



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

JULY 2, 2010

ROBERT L. HARRIS  
HOLDEN, KIDWELL, HAHN & CRAPO P.L.L.C.  
PO BOX 50130  
IDAHO FALLS, ID 83405

**RE: WATER DISTRICT 34 WATER MEASUREMENT MATTERS.**

Dear Mr. Harris:

I received your May 4, 2010 letter, written on behalf of Mr. Don Isom and Mr. Leon Folkman regarding measurement matters in Water District No. 34. In your letter, you request the assistance of the Idaho Department of Water Resources (IDWR) in ensuring the Big Lost River Irrigation District (BLRID) is successful in its efforts to improve measurement and control on the East Side Canal.

IDWR is supportive of these efforts and commends the users involved and the BLRID for their agreement to work to improve the delivery system. As you correctly noted in your June 24, 2010 follow-up letter, IDWR is in favor of appropriate measuring and monitoring and does support efforts to ensure the devices meet standards of accuracy and precision. Because of this, IDWR and/or watermasters will sometimes provide assistance to users with delivery issues on privately owned ditch systems, even though neither normally has an obligation to do so. In the matter at hand, IDWR must consider factors not normally present when deciding whether and how best to provide the assistance that is requested.

Given that IDWR has significant resource limitations due to current agency budget restrictions, it is unlikely that IDWR can provide the direct support at the level requested. IDWR can provide to users and/or the BLRID assistance and information on selecting and evaluating measurement and control devices. However, IDWR must limit its involvement to only those instances where the BLRID and the users cannot resolve the repairs/improvements on their own and with the help of the district hydrographer and advisory committee as described below.

Given the potential watermaster conflict of interest concerns raised in your letter, IDWR suggests your clients and the BLRID, in cases where they disagree on the suitability of a measuring device, should solicit the assistance of Mr. Gary Brinton (the assistant watermaster /district hydrographer). Mr. Brinton, under the oversight of the BLRID, your clients, and the WD34 Advisory Committee, could perform measurements with the district's portable ultrasonic flowmeter at high, low, and typical flows. A comparison of

those measurements with the measurements from the measuring device in question should settle questions of its accuracy over a range of flows.

The district hydrographer has been trained in the use of the portable ultrasonic flow meter, and the meter was been calibrated and certified by IDWR in March of this year. As such, IDWR feels the parties should have confidence in measurements by Mr. Brinton. Note that, in some cases, it may be necessary to excavate a short section of buried pipe to obtain a measurement.

IDWR recognizes that this approach may not resolve every dispute over measuring devices on the Eastside/Arco/Munsey system, but it should help resolve a number of the concerns which will improve the accuracy of the delivery system and reduce the number of questionable devices that IDWR must inspect.

If you have any further questions on this matter, please feel free to contact me.

Sincerely,



Nick Miller  
Water Distribution Section, IDWR

c:

Jay Jensen – Watermaster, Water District 34, PO Box 53, Mackay, ID 83251  
Gary Brinton – Asst. Watermaster, Water District 34, PO Box 53, Mackay, ID 83251  
BLRID - 101 S Main Ave, Mackay, ID 83251

WD34 Advisory Committee

Loy Pehrson – RT 1 Box 48, Darlington, ID 83255  
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