



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 Rich Wootan as **Watermaster** of **Water District 61E**, 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, February 15th, 2019.

Gary Spackman
IDWR Director

SCANNED

FEB 15 2019



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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 15, 2019

RICH WOOTAN
2286 S. PRUETT RD
KING HILL ID 83633

Dear Mr. Wootan,

The Department of Water Resources has received a letter of resignation from Mr. JT McCallum, the elected Watermaster of Water District 61E. As you are aware, on Thursday, February 7, 2019, the advisory committee of the water district convened a meeting to nominate a successor watermaster as contemplated by Idaho Code §42-605(10a) in anticipation of Mr. McCallum's resignation. The committee nominated you and you have since submitted an oath of office. Enclosed is your certificate of appointment as Watermaster of Water District 61E Cold Springs Creek. The watermaster's term of service will run *"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 watermaster's appointment is, generally speaking, from one annual meeting to the next.

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

Sincerely,

Anna Kaiser
Administrative Assistant

Cc Water District 61E Advisory Committee (via email)

SCANNED
FEB 15 2019



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 Paula Riggs as *Treasurer* of *Water District 61E*, 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, January 22nd, 2019.

Gary Spackman
IDWR Director

SCANNED
JAN 22 2019



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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 22, 2019

PAULA RIGGS
5420 W DOUBLE ANCHOR DR
GLENNS FERRY ID 83623

Dear Ms. Riggs,

Enclosed is your certificate of appointment as treasurer of Water District 61E Cold Springs Creek. The treasurer's terms of service follows: *"throughout the year, extending until the annual meeting for the ensuing year, or until a successor is appointed"* (Idaho Code §42-619(5)). 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,

Anna Kaiser
Administrative Assistant

SCANNED
JAN 22 2019

RECEIVED
APR 16 2019
DEPARTMENT OF
WATER RESOURCES

**Cold Springs Creek
Water District 61-E**

Memo

TO: All Cold Springs Water District 61-E users
FROM: Rich Wootan, Water Master
Date: March 28, 2019
RE: Water District Action Items



On March 27, 2019 I attended the Idaho Department of Water Resources Water Master Training. There are several action items that need to be implemented in order to follow Idaho State Code. Please read the below action items that are in place immediately:

1. The water master is responsible for the distribution and control of water. To assure proper distribution and accurate measurement for water received, per Idaho Code water users are not authorized to adjust any head gates. Please notify me if you or your employees need me to make a water call to turn on or off the water.
2. If possible, water users need to notify me in advance if they know they will be needing water turned on or off. This will allow me to adjust my schedule for call outs.
3. Any water user that has either a water bank lease or rental is required to notify me so I can record water accurately.
4. Any water user that has additional conditions to their water right that is not specified on said right is required to notify me of those conditions. For example: combined water rights, area of use, type of use, etc...
5. All water users are required by Idaho State Code to have a working measuring device in order to receive water. Users will not be allowed water delivery without a working measuring device.

Please contact me at 208-599-0394 with any questions.

Thank you

SCANNED
APR 16 2019

RECEIVED

FEB 19 2019

WATER RESOURCES
WESTERN REGION

John T. McCallum
11204 N. Bar 21 Dr.
Glenns Ferry, Idaho 83623
208-863-4862

February 13, 2019

Mr. Nick Miller
Idaho Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Re: Resignation as Watermaster

Dear Mr. Miller,

As agreed, upon at the annual meeting of Cold Springs Creek water district #61-E. I am hereby resigning as Watermaster simultaneously as the appointment of Rich Wootan.

Sincerely,

A handwritten signature in dark ink, appearing to read "John T. McCallum", with a long horizontal flourish extending to the right.

John T. McCallum
Sent via Fax (208) 344-2348
Original to follow via mail

SCANNED

FEB 19 2019

Miller, Nick

From: Paula Riggs <priggs0446@gmail.com>
Sent: Thursday, February 14, 2019 8:12 AM
To: Miller, Nick; Visosky, Steven; Whitney, Rob
Subject: Water Master Contact

Below is the contact information for Rich Wootan.

208-599-0394
rwattle@icloud.com
2286 S. Pruett Rd.
King Hill, Idaho 83633

Thanks,

--

Paula Riggs
208-599-0446

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED

FEB 12 2019

WATER RESOURCES
WESTERN REGION

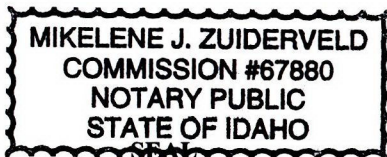
State of Idaho)
County of Elmore) ss

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 61-E according to the best of my ability. So help me God.


Watermaster

SUBSCRIBED AND SWORN TO before me this 12 day of 2, 2019.




