

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 Larry T Burke as *Watermaster* of *Water District* 65D, from this day until the 2019 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, April 20th, 2018.

Gary Spackman  
IDWR Director

SCANNED  
APR 20 2018





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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

April 20, 2018

LARRY T BURKE  
PO BOX 1169  
MCCALL ID 83638

Dear Mr. Burke,

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,

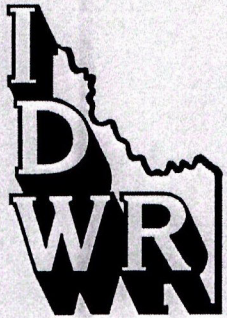
A handwritten signature in black ink, appearing to read 'Rachel Neely'.

Rachel Neely  
Administrative Assistant

SCANNED

APR 20 2018





State of Idaho

Department of Water Resources

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# *Certificate of Appointment*

This is to certify that I have appointed Linda Duncan as *Treasurer* of *Water District* 65D, from this day until the 2019 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, April 20th, 2018.

Gary Spackman  
IDWR Director

SCANNED  
APR 20 2018





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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

April 20, 2018

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 read 'Rachel Neely'.

Rachel Neely  
Administrative Assistant

SCANNED  
APR 20 2018



DE

WATERMASTER REQUIREMENT SHEET

WATER DISTRICT: GSD

2018 Boulder Creek

DATE/TIME OF 2018 ANNUAL MEETING: 3/4/19 @ 10am

PLACE OF MEETING: Donnelly Bible Church

WATERMASTER: <u>Larry Burke</u>
ADDRESS: <u>Same</u>
PHONE:
OTHER:
SECRETARY/TREASURER: <u>Linda Duncan</u>
ADDRESS: <u>Same</u>
PHONE:
OTHER:

ASSISTANT WATERMASTER:
ADDRESS:
PHONE:
OTHER:
CHAIRMAN: <u>David Carey</u>
ADDRESS:
PHONE:
OTHER:

SENT

- ☒ CERTIFICATE OF APPOINTMENT
- ☒ WATERMASTER
- ☐ ASSISTANT WATERMASTER
- ☒ SECRETARY/TREASURER
- ☐ DAILY RECORD BOOKS & INSTRUCTIONS

RECEIVED

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



# Annual Water District 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 listed below.

IDWR wants to ensure each water district is meeting these minimum standards. Please return this completed checklist to the appropriate IDWR regional office with the annual meeting minutes (this list does not replace meeting minutes) *or* ensure that all of these actions are clearly addressed in the meeting minutes.

Water District Number and Name:

650

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MAR 19 2018

WATER RESOURCES  
WESTERN REGION

Meeting Date:

3/5/18

- ☒ Election of meeting chairman and secretary
- ☒ Election of water district watermaster
- ☐ Election of water district assistant watermaster(s) (optional)
- ☒ Election of water district secretary/treasurer (optional)
- ☒ Approval of adopted budget
- ☒ Next year's meeting date, location, and time

By signing below I verify that all required actions have been addressed at the water district annual meeting

Completed by:

Linda B. Duncan

Water District Representative

SCANNED

APR 16 2018



The Annual Meeting of Dist. 65-D was held on March 5, 2018 at 10 a.m. at the Donnelly Bible Church.

Users present – Isaac Babcock, Harry Bettis, David Carey, Vicki Eld, Tim and Mary Hart, Paul Kleint, Steve McCarley, Larry and Anne Meredith, Rochelle and Robert Oxarango, Tom and Sketer Shaw, Gary Swain, Craig Utter, John, and Linda Duncan.

Others -- Larry Burke (Watermaster), Rachael Sommer (Dept. of Water Resources).

