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Department of Water Resources



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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**SOUTHERN REGION**

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

June 24, 1999

Ted Mason  
3085 N 4500 E  
Murtaugh, ID 83344

RE: Dry Creek Delivery

Dear Mr. Mason:

This letter is intended to document our meeting on June 22, 1999 regarding the delivery of water on Dry Creek. As you know we met on Dry Creek at the Tugaw diversion. Also at the meeting were Richard Quesnell, Tim Quesnell, Darrel Funk and another gentlemen with Mr. Funk.

We discussed the organization of Dry Creek as a functioning water district. I understand the water district has not since around 1992 filed minutes with the state nor has a watermaster been appointed by the state to deliver water. I understand the waterusers have continued to meet but have failed to comply with Chapter 6, Title 42 of the Idaho Code.

We also discussed the measurement and control of water from Dry Creek at the Tugaw diversion. I observed that the Tugaw diversion appears to take water through a 2' parshall flume (It was submerged and would not provide adequate measurement) which discharges via an underground pipe into a pond. No control works (valve or lockable gate) was observed on this flow from the creek. From the pond there appears to be two booster pumps delivering to a common mainline which is shared with a well pump. One booster pumps directly from the pond, the other from a stilling well which appears to also come from the pond but it was not entirely clear to me how the water enters the stilling basin. Two non-functioning measuring devices are located on the mainline below the points of injection from these three pumps. The flow from the creek cannot be measured separately in this current pipeline configuration.

I understand the decree users on the creek are concerned about delivery of their rights. I told those present that to properly deliver the water the water district should be activated and a watermaster appointed. Also all diversions should have adequate control works and adequate measuring devices. Please find enclosed copies of the statutes covering water districts and requirement of measuring devices. I understand the waterusers will attempt to work together to get the water district going again and will also work to get the diversion rehabilitated with adequate control works and measuring devices.

By copy of this letter I am providing copies of the statutes to those present at the meeting as well as Mr. Tugaw. If any have questions, please feel free to contact our office.

Sincerely,



Allen Merritt, PE  
Southern Region Manager

CC: Tim Luke, Jim Stanton - IDWR  
Darrel Funk - 3173 N 4900 E, Murtaugh  
Richard/Tim Quesnell - 3151 N 4600 E, Murtaugh  
Tugaw Ranch - 3277 Woodridge Dr, Twin Falls