



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 2, 2001

Ron Ford
Rt 1 Box 326
Cambridge, ID 83610

Re: Measuring Devices for Diversions from Rush Creek

Dear Mr. Ford:

The Idaho Department of Water Resources (IDWR) issued a preliminary order on February 28, 2001, requiring installation of a locking controlling works and measuring device for water rights authorizing diversion of water from Rush Creek. A copy of the order is enclosed. The order required that the measuring devices and lockable control works be in place prior to June 1, 2001. The order also stated that the watermaster would shut off any diversion not having an adequate controlling works and measuring device after June 1, 2001.

The current watermaster, Bosco Bosler, and IDWR personnel visited the points of diversion of water from Rush Creek on June 21, 2001. They found that you divert water from Rush Creek through an open ditch. They also found that you have not installed a measuring device for deliveries of water into the ditch.

Please be advised that the watermaster has been instructed to shut and lock your diversion from Rush Creek on July 16, 2001 if you do not install an adequate measuring device. There are several measuring devices that would probably provide suitable measurement. IDWR would prefer an open channel measurement near the headgate. I encourage you to comply with the requirements of proper installation and maintenance of your diversion works and measuring device.

Respectfully,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

c. Bosco Bosler
Steve Lester



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DIRK KEMPTHORNE
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KARL J. DREHER
Director

July 2, 2001

Melvin Newbold
3473 Rush Creek Road
Cambridge, ID 83610

Re: Measuring Devices for Diversions from Rush Creek

Dear Mr. Newbold:

In August 2000, the Idaho Department of Water Resources (IDWR) issued a notice of violation to Brett and Douglas Newbold for diverting and using Rush Creek water on lands not described by water rights. You may be the owner of some of the lands that were being irrigated. A compliance conference for the notice of violation was conducted on August 31, 2000 at the Western Regional Office of IDWR. A subsequent meeting was held on October 23, 2000 to discuss solutions. The October meeting was attended by Brett Newbold; Kermit Wiggins; his attorney, Lary Walker; the watermaster, Jerry Myers; and myself. The participants agreed to talk further about a solution. On December 12, 2000, I wrote a letter proposing a plan that would result in the dismissal of the notice of violation. The proposed plan was not adopted.

IDWR issued a preliminary order on February 28, 2001, requiring installation of a locking controlling works and measuring device for water rights authorizing diversion of water from Rush Creek. A copy of the order is enclosed. The order required that the measuring devices and lockable control works be in place prior to June 1, 2001. The order also stated that the watermaster would shut off any diversion not having an adequate controlling works and measuring device after June 1, 2001.

The current watermaster, Bosco Bosler, and IDWR personnel visited the points of diversion of water from Rush Creek on June 21, 2001. They found that your water rights are delivered through a pressurized pipeline. They also found that you have not installed a measuring device.

Please be advised that the watermaster has been instructed to shut and lock your diversion from Rush Creek on July 16, 2001 if you do not install an adequate measuring device. There are several measuring devices that would probably provide suitable measurement. IDWR would prefer an open channel measurement near the headgate upstream of the inlet to the pipe. An inline flow meter would only accurately measure water if full pipe flow is maintained, and would probably be operable only if located above the controlling works. This would require adequate screening to remove debris that would damage the inline meter and removal of the

Melvin Newbold

July 2, 2001

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meter from the pipeline during the winter. You would also be required to calibrate the inline meter for accuracy.

As stated before, if an adequate measuring device is not installed, the water master will block your diversion from Rush Creek until it is in place. I ask that you comply with the order of IDWR to install and maintain your diversion works and measuring device.

Respectfully,

A handwritten signature in cursive script that reads "Gary Spackman". The signature is written in black ink and is positioned above the printed name.

Gary Spackman

cc. Bosco Bosler
Steve Lester



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Governor

KARL J. DREHER
Director

July 2, 2001

Kermit Wiggins
P.O. Box 86
Cambridge, ID 83610

Re: Measuring Devices for Diversions from Rush Creek

Dear Mr. Wiggins:

A meeting was held on October 23, 2000, in Cambridge, ID to discuss solutions to ongoing delivery problems through a pipeline you shared with Brett and/or Melvin Newbold. The October meeting was attended by Brett Newbold; Kermit Wiggins; his attorney, Lary Walker; the watermaster, Jerry Myers; and myself. The parties agreed to talk further about a solution. On December 12, 2000, I wrote a letter proposing a plan. The proposed plan was not adopted.

Because you did not reach an agreement with Brett and/or Melvin Newbold about the configuration of and delivery of water through the pipeline(s) on your property, IDWR issued a preliminary order on February 28, 2001, requiring installation of a locking controlling works and measuring device for your diversion(s). A copy of the order is enclosed. The order required that the measuring devices and lockable control works be in place prior to June 1, 2001. The order also stated that the watermaster would shut off any diversion not having an adequate controlling works and measuring device after June 1, 2001.

The current watermaster, Bosco Bosler, and IDWR personnel visited the points of diversion of water from Rush Creek on June 21, 2001. They found that you divert water from Rush Creek through a pressurized pipeline. They also found that you have not installed a measuring device for deliveries of water into the pipeline.

In addition, your ability to divert substantial quantities of water from Rush Creek is dependent on simultaneous release and measurement of water back to Rush Creek from the two earliest constructed reservoirs on your property located near Rush Creek. The watermaster confirmed that an inline measuring device is installed in the outlet pipe from the reservoir, but that it may not be operable.

Please be advised that the watermaster has been instructed to shut and lock your diversion from Rush Creek on July 16, 2001 if you do not install an adequate measuring device. There are several measuring devices that would probably provide suitable measurement. IDWR would prefer an open channel measurement near the headgate upstream of the inlet to the pressurized pipelines. An inline flow meter would only work if full pipe flow is maintained, and

Kermit Wiggins
July 2, 2001
Page 2

would probably be operable only if located above the controlling works. This would require adequate screening to remove debris that would damage the inline meter and removal of the meter from the pipeline during the winter. You would also be required to calibrate the inline meter for accuracy.

In addition, the inline meter that measures water released from your reservoirs should be calibrated to insure the meter accurately measures the flow and volume of water being released to Rush Creek.

Respectfully,



Gary Spackman

c. Bosco Bosler
Lary Walker
Steve Lester



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Governor

KARL J. DREHER
Director

July 2, 2001

Robert Bumgarner
P.O. Box 264
Cambridge, ID 83610

Re: Measuring Devices for Diversions from Rush Creek

Dear Mr. Bumgarner:

The Idaho Department of Water Resources (IDWR) issued a preliminary order on February 28, 2001, requiring installation of a locking controlling works and measuring device for water rights authorizing diversion of water from Rush Creek. A copy of the order is enclosed. The order required that the measuring devices and lockable control works be in place prior to June 1, 2001. The order also stated that the watermaster would shut off any diversion not having an adequate controlling works and measuring device after June 1, 2001.

The current watermaster, Bosco Bosler, and IDWR personnel visited the points of diversion of water from Rush Creek on June 21, 2001. They found that you divert water from Rush Creek through an open ditch. They also found that you have not installed a measuring device for deliveries of water into the ditch.

Please be advised that the watermaster has been instructed to shut and lock your diversion from Rush Creek on July 16, 2001 if you do not install an adequate measuring device. There are several measuring devices that would probably provide suitable measurement. IDWR would prefer an open channel measurement near the headgate. I encourage you to comply with the requirements of proper installation and maintenance of your diversion works and measuring device.

Respectfully,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

c. Bosco Bosler
Steve Lester