



State of Idaho

Department of Water Resources

322 East Front St, PO Box 83720, Boise, ID 83720-0098 • 208-287-4800 • www.idwr.idaho.gov

Certificate of Appointment

This is to certify that I have appointed Lucas Yockey as *Watermaster* of **Water District 34**, from this day until the 2020 annual meeting or until his/her successor is appointed and qualified under the provisions of Idaho Code Section 42-605, at such rate of compensation as established by applicable law.



This certificate has been issued and the seal of the Director fixed at Boise, Idaho, this day, March 28, 2019.



Gary Spackman
IDWR Director

State of Idaho
Department of Water Resources

Certificate of Appointment

*This is to certify that I have on this day appointed Kenny Buckwalter as
Assistant Watermaster of Water District 34 from this day until the 2020 annual
meeting or until his/her successor is appointed and qualified under the provisions of Idaho Code Section
42-607, at such rate of compensation as established by applicable law.*



*This certificate has been issued and the seal of the
Director fixed at Boise, Idaho, this 28th —
day of March , 2019.*



Director - IDWR

State of Idaho
Department of Water Resources

Certificate of Appointment

*This is to certify that I have on this day appointed Wayne Westguard as
Assistant Watermaster of Water District 34 from this day until the 2020 annual
meeting or until his/her successor is appointed and qualified under the provisions of Idaho Code Section
42-607, at such rate of compensation as established by applicable law.*



*This certificate has been issued and the seal of the
Director fixed at Boise, Idaho, this 28th —
day of March, 2019.*

Gary Spackman

Director - IDWR

State of Idaho
Department of Water Resources

Certificate of Appointment

*This is to certify that I have on this day appointed Preston Marcroft as
Assistant Watermaster of Water District 34 from this day until the 2020 annual
meeting or until his/her successor is appointed and qualified under the provisions of Idaho Code Section
42-607, at such rate of compensation as established by applicable law.*



*This certificate has been issued and the seal of the
Director fixed at Boise, Idaho, this 28th —
day of March , 2019.*

Gary Spackman

Director - IDWR

State of Idaho
Department of Water Resources

Certificate of Appointment

*This is to certify that I have on this day appointed Cindy Smyer as
Treasurer of Water District 34 from this day until the 2020 annual
meeting or until his/her successor is appointed and qualified under the provisions of Idaho Code Section
42-619, at such rate of compensation as established by applicable law.*



*This certificate has been issued and the seal of the
Director fixed at Boise, Idaho, this 28th —
day of March, 2019.*

Gary Spackman

Director - IDWR

State of Idaho
Department of Water Resources

Certificate of Appointment

*This is to certify that I have on this day appointed Michael King as
Assistant Watermaster of Water District 34 from this day until the 2020 annual
meeting or until his/her successor is appointed and qualified under the provisions of Idaho Code Section
42-607, at such rate of compensation as established by applicable law.*



*This certificate has been issued and the seal of the
Director fixed at Boise, Idaho, this 4th —
day of April, 2019.*

Gary Spackman

Director - IDWR

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED
APR 04 2019

Department of Water Resources
Eastern Region

State of Idaho)
)
) ss
County of Custer & Butte)

Official Oath

I do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution and laws of the State of Idaho, specifically including the provisions of Section 42-605 and 42-607, Idaho Code, and that I will faithfully discharge all duties as Assistant Watermaster of District #34 according to the best of my ability. So help me God.

Michael King
Assistant Watermaster

SUBSCRIBED AND SWORN TO before me this 8 day of March, 2019

C
Notary Public
Residing At Leslie ID
Commission Expires 4-20-23

SEAL



Michael King

State of Idaho
Department of Water Resources

Certificate of Appointment

*This is to certify that I have on this day appointed Kelsey Broadie as
Assistant Watermaster of Water District 34 from this day until the 2020 annual
meeting or until his/her successor is appointed and qualified under the provisions of Idaho Code Section
42-607, at such rate of compensation as established by applicable law.*



*This certificate has been issued and the seal of the
Director fixed at Boise, Idaho, this 4th —
day of April, 2019.*



Director - IDWR

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED
APR 04 2019
Department of Water Resources
Eastern Region

State of Idaho)
)
County of Custer & Butte) ss

Official Oath

I do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution and laws of the State of Idaho, specifically including the provisions of Section 42-605 and 42-607, Idaho Code, and that I will faithfully discharge all duties as Assistant Watermaster of District #34 according to the best of my ability. So help me God.

