

Name of Present
Owner

WATER RIGHT
IDENTIFICATION NO.

Amount
Second
Feet (cfs)

1

2

3

4

5

Viners
April 19

S.S.G.

Viners
April 23

50 / 50
S.S.G.

Viners
April 29

S.S.G.

26

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15

Cyn

Cyn directed
water into creek

S.S.G. 50/50
turned on

Sand Springs 50/50
springs turned off
turned back on

Deliver by Cyn,
buried into pits
into creek for Annie
get up water
Ran 11/12

Month of

April

19

2000

NOTE — Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

Name of Present Owner	WATER RIGHT IDENTIFICATION NO.	Amount Second Feet (cfs)	REMARKS
Paul Batruel April 5, 2000			
Viners April 7			
Viners April 8			
Viners April 12 morning			
Annie Reynolds evening April 12			
Water Resources April 17			

Month of _____

Month of _____

REMARKS

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8. Record unusual or noteworthy happenings. For instance, if a senior downstream right holder's water right is no longer available because the creek dries up upstream, and junior upstream rightholders are allowed to divert remaining water upstream, this event should be recorded on the day it happens.

PROPERTY OF THE STATE OF IDAHO

Form No. 300-W

WATERMASTER'S

ROUTING & REQUEST

Please...

- ☐ Read
☐ Handle
☐ Approve

To: John Alstra

And...

- ☐ Forward
☐ Return
☐ Keep or Recycle
☐ Review with Me

Western
Region

From: Jan

Post-it® 7664 ©3M 1995

Date: 11-2-00

Irrigation season the Watermaster
must forward this book to

DEPARTMENT OF
WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

NOV 03 2000

WATER RESOURCES
WESTERN REGION

If this book is lost, the finder will please
return it to the Watermaster of the district, as
it contains valuable records.

RECEIVED

JUL 27 2023

09-20-170
1990 D-4013, 1,000

Name of Present Owner	WATER RIGHT IDENTIFICATION NO.	Amount Second Feet (cfs)	1	2	3	4	5
Paul Batruel 5-27-00 not pd yet 5 out of fund	1 call out saved for Blackwell						
Paul Batruel 5-31-00							
met Paul at Slick Ditch headgate - he diverted with damms to put more water down Slick Ditch. Measured water 135" down Slick Ditch TOTAL							
Bill Batruel 5							

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[illegible]

Cyn Creek.
shut down
water to Monnow's
Res. & diverted
to creek.

turned water
into slick ditch.
approx. 160"
(no weir)

checked water level
to see if enough
X-tra to give to
Batruel - 422"
at weir, enough
for Smith's &
Reynolds. Didn't
give any to
Batruel. Checked
Blackwell's flow
couple hundred
inches, still there
& going into Monnow's.

Month of

NOTE — Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

[illegible]

Month of _____

[illegible]

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Form No. 300-W

WATERMASTER'S

DAILY RECORD

Stream Little Canyon Creek
Water District 1st-D
Month of May, 19 2000
Watermaster Jim Allen
P.O. Address King Hill

Ten days after the close of the
irrigation season the Watermaster
must forward this book to

**DEPARTMENT OF
WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

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NOV 03 2000

WATER RESOURCES
WESTERN REGION

If this book is lost, the finder will please
return it to the Watermaster of the district, as
it contains valuable records. **SCANNED**

09-20-170
1990 D-4013, 1,000

JUL 17 2023

Name of Present
Owner

WATER RIGHT
IDENTIFICATION NO.

Amount
Second
Feet (cfs)

1

2

3

4

5

Viners
June 21st

61-00299

cyn - Viners called
for the rest of
their water

9

16

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18

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[illegible]

again!

50/50
 they have no
 water again
 ran pump & when
 & then no water
 fixed the wastout

okay

50/50
 water short -
 went up there
 water was split

June 15th
 6:00 reached
 out had to
 build back up.

50/50
 someone changed
 the water again
 went up & changed
 it back.

