribal claims, is also proposed to be filed with the court on November 1, 1992. The Director's Report(s) Part II for federal instream flow and tribal claims will be filed with the court at a later date.

INTRODUCTION

INSTRUCTIONS FOR USING THIS REPORT PART I

This Report Part I consists of seven sections: this Introduction, a Description of the Water System, the General Provisions, a List of Recommended Water Rights, a List of Claims/Rights Not Recommended, a Name Index, and a Number Index.

The description of the water system includes a brief description of Basin 34, and an illustration of the boundaries of Basin 34.

The general provisions include provisions that apply to all water rights and provisions that further define or limit certain classes of water rights recommended in the report. These general provisions will affect your water right, BE SURE TO READ THEM.

The water rights in the list of recommended water rights are grouped alphabetically by source, and recommended water rights from each source are listed chronologically by priority date. The rights or claims in the list of claims/rights not recommended are listed numerically by water right number.

Brief instructions for interpreting an entry in the list of recommended water rights and the list of claims/rights not recommended are found at the beginning of those sections.

SCOPE OF ADJUDICATION

a. Except for those uses or rights described in b. and c. below, this report Part I includes the following water rights:

i. All rights existing and appropriated under state law from Basin 34 prior to November 19, 1987.

ii. All water right permits for which proof of beneficial use was filed prior to November 19, 1987.

iii. All water right permits for which proof of beneficial use was filed prior to December 1, 1990 were required to be claimed by order of the director dated January 2, 1991.

iv. Water rights appropriated under state law and arising after November 19, 1987, which were allowed but not required to be claimed in the SRBA.

The rights are generally described as they existed on November 19, 1987; however, rights that were the subject of an administrative proceeding before IDWR that was completed pending the filing of this report are described as of the date the administrative proceeding was completed.

b. Water rights not claimed in this adjudication that were required to be claimed will not exist upon entry of the court's decree for Basin 34. The water rights not required to be claimed in this adjudication, or not required to be claimed at this time, include the following.

i. The adjudication of certain small domestic and stock water rights may be deferred as set forth in the order of the court dated January 17, 1989, entitled Findings of Fact, Conclusions of Law, and Order Establishing Procedures for Adjudication of Domestic and Stock Water Uses. Adjudication at a later date of the rights deferred under this order must be done in accordance with the order. The order further provides that the claimant of a deferred right must have the right adjudicated prior to seeking authorization from IDWR for a change in use pursuant to Idaho Code §42-222. The right must also be adjudicated before water may be distributed to it by the director.

The order applies to "deferrable" domestic and stock water rights that existed prior to November 19, 1987, including permits for which proof of beneficial use was filed prior to November 19, 1987, and other permits required to be claimed by order of the director.

A "deferrable domestic" right is a right to the use of water for homes, organization camps, public campgrounds, livestock, and for any other purpose in connection therewith, including irrigation of up to one-half acre of land, if the total use is not in excess of 13,000 gallons per day, but not including water for multiple ownership subdivisions, mobile home parks, commercial or business establishments. Idaho Code §42-1401A(5) (Supp. 1988), §42-111(A).

A "deferrable stock water" right is a right to the use of water solely for livestock and/or wildlife where the total use is not in excess of 13,000 gallons per day. Idaho Code §42-1401A(12).

ii. Water used solely for firefighting purposes is not required to be claimed in the SRBA. Firefighting purposes is defined in paragraph 10 of the general provisions below.

iii. Water rights used solely for instream livestock use are not required to be claimed in the SRBA. A right to instream livestock use that was not decreed in the SRBA must be adjudicated before water may be distributed to it by the director.

"Instream livestock use" means the drinking of water by domestic livestock from a natural stream without the use of any constructed physical diversion works. Idaho Code §42-113.

iv. Permits for which proof of beneficial use was filed on or after December 1, 1990 are not required to be claimed in the SRBA.

c. Deadlines for filing claims of the United States (including claims on behalf of the Indian Tribes) appropriated under state law were extended by order of the court. These claims will be included in a Supplemental Director's Report Part I for Basin 34 that is proposed to be filed with the SRBA District Court on November 1, 1992.

PURPOSE OF THIS REPORT PART I

This report contains the Director's recommendations to the SRBA District Court as to the nature and extent of water rights and matters necessary for administration of water rights in Basin 34. This report makes no recommendation as to the ownership or the right to the use of facilities or lands used in delivery of a recommended water right, or the lands upon which the recommended water right is used.