Notary Public

Residing At PFCU Glenas Ferry ID

Commission Expires 6/8/22

SCANNED
FEB 15 2019

Miller, Nick

From: Miller, Nick
Sent: Friday, February 15, 2019 9:40 AM
To: 'Paula Riggs'; 'Teresa McCallum'; 'Travis Christensen'; 'jcfarms84@gmail.com'; 'DAVE'; 'Susan Neuer Denny'; 'Harley Riggs'; 'Brenda Ellis'; 'joann_10@msn.com'; 'Lou Andersen'; 'ED NEUER'; 'blueeyes@rtci.net'; 'robcombs@aol.com'; 'rwcattle@icloud.com'
Cc: Whitney, Rob; Luke, Tim; Visosky, Steven
Subject: RE: Cold Springs Creek Water Meeting Documents
Attachments: WD61E_Watermaster Appointment 2019.pdf

Dear Cold Springs Creek Water District Water Users:

The Department has received both the oath of office from Mr. Wootan and the resignation of Mr. McCallum. Accordingly, it has appointed Mr. Wootan as watermaster effective immediately. See the attached document for your information.

I understand Mr. Wootan will begin working immediately and will be in contact with the Water Distribution Section of the Department to obtain necessary training and information.

Should you need to contact the Watermaster, his contact information is below.

Rich Wootan, Watermaster Water District 61E
208-599-0394
rwcattle@icloud.com
2286 S. Pruett Rd.
King Hill, Idaho 83633

Thank you all for participating in this process.

Feel free to contact me if you have any questions.

Nick Miller
Manager, IDWR Western Region
208-334-2190

From: Miller, Nick
Sent: Thursday, February 07, 2019 2:22 PM
To: 'Paula Riggs' <priggs0446@gmail.com>; 'Teresa McCallum' <irondragonmistress@yahoo.com>; 'Travis Christensen' <tmc farms@gmail.com>; 'jcfarms84@gmail.com' <jcfarms84@gmail.com>; 'DAVE' <davetds1@msn.com>; 'Susan Neuer Denny' <neuer3@comcast.net>; 'Harley Riggs' <hhr2997@gmail.com>; 'Brenda Ellis' <bellis@mountain-home.us>; 'joann_10@msn.com' <joann_10@msn.com>; 'Lou Andersen' <loua@frontier.com>; 'ED NEUER' <ejpn1@rtci.net>; 'blueeyes@rtci.net' <blueeyes@rtci.net>; 'robcombs@aol.com' <robcombs@aol.com>
Cc: Whitney, Rob <Rob.Whitney@idwr.idaho.gov>; Luke, Tim <Tim.Luke@idwr.idaho.gov>; Visosky, Steven <Steven.Visosky@idwr.idaho.gov>
Subject: RE: Cold Springs Creek Water Meeting Documents

Dear Cold Springs Creek Water District Water Users:

As we discussed during the phone conference today, I am writing this email to document the advisory committee meeting held by telephone today. In short, the advisory committee voted by a majority of the members to nominate Rich Wootan as a successor to JT McCallum. I expect the Department will appoint Rich Wootan as watermaster upon

resignation of JT McCallum and receipt of an oath of office from Rich. I will place this email in the water district file as part of the appointment process.

Thank you all for participating and feel free to contact me if you have any further questions on this matter.

Nick.

Summary of the Meeting:

Advisory Committee members present on the telephone were Lou Anderson, Dave Bean, Travis Christensen, Susan Denny, Joann Hunt, Teresa and John McCallum, Harley Riggs, Kelly and Paula Riggs, and Ann Wilson. Nick Miller and Steve Visosky from IDWR were also present on the phone.

Lou Anderson was selected to chair the meeting and he called it to order a few minutes after 1:00 pm. Mr. Anderson explained that the only matter of business was to nominate a watermaster to succeed JT McCallum who is expected to resign. Mr. Anderson called for nominations. Paula Riggs nominated Rich Wootan. John McCallum seconded the nomination. The Chair then asked for a call for discussion. Hearing none, he called for a vote. The voting was unanimous in favor of nominating Mr. Wootan. Mr. Miller explained he would follow up with a summary of the meeting and that the Department would appoint Mr. Wootan upon receipt of a resignation by JT McCallum and an oath of office from Mr. Wootan. Steve Visosky agreed to work with Mr. Wootan to provide any training or information needed so Mr. Wootan can perform watermaster services.

Mr. Anderson adjourned the meeting and the telephone call was ended.

From: Miller, Nick

Sent: Wednesday, February 06, 2019 3:07 PM

To: 'Paula Riggs' <priggs0446@gmail.com>; 'Teresa McCallum' <irondragonmistress@yahoo.com>; 'Travis Christensen' <tmc farms@gmail.com>; 'jcfarms84@gmail.com' <jcfarms84@gmail.com>; 'DAVE' <davetds1@msn.com>; 'Susan Neuer Denny' <neuer3@comcast.net>; 'Harley Riggs' <hhr2997@gmail.com>; 'Brenda Ellis' <bellis@mountain-home.us>; 'joann_10@msn.com' <joann_10@msn.com>; 'Lou Andersen' <loua@frontier.com>; 'ED NEUER' <ejpn1@rtci.net>; 'blueeyes@rtci.net' <blueeyes@rtci.net>; 'robcombs@aol.com' <robcombs@aol.com>

Cc: Whitney, Rob <Rob.Whitney@idwr.idaho.gov>; Luke, Tim <Tim.Luke@idwr.idaho.gov>; Visosky, Steven <Steven.Visosky@idwr.idaho.gov>

Subject: RE: Cold Springs Creek Water Meeting Documents

Dear Cold Springs Creek Water District Water Users:

In the email below, I mistyped the telephone number for tomorrow's phone meeting. Please use the following phone number:

Call in to: 1-720-279-0026

Enter participant code: 126664#

Note the last four digits of the phone number are 0026. I apologize for any confusion this may have or will cause...

