



State of Idaho

DEPARTMENT OF WATER RESOURCES

Salmon Field Office • 102 South Warpath • Salmon, Idaho 83467

Phone: (208) 742-0658 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

August 6, 2020

MERRITT UDY
WATERMASTER, WD74Z
PO BOX 145
LEADORE ID 83464-0145

RE: WATERMASTER INSTRUCTIONS REGARDING MC CONNELL UNAUTHORIZED DIVERSION
AND WHITTAKER RESUMPTION OF DELIVERY, LEE CREEK

Merritt:

Bruce and Glenda McConnell received the attached letter which requires closure of the unauthorized diversion on Lee Creek. Based on our field inspections, the lower of the two diversions is not authorized on the McConnell water rights.

Mr. McConnell has agreed verbally to close the diversion, and has been instructed in writing to complete the closure no later than Friday, August 7, 2020.

Please coordinate with Mr. McConnell as soon as possible and complete the following:

- confirm that the lower diversion in Lee Creek has been closed, and that all obstructions in the natural channel at that location have been removed
- forward a confirmation of the closure to the WD170 watermaster

Based on the investigation conducted yesterday, it appears that water from Stroud Creek may flow into Lee Creek below McConnell's authorized point of diversion. If McConnell cannot currently access this water from his authorized point of diversion, delivery of water right 74-157 held by James Whittaker may resume. Please complete the following:

- obtain a measurement of total flows available to McConnell at his authorized point of diversion
- make a measurement or estimate of flow in the side channel that is bypassing McConnell's authorized point of diversion
- resume delivery of water right 74-157 from the West Spring
- 12 to 24 hours after delivery to Whittaker is resumed, obtain another measurement of total flows available to McConnell at his authorized point of diversion and make another measurement or estimate of flow in the side channel that is bypassing McConnell's authorized point of diversion
- forward measurements of the diverted and bypassed flow to the WD170 watermaster

over

Thank you for your assistance, and please contact me if you have additional questions.

Regards,

A handwritten signature in blue ink that reads "Cindy Yenter". The signature is written in a cursive, flowing style.

Cindy Yenter
Watermaster, WD170
IDWR Salmon Field Office

cc: Rob Whitney, IDWR
Garick Baxter, Deputy Attorney General