All water rights recommended herein remain subject to state law, including but not limited to laws governing water right administration and water quality. In particular, any change in the point of diversion, place of use, season of use, purpose of use, or place of use of the water right must be approved by the director, pursuant to applicable law, prior to making the change. A future application for change in use that seeks to separate rights previously used in combination will be limited by the director in accordance with the statutory requirements to prevent any expansion of the rights beyond the current use of the rights combined.

Rights shown in the listing of water rights with a basis of "permit" are in the process of perfection in accordance with the current statutory appropriation method. A right with a basis of permit is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights, remains subject to all conditions set forth in the permit, and will be subject to all conditions set forth in any license issued by IDWR upon completion of the statutory appropriation process.

DESCRIPTION OF THE WATER SYSTEM: BASIN 34

BOUNDARIES OF BASIN

The boundaries of Basin 34 are illustrated in Figure 1. More detailed maps, including Orthophotoquad maps with land use overlays based upon Landsat satellite imagery, are available in IDWR's Idaho Falls office and IDWR's state office in Boise. In addition, color infrared photography of Basin 34 is available in IDWR's Idaho Falls office.

The basin is approximately 1,400 square miles in area and includes portions of Custer, Butte, Bonneville, and Jefferson counties in eastern Idaho. It is comprised primarily of the Big Lost River drainage, but includes other small surface drainages to the southwest of the Big Lost River drainage, as well as the Idaho National Engineering Laboratory reservation to the east of the Big Lost River drainage. The basin is bounded by the mountains of the Big Lost Range to the northeast, by the Boulder Mountains to the northwest, and the Pioneer Mountains to the southwest. Tributaries of the Big Lost River flow from these mountains to the river, which flows in a generally southeasterly direction past the town of Arco. The Big Lost River then flows in a generally northeasterly direction, before the water sinks and becomes part of the supply of the Snake River Plain Aquifer. One storage facility, Mackay Reservoir, is located on the Big Lost River in the northwestern part of the basin.

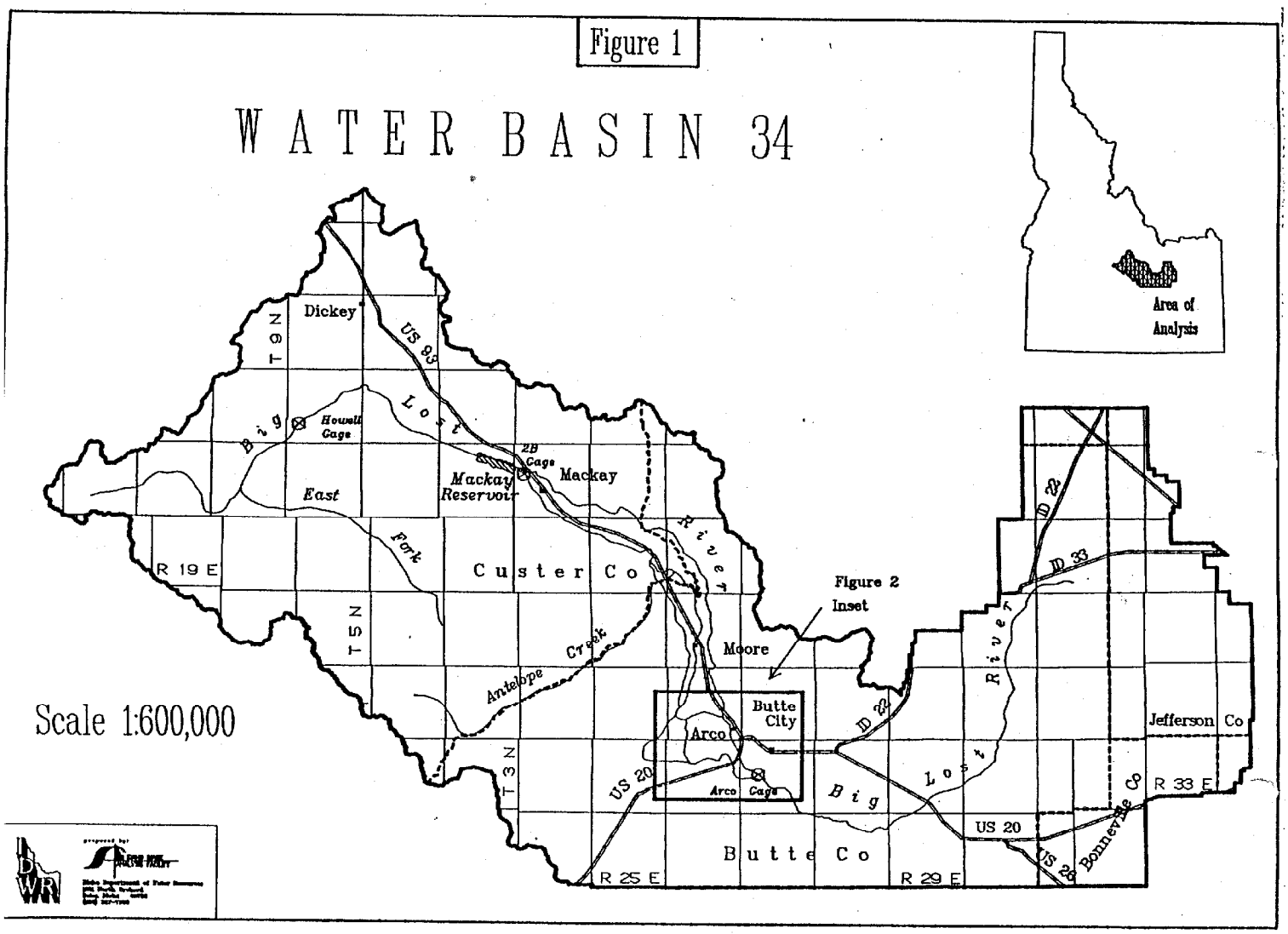
Water supply in the basin is highly variable from year to year and within the year, although there is a consistent pattern of highest flows in the late spring and lowest flows in the late summer. There is a high level of interaction between ground and surface water. Spring snowmelt and rainfall recharge both the ground water and the streams. In some areas, the ground water within the Big Lost River basin recharges the stream (the stream "rises"), while in other areas, the stream recharges the ground water (the stream "sinks"). The recharge pattern varies from year to year and within the year, as the level of the water table changes. There is a substantial flow of ground water from the basin to the Snake River Plain Aquifer.