Thank you,

Nick Miller

Manager, IDWR Western Region

From: Miller, Nick

Sent: Friday, February 01, 2019 12:45 PM

To: 'Paula Riggs' <priggs0446@gmail.com>; Teresa McCallum <irondragonmistress@yahoo.com>; Travis Christensen <tmcfarms@gmail.com>; jcfarms84@gmail.com; DAVE <davetds1@msn.com>; Susan Neuer Denny <neuer3@comcast.net>; Harley Riggs <hhr2997@gmail.com>; Brenda Ellis <bellis@mountain-home.us>; joann_10@msn.com; Lou Andersen <loua@frontier.com>; ED NEUER <ejpn1@rtci.net>; blueeyes@rtci.net; robcombs@aol.com

Cc: Whitney, Rob <Rob.Whitney@idwr.idaho.gov>; Luke, Tim <Tim.Luke@idwr.idaho.gov>

Subject: RE: Cold Springs Creek Water Meeting Documents

Dear Cold Springs Creek Water District Water Users:

The purpose of this email is to provide notice of a meeting of the Water District 61E Advisory Committee to be held by telephone on Thursday, February 7th at 1:00 PM. The purpose of the meeting is to nominate a watermaster to replace JT McCallum who was elected at the 2019 annual meeting, but intends to resign. You may attend the telephonic meeting by dialing in using the following numbers at 1pm on 2/7/19:

Call in to: 1-720-279-0029

Enter participant code: 126664#

The only agenda item is to discuss nominating Rich Wootan as a replacement watermaster for 2019. My understanding is that all of you are, by resolution of the district, members of the advisory committee and so are expected to participate if possible. If you are not able to attend the telephone meeting, you may contribute your thoughts on this topic by "replying all" to this email thread.

I have written some other explanatory comments below, but feel free to reply to this email if you have questions on this topic or if you have concerns about this process.

Thanks,

Nick Miller

Manager, IDWR Western Region

Further explanation of the purpose of the meeting:

At the annual water district meeting for Water District No. 61E, held on January 14, 2019, the users elected JT McCallum to serve as watermaster for the coming year. My understanding is that a substitution of the watermaster was contemplated by all of the people at the annual meeting if a person was found that more people were in support of. My understanding is that that the users have identified Rich Wootan as an alternate person to serve as watermaster for the district and that Mr. McCallum intends to step down. So, the purpose of the meeting is to fulfill the statutory process for replacing Mr. McCallum.

The process for replacing an elected watermaster that resigns is described in Section 42-605(10), Idaho Code. That law reads as follows:

" If a duly elected or appointed watermaster resigns, dies or is physically unable to perform his duties during the remainder of the elected or appointed watermaster term

of service, then the director is authorized to appoint a successor for the unexpired term as provided in paragraphs (a) and (b) of this subsection.

(a) If a water district advisory committee has been chosen as provided in subsection (6) of this section, the water district advisory committee shall meet to either nominate a successor watermaster or request a special meeting as provided in subsection (11) of this section to elect a new watermaster. Upon receipt of a nomination from a majority of the members of the water district advisory committee, the director is authorized to appoint the nominated successor watermaster for the unexpired term.

(b) If a water district advisory committee has not been chosen, the director of the department of water resources is authorized to appoint a temporary successor watermaster. The temporary appointment extends through the unexpired term unless a special meeting is requested as provided in subsection (11) of this section and water users elect a new watermaster."

This law provides two options for selecting a new watermaster – either hold a special meeting of the users to hold a second election, or the Advisory Committee can nominate someone to serve. My understanding is that the Advisory Committee of Water District 61E is composed of all of the users in the district, so the difference between an Advisory Committee Meeting and a Special Meeting is mainly one of timing since a Special Meeting requires 14 days advance notification by mail and the Advisory Committee meeting does not. Since the irrigation season is starting in two weeks, and we can accomplish the spirit of the statutes (participation by the affected users) it is expedient to go the Advisory Committee route to nominate a person for the Director to appoint.

From: Paula Riggs [<mailto:priggs0446@gmail.com>]

Sent: Thursday, December 27, 2018 9:25 AM

To: Teresa McCallum <irondragonmistress@yahoo.com>; Travis Christensen <tmcfarm@gmail.com>; jcfarms84@gmail.com; DAVE <davetds1@msn.com>; Susan Neuer Denny <neuer3@comcast.net>; Harley Riggs <hhr2997@gmail.com>; Brenda Ellis <bellis@mountain-home.us>; joann_10@msn.com; Lou Andersen <loua@frontier.com>; ED NEUER <ejpn1@rtci.net>; blueeyes@rtci.net; robcombs@aol.com; Miller, Nick <Nick.Miller@idwr.idaho.gov>

Subject: Cold Springs Creek Water Meeting Documents

Hello everyone,

Attached are the following documents for the water meeting scheduled for Monday January 14 at 6:00.

