



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 Jerry Greenland as *Watermaster* of *Water District* 65D, from this day until the 2017 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 25th, 2016.

Gary Spackman
IDWR Director

SCANNED
MAR 23 2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 25, 2016

JERRY GREENLAND
PO BOX 532
503 WITHERS LN
DONNELLY ID 83615

Dear Mr. Greenland,

Enclosed is your certificate of appointment as watermaster of Water District 65D Boulder Creek. Per Idaho Code Section 42-608(1), the watermaster's term of service "*...is throughout the year, extending until the annual meeting for the ensuing year, or until a successor is appointed.*" Based on the code, the watermaster's appointment is from one annual meeting to the next, generally speaking.

Thank you for serving the State of Idaho and your community. Feel free to contact this office with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rachel Neely', with a long horizontal flourish extending to the right.

Rachel Neely
Administrative Assistant

SCANNED

MAR 23 2016



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 Linda Duncan as *Treasurer* of *Water District 65D*, from this day until the 2017 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 25th, 2016.

Gary Spackman
IDWR Director

SCANNED
MAR 23 2016



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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 25, 2016

LINDA DUNCAN
13608 FARM TO MARKET
MCCALL ID 83638

Dear Ms. Duncan,

Enclosed is your certificate of appointment as treasurer of Water District 65D Boulder Creek. The treasurer's terms of service follows that of the watermaster: "*throughout the year, extending until the annual meeting for the ensuing year, or until a successor is appointed*" (Idaho Code §42-608(1)). Based on the code, the treasurer's appointment is from one annual meeting to the next, generally speaking.

Thank you for serving the State of Idaho and your community. Feel free to contact this office with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to be 'R. Neely', with a long horizontal line extending to the right.

Rachel Neely
Administrative Assistant

SCANNED

MAR 23 2016

WATERMASTER REQUIREMENT SHEET

WATER DISTRICT: 65D

2016

DATE/TIME OF ANNUAL MEETING: March 7, 2016

PLACE OF MEETING: Donaghy Bible Church

3/6/17
10 am

| |
|--|
| WATERMASTER: <u>Terry Greenland</u> |
| ADDRESS: <u>503 Withers</u> |
| PHONE: |
| OTHER: |
| SECRETARY/TREASURER: <u>Linda Duncan</u> |
| ADDRESS: |
| PHONE: <u>631-5387</u> |
| OTHER: |

| |
|-------------------------------|
| ASSISTANT WATERMASTER: |
| ADDRESS: |
| PHONE: |
| OTHER: |
| CHAIRMAN <u>George Duncan</u> |
| ADDRESS: |
| PHONE: |
| OTHER: |

SENT

CERTIFICATE OF APPOINTMENT

- ☒ WATERMASTER
- ☐ ASSISTANT WATERMASTER
- ☒ SECRETARY/TREASURER
- ☐ DAILEY RECORD BOOKS & INTSTRUCTIONS

RECEIVED

- ☒ ANNUAL MEETING MINUTES
- ☒ ADOPTED BUDGET
- ☒ OATH(S)
 - ☐ WATERMASTER
 - ☐ ASSISTANT WATERMASTER
 - ☐ SECRETARY/TREASURER
- ☐ WATERMASTER REPORT (2015)
- ☐ DAILEY RECORD BOOKS

RECEIVED

AUG 05 2016

DEPARTMENT OF
WATER RESOURCES

RECEIVED

AUG 10 2016

WATER RESOURCES
WESTERN REGION

July 30, 2016

Jerry Greenland
Po Box 532
Donnelly, Id 83615

Idaho Department of Water Resources
322 E Front St
Boise, Idaho 83720

To: Idaho Department of Water Resources

Due to personal, health and age reasons I will no longer be able to fulfill my duties as Water Master/ditch rider for 65D, Roseberry Irrigation District, Boulder Irrigation Company and Spink/Mahala Ditch Co. I will be resigning as of Dec 1, 2016.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jerry Greenland", is written over the printed name.

