

# Memorandum

**To:** Norm Young  
**From:** Tim Luke  
**Date:** January 18, 2001  
**Re:** Information on Warren Lloyd Well

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Please find attached the 2000 Water District 13-T file. I think this will help address your questions with Bart Christensen.

Your memo of October 13, 2000 outlined several tasks to be completed. I can report on several of these items:

1. The Warren Lloyd well has been reworked to allow water level measurements. I obtained a measurement there in November.
2. I contacted the neighboring water users regarding pumping problems near the Lloyd well. The responses are documented in a memo dated November 16, 2000.
3. I spoke with the watermaster regarding any unauthorized uses during 2000. A few of the memos and correspondence in the file describe some concerns and investigations of water use. The watermaster had suspected several potential incidents of unauthorized use during the season involving Gem Valley Farms but did not obtain any conclusive evidence. The watermaster contacted our office several times to discuss these matters and the associated water rights. Both IDWR and the watermaster also discussed these concerns with Chad Niebauer of Gem Valley Farms. We found and I believe Chad admitted to one incident where a windshield-wipe pivot crossed into and watered several acres of an area that was not supposed to be irrigated. Chad indicated that there was some problem with the setting of the pivot or the pivot not stopping to where it had been set to stop. After Chad was questioned about this, the incident did not occur again nor did the watermaster suspect that the incident was repeated. One or two other potential concerns of the watermaster were resolved either by installing valve locks or by continued monitoring of fields. No action was taken with respect to the one incident above.
4. I am not aware that IDWR has completed item 4 of your 10/13/00 memo regarding amending the water district order to authorize the watermaster to control place-of-use violations. I suggest that Phil Rassier or John Homan provide some response to this question. I am not sure an amendment is absolutely necessary. Chapter 6 of Title 42 does not seem to explicitly

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provide this authority so one may argue that the watermaster may be limited to only reporting violations to IDWR. On the other hand, there may be some implied authority regarding such regulation since the rights are decreed and subject to watermaster control. I think that either an amendment or a letter to the watermaster might help in providing some clear direction.