Month of

NOTE — Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

Name of Present Owner	WATER RIGHT IDENTIFICATION NO.	Amount Second Feet (cfs)	REMARKS
Viners June 15 th	61-00304A		
Viners June 17 th	61-00304A		
Viners June 20 th	61-00304A		

Month of _____

Month of _____

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PROPERTY OF THE STATE OF IDAHO

Form No. 300-W

WATERMASTER'S

DAILY RECORD

Stream Little Canyon Creek
Water District 161-D
Month of June, 19 2000
Watermaster Jim Allen
P.O. Address King Hill

Ten days after the close of the
Irrigation season the Watermaster
must forward this book to

DEPARTMENT OF
WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

If this book is lost, the finder will please
return it to the Watermaster of the district, as
it contains valuable records.

RECEIVED

NOV 03 2000

WATER RESOURCES
SOUTHERN REGION

09-20-170
1990 D-4013, 1,000

RECEIVED

JUL 07 2023

[illegible]

9

26

27

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29

30

11

12

13

14

15

[illegible]

[illegible]

26

27

28

29

30

11

12

13

14

15

[illegible]

put water in
for Lee's cattle
only about
40" available -
turned it all to
Blackwell's

Month of September 2000

NOTE — Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

[illegible]

Time of Water Master and Assistants

Month of _____

[illegible]

GUIDELINES FOR RECORDKEEPING

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REMARKS

PROPERTY OF THE STATE OF IDAHO

Form No. 300-W

REGIONAL OFFICES

Eastern – 525-7161

900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718
Speed Dial #813
Fax 525-7177

Northern – 769-1450

1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
Speed Dial #814
Fax 769-1454

Southern – 736-3033

1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380
Speed Dial #815
Fax 736-3037

Western – 334-2190

2735 Airport Way
Boise, ID 83705-5082
Speed Dial #812
Fax 334-2348

WATERMASTER'S

DAILY RECORD

Stream LOD Little Cyn Creek
Water District LOD
Month of September, 2000
Watermaster Jim Allen
P.O. Address King Hill

After the irrigation season the Watermaster
must forward this book and
the annual Watermaster report
to the appropriate
IDWR regional office.

RECEIVED

NOV 03 2000

WATER RESOURCES
DIVISION

Costs associated with this publication are available
from the Idaho Department of Water Resources
in accordance with Section 60-202, Idaho Code
IDWR, 1,000, 3/98, 58009

If this book is lost, the finder will please
return it to the Watermaster of the district,
as it contains valuable records.

SCANNED

JUL 07 2023

**Name of Present
Owner**

**WATER RIGHT
IDENTIFICATION NO.**

**Amount
Second
Feet (cfs)**

1

2

3

4

5

9

16

17

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illegal pumping
on Little Coy
Creek

Month of

August

~~15~~ 2000

NOTE — Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

[illegible]

Month of _____

Month of _____

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PROPERTY OF THE STATE OF IDAHO

Form No. 300-W

WATERMASTER'S

DAILY RECORD

Stream 61 D Little Cyn. Crk.
Water District 61 D
Month of August, ~~19~~ 2000
Watermaster Jim Allen
P.O. Address King Hill

Ten days after the close of the
Irrigation season the Watermaster
must forward this book to

DEPARTMENT OF
WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

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09-20-170
1990 D-4013, 1,000

SCANNED
JUL 07 2023

RECEIVED

NOV 03 2000

WATER RESOURCES
WESTERN REGION

no call outs
July

Jim Allen

mobile - 599-0035

Home - 366-2777

ESTIMATES DONE
WASTE \$HOURS EARLY

Saturday Friday

Night

about 9:00

Sunday MORN

Paul Batrue

366-7272

2000
Daily Record
Log

Ro

*Are you available?
Dave*

MATT J. HOWARD

ATTORNEY AT LAW

2402 W. JEFFERSON

BOISE, IDAHO 83702

TELEPHONE (208) 333-0622

FACSIMILE (208) 345-8945

EMAIL MHOWARD@MICRON.NET

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
John Homan/Susan Hamlin	Matt J. Howard
COMPANY:	DATE:
NDWR	April 21, 2000
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
327-5400	12
RE:	
Subcase No. 61-00293B	

☐ URGENT ☐ FOR REVIEW ☒ FOR YOUR INFO ☐ PLEASE REPLY ☐ KEEP FOR FILES

NOTES/COMMENTS:

Dear John and Susan,

FYI, enclosed is information relating to the Motion for Order of Interim Administration filed by the Batruels. Unfortunately, efforts to reach a stipulation were unsuccessful. Please feel free to contact me if you have any questions.

