



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

January 29, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

R T NAHAS  
C/O CRAIG BAKER  
BOX 127  
MURPHY ID 83650

***RE: QUESTIONS FROM SINKER CREEK WATER DISTRICT MEETING***

Dear Mr. Baker:

You asked a very interesting question at the last Sinker Creek Water District meeting. The question asked was if the water could be released from the reservoir early to allow you to divert your irrigation right at your farm on April 1. I was unable to answer the question at that time, so I told you I would try and find an answer and get back to you. I have researched each of your rights and spoken with a number of people in our department who have dealt with your district in the past. I will try to answer your question, but an official decision can not be made until you make a formal call for the water.

In order for the Idaho Department of Water Resources (IDWR) to answer you question you will need to submit the following additional information:

- 1.) A model or historical documentation that shows the amount of time it would take the water to run from Hulet's reservoir to your farm and/or the Edwards farm. This would be a diversion rate that would not exceed your or the Edward's water rights. This information would also need to take into account the local climatic conditions and soil moistures compared to past years or anything else that may affect the time it would take the water to reach your farm.
- 2.) An accurate forecast of the Sinker Creek flows to ensure that there will be enough water flowing into Hulet's reservoir on April 1 to satisfy your water rights and all senior water rights.
- 3.) A monitoring proposal to ensure that only live flow from Sinker Creek will be used rather than Hulet's storage water.

page 2  
Nahas

If you can not supply the above information with reasonable accuracy, then your call for water would probably be considered a waste of water, which would prevent us from allowing natural flow to pass through the reservoir until April 1.

Sinker Creek seems to have very sporadic flows that could make creating a model or some procedure to accurately forecast the flows in the creek difficult. The senior water users (Joyce and Hulet) have over 19 cfs of flow rights. You would need to show there would be 19 cfs plus enough water to cover your and Edward's water rights flowing into Hulet's reservoir on April 1 before we could allow you to run water down the Sinker Creek channel prior to the April 1.

Due to the lack of measurement devices and minimal monitoring of Sinker Creek in the past, I have not found anything in our records that could support such a call. However, a qualified engineer or hydrologist may be able to give you the documentation that you will need. I am unaware of a call like this being made, so I would expect that documentation will need to show convincing evidence to support your request. You will need to submit this information to our department far enough in advance to allow us to review the information and make an informed decision. I suggest that you send us this information at least a few weeks before you will need the water to be released back into the stream channel.

If you have any questions please contact me at the above address.

Respectfully,



Daniel A. Nelson  
Sr. Water Right Agent

cc Paul Nettleton - Joyce Ranch  
Mike Ihli - Hulet Ranch  
Doug Hipwell - Edwards Farms  
Nick Ihli - Watermaster