Agenda

2018 Meeting Minutes

2018 Water Master Report

Please let me know if you have any questions, thanks.

--

Paula Riggs

208-599-0446

John T. McCallum
11204 N. Bar 21 Dr.
Glenns Ferry, Idaho 83623
208-863-4862

RECEIVED

FEB 15 2019

WATER RESOURCES
WESTERN REGION

February 13, 2019

Mr. Nick Miller
Idaho Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Re: Resignation as Watermaster

Dear Mr. Miller,

As agreed, upon at the annual meeting of Cold Springs Creek water district #61-E. I am hereby resigning as Watermaster simultaneously as the appointment of Rich Wootan.

Sincerely,



John T. McCallum
Sent via Fax (208) 344-2348
Original to follow via mail

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FEB 15 2019

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

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FEB 01 2019

WATER RESOURCES
WESTERN REGION

State of Idaho)
County of Elmore) 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 61-E according to the best of my ability. So help me God.

John T McCall
Watermaster

SUBSCRIBED AND SWORN TO before me this 01 day of 23, 2019



Lori V Freeman
Notary Public
Residing At Shane Leroy Rd
Commission Expires 10/09/2024

SCANNED

FEB 15 2019

January 30, 2019

Idaho Department of Water Resources
Attn: Nick Miller
2735 Airport Way
Boise, Idaho 83705

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FEB 01 2019

WATER RESOURCES
WESTERN REGION

Nick,

Attached is the Water Master Official Oath you needed for JT McCallum. I wasn't sure if you needed his phone number as well, it is 208-863-4862.

Thanks,

Paula Riggs
Secretary

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FEB 15 2019

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JAN 18 2019
WATER RESOURCES
WESTERN REGION

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:

61E COLD SPRINGS CREEK

Meeting Date:

JANUARY 14, 2019

- ☒ 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:

Paula N. Riggs, Secretary

Water District Representative

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JAN 22 2019

Cold Springs Creek Water District #61-E
Budget
January 14, 2019

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JAN 18 2019
WATER RESOURCES
WESTERN REGION

71 callouts for 2019 at \$75 each = (See Below)	\$5,325.00
Office Supplies =	\$ 100.00
Workers Compensation =	<u>\$ 325.00</u>
Proposed Budget	\$ 5,750.00
Current Checking Balance	\$ 3,185.86
Difference	\$(2,564.14)
Slush Fund	\$ 1,000.00
Due from Water Users	\$ 3,564.14

NOTES:

2019 Call Outs @ \$75

Annual Water Meeting	1
January: 2 per month	2
February through August: 2 per week	60
September through December: 2 per month	8
Total Call Outs for 2019:	71 @ \$75 = \$5,325.00

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JAN 22 2019

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JAN 18 2019
WATER RESOURCES
WESTERN REGION

Water District 61E Cold Springs Creek
Annual Meeting Minutes
January 14, 2019 – 6:00PM – Glenns Ferry City Hall

6:05 Teresa called the meeting to order. Present: John and Teresa McCallum, Paula Riggs, Harley and Shelley Riggs, Taylor Riggs, Jack Riggs, Justin and Travis Christensen, Ann Wilson and Nick Miller from IDWR.

Nick stated we needed to elect a Chairman to run the meeting and that person needed to be someone other than the current President. This is since John wants to vote by the alternative method under Idaho State Statute Chapter 6 Title 42 Section 605 (attached). The way this works is the meeting is opened by who was President the last year and they select a Chairman to run the meeting this year. The appointed Chairman then selects a secretary to take minutes of the meeting. Due to the fact someone wants to vote by the alternative method instead of by majority vote, the chairman must select a credentials committee to review the percentage of use of everyone that is present at the meeting. Teresa nominated Ann Wilson for Chairman, Harley said this alternative voting should have been put on the agenda. Teresa said it is not an agenda item. Harley said we want all users to know this was going to happen and Teresa said it is not a matter of consideration it is a state law. Harley seconded Ann Wilson, Ann accepted.

Nick said Ann needed to select a Secretary. Ann asked Paula to do it, Teresa nominated either Travis or Justin from Desert View. Nick said it didn't need to be a vote the Chairman can just select. Ann asked to proceed with Paula.

Ann asked if anyone wanted the minutes read, Teresa motioned to approve the minutes as submitted by email. John seconded, motion passed.

Treasurer Report: Paula read the Treasurers report. Motion to approve by Teresa second by Harley, motion passed.

Water Master Report: Ann stated water master report was emailed to everyone and asked if there were any questions. Harley asked about the time after Rich left in August how the assessment was calculated. Paula said Rich gave her the numbers through August so September through December the only user that had water was Casa Del Norte (CDN) and she used last years numbers to go by because she didn't have this year. John stated he had this year's numbers, Paula said she requested them from Teresa twice and she was supposed to get them to her but didn't so she used last year's numbers.