Sincerely,


Matt J. Howard

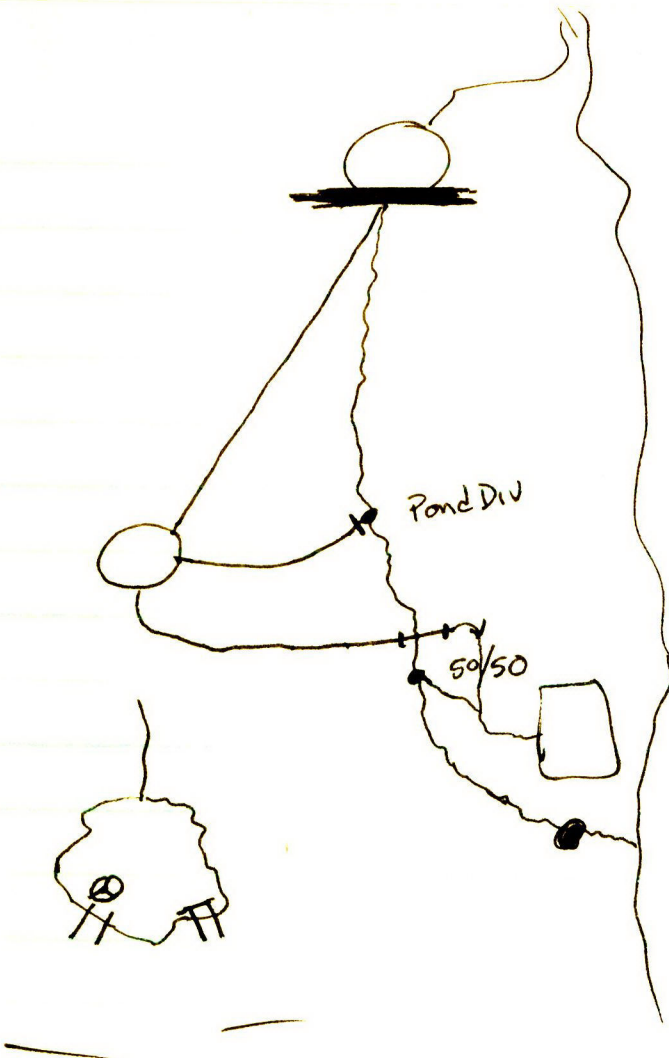
CONFIDENTIAL & PRIVILEGED INFORMATION

This facsimile is confidential & privileged. It is for use of the individual(s) named on this cover sheet. If you are not the intended recipient, do not read this facsimile. Any further inspection, dissemination, or copying of this facsimile is prohibited. If you have received this facsimile by error, please notify us by phone immediately, and we will arrange to have it returned to us. Thank you for your cooperation.

SCANNED
JUL 07 2023

Carlene Smith

Jim Allen 599-0035
King Hill - 366-2243
366-2777Hm



Important Message

Time: 9:41 Date: 4-25
For: Rob
From: Matt Howard
Telephone: 333-0622

- | | |
|--|--|
| <input type="checkbox"/> Telephoned | <input type="checkbox"/> Please call |
| <input type="checkbox"/> Wants to see you | <input type="checkbox"/> Will call again |
| <input checked="" type="checkbox"/> Returned your call | <input type="checkbox"/> URGENT |
| <input type="checkbox"/> Was here to see you | |

Message: _____

Taken by: _____

Post-it® 7679-4 ©3M 1993

OF THE WATER USERS

TOTAL ESTIMATED EXPENSES FOR 19²⁰⁰⁰ \$ 1,150.00

[illegible]

RESOLUTIONS PERTAINING TO THE TIME AND MANNER OF COLLECTING THE BUDGET AS
ADOPTED AT THE ANNUAL MEETING OF THE USERS OF

WATER DISTRICT No. _____

ADOPTED BUDGET AND RESOLUTION
PERTAINING TO THE COLLECTION THEREOF
FOR \$ 2000

RECEIVED
MAY 10 2000
WATER RESOURCES
WESTERN REGION

WATER DISTRICT NO. 61-D
STREAM Little Canyon Creek
COUNTY Elmore
NAME OF SECRETARY Teresa M. McCallum
ADDRESS OF SECRETARY Rt. 1 Box 451, Glenns Ferry, Idaho 83623

COLLECTION AND HOLDING OF WATER DISTRICT FUNDS

Please check the appropriate box regarding the collection and holding of Water District funds.

