

Dist 86-

March 23, 1928.

Mr. B. E. Stoutemyer, District Counsel
U. S. Bureau of Reclamation,
Portland, Oregon.

Dear Mr. Stoutemyer:

Your letter of March 21 with the enclosed draft of your answer and cross-bill in the case of Twin Falls Canal Company versus Carter et al. has been received.

In reading your answer and cross-bill I note that a great deal seems to hinge on the river conditions which existed prior to the construction of the Minidoka Project and that a net loss in the neighborhood of one hundred second-feet is claimed to have been noted between Neeley and Milner at this time. Personally I have never had cause to analyze these early records and for this reason I cannot of my own knowledge state what they indicate. When I took charge of the water distribution work, however, in 1919 the practice of using the Neeley data as a basis for measurement of lower valley normal flow rights had already been in use for a number of years and was apparently well established and satisfactory to all parties concerned.

It has always been my understanding that the tributary inflow from natural streams such as Fall Creek, Raft River and Dry Creek, all of which enter the river between Neeley and Milner, was just about sufficient to off-set the loss noted between these river points under pre-reservoir conditions and that the use of the Neeley station as a basis for normal flow division was predicated upon this assumption.

I am not anxious to take the time which would be required to make a thorough study and analysis of the old records unless this is absolutely necessary.

#2.
B. E. S.

With the exceptions noted above which do not come within the scope of my personal knowledge I think your answer is satisfactory. At least I did not note anything which appeared to be in error in the single reading which I have thus far been able to make.

I would appreciate having you advise me as soon as a date is set for hearing on this matter and would also like advance information in the event that I am apt to be called as a witness.

With kindest regards, I am

Sincerely yours,

G. Clyde Baldwin

Deputy.