DEVELOPMENT OF WATER USE

Development in the basin is primarily agricultural, except for the Idaho National Engineering Laboratory located in the southeast end of the basin and the city of Arco. Substantial surface water development first occurred in the late 1800's, primarily for irrigation of lands along the thread of the river and tributaries. Surface water storage was

Figure 1

WATER BASIN 34



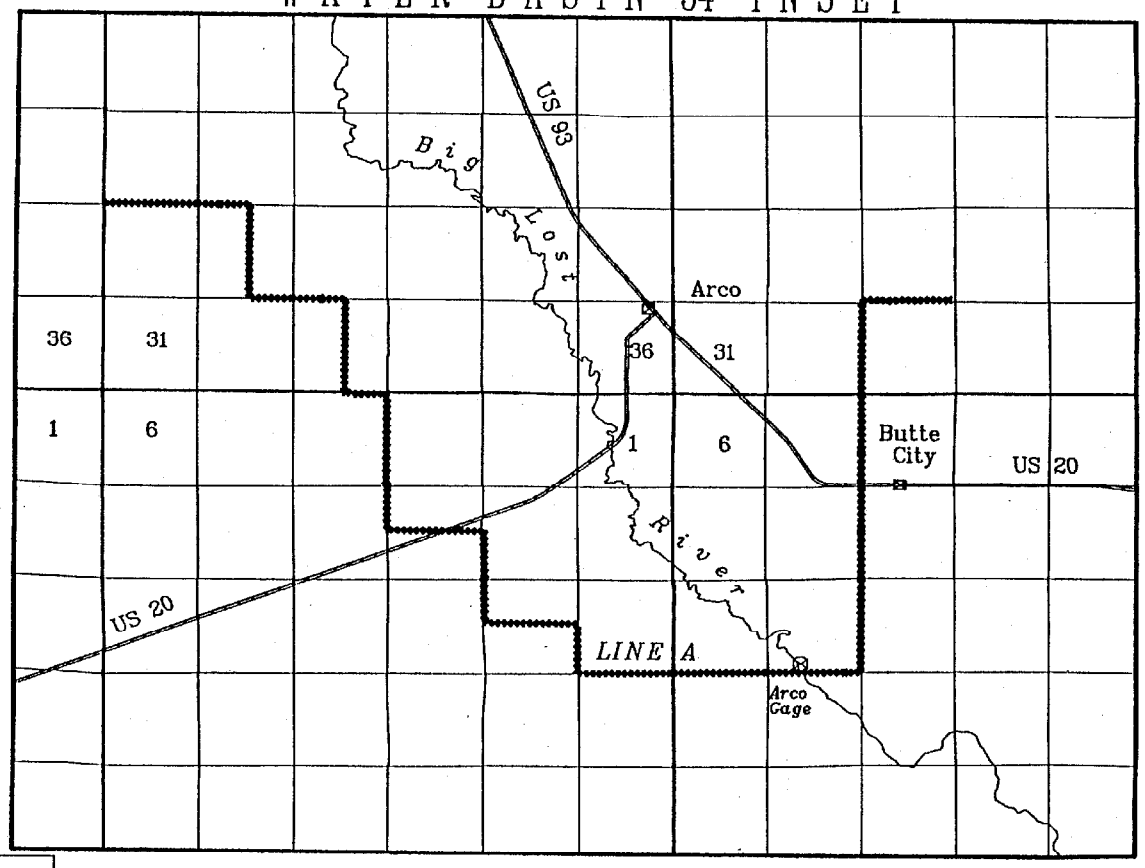
developed in the 1910's with the construction of Mackay Dam and Reservoir. The stored waters were used both to supplement surface water supplies for previously irrigated lands, and to irrigate new lands, extending the boundaries of the irrigated areas farther from the surface sources. Mackay Dam and Reservoir were purchased by the Big Lost River Irrigation District in 1935 at which time the new lands developed prior to 1935 with water from the reservoir were abandoned and all water was then used on lands developed prior to 1906. Since 1935 stored water from Mackay Reservoir has been applied to expanded acreage. Substantial ground water development began in the 1950's and 1960's. Ground water has been used to supplement surface water and storage water supplies for previously irrigated lands and to irrigate new lands, again extending the boundaries of the irrigated areas farther from the surface sources. Current irrigated acreage in the basin is approximately 67,000 acres, with the areas above Mackay Reservoir used primarily for livestock, and the areas below Mackay Reservoir used primarily for crop production.