Old Business: None

New business:

IDWR new permits: Nick said the only one is the CDN permit for the aquifer recharge application in the early season. It was advertised and then protested but the protest has been resolved and now it is in the evaluation for any injury. Once they get through that a decision will be made. He is hoping to get to

SCANNED
JAN 22 2019

it soon, but there were questions about trust water. He thinks that has been cleared up and hopes to have a decision before the water season.

New locks on head gates: Harley said Rich had the keys to the old locks and thinks that once a new water master is elected new locks should be purchased. The only locks required now are CDN and Double Anchor, but everyone is required to have a lockable diversion. Paula asked if they were combination or keys? The reason Paula put it on for discussion was for the budget if we need to purchase new ones, however even if we do, they would not cost much. She asked for Nicks opinion and he felt it was a good idea to have all new locks. Teresa made a motion to purchase new locks needed, Harley second, motion passed. John said there would be 6.

Paula read the proposed Budget. She also had a spreadsheet of the breakdown for everyone on how the assessments are calculated. She explained that the water master reports the detailed numbers of each water users actual use by each month. That is how she calculates at the end of the year how much each user is charged. So however much water you use is what you get charged for. Anyone that would like to see the detailed report is welcome to see it. Motion to approve by Teresa, second by Travis, motion passed.

Election of Officers:

John requested we vote by the alternative method. Nick asked if he wanted that method for all officers or just water master. It was decided to use for only water master.

President: Harley nominated Ann Wilson, she declined. Travis nominated to keep the same with Teresa, Harley second, motion passed.

Secretary/Treasurer: Teresa nominated Paula Riggs for secretary, Harley second, motion passed.

Advisory Committee: Teresa motioned it stay as all water users on the creek, Harley second, motion passed.

Water Master: Nick said whenever a user requests vote by alternative method the chairman will select a credentials committee. Ann asked for him to explain this alternative method.

Nick: Whenever a user requests to vote by alternative method only the users present can be included. Each users vote is based off weight depending on how much they pay into the water district in assessments. The credentials committee needs to determine what each of the users that are present vote is worth. Ann wanted to clarify if the majority wanted to vote regular, but one person requests the alternative way that is the way we must vote? Nick said yes.

John said the Riggs wanted Jack Riggs as the water master and although he would do good, the family pressure would be too great, so they want to appoint JT McCallum. He would prefer to find a water master that is neutral and doesn't have anything to do with either McCallums or Riggs. If we could do this in the next couple of weeks, it wouldn't have any effect on the district. He asked if they select one and then find someone else can it be changed. Nick said yes by special meeting. We could also have a

water master and then an assistant that does the day to day work. For example, have Ann as water master and when the users decide on an acceptable on the ground person, they would do the work and report to Ann. Assistants can be changed throughout the year. If a water master is not elected tonight, then we will have to call a special meeting to vote. John wants to elect a water master tonight and then when another suitable person is found call a special meeting to vote again.

Paula agreed that the major water users on the creek are McCallums and the Riggs. However, she feels that there are 10 other users on this creek, and they should have a say whether they have water every year or not. It is not just about McCallums and Riggs. John said this alternative method is state law and it doesn't matter how many users there are the one that pays the most has the say. He has no interest of one of his people being the water master either. He wants to know if the Riggs and them could get together and look for another person that will be independent of both parties. Ann asked if that is what the majority of people want to do? Paula said she sent an email out to all water users giving them all the names that were nominated including Jack Riggs, JT McCallum and Tyra Loftus and told everyone if you cannot attend the meeting and would like to vote please send your proxy to me. I received 4 proxy's that all voted for Jack Riggs. Harley asked what was wrong with the way we have been doing our voting by majority. Nick said that is the standard way to vote but if someone requests the alternative you must do it, it is the state law. Paula said so it comes down to we must use McCallums alternative method and disregard what any of the other users want. Nick said it comes down to who has the highest weight in votes which is McCallums.

Ann read the statute again to clarify. Travis clarified it is based off the water used so if it is a bad water year and you don't get much water it is just to bad for that user. It should be based off how many water rights you own not based off how much water you get. Harley asked Nick how other districts it and he said they are all different. Paula said there was only a 3-year average not a 5. Nick said we could vote to use only 3, Teresa said it wouldn't make a difference CDN would still be in the driver's seat with the high vote because they pay the majority of the water bill every year. Harley said everyone should have a vote.

Ann asked for nominations for the credentials committee using 2016, 2017 & 2018. Teresa nominated Desert View and Ann.

