



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

April 23, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Stephen J. Kunz
198 Main St
Bern, Idaho 83220

RE: Bear River Measuring Device order in State Water District 11

Dear Mr. Kunz,

The Idaho Department of Water Resources (IDWR) is in receipt of your correspondence dated February 25, 2008 related to measuring device requirements on your diversion located in Water District 11, Bear River.

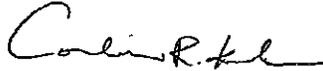
During the summer of 2007, IDWR staff inventoried and conducted a measurement of your diversion within the State Water District 11, Bear River. On June 28, 2007 IDWR staff along with the watermaster inventoried and conducted a measurement of your diversion out of Ovid Creek tributary to the Bear River. IDWR staff at that time did not note a flow meter installed on your diversion or overlooked that a flow meter was being used for water measurement. If it can be determined that the flow meter you have installed on your system is adequate and meets the requirement of $\pm 10\%$ accuracy compared to a standard flow meter (IDWR portable Ultrasonic flow meter), you may satisfy the requirements of the Departments order issued February 20, 2008.

If your flow meter is found to be outside IDWR standards of $\pm 10\%$ for mechanical type flow meters, you will be required to replace the meter with the newly adopted IDWR standards of a magnetic type flow meter. This type of flow meter has no moving parts in the pipe and eliminates potential for meter malfunction due to debris being pumped in a surface water system. IDWR staff will contact you during the 2008 irrigation season to set up a time when a flow meter calibration can be conducted.

Although your water right is out of Ovid creek, it is within Water District 11 and subject to water administration by a state watermaster. After reviewing the water rights of your diversion and those of your neighbors, a number of rights in the Bern area are out of Ovid creek and subject to the same order.

Thank you for your attention to this matter. Please contact me if you have any questions at (208) 287-4842 or email at corbin.knowles@idwr.idaho.gov .

Sincerely,

A handwritten signature in black ink, appearing to read "Corbin Knowles". The signature is fluid and cursive, with the first name "Corbin" being more prominent than the last name "Knowles".

Corbin Knowles
IDWR Water Distribution
State Office

Cc: Cindy Bird IDWR, Soda Springs
Rock Holbrook, Water District 11 water master