



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

April 21, 1994

George Lemmon
1050 E. 2727 South
Hagerman, ID 83332

Re: Brailsford Ditch Measurement

Dear George:

I received a call this week from Brian Kenworthy at the Hagerman National Fish Hatchery in regard to the call for water from Len Lewis Spring by the Idaho Department of Fish and Game (IDFG). Scott King of our office reported to me that he met with you and Mr. Kenworthy on Tuesday, April 18, while conducting other field work in the area. It is my understanding that the IDFG call has been met and that all the rights on the Brailsford ditch are being filled.

When talking to Mr. Kenworthy earlier this week, he stated that you wanted him to measure the Brailsford ditch after he and his staff adjusted the Brailsford heading to deliver the additional flow. I believe that Mr. Kenworthy assumed that you wanted him to current meter the Brailsford Ditch to verify that the proper amount of water had been turned out to the Brailsford Ditch. Perhaps this is not what you actually expected of Mr. Kenworthy.

The purpose of this letter is to remind you that it is the watermaster's responsibility to measure flows in ditches and determine that certain calls or demands for water are being met. This does not mean you need to measure every ditch on a daily basis. While it is acceptable for you to allow Mr. Kenworthy or a water user on the Brailsford to adjust the headgate once a request has been made to you, I do not believe it is the responsibility of Mr. Kenworthy to actually measure the flow in the ditch. To request Mr. Kenworthy or others to verify flow in the ditch would be reasonable only if a measuring device is installed.

I want to take this opportunity to remind you and the water users on the Brailsford Ditch that a measuring device needs to be installed on the ditch. If the users are opposed to installing a measuring device, then perhaps they and the users in the water district should reconsider budgeting for an open channel current meter as I had suggested at the annual water district meeting. This would enable the watermaster to accurately measure the flow of the ditch and verify that demands for water are being satisfied. IDWR staff has visited the Brailsford Ditch at least four separate times this spring to measure and verify flows in the ditch. Several of these measurements took a considerable amount of time. One staff member visited the site on a Saturday morning and made

CECIL D. ANDRUS
GOVERNOR

KEITH HIGGINSON
DIRECTOR

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Southern Region Office

several current meter measurements to guarantee the water users on the ditch that they were getting the full amount of water that they requested. Obviously, some or all of these measurements by IDWR would not have been required if the Len Lewis Spring users had not gone to court and had instead reached a settlement regarding seasons of use. Even without potential litigation, it is important for the users of the ditch to install a measuring device if they expect to have all their rights delivered.

Water users who have questions concerning this matter may be referred to Scott King or myself. Again, the Department is willing to try and provide some assistance in discussing or designing a suitable measuring device for the Brailsford Ditch. I would like to avoid the possibility of the Department having to issue orders requiring measuring devices.

Sincerely,



Tim Luke
Water Allocations

cc: John Mavencamp
John LeMoyne
John Lezamiz
Bryan Kenworthy, USFWS
Dave Parrish, IDFG
IDWR Southern Region