GROUND WATER IN BASIN 34

Diversion of ground water pursuant to rights with points of diversion located upgradient (northerly) of Line A in Figure 2 reduce the flow of the Big Lost River upstream from the last (most downstream) diversion from the Big Lost River. Diversion of ground water pursuant to rights with points of diversion located downgradient (southerly) of Line A in Figure 2 do not reduce the flow of the Big Lost River upstream from the last (most downstream) point of diversion.

Figure 2

WATER BASIN 34 INSET



Scale 1:100,000

GENERAL PROVISIONS

The director recommends that the following general provisions be included in the decree determining rights to water from Basin 34.

GENERAL PROVISIONS 1 - 11 APPLY TO ALL WATER RIGHTS IN BASIN 34.

1. EFFECT OF ADJUDICATION.

a. The decree determining rights to water from Basin 34 supersedes all prior decrees determining rights to water from Basin 34, including all provisions for administration of such rights. Upon entry of the decree determining rights to water from this sub-basin, any right which was required to be claimed in this adjudication and which was not claimed will no longer exist.

b. Nothing herein shall be deemed to diminish the director's authority to administer water rights of Basin 34 pursuant to applicable law. Determinations vested in the director herein are subject to state laws limiting the exercise of administrative discretion.

2. GENERAL ADMINISTRATION PROVISIONS.

a. The Howell gage is located above Mackay Reservoir in the SE¼NE¼NW¼, Section 30, Township 8 North, Range 21 East, B.M.

b. The 2-B gage is located below Mackay Dam in the SW¼SW¼NE¼, Section 18, Township 7 North, Range 24 East, B.M.

c. The Arco gaging station is located near the town of Arco in the SW¼SE¼SW¼, Section 17, Township 3 North, Range 27 East, B.M.

d. "AFY" when used in this report means acre foot per calendar year, and "CFS" means cubic foot per second.

e. References to the "director" in these general provisions refer to the director of the Idaho Department of Water Resources (IDWR) or the director's duly authorized designee including the watermaster.

3. CONJUNCTIVE ADMINISTRATION. Where these general provisions provide for two or more water sources to be administered as a single water system, diversion pursuant to junior rights from one water source may be curtailed when necessary to provide water to senior rights from the other water source. Where these general provisions provide that a water source is to be administered separately from another water source, then diversion pursuant to junior rights from the first water source is not subject to curtailment to provide water to senior rights from the other water source.

