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Submission of letter response by U.S.G.S.

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FILED IN THE
U. S. DISTRICT COURT
Eastern District of Washington

MAR 20 1979

J. R. FALLQUIST, Clerk
[Signature]
Deputy

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

COLVILLE CONFEDERATED TRIBES,)

Plaintiff,)

-vs-)

BOYD WALTON, JR., et ux., et al.,) No. 3421

Defendants,)

STATE OF WASHINGTON,)

Defendant-Intervenor.)

SUBMISSION OF LETTER
RESPONSE BY U.S.G.S.

UNITED STATES OF AMERICA,)

Plaintiff,)

-vs-)

WILLIAM BOYD WALTON, et ux., et al.,) No. 3831
and the STATE OF WASHINGTON,)

Defendants.)

The United States of America, plaintiff in Civil No. 3831, submits for the consideration of the Court the attached letter response from the Assistant District Chief, Hydrologic Surveillance, United States Geological Survey, concerning the duties required of the U.S.G.S. under the provisions of Paragraph XIII of the Judgment entered in this action.

JAMES J. GILLESPIE
United States Attorney

[Signature]
ROBERT M. SWEENEY
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UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

Water Resources Division
1201 Pacific Avenue - Suite 600
Tacoma, Washington 98402

March 20, 1979

Robert M. Sweeney
U. S. Attorney
U. S. Department of Justice
Eastern District of Washington
Room 841 U. S. Court House
Spokane, Washington 99201

Dear Mr. Sweeney:

In response to your letter of March 12, 1979, to Mr. Carpenter of the U. S. Geological Survey in Tacoma, the Survey will be able to participate in the monitoring of water put to beneficial use in the No Name Creek basin, Washington. We understand the phrase, "water put to beneficial use," to mean that water which is pumped from existing irrigation wells in the basin, or pumped from Walton's sump.

The status of the flow measuring devices already installed has not been checked for several months, and there is not sufficient time to remove and calibrate the flow meters before pumping begins in the 1979 irrigation season. We suggest that we proceed this year on the assumption that all the meters are operating properly, but purchase one additional meter to be used in case of vandalism or malfunctions.

The existing meters would be read monthly by the parties on whose land they are installed. The readings would be sent each month to the Geological Survey office in Spokane. The Survey would tabulate the readings twice a year and forward them to the Court.

At least twice during the year, the Survey will make unannounced visits to the area to make independent readings of the flow meters and inspect their operation.

The cost of the above work by the Survey, including field inspections, data collection and transmittal, and purchase of the flow meter, would be \$2,600 during calendar year 1979.

Mr. Robert M. Sweeney
U. S. Department of Justice

March 20, 1979

During the non-pumping period between the 1979 and 1980 irrigation seasons, the operating mechanisms should be removed from all of the flow meters and sent to the factory, or equivalent, for recalibration.

There are several additional points that should be covered, or at least understood, in the context of the court order. First, approved flow meters must be installed on any new wells that are drilled and pumped for non-domestic beneficial use in the basin. Second, approved measuring devices must be installed and maintained on any new points of diversion from No Name Creek.

If you have any questions, we would be happy to discuss them with you.

Sincerely yours,



E. H. McGavock
Assistant District Chief -
Hydrologic Surveillance

EHM:nb