- ☒ The Water District collects and holds its own funds.
- ☐ _____ County collects and holds funds for the Water District.
(county name)
- ☐ _____ County collects the Water District's funds and deposits the funds in an account
(county name) held by the Water District.

(This report must be certified and made in duplicate, one copy to be forwarded to the appropriate regional office of the Idaho Department of Water Resources., and one copy to the Secretary of the Annual Water User's Meeting of the Water District. If a designated county collects funds for the water, then a third copy must be sent to the auditor of the designated county.)

_____, Idaho, _____, 19____

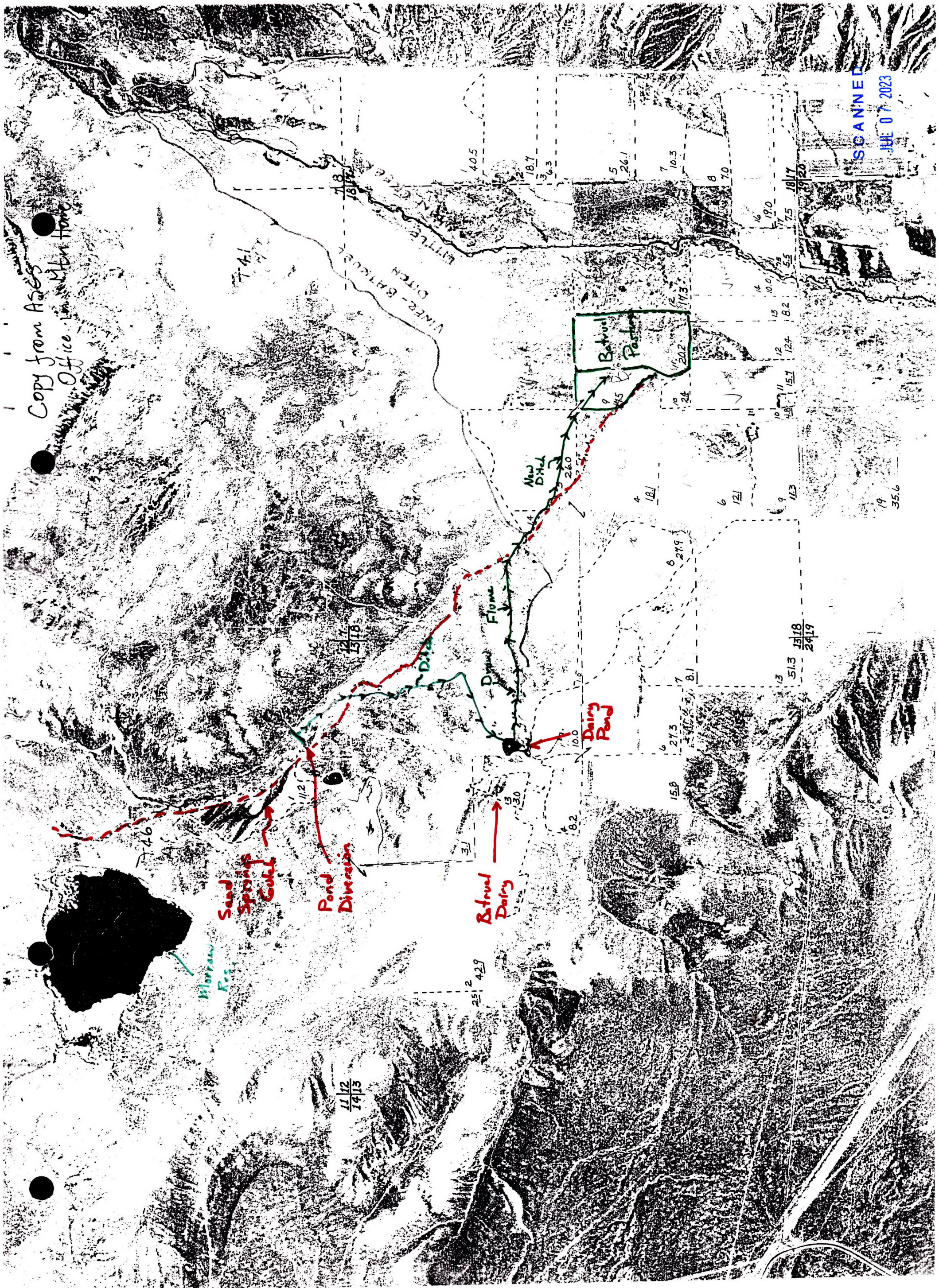
I HEREBY CERTIFY that the within is true and correct copy of the budget as adopted at the annual Water User's Meeting of Water District No. 61-D, held at Glenns Ferry City Hall on the 6th day of March, 2000, and all resolutions adopted at said meeting pertaining to the time and the manner of collecting the amounts provided for in the said budget.



