

Stanton, Jim

From: Merritt, Allen
Sent: Wednesday, September 03, 2003 5:12 PM
To: Luke, Tim; Stanton, Jim
Cc: Yenter, Cindy (Hodges); Saxton, Glen
Subject: Conversation with Cindy Blakely (Watermaster on 47-O Rock Creek)

Cindy called and asked questions about dumping water in the creek from a well and renting it to someone else. I told her that unless the water right described the use that was not allowable unless there was a drought designation which has not occurred for Twin Falls county. She asked if they could just ok it as a district and I told her they could not but the district could approach the county commissioners to seek a drought designation. I referred her to 42-222A and she is going to read up on it.

Apparently the old watermaster has in the past ran his well in the creek for his brother's use downstream. He was asking or wanting her to allow this again but she was wondering about the legality of that. (I think she is pretty adept and is trying to do a good job.)

(I forgot about the Water Bank approach.)

As far as the futile call issue she called about a few days ago she said that with the recent rain the creek has risen and Funk is getting about 45 inches over his weir and is able to use it. She expects that if there is no rain that she may be looking at a futile call in a few days. I told her to give us a call. I recommend if the stream drops as it did when she called Cindy that we allow her to move the water upstream to benefit junior users as she had planned.