Jerry Greenland

SCANNED

AUG 26 2016

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MAR 14 2016
WATER RESOURCES
WESTERN REGION

650 Watermaster
2016 Expected Costs

Days Watermaster 88

| | | | |
|----------------------------|----------|--------|-----------|
| Watermaster \$/Day | \$47.50 | - 88 - | \$4620.00 |
| Chairman \$/year | \$100.00 | | \$100.00 |
| Secretary \$/year | \$300.00 | | \$300.00 |
| Idaho Water Users Ass. | \$50.00 | | \$50.00 |
| Workman's Comp. | \$300.00 | | \$300.00 |
| SS Tax Percentage | .0765 | | \$353.43 |
| Office expense | \$150.00 | | \$150.00 |
| Motorcycle expense \$/year | \$300.00 | | \$300.00 |
| Total | | | \$6173.43 |

Cost per AF = costs for year minus
recording fee & divided by AF used

Cost \$6173.43
recording fee - 590.00
\$5583.43

$\$5583.43 \div 2688.20 = \2.0770173
AF used

SCANNED
MAR 18 2016

The Annual Meeting of Dist. 65-D was held on March 7, 2016 at 10 a.m. at the Donnelly Bible Church.

Users present – Harry Bettis, Isaac Babcock, David Carey and Steve McCarley, Vicky Eld, Jimmy James, Stephanie Johnson, Paul and Gretel Kleint, Brett Mendia, Lyle and Kathy Points, Tom Shaw, John, George, and Linda Duncan. Others -- Jerry Greenland (Water Master), Nick Miller and Danie Merriman (Dept. of Water Resources).

1. The minutes of 2015 were read and approved.
2. Treasurer's report was \$244.67 in the checking account. Outstanding bills: Peter Allen-\$20; Michelle Anchustegui-\$100; Dennis Crispin-\$10; John Hoffman-\$10; Daniel Jones-\$10; Andrew Lausen \$20; Myron and Susan McCumber-\$70; John Russell-\$10; Steve Wurster-\$10. Lyle moved and Steve seconded to accept this report. Passed.
3. Lyle moved and Harry seconded to have next year's meeting on the first Monday of March at 10 a.m. at the Donnelly Bible Church. Passed.
4. Vicky moved and Harry seconded to continue 65D's membership in the Idaho Water Users Association at \$50. Passed.
5. Lyle moved and Vicky seconded to keep the advisory board of– George Duncan, David Carey, and Stephanie Johnson. Passed.
6. Lyle moved and Harry seconded to continue with George Duncan -- Chairman, \$100; Linda Duncan—Sec.-Treas., \$300 plus \$150 for office supplies. Passed.
7. Paul moved and David seconded that the following resolution be continued. "Resolved, that no ditch, canal Co. or other water user shall have the right to demand and receive water and the Water Master shall not deliver water to such user, until the amount due and payable from such user, as set by the budget, has been paid." Passed.
8. Lyle moved and Steve seconded to adopt the budget of \$6,173.43 and hire Jerry Greenland as Water Master -- \$52.50 per day and \$300 for motorcycle. Passed.
9. Paul moved and Lyle seconded to continue the resolution: "Resolved, that no water will be delivered to party or parties that the Water Master deems responsible for the maintenance of a weir or measuring device until the weir or measuring device is repaired/replaced to the Water Master's satisfaction." Passed.
10. John moved and Lyle seconded to continue the resolution: "Resolved, that new developments leave an easement for companies and districts to be able to clean and maintain the ditch and to have access for the ditch rider: accessible, unlocked gates a minimum of 12' and as in accordance with Idaho Code Ch. 11 – Rights of Way." Passed.
11. Stephanie moved and David seconded to accept letter (Idaho Codes 42-1201; 42-1202; 42-1204; 42-1209; 43-304; 43-327) written by Dana Hostetter (water lawyer) as resolutions and to send said letter to all water users and property owners along ditch banks. Passed.
12. John moved and Harry seconded to add rights of way paragraph in Idaho Code 42-1102 to the said letter. Passed.

March 7, 2016

Dear Water District 65-D Water Users and Landowners with irrigation ditches/canals rights of ways through properties,

A number of questions have arisen recently regarding the respective rights and responsibilities of Water District 65-D, water users and landowners. This letter intends to summarize Idaho Law, on the subject, in an effort to answer these questions.