Secretary, Water District No. 61-D

SCANNED
JUL 07 2023

Copy from ASES
Office - Mtn Home



SCANNED
JUL 07 2023

Little Canyon Creek - Sand Springs Gulch
Batruel Diversion
4/14/00 JFW.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

DAM INSPECTION PHOTOGRAPHS

DAM NAME: Little Canyon Creek Water Dist **NO:** 65D
DATE: 4/18/00 **By:** J. Westra
+++++
Batruel/Viner-Smith

1. Batruel pond diversion
Gate was locked/tagged by
the Watermaster at the
site.

2. Sand Springs Gulch at the
50-50 diversion. The area is
overgrown with cattails/reeds.

3. Smith-Viner diversion gate,
8" dia. steel pipe. Area is
overgrown with wetland plants.

4. Smith-Viner weir just
downstream of the gate. The
area is also overgrown, no
weir pool or fall at the weir.

5. Batruel diversion slide
gate, 1' concrete pipe. No weir
for measurement.

SCANNED
JUL 07 2023





UP
Stream

4 18 00



Sand Springs
Gulch

Flow

18'00



6. Batruel ditch below the 50-50, majority of the water going to Batruel, gulch on the right.

7. Flume flow from the Batruel dairy pond into the Batruel 50-50 ditch, (just below the 50-50 diversion)

8. Field road recently constructed across the Sand Springs Gulch below the 50-50. Appears culvert is very small <1' dia.

SCANNED
JUL 07 2023

MEMORANDUM

TO: GARY SPACKMAN

FROM: DANIEL A. NELSON

DATE: 3/20/2001

SUBJECT: MEASUREMENT/ CONTROL DEVICE ORDER FOR LITTLE CANYON CREEK

I have reviewed the information that Rob Whitney gave you concerning Little Canyon Creek. There was an order for a measurement device and controlling works device for the 50/50 diversion and the Pond diversion. However, this order was inadequate to allow the watermaster the ability to properly deliver the water. The order only requires that 2 headgates be installed. The order does not say where the 2 headgates are to be installed. This makes it impossible to deliver the water on these diversions, because the elevation of the headgates in relation to the ditches makes it difficult to adjust the head on the gates in the pond. There is not an order for the remaining diversions on the creek. Only the 50/50 and Pond diversion have an order in place.

Therefore, I propose that the following order be issued to the Little Canyon Creek water district:

- 1.) All points of diversion shall have a lockable/controllable headgate for each diversion on the creek. For pumps directly diverting from the creek, the power box for the pump would need a shut off switch that could be locked.
- 2.) Each point of diversion should have a measurement device installed per IDWR standards. Power records could be used for the small pump users.
- 3.) All ditches leaving a pond, dam, or instream diversion point where water is being backed up for a point of diversion must also have a lockable controllable headgate installed, including the stream itself.

After reviewing the information, these are the recommendations that I came up with. Most of the problems on this stream are not with the existing headgates, but with instream dams and diversion used to back the water up. When the water is being backed up we need the ability to control both the creek and the headgate. If we do not have both headgates, then we can not control the water going both ways.

To
50-50

Flow

4 18'00



Gulch

Bathtub
Ditch

Gulch 4997

Flow
4 18 00



Farm Lane



Sand Spill Out

Flow

4 18'00

50/50 DIVERSION:

To properly deliver water at the 50/50 diversion a lockable control device would need to be installed on the Batruel ditch and standard measurement devices would need to be installed on both ditches.