1. The minutes of 2017 were read and approved.
2. Treasurer's report was \$713.82 in the checking account. Outstanding bills: Peter Allen-\$10; Michelle Anchustegui-\$120; Ardys Curtis-\$20; Tom Grote-\$10; John Hoffman-\$30; Andrew Lausen \$40; Myron and Susan McCumber-\$90; Yensen-\$10. Robert moved and Paul seconded to accept this report. Passed.
3. Vicki moved and Larry M. seconded to have next year's meeting on the first Monday of March at 10 a.m. at the Donnelly Bible Church. Passed.
4. Paul moved and Mary seconded to continue 65D's membership in the Idaho Water Users Association at \$50. Passed.
5. Paul moved and Gary seconded to keep the advisory board of- George Duncan, David Carey, and Stephanie Johnson. Passed.
6. Harry moved and Isaac seconded **David Carey -- Chairman**, \$100. Passed.
7. Vicki moved and Harry seconded **Linda Duncan—Sec.-Treas.**, \$300 plus \$150 for office supplies. Passed.
8. Vicki moved and Isaac 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 Watermaster 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.
9. John moved and Paul seconded to adopt the budget of \$6,173.43 and hire **Larry Burke as Watermaster** -- \$52.50 per day, and \$300 for motorcycle. Passed.
10. Gary moved and Isaac seconded to continue the resolution: "Resolved, that no water will be delivered to party or parties that the Watermaster deems responsible for the maintenance of a weir or measuring device until the weir or measuring device is repaired/replaced to the Watermaster's satisfaction." Passed.
11. Vicki moved and Isaac 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/canal 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.
12. Steve moved and Tim seconded to continue the letter (Idaho Codes 42-1201; 42-1202; 42-1204; 42-1209; 43-304; 43-327) written by Dana Hostetter (water lawyer) as resolutions. Passed.



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 Watermaster, 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 serve 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 in Water District 65-D facilities and its delivery of water. If you have any further questions, please do not hesitate to contact us. Thank you.

Sincerely,

13. Gary moved and Larry M. seconded to combine items 8, 10, 11, and 12 into one for the future. Passed.

14. Larry M. moved and Vicki seconded that the meeting be adjourned. Passed.

Linda B. Duncan  
Secretary

SCANNED  
APR 16 2018





State of Idaho

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

RECEIVED

FEB 12 2018

WATER RESOURCES  
WESTERN REGION

To: 65D Boulder Creek  
From: Rachel Neely  
Date: February 6, 2018  
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 \_\_\_\_\_

City Donnelly, Idaho

### Meeting Time/Day

Date (month, day, year) March 5, 2018

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](mailto:Rachel.Neely@idwr.idaho.gov)

SCANNED

FEB 13 2018



65D	Michael Clement		PO Box 190676	Hawaii	HI	96719
65D	Michael Robbins		Box 806	Donnelly	ID	83615
65D	Michelle Anchustegui		1723 Herry St	Boise	ID	83705
65D	Needles View Ranch	Paul Kleint	Box 42	Donnelly	ID	83615
65D	Pat Morell		270 Heikkila Lane	McCall	ID	83638
65D	Patrick & Terry Mcentee		1743 Draco Pl	Boise	ID	83712
65D	Patrick Harren		2311 Ormond St	Boise	ID	83705
65D	Pauline Yensen		Box 164	Donnelly	ID	83615
65D	Payette Land Trust		309 E Lake St	Mccall	ID	83638
65D	Peter Allen		Box 3095	Mccall	ID	83638
65D	Rick Morrison		13706 Farm To Market Rd	Mccall	ID	83638
65D	Robert Biechner		Box 4291	Mccall	ID	83638
65D	<del>Robert Oxarango</del>		<del>PO Box 55</del>	<del>Emmett</del>	<del>ID</del>	<del>83617</del>
65D	Ronald Pascoe		14482 Highway 44	Caldwell	ID	83605
65D	Roseberry Irrigation District	Kathy Points	Box 366	Donnelly	ID	83615
65D	Scott Findlay		Box 1064	<del>McCall</del> McCall	ID	83638
65D	Steve Wright		PO Box 1696	McCall	ID	83638
65D	Steve Wurster		861 Timber Ridge Ct	Mccall	ID	83638
65D	Tim Hart		301 Finn Church Lane	Mccall	ID	83638
65D	Tom G Shaw		777 E Idaho Blvd	Emmett	ID	83617
65D	Tom Grote		1000 1St St	Mccall	ID	83638
65D	William Nikkel		292 Potter Lane	Mccall	ID	83638