In accordance with applicable water rights, Boulder Irrigation Company, Roseberry Irrigation District, or other ditch owner has the duty to deliver water to its users using its system of canals and ditches. *Idaho Code* § 42-1201. The district's /company's responsibilities end at the head gates from its canals and ditches where water is delivered to the water users laterals and ditches. *Idaho Code* § 42-1202. Boulder Irrigation Company, Roseberry Irrigation District, or other ditch owner has the right to clean, repair and maintain its canals and ditches and other delivery works in order to deliver water efficiently to its water users. *Idaho Code* § 42-1204. Water District 65-D's, Boulder Irrigation Company's, Roseberry Irrigation District's, or other ditch owner's, employees and agents, including the ditch rider and water master, have the authority to enter properties at any time without notice to maintain facilities and to regulate and distribute water. *Idaho Code* § 42-1204. Boulder Irrigation Company, Roseberry Irrigation District, or other ditch owner can remove any encroachment to water delivery at the expense of the encroaching party and without permission, that "unreasonably interferes with its use of the ditch or canal." *Idaho Code* § 42-1209; *Pioneer Irrigation District v. City of Caldwell*, 153,288 P.3d 810 (2012).

Under the policies and rules of Water District 65-D, Boulder Irrigation Company, Roseberry Irrigation District, or other ditch owner, water users are required to order the water they expect to need at least 48 hours in advance and cannot take any that they have not ordered. *Idaho Code* § 43-304. Water users also must clean and maintain the ditches below the delivery head gate, take out, or point of diversion that serves their own properties to ensure good water flow. It is important to keep in mind that just because a ditch runs through property, that property is not necessarily entitled to Water District 65-D water. If there are any questions about whether Boulder Irrigation Company, Roseberry Irrigation District, or other ditch owner delivers water to a certain property, please contact Water District 65-D Secretary, Linda Duncan. Of course, if assessments are not timely paid to the County, Water District 65-D, by law, may discontinue water deliveries. *Idaho Code* § 43-327.

No property owner or user shall place any obstruction on the ditch/canal banks, including private roads, utilities, fences, gates, pipelines, structures, or other construction or placement of objects, without the written permission of the owner (Boulder Irrigation Company, Roseberry Irrigation District, or other ditch owner). Obstructions of any kind placed on ditch/canal banks without written permission from ditch's/canal's owner, shall be removed at the expense of the person or entity causing or permitting such encroachment, upon the request of the ditch/canal owner. *Idaho Code* § 42-1102.

We hope this information is helpful and avoids any future misunderstandings about the respective legal rights and obligations applicable to Boulder Irrigation Company's, Roseberry Irrigation District's, or other ditch owner's facilities and its delivery of water. If you have any further questions, please do not hesitate to contact us. Thank you.

Sincerely,

George Duncan: 208-634-5387

13. Harry moved and Lyle seconded that the meeting be adjourned. Passed.

Linda B. Duncan
Secretary

SCANNED
MAR 18 2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

RECEIVED

FEB 01 2016

WATER RESOURCES
WESTERN REGION

To: 65D Boulder Creek
From: Rachel Neely
Date: January 19, 2016
Re: Annual Water District Meeting Information Form

Please **complete this annual water district meeting information form and return it to IDWR** (contact information below). Upon receipt of the completed form, IDWR sends meeting notices to each water user and interested party in the district. Notices must be mailed no later than three weeks prior to the meeting day. Therefore, to provide IDWR adequate time to create and mail the notices, please **return the completed form to IDWR by as soon as possible or no later than four weeks before the meeting day.**

Meeting Location

Facility Name Donnelly Bible Church
Room Name/Number _____
Street Address F. W. Gestin
City Donnelly Idaho

Meeting Time/Day

Date (month, day, year) March 7, 2016
Day of Week Monday
Time 10 a.m.

Linda B. Duncan Sec. - Treas.
Signature, Water District Representative Title

(208) 634-5387
Representative Phone Number

Representative Email Address

Return this form via mail, fax, or email, attention Rachel Neely- Western Region:

