MEMORANDUM

July 31, 1995

TO: Water District 57D File

FROM: Cindy Hodges

RE: MMC Measurement Records

Copies as requested to Mary & Jay 8-1-95

Received the following calls from Sinker Creek: (on July 28, 1995)

Watermaster Mary Blackstock, 0800:

Jay has requested information regarding Paul's withdrawals <u>from</u> MMC. Paul offers the information and Mary includes it in her field notes, but uses same info only to determine if flows need to be delivered to Nahas under the Montini agreement. Should she give this info to Jay?

Response:

The records cannot be kept from Jay, but I am unclear as to exactly which information and how often he wants it.

Since Mary still has no jurisdiction over withdrawals from MMC, I advised that she not attempt to quantify, or record flow, of Paul's withdrawals from MMC, as that may imply regulation which is not authorized. An awareness of the Nettleton water use in MMC is necessary only to the extent that the Watermaster can determine if flows from Sinker Creek are being used under Nettleton rights outside the Sinker Creek drainage. Example: when a diversion to MMC is shown for Nettleton, a corresponding note should be made, identifying the area to which the water is being re-diverted (bench field, upper pumps, upper canal) and if the Montini agreement is being implemented or has been waived.

Jay Hulet, 0830:

Jay has received from Mary the Water District daily measurement records he requested, but they do not show any information about Paul's withdrawals from MMC. Mary admits that Paul gives her that information, but she seems reluctant to forward it to Jay. Doesn't he have a right to that info?

Response:

Any field notes made by the Watermaster and recorded on the daily measurement sheet should be considered public information. I explained to Jay that Mary is not using the information to regulate from MMC, as that is not a part of her duties. It appears that Mary is copying to Jay the front side of the measurement record sheet only; her field notes are on the reverse side. I didn't believe this was a purposeful omission; Mary obviously thought the field measurements were the only records Jay was interested in. Jay agreed, but still wants copies of the notes for his files.

Related issue:

Is it reasonable for Jay Hulet to request complete Watermaster records on a daily (per trip) basis?

Conclusion:

As the declared watermaster or ditch rider for MMC, it is reasonable that Jay request and receive timely notification of total deliveries to MMC, so that he may apportion those flows to the receiving parties. It would also be reasonable for Jay to request and receive a brief notification of any other information the Watermaster may have that might assist Jay in day-to-day operations of Murphy Mutual Canal. Appropriate information could include knowledge of anticipated or verified location of withdrawals by Nettleton (for instance, bench field or first pump) and the time the flow adjustment was made at the canal weir. However, for purposes of canal operations, final verification of those withdrawals must ultimately be made by Jay.

I do not believe it is reasonable for the Watermaster to make available to Jay the entire Watermaster measurement record immediately following each trip. This would incur a good deal of extra travel or stops on the part of the Watermaster which will ultimately reflect in District costs..(stops at courthouse to copy plus either a trip back to Jay's message box or mailing fees).

These measurements are public record, and to the extent they provide the receiver critical daily information (ie, canal operations) they should be conveyed as soon as possible. Otherwise, a reasonable attempt should be made to deliver copies at logical intervals if requested. If there arises a valid reason to monitor the scheduled measurements downstream from the head of MMC, the daily Watermaster records can be reviewed by the appropriate persons at this office.

Solution:

Mary should continue to make brief handwritten notes for Jay after each field visit and deliver them to his message box on the highway. The notes should include deliveries made to MMC (and cfs amounts charged to each party), approximate time of adjustment, and any knowledge of withdrawal locations by Nettleton. Notes could also include inflow and discharge creek weir measurements if Jay would like them. Other downstream measurements are not really relevant for daily canal operations.

I am also requesting, by copy of this memo, that Mary make full copies (front and back) of all the original daily measurement sheets which have been compiled so far this season, and forward them to Jay. This should be accomplished at Mary's earliest convenience, but within one week to ten days. All costs for time, copies and mailing, as applicable, will be charged to Jay at the end of season. Thereafter, in approximate two week intervals, Mary can make copies of new record sheets and drop them off to Jay during a field visit. In this manner, Jay will receive timely daily notification as well as full season follow-up documentation.