Paula wanted to clarify that only the people present tonight could be considered in the percentages. That would be ARK, Blackwell (Kelly & Paula Riggs), CDN, Desert View, Double Anchor and Hammett Livestock. Harley asked what happens to the proxy votes that the others sent in. Paula said according to the statute they just get disregarded and their vote does not count, and they have no say. Wouldn't that have been nice for all users to know ahead of time prior to this meeting that their vote would not count if they were not in attendance. It is in our minutes from 2 years ago that any new business, discussion and/or issues had to be presented to all users at least 2 weeks prior to the annual meeting so everyone would be aware and that did not happen with this. Nick said if we all felt this meeting isn't appropriate, we could call a special meeting later. Paula made a motion to call a special meeting to let all users know what is happening. Harley second. There was more discussion about all the user's percentages, regardless McCallum will have the say. Justin said this is not right, whoever is first on the

creek will always get the most water so will always be the one making all the decisions. Travis asked how much work the water master job is, Paula said the water master report doesn't really give an idea of time but does list miles traveled. She said that Rich volunteered to help whoever the new water master is either by phone or if we want to pay him, he would come show them the creek. Ann said the solution to this problem is finding someone that is neutral. Harley said it isn't fair to say Jack is not going to be neutral. Jack asked to address the users. He believes he would do a very good job as water master and he knows the conflict and the McCallums think his integrity would be compromised due to his last name however, they don't understand that he would be regulated by the IDWR and so if he would do anything wrong for any party he would be going against the IDWR rules and policies which would put him at risk of losing the job. Why would he as an individual do a job intentionally wrong even though he is regulated by IDWR to compromise himself. It is insulting that just because of his last name he is being accused of not being fit for the job. It is not fair to shoot someone down that wants to do the job before ever giving them a chance. He would like to put on record that if elected to do this job the first time he ever did anything wrong he would step down as water master. Ann asked Nick how involved IDWR is involved, do they monitor what the water master does. Nick said it depends on the district. Ann asked knowing the disputes would they monitor this water master more closely. He said yes it would be worth working with the water master making sure they know exactly what to do. Some water masters think they have more power than they really have. Their Job is to know what the water rights are, to set the head gates to make sure the senior water rights are delivered first. So really there is no need to have measuring devises up above all the ditches. He just must record who is calling for water, keep good records of what he gives to people. The only oversight is to make sure he is not giving someone more water than they have a right to. Travis asked if every user has a measuring devise. Harley said they are supposed to.

Ann said that the people that are not here tonight are under the impression we are electing a water master the way we have done in the past years and that has changed tonight, and their proxy votes are not going to count. Can we put out a notice to the users to let them know we are doing this a different way now and call another meeting in case they have an interest in coming. That seems fair to me.

John said the proxies should not count anyway because Paula went around and rounded up all he other users to make sure Jack got in. Paula said that was not true, she sent an email to every user giving them the 3 names nominated; Jack Riggs, JT McCallum and Tyra Loftus. She provided a proxy vote in case the users were not going to be able to attend but would like to vote. That was of their own will, nowhere did it say they had to return it, nor did it say she was asking for them to vote for Jack. (Email attached).

Ann said tonight we are putting the committee together, figuring out the percentage votes, and vote. Or we could have another meeting to notify the users the voting process is different. John wanted to go ahead with the vote and then have another meeting when we get someone else to vote again. Ann said we need to verify the percentage numbers are correct. The 3 on the committee will be Travis, Justin and Teresa. Travis wanted to wait on voting until the other meeting. Ann asked what everyone wanted to do, John said no he is appointing a water master and then when someone comes up with another name for water master, we will have another meeting. Ann asked Nick how to resolve this. Nick said elect a water master tonight and then if the users want a special meeting, they need to request it with 30% of

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JAN 22 2019

the users writing the request to the Director of IDWR. Travis said just because you pay the most money is the most bizarre way to figure votes. Nick explained it is based off the budget the users elect to collect. Travis said if he is last on the creek and doesn't get much water how is that fair, he doesn't get a vote. If the first guy on the creek gets all the water, they are the only one that gets to vote doesn't seem fair. Nick explained how the percentages/shares/rights are different. Harley said what incentive does any of the users have to ever come to a meeting if their voice and vote will never count. Nick said if John requested the alternative method and the users tonight chose to ignore it, John can file a complaint with IDWR that the meeting was not carried out appropriately. Ann asked what the calculations came up for. Travis said the water percentage for McCallums is over 50%. Nick said have everyone write down their vote and figure out the percentage later. Harley suggested we don't do anything tonight and notify the other users for a new meeting. Paula asked Nick if we did that couldn't John request the same thing and we would be right back to where we are now? Nick said yes.

Ann said so tonight we are not voting; John and Teresa are just going to appoint a water master of their choice. Travis asked Teresa if they were going to try to find an alternative person that is not related to either them or the Riggs and Teresa said yes. Paula said that should have been done 3 months ago when it was requested from the users to find a water master.

Ann said it is all the water user's responsibility to find someone that is impartial because if we don't this argument is going to go on for eternity. If JT does it there will be problems too. And even if we find someone neutral the McCallums can still say they don't like them and leave JT so we are stuck here. Teresa said they are trying to be agreeable and find someone else. Travis asked if there were other districts that might have a water master we could also use. Harley asked if IDWR provide a water master, Nick said if we fail to find a water master the director can appoint one. John said we can talk all we want but he is electing a water master tonight. Ann asked who he wanted, and John said JT McCallum. Harley nominated Jack Riggs. A paper vote was conducted with the following votes:

JT McCallum 2 votes: ARK & CDN and since their percentage vote is over 50% JT is water master.

