



State of Idaho

DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 20, 2004

To: Squaw Creek Water District Watermaster, Officers and Advisory Committee

Re: Deputy Watermaster for the Water District

Dear Waterusers:

As you know, there have been more water delivery problems for sources not on Squaw Creek but tributary to the creek in recent years. This has been particularly true around Ola and High Valley. These problems almost always involve relatively small amounts of water but lots of strong feelings on all sides of the disputes.

While the water rights associated with these problems are subject to watermaster regulation, it has not been feasible in the past to put these water rights under direct watermaster control. Direct watermaster control over these problems would, of course, be very time consuming and expensive for the watermaster and the water district. It would probably cost more than the annual district budget for the watermaster to directly deal with tributary problems.

This year the "Deputy Watermaster" approach was tried for tributary water right problems in Ola (MacKenzie, Moeers and others). The watermaster appointed a deputy. The person calling for deputy help would pay for services when the deputy arrived ("pay as you go"). The deputy would not proceed without payment. The Idaho Department of Water Resources (IDWR) would help the deputy as needed to respond to calls for delivery of water rights. Unfortunately but understandably, the deputy resigned as regulation started in August. IDWR assumed the deputy job since it was too late to find a replacement. As you can imagine, this proved to be very time consuming and expensive. We made some progress in Ola but things remain unsettled.

The status quo is not working. It is not practical to regulate water rights in your area from IDWR offices in Boise. A better solution is needed. A local solution is best. A couple suggestions are offered for your consideration before the 2005 annual meeting as follows.

- 1) The district could adopt a budget adequate to cover the costs for watermaster regulation of tributary rights as problems arise. The district could consider an annual minimum assessment for all district members as authorized by Idaho law to raise more money for this approach. This would require the watermaster to spend a lot more time doing the job. That is probably not a very practical solution.

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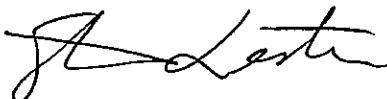
2) The district could adopt a resolution supporting a district-wide deputy to regulate tributary problems not involving the main stem of Squaw Creek or storage water from Sage Hen Reservoir. The deputy would act under the watermaster's authority to make site visits and determine what needs to be done, including making water deliveries if necessary. This could be funded with the "pay as you go" system. The fee should be adequate to cover time, materials and mileage. This appears to be a more practical way to handle things and avoids additional costs for everyone else in the water district.

IDWR can no longer subsidize these problems for the water district. Watermaster control needs to be established over tributary water rights as problems develop. This can include having a deputy watermaster. This approach is consistent with Idaho law governing water districts.

Please consider these thoughts as you prepare for your next annual meeting. If you agree that a district-wide deputy offers the best solution, please find a good candidate before the meeting next March. The candidate would need watermaster and IDWR approval before anything else could be done. IDWR would provide support as needed. This would probably require a certain number of IDWR site visits until the deputy gained enough knowledge and experience to take it from there. This should be more cost effective in the long run, and probably would produce better results for everyone concerned. The hardest part of this approach is finding the right person for the job.

Thanks for your consideration of these ideas. Please contact me at 208-334-2190 if you want to discuss this in more detail.

Sincerely,



Steve Lester
Water Rights Supervisor

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