

MEMORANDUM

March 30, 2000

TO: Frank Erwin, Watermaster District 36A
FROM: Cindy Hodges, IDWR *jh*
RE: Tupper Springs Deliveries

Attached are a listing of water rights from Tupper Springs and a 1996 Order which directs the Watermaster in the delivery of the Tupper Springs rights. Please note that the Order limits delivery under the Tupper senior priority right no A36-00115C to 0.6 cfs. This is due to the original decree amount of 0.6 and does not really take into account that the right has been split. SRBA claim no. 36-00115B, noted in the Order, was decreed to Carl and Mary Pothier for domestic use. Subsequently, Robert Tupper filed late claim A36-00115C for an amount in excess of the original right and including fish propagation uses which are not in the original decree. However, in 1996 IDWR recognized the 0.6 cfs as the priority delivery amount and instructed the Watermaster accordingly. IDWR also asked the Tupperes to show cause why they should not be further limited to only the beneficial uses of domestic, stock and irrigation as shown in the first decree.

There is no response in our files from the Tupperes on the beneficial use question. However, Aqua Life seems to be satisfied with 0.6 as a priority delivery amount until all rights are finally decreed. Therefore, Tim would like for you to follow the intent of the 1996 Order in delivery of these rights. If there is additional water available, Mr. Tupper should be allowed to take 1.0 cfs under the 1979 right no. 36-07841 for fish propagation and up to an additional 0.6 cfs for irrigation and stockwater. I believe that there is a separate line for the household water which should not be required to be measured.

You should check also the location of Mr. Tupper's irrigation pump. Tim recalls that it is below the raceways, and in that case flows will be measured at the upper hatchery. If the pump is located elsewhere and irrigation flows are not being measured at the hatchery boards, please let me know.

I made a field visit last year and noticed that a separate, small weir had been installed in the spring collection box above Mr. Tupper's house. Flows appeared to be going to the AquaLife right (36-02414) however, the amount I measured on June 10, 1999 was considerably lower than what AquaLife has reported receiving from Tupper Springs on that day. I measured the weir crest at 1.6 feet, the head at .28 feet and total flow as 0.79 cfs, using a suppressed weir formula (the same table Tim sent yesterday). We might need to use the contracted weir formula on this one, but the suppressed formula will work for the time being. It will give slightly higher flows than the contracted table. Have you seen or inspected this weir? Is AquaLife measuring Tupper Springs flows here or still at the raceways?

Post-it® Fax Note	7671	Date	3/30/00	# of pages	6
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