



State of Idaho

DEPARTMENT OF WATER RESOURCES

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RECEIVED

OCT 21 1999

Department of Water Resources
Eastern Region

October 19, 1999

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Lava Hot Springs, ID 83246Wallace Whitehead
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Topaz Irrigation Co
Philbin Rd
Chubbuck, ID 83202Dean Day
Fish Creek Irrigation Co
PO Box 112
Lava Hot Springs, ID 83246

Dear Gentlemen:

I have reviewed your correspondence dated October 1, 1999 that was sent to me in response to my letter of September 2, 1999 concerning installation of measuring devices for the Fish Creek diversion and the injection of ditch water to Dempsey Creek.

Your letter asks if I can make a trip to Lava Hot Springs and participate with you in an on-site inspection. This is a reasonable suggestion and I would be happy to meet with you. I plan to be in the area during either the first or second week of November. Suitable dates are either November 4 through 5 or November 10 through 12. You may select a day in either week that best accommodates all of your schedules. Please designate someone to contact me to schedule a more defined date, time and meeting place. Arlin Olson should also be contacted and included in the meeting.

Finally, I suggest you give some thought as to whether you wish to include a representative of the McCammon Ditch Company at this inspection. One of the reasons I have pursued this matter is due to the petition that McCammon filed with the Department several years ago requesting the Department to enforce the local decree and prior department orders. The Idaho Code also requires measurement of all diversions in a water district. McCammon finally withdrew their petition based in part on my visit last year and the Department's willingness to try and improve measurement and accountability within the district, as well as enforce several of the Department's own requirements that had been overlooked. I think it may help to include a McCammon representative so that you will understand their perspective and perhaps more importantly, so that they may better understand your perspective and concerns.

Please contact me directly at 327-7864 to schedule the visit and/or if you have questions.

Sincerely,

Tim Luke

Cc: Harold Jones, IDWR Eastern Region
Arlin Olson, Watermaster

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