Ann stated again that we all need to find a neutral water master and then a special meeting can be called, and Teresa & John have agreed to look at this person as a water master. She asked John if he would honor that and he stated yes that he would.

Paula asked for the record that Ann read the votes for the other candidates:

Jack Riggs:

4 proxy votes that did not count: Joann Hunt, Lou Anderson, Robert Combs, Dave Bean,

4 votes by present water users: Double Anchor, Desert View, Blackwell (Kelly & Paula Riggs) and Hammett Livestock.

Ann asked to approve the by-laws. Teresa motioned, Travis second, motion passed.

Ann asked how much time it takes once we notify IDWR we want a special meeting. Nick said 14 days. Ann stated the next annual meeting will be the 2nd Monday in January which will be January 13, 2020 at 6:00 at city hall.

Harley asked if we need to put what we want on the special meeting agenda now. Nick said if we find someone we want and JT steps down the director could just appoint the new person without a special meeting. Paula said she had everyone's annual assessments for them to take tonight.

Teresa motioned to adjourn Travis second, motion passed.

Respectfully submitted,

Paula Riggs, Secretary

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JAN 22 2019



Paula Riggs <priggs0446@gmail.com>

New Water Master Nominees

6 messages

Paula Riggs <priggs0446@gmail.com>

Mon, Jan 7, 2019 at 10:19 PM

To: Teresa McCallum <irondragonmistress@yahoo.com>, Travis Christensen <trmc farms@gmail.com>, jcfarms84@gmail.com, DAVE <davetds1@msn.com>, Susan Neuer Denny <neuer3@comcast.net>, Harley Riggs <hhr2997@gmail.com>, Brenda Ellis <bellis@mountain-home.us>, joann_10@msn.com, Lou Andersen <loua@frontier.com>, ED NEUER <ejpn1@rtci.net>, blueeyes@rtci.net, robcombs@aol.com

Hello everyone,

I have received 2 more nominees for water master. The nominees now include Jack Riggs, JT McCallum and Tyra Loftus. If you cannot make the annual meeting next Monday the 14th and would like to submit your vote for water master please send the attached proxy back to me.

Thank you,

--

Paula Riggs
208-599-0446

 **Proxy.docx**
12K

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JAN 22 2019

From: **Norman M. Semanko** NSemanko@parsonsbehle.com
Subject: Re: Two things I need help with
Date: January 8, 2018 at 1:20 PM
To: John and Teresa McCallum irondragonmistress@yahoo.com

We haven't set a date for our meeting with SPF yet. I'll check with Scott King and get back to you.

Here is the portion of the Water District annual meeting statute dealing with voting. Idaho Code always trumps bylaws, as long as someone requests weighted voting under the statute.

42-605. DISTRICT MEETINGS. . .

(4) Voting shall be by majority vote of the water users present at the meeting unless one (1) or more water users requests voting using the procedure which follows in this subsection. In such case the meeting chairman shall appoint a credentials committee to determine the number of votes each water user present is authorized to cast. If requested, each person present, owning or having the use for the ensuing season of any water right in the stream or water supply comprising such water district, which right has been adjudicated or decreed by the court or is represented by valid permit or license issued by the department of water resources, shall be entitled to a number of votes equal to the average annual dollar amount and any fraction thereof assessed for that person's qualifying water right for the previous five (5) years, or such lesser number of years as the right has been assessed. If a right has not previously been assessed, a person present, owning or having the use of the right for the ensuing season shall be entitled to a number of votes equal to the dollar amount and any fraction thereof which the right would have been assessed had it existed and been reasonably used when water was available under the priority of the right during the previous season. . .

(7) A corporation or a water delivery organization, including, but not limited to a corporation, a water company, an irrigation district, an irrigation company or a canal company, shall be considered a person for the purpose of this section and shall cast its vote by someone to be designated by the corporation.

Norman Semanko

**PARSONS
BEHLE &
LATIMER**

A Professional
Law Corporation

Norman M. Semanko • Attorney at Law
Parsons Behle & Latimer
800 West Main Street, Suite 1300 • Boise, Idaho 83702
Main 208.562.4900 • Direct 208.562.4909 • Fax 208.562.4901

parsonsbehle.com • NSemanko@parsonsbehle.com • vCard

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JAN 22 2019



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

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DEC 04 2018

WATER RESOURCES
WESTERN REGION

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

To: 61E Cold Springs Creek
From: Western Region
Date: December 3, 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 Glenns Ferry City Hall
Room Name/Number Back Room (use side door)
Street Address 110 E. 2nd Ave
City Glenns Ferry, Id. 83623