4. ADMINISTRATION OF SURFACE SOURCES WITHIN BASIN 34. All surface waters of the Big Lost River and its tributaries shall be administered as a single water system, except as provided in this paragraph 4.a. through 4.c.

a. During the irrigation season, from the time the flow at the Howell gaging station increases to 750 CFS, until the time when the flow recedes to 300 CFS, all surface waters of the Big Lost River and its tributaries, except as listed in paragraph b. below, shall be administered as a single water source. At all other times natural flow water rights (other than water rights for storage purposes) with a point of diversion above Mackay Reservoir shall be administered separately from the natural flow water rights with a point of diversion downstream from Mackay Reservoir. This provision is made under conditions existing as of the commencement of the SRBA (including diversions above the Howell gaging station); if diversions are made from the Big Lost River or its tributaries above the Howell gaging station pursuant to rights not existing as of the commencement of the SRBA, then the amounts diverted will be added to the amount of the flow at the Howell gaging station for the purposes of applying this provision.

b. The surface waters of the following streams shall be administered as separate from the surface waters of the Big Lost River: Rock Springs Creek, Rock Creek, Beda Creek, Corral Creek, Sage Creek, Upper Cedar Creek, Lower Cedar Creek, Dry Creek (also known as Cedar Creek), Pete Creek, Willow Creek, Pinto Creek, Lehman Creek, Vance Creek, Grant Creek and Hamilton Creek.

c. The Back Channel, which separates from the main channel of the Big Lost River in the NE¼NE¼, Section 5, Township 8 North, Range 22 East, B.M., shall be administered as part of the natural channel of the Big Lost River.

i. When the flow at the Howell gaging station is less than 1400 CFS, the flow in the Back Channel shall be kept as near as practicable to 150 CFS as determined by the director, but shall not exceed that amount.

ii. When the flow of the Howell gaging station is at or exceeds 1400 CFS, the flow in the Back Channel shall be kept as near as practicable to 200 CFS as determined by the director. The flow shall not exceed that amount unless all surface water rights existing at the time of administration (including water rights with a junior priority), and that are within their period of use, are satisfied.

iii. These provisions shall not be considered to enlarge the amount of water to which appropriators diverting from the Back Channel are entitled.

iv. The water users of water district 34 may elect (in the manner prescribed by statute) that a measuring device and control works shall be installed at the head of the Back Channel. In this event, the costs of installation and maintenance shall be borne by the water users of water district 34 as costs of the water district in the manner prescribed by statute. The measuring device and control works shall be of a type approved by the director, and must be approved prior to installation.

5. ADMINISTRATION OF GROUND WATER WITHIN BASIN 34. Ground water appropriators shall not be entitled to maintenance of historic pumping levels.

6. CONJUNCTIVE ADMINISTRATION OF GROUND AND SURFACE WATER RIGHTS WITHIN BASIN 34.

a. Some ground water rights in the list of water rights contain a remark noting that the right will be administered as separate from the Big Lost River and its tributaries. All other ground water rights will be administered as part of the Big Lost River and tributaries unless the ground water user can show to the satisfaction of the director, that due to well construction or location, the diversion of ground water from a particular point of diversion does not reduce the flow of the Big Lost River above the last (most downstream) diversion from the Big Lost River.

[The following explanation as to the effect of this general provision is for informational purposes only, and is not recommended to be included in the court's decree: Administration of these rights as part of the Big Lost River and its tributaries will result in curtailment of these diversions in most years. While this will protect senior surface water rights, such administration would not promote the public purpose of full economic development of underground water resources. Therefore, the director will not require curtailment of these diversions if a plan, acceptable to and approved by the director, is in place to provide mitigation or compensation to those holding

prior surface water rights in a manner to assure the availability of water to the surface water rights in amounts that would be available absent junior ground water diversions or other substantially equivalent mitigation or compensation.]

b. Small domestic and stock water rights from ground water are not subject to administration at this time; however, these rights may be made subject to administration in the future to provide water to senior water rights from the water system.

7. ADMINISTRATION OF BASIN 34 AND SNAKE RIVER BASIN. All water rights in Basin 34 shall be subject to administration as part of the Snake River Plain Aquifer.

[The following explanation of the effect of this general provision is for informational purposes only, and is not recommended to be included in the court's decree: The Director's plan for administration of the Snake River Plain Aquifer will give due consideration to the priority dates, location and actual impact of water diversions in Basin 34 on the Snake River Plain Aquifer.]