Mail

2735 Airport Way
Boise, ID 83705-5082

Fax

(208)334-2348

Email

Rachel.Neely@idwr.idaho.gov

SCANNED
FEB 01 2016

| Name | NAME SORT | Address1 | Address2 | City State Zip |
|---------------------------------|-------------------|------------------------------|-----------------------------|-----------------------------|
| KRIS ALLEN | ALLEN | | 1060 E WASHAKIE ST | MERIDIAN ID 83642 |
| MICHELLE ANCHUSTEGUI | ANCHUSTEGUI | | 1723 HERRY ST | BOISE ID 83705 |
| HARRY BETTIS | BETTIS | | BOX 7 | EMMETT ID 83617 |
| ROBERT BIECHNER | BIECHNER | | BOX 4291 | MCCALL ID 83638 |
| GENE BLEYMAIER | BLEYMAIER | | 851 BREVINS LOOP | SAN JOSE CA 95125 |
| BOULDER IRRIGATION COMPANY | BOULDER | C/O LINDA DUNCAN | 13608 FARM TO MARKET RD | MCCALL ID 83638 |
| JAN BUSBY | BUSBY | | PO BOX 2021 | MCCALL ID 83638 |
| DENNIS CAMPBELL | CAMPBELL | | 13985 FARM TO MARKET RD | MC CALL ID 83638 |
| JOHN CAREY <i>- over -</i> | CAREY | C/O CRAIG COLLINS | BOX 2932 | MCCALL ID 83638 |
| MICHAEL CLEMENT <i>- over -</i> | CLEMENT | | 60 DONNA WAY | OAKLAND CA 94605 |
| AARON CRAMBLET | CRAMBLET | | 13885 FARM TO MARKET RD | MC CALL ID 83638 |
| DONALD CRISPIN | CRISPIN | | 5067 LAKEHURST LN SE | BELLEVUE WA 98006 |
| DWAYNE CURTIS <i>- over -</i> | CURTIS | | 3140 JONES AVE | CHICO CA 95973 |
| RICHARD CUSSLER <i>estate</i> | CUSSLER | | 14005 FARM TO MARKET RD | MCCALL ID 83638 |
| GEORGE DUNCAN | DUNCAN | | 13608 FARM TO MARKET RD | MCCALL ID 83638 |
| LARRY ELD | ELD | | 2056 E BOWSTRING ST | MERIDIAN ID 83642 |
| ELD RANCHES | ELD | | 204 E ROSEBERRY RD | MC CALL ID 83638 |
| SCOTT FINDLAY | FINDLAY | | BOX 1064 | MC CALL ID 83638 |
| EDWARD FREEBURG | FREEBURG | | 13988 FARM TO MARKET RD | MC CALL ID 83638 |
| GENDREAW REALTY HOLDINGS LLC | GENDREAN | | 1515 BUSCH PARKWAY | BUFFALO GROVE IL 60089 |
| DOROTHY GESTRIN | GESTRIN | | BOX 10 | DONNELLY ID 83615 |
| JERRY GREENLAND | GREENLAND | | BOX 532 | DONNELLY ID 83615 |
| TOM GROTE | GROTE | | 1000 1ST ST | MCCALL ID 83638 |
| PATRICK HARREN | HARREN | | 2311 ORMOND ST | BOISE ID 83705 |
| TIM HART | HART | | <i>301 Finn Church Lane</i> | MCCALL ID 83638 |
| HEIKKILA ESTATE | HEIKKILA | C/O ALAN MAKI | 7776 PIERCE PARK LN | BOISE ID 83707 |
| JOHN HOFFMAN | HOFFMAN | | 5335 E EXETER BLVD | PHOENIX AZ 85018 |
| MICHAEL ROBBINS | HOWARD | | BOX <i>806</i> | DONNELLY ID 83615 |
| ISLAND CAPITAL | ISLAND CAPITOL | C/O GRAYE WOLFE | 1409 E 1ST ST | MERIDIAN ID 83642 |
| JACK JEFFRIES | JEFFRIES | | 261 FINN CHURCH LANE | MCCALL ID 83638 |
| DANIEL JONES | JONES | | BOX 872 | DONNELLY ID 83615 |
| JUGHANDLE CORPORATION | JUGHANDLE | | BOX 1324 | MC CALL ID 83638 |
| NEEDLES VIEW RANCH | KLEINT | C/O PAUL KLEINT | BOX 42 | DONNELLY ID 83615 |
| JEFFREY KLOCK | KLOCK | | <i>13089 Hiway 55</i> | DONNELLY ID 83615 |
| ANDREW LASEUN | LASEUN | BOX 1529 | | MCCALL ID 83638 |
| MYRON MCCUMBER | MCCUMBER | | 621 KANUGA DR | WEST PALM BEACH FL 33401 |
| PATRICK & TERRY MCENTEE | MCENTEE | | PO BOX 15010 | BOISE, ID 83715 |
| KENDELL MEIER | MEIER | | 536 MANGO | EAGLE ID 83616 |
| BRET MENDIA | MENDIA | | PO BOX 4343 | MC CALL ID 83638 |
| ANDREW MILLER AND RITA MILLER | MILLER | | PO BOX 297 | DONNELLY ID 83615 |
| PAT MORELL | MORELL | | 270 HEIKKILA LANE | MC CALL ID 83638 |