Kelsey Broadie
Assistant Watermaster

SUBSCRIBED AND SWORN TO before me this 29 day of March 2019



C
Notary Public
Residing At Leslie, ID
Commission Expires 4-20-23

Kelsey Broadie

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED

MAR 11 2019

Department of Water Resources
Eastern Region

State of Idaho)
)
County of Custer & Butte ss

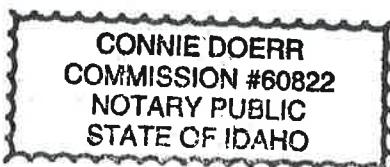
Official Oath

I do solemnly swear or affirm that I will support the Constitution of the United States, and the Constitution and laws of the State of Idaho, specifically including the provisions of Sec. 42-619, Idaho Code, and that I will faithfully discharge all the duties of the office of treasurer of District #34 for the calendar year of 2019-2020 according to the best of my ability. So help me God.


Treasurer

SUBSCRIBED AND SWORN TO before me this 5th day of March, 2019

Seal



Connie Doerr
Notary Public

Residing at Mackay ID

Commission Expires 12-17-2024

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED
MAR 11 2019

Department of Water Resources
Eastern Region

State of Idaho)
County of Custer & Butte) ss

Official Oath

I do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution and laws of the State of Idaho, specifically including the provisions of Section 42-605 and 42-607, Idaho Code, and that I will faithfully discharge all the duties of the office of Watermaster of District #34 according to the best of my ability. So help me God.



Watermaster

SUBSCRIBED AND SWORN TO before me this 6th day of March, 2019.


Notary Public

Residing At Leslie, ID 83251

Commission Expires 04-20-2023



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

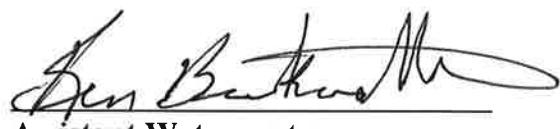
RECEIVED
MAR 11 2019

Department of Water Resources
Eastern Region

State of Idaho)
)
County of Custer & Butte) ss

Official Oath

I do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution and laws of the State of Idaho, specifically including the provisions of Section 42-605 and 42-607, Idaho Code, and that I will faithfully discharge all duties as Assistant Watermaster of District #34 according to the best of my ability. So help me God.



Assistant Watermaster

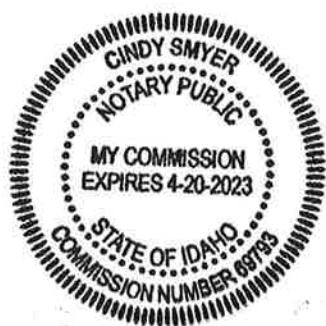
SUBSCRIBED AND SWORN TO before me this 5 day of March, 2019



Notary Public

Residing At Leslie, ID
Commission Expires 4-20-23

SEAL



Kenny Buckwalter

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED
MAR 11 2019

Department of Water Resources
Eastern Region

State of Idaho)
)
County of Custer & Butte) ss

Official Oath

I do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution and laws of the State of Idaho, specifically including the provisions of Section 42-605 and 42-607, Idaho Code, and that I will faithfully discharge all duties as Assistant Watermaster of District #34 according to the best of my ability. So help me God.

Wayne Westguard
Assistant Watermaster

SUBSCRIBED AND SWORN TO before me this 4 day of March 2019

C
Notary Public
Residing At Leslie, Id
Commission Expires 4-20-23



Wayne Westguard

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED
MAR 11 2019

Department of Water Resources
Eastern Region

State of Idaho)
County of Custer & Butte) ss

Official Oath

I do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution and laws of the State of Idaho, specifically including the provisions of Section 42-605 and 42-607, Idaho Code, and that I will faithfully discharge all duties as Assistant Watermaster of District #34 according to the best of my ability. So help me God.

Preston Marcroft
Assistant Watermaster

SUBSCRIBED AND SWORN TO before me this 6 day of March, 2019

Cindy Smy
Notary Public
Residing At Leslie ID
Commission Expires 4-20-2023



Preston Marcroft

RECEIVED

MAR 11 2019

Department of Water Resources
Eastern Region

PETITION FOR WATERMASTER'S SERVICES

Mackay - ArCo
mackay, Idaho
march 4, 2019

RE: Water District No. 34
Stream: Big Lost River

TO: IDAHO DEPARTMENT OF WATER RESOURCES

I, the undersigned, owner or manager of ditches or person controlling ditches in Water District No. 34, hereby request the services of a watermaster for the reason that there is a necessity for the use and control of the waters of the District.

NAME OF WATERMASTER: Lucas Yockey

ADDRESS OF WATERMASTER: P.O. Box 53 mackay ID 83251

PHONE NUMBER: 208-588-3137 / 208-589-3138

Date watermaster is to start: 3-5-2019

If known, the date services of watermaster are to terminate: march 2, 2020


signature P.O. Box 53 mackay 208-588-3137
address telephone

WARNING: Watermaster cannot begin services until ALL conditions of appointment have been fulfilled.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700
Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 28, 2019

Lucas Yockey
Water District 34
PO Box 53
Mackay, ID 83251-0053

RE: 2019 Watermaster Appointment and Related Watermaster Instructions

Dear Mr. Yockey,

Enclosed is your Water District 34 watermaster certificate of appointment for the ensuing year. I understand staff from the Idaho Department of Water Resources (“Department”) has discussed with you concerns about potential conflicts of interest related to your employment as both the Water District 34 watermaster and the Big Lost River Irrigation District (“BLRID”) general manager. I further understand Department staff commented on this concern at the Water District 34 annual meeting earlier this month and staff advised that the Director may appoint you as watermaster with specific guidance to avoid conflicts of interest.