8. SPECIAL PROVISIONS AS TO STORAGE.

a. Mackay Dam and Reservoir shall be operated to maintain a minimum flow of 50 CFS at the 2-B gage. This 50 CFS shall be deemed unavailable for delivery to surface water rights below Mackay Dam outside the irrigation season.

b. Water rights that do not include storage as a purpose of use may not be stored. Surface water rights may, however, be rotated into storage, with the approval of the director and the Big Lost River Irrigation District, when such practice improves the efficiency of water use as contemplated by the Irrigation District's plan of operation. Any water stored under such a rotation, if not used in the same irrigation season in which it is stored, shall revert to the Big Lost River Irrigation District at the end of the irrigation season. Rotation into storage cannot occur prior to the need for irrigation water on the land, as determined by the director, in any year; water rotated into storage may only be used on the land to which the water right being rotated is appurtenant (water rotated into storage may not be marketed); if the reservoir fills after rotation has begun in any year all rotation credits are lost and all water in the reservoir at the time it fills reverts to the Big Lost River Irrigation District.

c. Mackay Reservoir shall be full when the water surface elevation of the reservoir is at the spillway crest elevation of 6066.12 feet above mean sea level as determined by the director.

9. MEASURING DEVICES AND CONTROL WORKS. In addition to measuring devices or control works specifically described in the listing of the water right, each appropriator shall, at the appropriator's expense, install and maintain measuring devices and control works of a type acceptable to the director, at all points of diversion and any other points, as determined necessary by the director for the proper administration of the use of water. The director may prohibit or prevent the diversion of water by an appropriator who refuses or fails to comply with this provision.

10. FIREFIGHTING PURPOSES.

a. Firefighting purposes is an alternate use to which any water right may be put, and firefighting is recognized as a lawful use of water with or without a water right.

b. Firefighting purposes means the use of water in times of emergency: to extinguish an existing fire on private or public lands, facilities, or equipment; to prevent an existing fire from spreading to private or public lands, facilities, or equipment within the vicinity of and endangered by an existing fire; and by firefighting personnel engaged in fighting an existing fire. Firefighting purposes does not include the use of water to prevent a fire from occurring in the future, the use of water for domestic purposes in regularly maintained firefighting stations, or the storage of water for fighting future fires.

11. CONSUMPTIVE USE. Where consumptive use is not stated for a right or a portion of a right, the consumptive use for that right or that portion of the right is so small that it is deemed de minimus.

GENERAL PROVISION 12 APPLIES TO ALL WATER RIGHTS IN BASIN 34 SHOWN WITH DOMESTIC USE AS A PURPOSE OF USE.

12. DOMESTIC USE. Domestic use, when shown as the purpose of use for a right or a portion of a right, is:

a. the use of water in a home or homes, and for other purposes in connection therewith, including up to one-half acre total of irrigation per water right, or

b. the use of water for homes, organization camps, public campgrounds, livestock, and for any other purpose in connection therewith, including irrigation of up to one-half acre of land, if the total use is not in excess of 13,000 gallons per day, but not including water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, or

c. the use of water for any beneficial uses, if the total use of the right does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gallons per day.

For rights or portions of rights that meet the definition of paragraph b, the annual volume of diversion is the volume actually diverted and beneficially used, subject to a maximum of 13,000 gallons per day. For rights or portions of rights that meet the definition of paragraph c, the annual volume of diversion is the volume actually diverted and beneficially used, subject to a maximum of 2500 gallons per day.

GENERAL PROVISION 13 APPLIES TO ALL WATER RIGHTS IN BASIN 34 SHOWN WITH STOCK WATER USE AS A PURPOSE OF USE.

13. STOCK WATER USE. Stock water use, when shown as the purpose of use for a right or a portion of a right, is:

a. the use of water for care and/or watering of livestock, or

b. the diversion and use of water for care and/or watering of livestock and/or wildlife where the total use of the right does not exceed a diversion volume of 13,000 gallons per day. Other uses of water for wildlife are shown with a purpose of use of wildlife.

For rights or portions of rights that meet the definition in paragraph b, the annual volume of diversion is the volume actually diverted and beneficially used, subject to a maximum of 13,000 gallons per day.

GENERAL PROVISIONS 14 - 19 APPLY TO ALL WATER RIGHTS IN BASIN 34 SHOWN WITH IRRIGATION AS A PURPOSE OF USE.

