



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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*WD 57-D file*

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

June 26, 1994

Mr. Jay Hulet  
HC 79, Box 2000  
Murphy, ID 83650

Mr. Paul Nettleton  
Murphy, ID 83650

RE: Water Deliveries on Murphy Mutual Canal

Gentlemen:

The purpose of this letter is to provide an updated status on water deliveries in the Murphy Mutual Canal. The events of the past two days need to be documented to reduce any potential confusion as to why certain Department actions were taken. Actions taken are described in chronological sequence as follows:

1. Mary Blackstock is the Watermaster of Water District 57-D, Sinker Creek. In addition, on May 16, 1994, I issued a letter stating that she was appointed as Lateral Manager of the Murphy Mutual Canal Company under the provisions of §42-909, I.C.

**Saturday, June 25:**

2. At about 9:00 am, Mr. Hulet telephonically contacted IDWR personnel to declare an emergency need for water from Hulet Reservoir. He stated that this emergency need was caused by a breakdown of a Snake River pump, and repairs cannot be completed for a few days.

3. The Watermaster and Lateral Manager, Mary Blackstock, is out of town (presumably for the weekend) and is unavailable to deliver the requested water.

4. The Department should act as the backup Watermaster and Lateral Manager in the situation where the Watermaster/Lateral Manager is not available.

5. On Saturday, June 25, IDWR personnel familiar with the Sinker Creek Water District, Cindy Hodges and myself, had prior commitments and were unable to travel to Murphy to deliver the requested water.

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6. At about 10:00 am I attempted to telephonically contact the upper user of the Murphy Mutual Canal, Paul Nettleton, at his Murphy and Silver City residences, but was unable to reach him.

7. I offered to meet with Mr. Hulet at the reservoir early Sunday morning, June 26. He felt that a delay of 20 hours would seriously damage crops being irrigated by the Murphy Mutual system. The contingency plan for making emergency deliveries from the reservoir (normally for flood control purposes) is to work through the Owyhee County Sheriff's Office. Two years ago this office supplied the Sheriff's office with a key to the reservoir control house for this purpose. I told Mr. Hulet that if he coordinated with onsite personnel at the Nettleton ranch (Joyce Livestock Company), and if he worked through the Sheriff's Office under the emergency conditions, we would not object to an emergency delivery.

8. I received a call from the Sheriff's office and confirmed the Department's position in this matter. The Sheriff's office was unable to find the key, so I authorized them to cut the chain or lock, to be replaced at Mr. Hulet's expense.

9. At 9:30 pm I called Mr. Hulet to determine the water delivery status. He stated that he had cut the chain under the auspices of the Sheriff's Office, and had delivered into the canal an amount estimated to be satisfactory. I made arrangements with Mr. Hulet to visit the site the next morning at 8:00 am, and called Mr. Nettleton's two residences to confirm that this process would not have a negative impact on his operation. Receiving no answer, I left a message on his home recorder explaining the situation.

**Sunday, June 26**

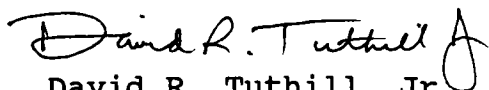
10. At 7:00 am I was picking up keys at the office enroute to Murphy to inspect the water delivery as arranged, when I received a call from Mr. Hulet. He stated that (1) Mr. Nettleton has temporarily ceased using the Murphy Mutual Canal for water conveyance, so presently there is no competing delivery on the canal which would require a Lateral Manager decision, and (2) Joyce Livestock Company employee Robbie had worked with Mr. Hulet to remove the checks in the canal to allow the reservoir release to flow downstream, and had indicated no adverse impact on Joyce Livestock Company operations. Mr. Hulet felt that under the circumstances a Department field examination would not be required today, as Cindy Hodges had already planned to make a field visit tomorrow. I agreed with this suggestion, and this letter is prepared as an alternative to a field visit today. Mr. Hulet described that the flow over the weir at the head of the Murphy

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Mutual Canal reads 4.68 feet (which equates to 21.35 cfs if the weir blade has been properly sealed), and the flow over the Sinker Creek weir located just downstream from the reservoir reads 5.50 feet, which he stated is 0.04 feet lower than when he initiated the flow into the canal.

Copies of this letter are being mailed this morning with the intent to maximize communication and minimize confusion regarding Department actions in this regard. Cindy Hodges will be onsite tomorrow to make measurements and re-establish locked control of the reservoir outlet gatehouse.

Sincerely,



David R. Tuthill, Jr., P.E.  
Manager, Western Regional Office

cf: Owyhee County Sheriff  
Cindy Hodges, Norm Young, Keith Higginson  
*Mary Blackstock*