



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 6, 2001

Lee Sim
Division of Water Rights
Utah Department of Natural Resources
PO Box 146300
Salt Lake City, UT 84114-6300

Re: Water Distribution on Clear Creek, Letter from Dave Sundberg

Dear Lee,

The Idaho Department of Water Resources (IDWR) recently received a letter from Dave Sundberg, watermaster for Idaho Water District 43-B, Upper Raft River, including Clear Creek. Mr. Sundberg's letter alleges a number of problems related to the interstate delivery of water on Clear Creek between Utah and Idaho. A copy of Mr. Sundberg's letter is attached for your reference. Also attached is a document entitled "Distribution of Flows of Clear Creek between Utah and Idaho." This document was drafted jointly by representatives from IDWR and the Utah Division of Water Rights (UDWR) in June, 1998 and includes a section titled "Procedures for Coordinating the Distribution Efforts of the Utah Commissioner and the Idaho Watermaster."

IDWR is concerned that the procedures outlined in the 1998 document are not being followed as agreed upon by IDWR and UDWR. IDWR is particularly concerned, based on Mr. Sundberg's letter, that there may be a lack of communication between the Utah Commissioner and the Idaho Watermaster. If this is true, both the Idaho watermaster and Utah commissioner probably share some responsibility for this communication chasm. The delivery protocol agreed upon by both IDWR and UDWR requires some minimal communication between these two parties. We believe there will be ongoing problems between the states unless the commissioner and watermaster from the respective states forge a minimal working relationship. The best delivery plan or protocol devised by the states will not work without this relationship.

Given our concern about communication, we suggest that a meeting be held by representatives of IDWR and UDWR with the Idaho Watermaster and the Utah Commissioner. We suggest that this meeting be held at the earliest date convenient to both agencies. The meeting can be held at the Raft River Rural Electric Co-op office in Malta, Idaho. The purpose of this meeting is to review the established protocol, determine its effectiveness and whether changes are necessary. We also suggest that both states use this opportunity to discuss changes in appointments of watermaster and/or commissioner if alleged communication problems between the local watermaster and commissioner can not be resolved.

Please contact me directly at 327-7864 to discuss arrangements for a meeting or other questions related to this issue. A possible meeting date that fits our schedule this month is June 15.

Sincerely,



Tim Luke
Manager, Water Distribution Section

Enclosure

Cc: Dave Sundberg, Watermaster
Allen Merritt, IDWR Southern Region Manager
Bob Fotheringham, UDWR Regional Manager
Water District 43-B Advisory Committee

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