SCANNED

FEB 13 2018



Water Addressee	Organization/In Care Address	City	State	ZipCode
65D Aaron Cramblet	Box 1204	Donnelly	ID	83615
65D Andrew Laseun	Box 1529	Mccall	ID	83638
65D Andrew Miller and Rita Miller	PO Box 297	Donnelly	ID	83615
65D Anita Cussler	14005 Farm To Market Rd	Mccall	ID	83638
65D Ardys Curtis	4520 W Cypress Ave #122	Visalia	CA	93277
65D Barbara Pyle	13686 Farm To Market Rd	Mccall	ID	83638
65D Bill Willey	218 Willey Lane	Mccall	ID	83638
65D Boulder Irrigation Company	Linda Duncan 13608 Farm To Market Rd	Mccall	ID	83638
65D Brett Mendia	PO Box 4343	McCall	ID	83638
65D Daniel Jones	Box 872	Donnelly	ID	83615
65D Dave Splan	13667 Farm To Market Rd	McCall	ID	83638
65D Dennis Campbell	13985 Farm To Market Rd	McCall	ID	83638
65D <del>Dennis Crispin</del> over	<del>5067 Lakehurst Ln Se</del>	<del>Bellevue</del>	<del>WA</del>	<del>98006</del>
65D <del>Dorothy Gestin Estate</del> Elsie Krause	Box <del>10</del> 201	Donnelly	ID	83615
65D Durena Schoonover	Box 702	Donnelly	ID	83615
65D Edward Freeburg	13988 Farm To Market Rd	<del>Mell McCall</del>	ID	83638
65D Eld Ranches	Eld Ranches 2554 E Roseberry Rd	<del>Mell McCall</del>	ID	83638
65D Gary Swain	13675 Farm To Market Rd	Mccall	ID	83638
65D Gendreaw Realty Holdings LLC	1515 Busch Parkway	Buffalo Grove	IL	60089
65D Gene Bleymaier	851 Brevins Loop	San Jose	CA	95125
65D George Duncan	13608 Farm To Market Rd	Mccall	ID	83638
65D Harry Bettis	Box 7	Emmett	ID	83617
65D Isaac Babcock	Hobbit Hill Farm 251 Heikkila LN	McCall	ID	83638
65D <del>Island Capital</del> over	<del>Graye Wolfe 1409 E 1st St</del>	<del>Meridian</del>	<del>ID</del>	<del>83642</del>
65D Ivan Phelps	13508 Farm To Market Rd	McCall	ID	83638
65D Jack Jeffries	261 Finn Church Lane	Mccall	ID	83638
65D Jan Busby	PO Box 2021	Mccall	ID	83638
65D Jeffrey Klock	13089 HWY 55	Donnelly	ID	83615
65D <del>John</del> Carey, David	Jug Mt. Ranch Box 2069	Mccall	ID	83638
65D John Hoffman	5335 E Exeter Blvd	Phoenix	AZ	85018
65D John Russell	Box 945	Mccall	ID	83686
65D Jughandle Corporation	Box 1324	McCall	ID	83638
65D Kendell Meier	536 Mango Dr.	Eagle	ID	83616
65D Kris Allen	1060 E Washakie St	Meridian	ID	83642
65D Larry Eld	2056 E Bowstring St	Meridian	ID	83642



Wesley Hawkins 13754 Clearview Rd. McCall, Id. 83638

Larry Romine 6224 West Yellowstone Ave. Kennewick, WA 99336

Robert & Rochelle Oparango P.O. Box 55 Emmett, Id. 83617

Larry Burke - Watermaster Box 1169 McCall, Id. 83638