14. IRRIGATION USE. Water rights or portions of water rights shown with a purpose of use for irrigation include the following:

a. Incidental stock water. When stock water is not specifically included for a water right that includes irrigation, a portion of the quantity described for irrigation use may be diverted and used, from the same point of diversion and at the same place of use as the irrigation use, for purposes of maintaining a reasonable water supply for stock watering use during the period of use for irrigation described in the water right.

b. Early-season irrigation and late-season irrigation. The period of use of rights or portions of rights from surface water for irrigation purposes may begin as early as April 20 if the director determines that water is reasonably necessary for irrigation. In addition, the director may allow the diversion of rights or portions of rights for irrigation use either before or after the period of use for irrigation described in the water right where:

i. the water so diverted is applied to a beneficial use, as determined by the director,

ii. all water rights, regardless of priority (now existing or developed subsequent to this decree), existing at the time of diversion that are within their period of use can be satisfied, and

iii. the diversion and use of the water does not conflict with the public interest as determined by the director.

c. Diversion of additional flows. The director may allow a quantity of surface water in addition to the quantity of surface water described for irrigation use to be diverted for irrigation of the described place of use where:

i. the waters so diverted are applied to a beneficial use, as determined by the director,

ii. all water rights, regardless of priority (now existing or developed subsequent to this decree), existing at the time of diversion that are within their period of use can be satisfied, and

iii. the diversion and use of the water does not conflict with the public interest as determined by the director.

15. DIVERSION VOLUME FOR IRRIGATION. The maximum annual volume of water reasonably required at the field headgate for irrigation of lands in Basin 34 is 3.5 AFY per acre. Where diversion volume is not stated for water rights or portions of water rights for irrigation purposes, 3.5 AFY per acre is the diversion volume measured at the point of diversion from the water source that is reasonably required for irrigation unless a higher annual diversion volume is reasonably required under currently existing conditions due to conveyance losses, method of irrigation, or field conditions, as determined by the director.

16. CONSUMPTIVE USE FOR IRRIGATION.

a. The maximum annual volume of consumptive use required for irrigation of lands in Basin 34 is 2.5 AFY per acre.

b. Where the purpose of use for a portion of a right is shown as irrigation, and the remainder of the right is for other purposes, the consumptive use shown is the consumptive use for the irrigation portion of the right only, unless otherwise stated in remarks.

17. AMOUNT OF COMBINED WATER RIGHTS FOR IRRIGATION. Unless specifically stated otherwise in the water right, the combined use of more than one right for irrigation purposes is limited to:

a. a combined total rate of diversion of 0.02 CFS per acre for water rights from ground water, or a total combined rate of diversion of 0.0286 cfs per acre for water rights from surface water,

b. a combined total annual diversion volume of 3.5 AFY per acre, or a greater volume per acre as provided in paragraph 15 above, and

c. a combined total annual consumptive use volume of 2.5 AFY per acre.

18. CONVEYANCE LOSSES. The rate of flow generally required at the field headgate for irrigation of lands in Basin 34 is 0.02 CFS per acre. For purposes of determining the water rights in this report, 0.02 CFS per acre was deemed to be the rate of diversion, measured at the point of diversion from the water source, reasonably required for the irrigation of lands unless the claimant demonstrated that a higher diversion rate is reasonably required.

a. The total per acre rate of diversion, measured at the point of diversion from a surface water source, shown for some rights is greater than 0.02 CFS per acre. This is due to actual conveyance losses in the distribution system. Although diversion amounts greater than 0.02 CFS per acre, but not greater than 0.0286 CFS per acre, are not specifically identified in the water right, amounts in excess of 0.02 CFS per acre that are not specifically identified in the surface water right are limited to use for conveyance losses.

b. Some water rights are shown with a remark limiting the right or a portion of the right to use for conveyance losses in delivery of the right and/or other rights. When a remark is included in the listing of water rights limiting a right or a portion of a right to use for conveyance losses, the total per acre rate of diversion shown for the right (including conveyance losses specifically noted in remarks) is greater than 0.02 CFS per acre for ground water rights and greater than 0.0286 CFS per acre for surface water rights.

c. In those cases in which the water right(s) includes an amount in excess of 0.02 CFS per acre for conveyance loss, the total amount shown for the right(s) includes:

i. the standard amount generally required for the purpose of use of the right, which includes reasonable conveyance losses associated with such uses, plus

ii. an additional amount required for conveyance losses in the particular distribution system determined to be reasonable under currently existing conditions.

d. Diversion of rights or portions of rights limited to use for conveyance losses may continue so long as:

i. the use does not constitute unreasonable waste, as determined by the director, and

ii. the use does not conflict with the public interest, as determined by the director.

Signed this 27 day of May, 1992.

