

Document Overview

The *Scheduling Order; Notice of Hearing; Order Authorizing Discovery* (Oct. 15, 2014) stated that the staff memorandum requested by the Director would provide an overview of the documents the Department believes are relevant to this proceeding and will explain how the documents may be reviewed. *Id.* at 3.

This proceeding was initiated “to address and resolves concerns with and/or objections to how water is counted or credited toward the fill of water rights for the federal on-stream reservoirs pursuant to existing procedures of accounting in Water District 1.” *Notice of Contested Case and Formal Proceedings, and Notice of Status Conference* (Oct. 24, 2013). The federal on-stream reservoirs to which water is distributed in Water District 1’s existing water right accounting system are: Lake Walcott, American Falls, Palisades, Jackson Lake, Island Park, Grassy Lake, and Ririe (collectively, “the federal reservoirs”).

Documents that may be relevant to this proceeding include the documents identified below. This listing is not intended to restrict the parties to these documents but rather to notify the parties of potentially relevant documents.

1. The water right permits and/or licenses for the federal reservoirs, under the following water right numbers: 01-219 (Lake Walcott), 1-2064 (American Falls), 01-2068 (Palisades), 21-2156 (Island Park), 25-7004 (Ririe). These documents can be accessed through the Department’s online “Water Right Research” webpage.¹
2. The SRBA water right claims, recommendations, and (if applicable) disallowal orders or decrees for the federal reservoirs, under the following water right claim numbers: 01-219 (Lake Walcott), 1-4052, 1-10042, 1-10053, 1-0284 (American Falls), 01-2068, 1-10043, 1-4056 (Palisades), 1-4055, 1-10044, 1-10045, (Jackson Lake), 21-2156, 21-10560, 21-2157, 21-4156, 21-4157 (Island Park), 21-4155, (Grassy Lake), and 25-7004 (Ririe). These documents can be accessed through the Department’s online “Water Right Research” webpage, and/or through the SRBA website.²
3. Filings made by the parties and all orders entered by the Court in the SRBA proceedings for the above-listed water rights and water rights claims. These documents can be accessed through the SRBA website; many can also be accessed through the Department’s online “Water Right Research” webpage.
4. Documents in the Department’s files for each of the above-listed water rights and water rights claims. Most of these documents are available online at the Department’s website, through the “Water Right Research” webpage. The

¹ The Department’s online water right database can be accessed at the following URL: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

² The SRBA website URL is: <http://www.srba.state.id.us/>.

Department's hard copy water right files can be reviewed upon request at the Department's state office in Boise.

5. Filings and orders in non-SRBA judicial proceedings regarding or implicating the federal reservoirs, including but not limited to *Rexburg Irr. Co. v. Teton Irr. Canal Co.* (7th Jud. Dist.) (Dec. 16, 1910) (“*Rexburg Decree*”); *Woodville Canal Co. v. Clark & Edwards Canal & Irr. Co.*, (D. Id.) (Jun. 25, 1929) (“*Woodville Decree*”); *Burley Irr. Dist., et al., v. Eagle* (5th Jud. Dist.) (Jul. 10, 1968) (“*Lower Valley Eagle Decree*”); *Aberdeen-Springfield Canal Co. v. Eagle* (7th Jud. Dist.) (Mar. 12, 1969) (“*Upper Valley Eagle Decree*”); and *Upper Snake River Chapter of Trout Unlimited v. Hodel*, 921 F.2d 232 (9th Cir. 1990). The Department has copies of some of these documents and will make these copies available on the Department's website.
6. The annual watermaster reports for Water District 1 (the “Black Books”). These reports are available for online viewing on the Department's website. Hard copies can be reviewed at the Water District 1 office in Idaho Falls and/or at the Department's state office in Boise upon request.
7. All other Water District 1 records of water distribution, water accounting, and/or reservoir operations, including but not limited to reports, analyses, manuals, printouts, correspondence, memoranda, presentations, Committee of Nine minutes, etc. These can be reviewed at the Water District 1 offices in Idaho Falls upon request. The Department has copies of some of these documents and will make these copies available on the Department's website.
8. The transcripts and exhibits of the *Deposition of Anthony Olenichak, SRBA Subcase Nos. 1-2064, et al. (American Falls subcases), 1-2068, et al. (Palisades subcases)* (Feb. 9, 2012), and the *Continued Deposition of Anthony Olenichak, Subcase Nos. 1-2064, et al. (American Falls subcases), 1-2068, et al. (Palisades subcases) (Volume II)* (Mar. 21, 2012). While many parties to these subcases already have copies of these transcripts and exhibits, the Department will make copies available on the Department's website.
9. The federal legislation authorizing the federal reservoirs, including legislative history such as reports, hearing transcripts, etc., and any subsequent amendatory legislation. Also any federal regulations, reports, manuals, operating procedures, correspondence, contracts, agreements, etc., pertaining to the operation of the federal reservoirs. The Department has copies of some of these documents and will make these copies available on the Department's website.