Dave Tuthill, Adjudication Bureau Chief
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

RE: Comments on General Provisions for Basin 34 (Meeting held 3-31-99, Arco, Idaho)

Dear Mr. Tuthill:

The Big Lost River Water Users Association makes the following comments to General Provisions 1-7;

1. No change.

2. No change. (This has been beneficial in the UC Decree to help maintain river values and ground water levels in the non-irrigation season.

3. Add: Water rotated into storage shall be limited to a fourteen day accumulated total at any particular time. (Example — 100 inch decree cannot exceed 1400 inch total.) This will eliminate abuse and lessen the injury to junior decrees.

4. Add: part d. A controlling and measuring device shall be installed and maintained at the Back Channel heading by the users on the Back Channel.

5. No change.

6. No change.

7. No change.

Thank you for your consideration.

Dated this 6th day of April, 1999.

Lawrence R. Babcock

Lawrence R. Babcock, Chairman
Big Lost River Water Users Association

IDWR'S BASIN 34 PROPOSALS

- 3. Water rights that do not include storage as a purpose of use may not be stored. However, surface water rights below Mackay Dam and Reservoir have historically been rotated into storage, with the approval of the Director of the Idaho Department of Water Resources 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. Such historic practice may continue so long as any water stored under such a rotation, if not used in the same irrigation season in which it is stored, shall revert to storage water of the Big Lost River Irrigation District at the end of the irrigation season.

IDWR'S BASIN 34 PROPOSALS

- 3. Cont.
  - Rotation into storage cannot occur prior to the need for irrigation water on the land, in any year; water rotated into storage may only be used on the land to which the water right being rotated is appurtenant; if the reservoir fills after rotation has begun in any year and 1905 priority natural flow water rights are able to receive water, all rotation credits are lost and all water in the reservoir at the time it fills reverts to storage water of the Big Lost River Irrigation District.

IDWR'S BASIN 34 PROPOSALS

- 4. 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. The flow in the Back Channel shall be administered as follows:

IDWR'S BASIN 34 PROPOSALS

- a. 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, but shall not exceed that amount.
- b. 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. 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.
- c. These provisions shall not be considered to enlarge the amount of water to which appropriators diverting from the Back Channel are entitled.