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FEB 01 2016
WATER RESOURCES
WESTERN REGION

| | | | | |
|-------------------------------|------------|------------------|-------------------------|-------------------|
| RICK MORRISON | MORRISON | | 13706 FARM TO MARKET RD | MCCALL ID 83638 |
| WILLIAM NIKKEL | NIKKEL | | Box 293 | MCCALL ID 83638 |
| RONALD PASCOE | PASCOE | | 14482 HIGHWAY 44 | CALDWELL ID 83605 |
| PETER ALLEN | PEARSON | | BOX 3095 | MCCALL ID 83638 |
| IVAN PHELPS | PHELPS | | 13508 FARM TO MARKET RD | MC CALL ID 83638 |
| JOHN PYLE Barbara Pyle | PYLE | | 13686 FARM TO MARKET RD | MCCALL ID 83638 |
| ROSEBERRY IRRIGATION DISTRICT | ROSEBERRY | C/O KATHY POINTS | BOX 366 | DONNELLY ID 83615 |
| JOHN RUSSELL | RUSSELL | | BOX 945 | MCCALL ID 83686 |
| DURENA SCHOONOVER | SCHOONOVER | | BOX 702 | DONNELLY ID 83615 |
| TOM G SHAW below | SHAW | | 214 S VALLEY | NAMPA, ID 83686 |
| DAVE SPLAN | SPLAN | | 13667 FARM TO MARKET RD | MC CALL ID 83638 |
| GARY SWAIN | SWAIN | | 13675 FARM TO MARKET RD | MCCALL ID 83638 |
| PAUL TTE LAND TRUST | VOSSKUHLER | | 309 E LAKE ST | MCCALL ID 83638 |
| BILL WILLEY | WILLEY | | 218 WILLEY LANE | MCCALL ID 83638 |
| STEVE WRIGHT | WRIGHT | | BOX 1696 | McCall ID 83638 |
| STEVE WURSTER | WURSTER | | 861 TIMBER RIDGE CT | MCCALL ID 83638 |
| PAULINE YENSEN | YENSEN | | BOX 164 | DONNELLY ID 83615 |

| | | |
|----------------------------|--------------------------|-------------------|
| Isaac Babcock | 251 Heikkila Lane | McCall, ID 83638 |
| John Carey % Jug Mt. Ranch | Box 2069 | McCall, ID 83638 |
| Michael Clement | 1100 Pacific Marina #705 | Alameda, CA 94501 |
| Ardys Curtis | 4520 W Cypress Ave. #122 | Visalia, CA 93277 |
| Tom G Shaw | 2701 Quail Run Rd. | Emmett, ID 83617 |



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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 19, 2016

LINDA DUNCAN
13608 FARM TO MARKET
MCCALL ID 83638

Dear Water District Secretary or Watermaster,

Enclosed are several documents related to the annual water district meeting.

- 1) **Information form to provide the Idaho Department of Water Resources (IDWR) the date, time, and location of the next annual water district meeting.** Please complete the meeting information form and return it to IDWR. Upon receipt of the completed form, IDWR will send a meeting notice to each water user and interested party in the district. Meeting notices must be mailed no later than three weeks before to the meeting date. Therefore, to provide IDWR adequate time to create and mail the notices, please **return the completed form to IDWR as soon as possible or at least four weeks before the meeting dates.**
- 2) **List of water right owners within your district.** Look over the list and mark any name or address changes or additions. An accurate review of the list will ensure all users and interested parties are informed of the meeting. Return the corrected list with the completed meeting information form.
- 3) **Annual Meeting Checklist.** Per Idaho Code Title 42 Chapter 6 (Distribution of Water Among Appropriators), annual water district meetings must include (at a minimum) the actions outlined on the checklist. Fill out this form during the meeting and return with the meeting minutes or ensure your meeting minutes describe each of these actions.

If you are no longer the water district secretary or watermaster, please forward this to the current secretary or watermaster or return this correspondence to IDWR as soon as possible.

If you or water users have any questions or concerns about the annual water district meeting or ownership/address changes, please contact Rachel Neely at (208)334-2190 or Rachel.Neely@idwr.idaho.gov.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosures

SCANNED
JAN 19 2016