Prior to your appointment, you signed an oath to perform watermaster duties as described in Idaho Code §§ 42-605 and 42-607. In essence, you are an extension of the Department, and are bound by similar obligations as an employee of the Department to perform the watermaster duties, as instructed by the Department, to the exclusion of any other water related interests you may have. Principles of ethical behavior demand that you avoid direct conflicts of interest and the appearance of conflicts. Therefore, the Director will expect the following actions in both your roles as watermaster and BLRID general manager:

1. In your day-to-day activity as the BLRID general manager, you must identify any possible conflict between the BLRID activity and your watermaster responsibility. You cannot excuse yourself from your watermaster duties when there is a conflict. As a result, you must openly identify the conflict to avoid the appearance of conflict and recuse yourself from the BLRID activity when it conflicts or may conflict with your watermaster duties.

2. The rules for distribution of water in Water District 34 require that, when there is a dispute in canals and laterals, the watermaster may investigate the dispute to resolve the conflict. Because of the inherent conflict in delivery of water through BLRID conveyance works and oversight by BLRID ditch riders and your watermaster duties, this function should be performed by the advisory committee of Water District 34.

3. In addition to the water rights accounting program maintained by the Department, the watermaster may calculate the water rights priority delivery dates or priority “decree call” on the Big Lost River and tributaries. The watermaster’s priority “decree call” is typically a projected water rights priority calculation whereas the priority delivery date from the Department’s accounting program is an “after the fact” priority date calculation (the priority call is determined for each day but results for each day lag by at least one day.) The priority date determinations from the watermasters projected calculation and the Department’s accounting program have some inherent differences which can raise questions or suspicion about possible data manipulation or inappropriate water delivery. To promote consistency and accuracy, and to avoid the appearance of manipulation, the Department requires you in your capacity as watermaster to implement the following actions:

- i. Keep a daily record of the projected priority “decree call” calculations, including the values used for the calculations, and submit those records to the Department weekly; and
- ii. You must use the Department’s accounting program for final determinations of priority “decree calls” as well as final determinations of natural flow and storage water deliveries and allocation of losses between storage water and natural flow.

4. If, in your capacity as either watermaster or BLRID general manager, you believe the BLRID ditch rider logs or storage balance worksheets are in significant error (greater than $\pm 10\%$), you shall present the error to the BLRID and obtain approval from the BLRID Board prior to making revisions.

5. In your capacity as watermaster, rotation of water rights into storage must be in accordance with the Department’s *Final Order Regarding Instructions to the Water District 34 Watermaster in the Matter of the Administration and Accounting of Rotating Natural Flow Water Rights into Mackay Reservoir for Storage, July 18, 2016*.

6. Administration of water in the following areas may only be implemented following consultation with Department staff: (1) Delivery of water above Mackay Reservoir separately from the remainder of the Big Lost River; (2) Determinations of whether a call for delivery of water is futile; (3) Delivery of the water district’s recharge rights; and (4) Any other decision that would place the rights of BLRID in conflict with other water rights.

7. Idaho Code § 42-605(8) authorizes the director of the Department to remove a watermaster upon complaint of a water user and a determination that the watermaster has failed to perform his duty. One of your duties is to ensure at all times that you have properly disclosed potential conflicts or the appearance of conflicts to the Department and the water users and that you avoid all actual conflicts. As a result, when the Department receives any complaint from a water user alleging a conflict between BLRID general manager and watermaster responsibilities, you must overcome a Department presumption that the allegation is true. As a result, the Department will forward a copy of the complaint to you, and you must respond, in a detailed written narrative, why the action in the complaint is not a conflict of interest or a violation of ethics. The written response must be filed with the Department within seven days of your receipt

Lucas Yockey
March 28, 2019

of a copy of the complaint. Failure to adequately explain that the action is not a conflict could result in your removal.

Note that the requirements listed above are intended to address potential conflict of interest issues that may arise. However, as we cannot foresee the specific conflicts you will face, these requirements may be subject to change. As the season progresses, I may choose to refine these requirements to more adequately address issues as they arise. Note also, that these requirements can be withdrawn from your duties if the conflict of interest is no longer present.

Congratulations on your appointment. Please contact me if you have any further questions or concerns on this matter.

Sincerely,



Gary Spaekman
Director

cc: Water District 34 Advisory Committee
BLRID Board of Directors
Kent Fletcher, Attorney, BLRID
Tim Luke, IDWR Water Compliance Bureau
David Hokema, IDWR Hydrology Section
IDWR Eastern Region