

WD 65

WATER DISTRICT NO. 65

102 N. Main St.
Payette, Idaho 83661
Phone (208) 642-4465
Fax (208) 642-1042

August 7, 1995

Mr. Mark Dawson, Manager
Horseshoe Bend Hydro Project
LB Industries
P.O. Box 2797
Boise, Idaho 83701

Dear Mark:

After our conversation this afternoon, I am responding to your questions with regard to diversions on your canal for irrigation purposes. Any diversion from your canal for the purpose of irrigation is considered a diversion from the river itself, and is illegal unless accompanied by a valid water right. If a water user wanted to divert from the canal for the purpose of irrigation, or any other purpose, they must apply for a water right with the Western Region Office of the Idaho Department of Water Resources in Boise. Also, if a water user changed the place of diversion from one point in the river to another, or from one point on the canal to another, they must apply for a change in point of diversion with the IDWR's Western Region Office, even if they currently hold a water right, as their water right states the exact point of diversion originally filed on.

If you have further questions, please give me a call at (208)642-4465

Sincerely,

Mark Limbaugh, Watermaster

cc: Mr. Dave Tuthill, IDWR
Ms. Sheryl Howe, IDWR

WD65

WATER DISTRICT NO. 65

102 N. Main St.
Payette, Idaho 83661
Phone (208) 642-4465
Fax (208) 642-1042

August 2, 1995

Mr. Mark Dawson, Manager
Horseshoe Bend Hydro Project
LB Industries
P.O. Box 2797
Boise, Idaho 83701

Dear Mark:

After our conversation last night, I believe it is appropriate that I respond in writing to adequately address the problems we had with the river flows due to your actions. The flows over the Black Canyon Dam varied from 831 cfs to 1054 cfs the afternoon of Tuesday, August 1, due to the fact that your hydroplant materially disturbed the flow of the river during that time period. As Watermaster for the Payette River system, I cannot manage the delivery of water from the river with the varying flows associated with these kinds of operating procedures. If you continue to disrupt flows on the river during delivery of stored water to users downstream, such as what happened yesterday, I will have no choice but to call a meeting with the Bureau of Reclamation, the irrigation companies affected, and the State of Idaho Department of Water Resources to discuss the possible recourse against such practices. Normal operating fluctuations will be allowed as long as they do not result in prolonged changes over 50 cfs at any one occurrence. I must insist, however, that you contact this office prior to any such changes in the future.

If you have further questions, please give me a call at (208)642-4465 or (208)452-4044 in the evenings.

Sincerely,

Mark Limbaugh, Watermaster

cc: Mr. Brick Andrew, WD65
Mr. Dave Tuthill, IDWR
Ms. Sheryl Howe, IDWR
Mr. Rick Wells, BOR
Black Canyon Dam Operators
Black Canyon Irrigation District
Emmett Irrigation District
Farmer's Co-op Irrigation Company
Noble Ditch Company
Lower Payette Ditch Company