R. KEITH HIGGINSON
Director
Idaho Department of Water Resources

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

A. LYNNE KROGH-HAMPE
Deputy Attorney General
Idaho Department of Water Resources

Instructions for Use of List of Recommended Water Rights

Each water right in the list of recommended water rights includes a description of the following elements:

RIGHT NUMBER: Each right includes a water right number assigned by IDWR for identification purposes. The first two digits of a water right number indicate IDWR's administrative basin number.

NAME AND ADDRESS: The name and address of the claimant shown in the list of recommended water rights is the name and address shown on the notice of claim, or on the most recent notice of change in address or change in ownership properly filed pursuant to Idaho Code §42-1409(7).

SOURCE: The source is the water body to which the claimant has a right. For surface water sources, the list of recommended water rights also shows the water body to which the source is tributary. The source is shown at the top of each page in the list of recommended water rights.

MAXIMUM QUANTITY: The quantity of the right is the maximum rate of flow in cubic feet per second (CFS) and/or the maximum volume of water in acre feet per calendar year (AFY). Maximum quantity is shown for each purpose of use in addition to the total maximum quantity. Except for instream flow rights or where otherwise stated in the recommended water right, the maximum quantity is the quantity diverted (and stored, for rights that include storage purposes) at the point of diversion.

Maximum volume is not shown for some water rights or some portions of water rights. Where a total maximum volume is stated for a right, but is not stated for some portion of the right, then the maximum volume for that portion is not included in the total.

CONSUMPTIVE USE: Consumptive use is the amount of water that does not remain in the water system after use or is not returned to the water system through return flows or seepage. The quantity shown in the list of recommended water rights is the maximum annual volume of consumptive use in AFY.

PRIORITY DATE: This is a calendar date which is used to determine the relative priority of the right in relation to other rights from the same source, and is determined based on the method of appropriation.

POINT OF DIVERSION: The point of diversion is the point at which water is diverted from the source, and is generally indicated in the list of recommended water rights by a legal description of the 40 acre tract (¼ ¼ section or 1/16 section) or government lot within which the point of diversion is located. In some instances, the point of diversion is indicated by a legal description of the ten acre tract (¼ ¼ ¼ section or 1/64 section) within which the point of diversion is located.

If the point of diversion is alternatively known by another legal description which IDWR has in its files the alternate legal description is included in remarks. Alternate legal descriptions include: lot, block and subdivision or townsite names; parcel numbers from the county assessor's records of the county in which the property is located; HES or homestead entry surveys; mining claim names or numbers; other surveys where the land is located in areas not covered by the public land survey.

A point of diversion listed with a "B" suffix indicates the beginning point of an instream flow right. A point of diversion listed with an "E" suffix indicates the ending point of an instream flow right.

A point of diversion listed with an "I" suffix indicates a point of injection, and a point of diversion listed with an "R" suffix indicates a point of rediversion. Points of injection and rediversion are indicated where water is diverted from one source, injected into another source, and then rediverted, or where water from one source is exchanged with water from another source.

PURPOSE OF USE: Purpose of use indicates the general category of the type of use made of the water; typical purposes include irrigation, domestic, and stock water purposes.

PERIOD OF USE: The period of use is the portion of the calendar year when water may be used for a particular purpose. The dates shown in the list of recommended water rights are inclusive.

PLACE OF USE: The place of use is the location where water is used, which is generally indicated in the list of recommended water rights by a legal description of the 40 acre tract (¼ ¼ section or 1/16 section) or government lot where the water is used. For irrigation rights, the number of irrigated acres in each 40 acre tract or government lot is generally listed alongside the description of the tract or lot.

If the place of use is alternatively known by another legal description which IDWR has in its files the alternate legal description is included in remarks. Alternate legal descriptions include: lot, block and subdivision or townsite names; parcel numbers from the county assessor's records of the county in which the property is located; HES or homestead entry surveys; mining claim names or numbers; other surveys where the land is located in areas not covered by the public land survey.

BASIS OF RIGHT: The basis of right is the method by which the water right was established or the document that evidences the water right. The basis of right may be a decree (where the water right was previously adjudicated by a court), posted notice (an historical method of appropriation that is no longer available); beneficial use (an historical method of appropriation that is available only in limited circumstances today); permit (where IDWR has approved an application for a new appropriation); or license (where an appropriation has been completed pursuant to a permit).

OTHERS: The elements of a water right include such other elements as are necessary to define the right. In the list of recommended water rights, any other elements necessary to define the right are listed under "remarks" or "non-irrigation uses."