

Memorandum

To: Tim Luke, water district file
From: Steve Burrell 
Date: October 28, 2004
Re: Tim Luke Memo of 10/27/04 - WD34: Antelope Creek Issues & Request to Remove Watermaster

This memo regards item 2) of Tim's Memo: "Steve identified at least two illegal points of diversion in his report. I suggest that Steve or I send pending NOV's to the users in question". One potential illegal diversion is a pump on the Hanrahan Ditch headgate. Randy McAfee alleges this pump belongs to Dale Huffaker. Dale Huffaker's water right no.s 34-2473 and 34-2474A have POD's and POU's located about 4 miles downstream from the pump location. It doesn't make much sense to lay 4 miles of pipe to get water to your field, especially with all the private property you'd have to cross to get it there. Without further confirmation from another source that this pump is Huffaker's, I am hesitant to send a pending NOV letter for this alleged illegal POD. I think more appropriate action would be to work with the watermaster to confirm ownership of the pump, and go from there.

Regarding Bob Shawver blocking off the main channel, I'm not convinced this channel blockage was intentional. To me, it appeared that a natural deposit of drift wood collected and blocked the channel at this location, and that's all there was to this issue. The owner, Shawver, lives in Blackfoot and may be unaware of the situation. I would prefer not to issue a pending NOV letter without first contacting Shawver by phone and inquire about his use of water, as it appeared the land may not have been irrigated for at least this season. Also, the watermaster could easily clean the driftwood out of the channel by hand. This blockage could also be dislodged and eliminated by high flood waters next spring.

Let's discuss further if needed.