Meeting Time/Day

Date (month, day, year) January 14, 2019
Day of Week Monday
Time 6:00 pm

Paula M. Riggs Secretary
Signature, Water District Representative Title

208-599-0446
Representative Phone Number

priggs0446@gmail.com
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

westerninfo@idwr.idaho.gov

SCANNED

DEC 31 2018

Water District Number	Addressee	Organization	InCareOf	Address	City	StateCode	ZipCode	Deliverable
61E	Ark Properties LLC		John Mc Callum	11204 N Bar 21 Dr	Glenns Ferry	ID	83623-5033	Yes
61E	Casa Del Norte			11204 N Bar 21 Dr	Glenns Ferry	ID	83623-5033	Yes
61E	Cold Springs LLC	Cold Springs LLC		4421 N CRESWELL PL	Boise	ID	83713	Yes
61E	Dave Bean			11972 W Peconic Drive	Boise	ID	83709	Yes
61E	Desert View Ranch			8725 Bigfoot Rd	Melba	ID	83641	Yes
61E	Double Anchor Ranches Inc		Harley Riggs	5420 W Double Anchor Dr	Glenns Ferry	ID	83623-5022	Yes
61E	Eduard Neuer			20 S Cold Springs Rd	Hammett	ID	83627	Yes
61E	Frances Ellis Living Trust and Gary Ellis Living Trust	Frances Ellis Living Trust and Gary Ellis Living Trust		733 S Quail Dr	Hammett	ID	83627	Yes
61E	Joann Hunt			201 S Cold Springs Rd	Hammett	ID	83627	Yes
61E	Mule Shoe LLC	Mule Shoe LLC		PO Box 141	Fairfield	ID	83327	Yes
61E	Rich Neal			PO Box 354	Glenns Ferry	ID	83623	Yes
61E	Samuel D Blackwell			5486 W Winter Camp Ln	Glenns Ferry	ID	83623	Yes
61E	Susan Denny			321 Noriega St	San Francisco	CA	94122	Yes
61E	Wilbur F Wilson Ranch	Wilbur F Wilson Ranch		PO Box 33	Hammett	ID	83627	Yes

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DEC 04 2018
WATER RESOURCES
WESTERN REGION

SCANNED
DEC 31 2018

Miller, Nick

From: Paula Riggs <priggs0446@gmail.com>
Sent: Tuesday, December 04, 2018 8:58 AM
To: Miller, Nick
Subject: Re: 2019 Annual Water District meeting WD 61E
Attachments: Cold Springs Creek Water Mtg 2019.pdf

Hi Nick,

Attached is our meeting information. The only correction on the list is to remove the old water master Rich Neal.

We have a couple of names for a possible new water master, I am still working on that and will let you know.

Thanks,

Paula

On Mon, Dec 3, 2018 at 5:08 PM Miller, Nick <Nick.Miller@idwr.idaho.gov> wrote:

Hi Paula,

Rachel Neely has left the department, so I am scrambling to get these things caught up.

I am mailing out the attached letter tomorrow morning, but if you could work with the attached mailing list and get me the info sheet within about a week or so, we can get the meeting notices out in time.

Feel free to give me a call if you have any questions.

Nick.

--
Paula Riggs
208-599-0446



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

December 3, 2018

PAULA RIGGS
5420 W DOUBLE ANCHOR DR
GLENN'S FERRY ID 83623

Dear Water District Secretary or Watermaster,

I have 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. The Department must mail meeting notices 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 Anna Kaiser at (208)334-2190 or Anna.Kaiser.@idwr.idaho.gov.

Sincerely,

Anna Kaiser
Administrative Assistant

Enclosures

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DEC 3 1 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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

To: 61E Cold Springs Creek
From: Western Region
Date: December 3, 2018
Re: Annual Water District Meeting Information Form

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Meeting Location

Facility Name _____

Room Name/Number _____

Street Address _____

City _____

Meeting Time/Day

Date (month, day, year) _____

Day of Week _____

Time _____

Signature, Water District Representative

Title

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

westerninfo@idwr.idaho.gov

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DEC 3 1 2018

Water District Number	Addressee	Organization	InCareOf	Address	City	StateCode	ZipCode	Deliverable
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61E	Susan Denny			321 Noriega St	San Francisco	CA	94122	Yes
61E	Wilbur F Wilson Ranch	Wilbur F Wilson Ranch		PO Box 33	Hammett	ID	83627	Yes

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:

Meeting Date:

- ☐ 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:

Water District Representative

SCANNED

DEC 31 2018

Miller, Nick

From: Miller, Nick
Sent: Monday, December 03, 2018 5:09 PM
To: 'Paula Riggs'
Subject: 2019 Annual Water District meeting WD 61E
Attachments: 61E_MeetingInfo Req 2019.pdf; WD61E MailingList (12-03-18).xls

Hi Paula,

Rachel Neely has left the department, so I am scrambling to get these things caught up.

I am mailing out the attached letter tomorrow morning, but if you could work with the attached mailing list and get me the info sheet within about a week or so, we can get the meeting notices out in time.

Feel free to give me a call if you have any questions.

Nick.

WATERMASTER REQUIREMENT SHEET

WATER DISTRICT: _____

2019

DATE/TIME OF 2019 ANNUAL MEETING:

PLACE OF MEETING:

WATERMASTER: ADDRESS: PHONE: OTHER:	ASSISTANT WATERMASTER: ADDRESS: PHONE: OTHER:
SECRETARY/TREASURER: ADDRESS: PHONE: OTHER:	CHAIRMAN: ADDRESS: PHONE: OTHER:

SENT

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

RECEIVED

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