

Water Dist 65 file

Water District No. 65

Payette River Basin, State of Idaho
102 North Main Street
Payette, Idaho 83661

Watermaster
Mark Limbaugh

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Norm
Alan
Tim

September 16, 1998

Ms. Shari Sharp
P.O. Box 38
Eagle, ID 83616

RECEIVED

SEP 21 1998

Department of Water Resources

Dear Ms. ~~Sharp~~ *Shari*:

It was my pleasure to meet you yesterday in Donnelly, Idaho, along with Don Weilmunster, Jerry Thompson (Spring Valley Ranch), and your daughter, Melissa. I believe the meeting went well, and I sincerely hope we worked out a plan that will assist in the delivery of natural flow water rights to all parties concerned.

In summarizing our meeting yesterday, Tuesday, September 15, 1998, we met at the Donnelly Fire Department at 1:00 p.m., and toured the ditch you share with Mr. Weilmunster and the Purdom Ranch (Mr. Risch). As a result of our tour, we came to the conclusion that the ditch was poorly maintained this season and that several of the diversion structures were in dire need of repair. As I recall, we decided to postpone the appointment of a Watermaster on Mud Creek. We decided instead to work out a maintenance plan for your ditch to implement during the 1999 irrigation season. Through this plan, we hope to allow all natural flows available to you, Mr. Weilmunster, and the Purdoms to be delivered through the ditch to the associated lands irrigated under the valid water rights of all the parties involved. This decision was made based on the following assumptions:

- 1) The ditch currently will not carry all natural flows available due to its poorly maintained condition;
- 2) The appointment of a Watermaster on Mud Creek will carry with it additional financial burdens to the parties involved, as well as to all of the other water right holders on Mud Creek, and may not result in a satisfactory outcome due to the condition of your ditch; and
- 3) If, in fact, you and the other parties work out an annual maintenance plan on your ditch, this working relationship may open the lines of communication between all of the parties in possibly sharing or splitting available water supplies during times of shortage. Such an arrangement could possibly be agreed to on an annual basis.

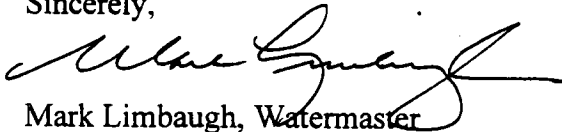
This last assumption is particularly important, in that all parties would retain the ability to irrigate all summer with available supplies, maintaining the ditch in good condition and working together in managing the available water supply. This will still allow for senior water rights to be protected in the delivery of the water supply through your ditch, but the

fact that you are all working together in managing the delivery of irrigation water can only help in resolving potential conflicts as they arise in the future.

In closing, I want to thank you for meeting with all parties concerned with the operation of your ditch. The meeting focused on what could be done to alleviate the current situation, which is the most positive and effective way in dealing with these types of conflicts. At yesterday's meeting, I did agree to meet with you next season, during June or July, to measure the amount of water being diverted into your ditch. This measurement should give you and the others a benchmark to use in managing the delivery of the irrigation water through the ditch. I will not charge you for this service, as I hope this arrangement will be successful in providing the water necessary for all valid water rights on the ditch. If, however, this arrangement does not work in satisfying the irrigation of these lands, please let me know so that we may call a meeting of all water users on Mud Creek to discuss the appointment of a Watermaster.

Thank you for your continued commitment in resolving this dispute.

Sincerely,



Mark Limbaugh, Watermaster
Water District No. 65

Cc: Phil Rassier, Deputy Attorney General, IDWR
Jim Risch