

Fred Judd  
P.O. Box 476  
Sun Valley, Idaho 83353

12/10/98

RECEIVED  
DEC 14 1998  
Department of Water Resources  
Southern Region

DEAR MR. MERRITT.

APONIE RECEIPT OF  
THE INCLOSED LETTER  
WE CALLED AND HAD  
THE METER REPAIRED  
BY ROBERT'S ELECT AND  
HAVE HEARD NOTHING SINCE  
THEN - IF IT DID NOT  
SATISFY THE WATER MASTER  
WHY DID HE NOT NOTIFY  
US OF SAME ?

SINCERELY  


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SCANNED

JAN 11 2005



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380**

**Phone: (208) 736-3033 FAX: (208) 736-3037**

**PHILIP E. BATT  
GOVERNOR**

**KARL J. DREHER  
DIRECTOR**

November 30, 1998

FRED JUDD  
PO BOX 476  
SUN VALLEY ID 83353

**RE: Neglect in Maintenance of Measuring Device at Diversion  
NOTICE OF INTENT TO REFUSE DELIVERY OF WATER**

Dear Wateruser:

Our office has been contacted by Lee Peterson, duly elected watermaster of Water District 37 & 37M, in an effort to resolve the issue of proper maintenance of a measuring device at your point of diversion. Lee has provided to our office a copy of a letter sent to you by the water district last year requesting something be done about your measuring device. (Please find a copy of last year's letter enclosed) We understand that to date you have failed to rectify the situation regarding your measuring device.

It is the desire of our office and the water district to resolve this matter over the next few months prior to the irrigation season of 1999. **PLEASE NOTE THAT IF YOUR MEASURING DEVICE IS NOT IN GOOD REPAIR AND FUNCTIONING PROPERLY BY THE BEGINNING OF THE IRRIGATION SEASON OF 1999 THE WATERMASTER WILL REFUSE TO DELIVER WATER TO YOUR HEADGATE AS AUTHORIZED BY LAW.** Please find enclosed for your reference a copy of Section 42-701, IDAHO CODE, which deals with measuring devices. Please specifically refer to the highlighted section (3).

If you have specific questions regarding what is needed to repair or maintain your measuring device please contact Lee Peterson at (208) 886-2451.

Sincerely,

Allen Merritt, PE  
Southern Region Manager

cc: Tim Luke - IDWR  
Lee Peterson - Water District 37 & 37M

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37 M

P.O. Box T  
Shoshone, Idaho 83352  
(208) 886-2451

RECEIVED

NOV 25 1993  
Department of Water Resources  
Southern Region



LEE R. PETERSON  
Watermaster

Fred Judd  
P O Box 476  
Sun Valley, Idaho 83353

October 30, 1997

Dear Fred:

Your Grainland meter is not working at your diversion point (Heath #10). If you have to purchase a new meter I would recommend Micrometer that meters in CFS. Idaho Code 42-701 states in part:

"The appropriators or users of any public waters of the state of Idaho shall maintain to the satisfaction of the director of the department of water resources suitable headgates and controlling works at the point where their water is diverted. Each device shall be of such construction that it can be locked and kept closed by the watermaster or other officer in charge, and shall also be of such construction as to regulate the flow of water at the diversion point."

Failure to do so may result in the director of water resources instructing the watermaster to shut off and refuse to deliver at the point of diversion, the water owned by such appropriator or user until the user does construct and maintain such headgates, controlling works or measuring devices or remedy the defects which exist.

Repair of this meter needs to be done prior to the 1998 irrigation season; otherwise we will not deliver any water until repairs are complete.

If we can be of any assistance please feel free to call.

Sincerely,

Lee R. Peterson  
Watermaster

cc: IDWR