A lockable control gate has been installed on the Smith ditch. However, the Batruel ditch is at a lower elevation and water will go through this diversion before it would go through the Smith ditch. Therefore, there is no way to regulate this diversion without a lockable control gate on the Batruel ditch.

In order to determine how much water is going to each ditch, it would be necessary to install standard measurement devices on both ditches. These devices would need to meet the Bureau of Reclamation definition of a Standard Device. A Standard Device is one that is properly constructed to set specifications and is properly installed. A non-standard device could be used as long as it was properly calibrated prior to diversion of water. The Smith ditch already has a weir in the ditch. However, this weir is improperly installed and is not a standard device. It would need to be moved downstream approximately 20 to 30 feet and the ditch cleaned to provide an adequate weir pool. The device itself would need to be rebuilt to Bureau of Reclamation standards.

50/50
DIVERSION

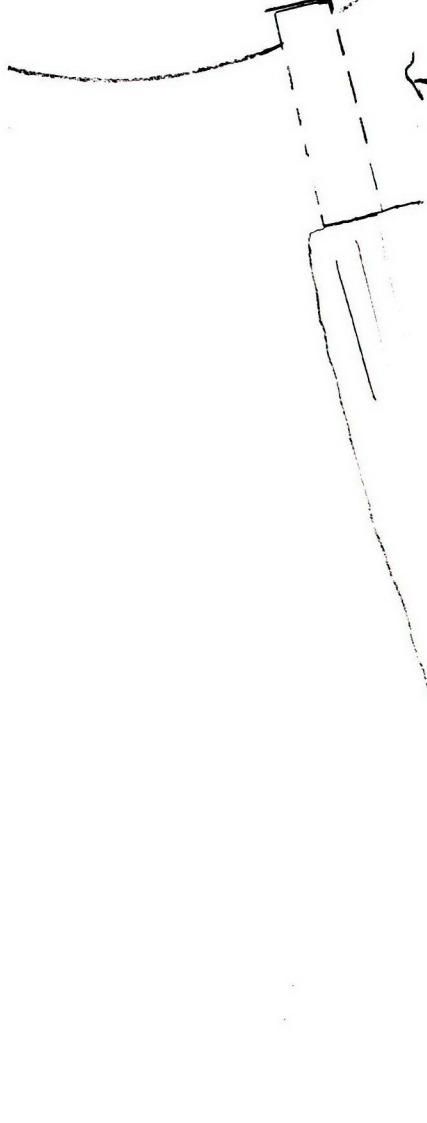
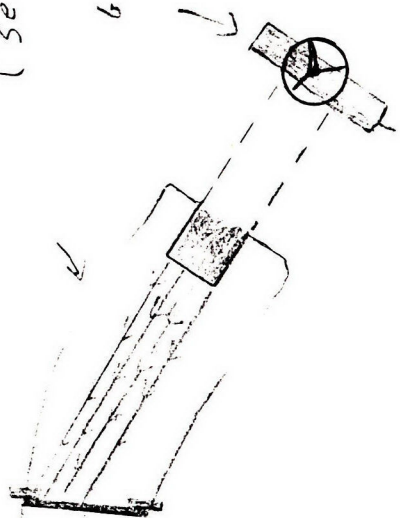
WEIR IS NOT-STANDARD
(SEE ATTACHMENT)

GOOD CONTROL BOX

TIN PLATE
TO ADJUST
DIVERSION

TIN PLATE
IN FRONT
OF PIPE

DITCH TO



RECOMMENDATIONS

POND DIVERSION:

Installing standard measurement devices in each ditch can regulate the pond diversion.

The Batruel ditch has an adjustable/lockable device on it. The Batruel diversion is lower in elevation than the ditch to the 50/50 diversion, which should allow the watermaster to regulate both diversions with the single headgate.

However, in order to determine how much water is going to each ditch, it would be necessary to install standard measurement devices on both ditches. These devices would need to meet the Bureau of Reclamation definition of a Standard Device. A Standard Device is one that is properly constructed to set specifications and is properly installed. A non-standard device could be used as long as it was properly calibrated prior to diversion of water.

POND
DIVERSION

DITCH
TO
50/50 DIVERSION



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

April 10, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

PAUL BATRUEL
RT 1 BOX 426
GLENN'S FERRY ID 83623

RE: EARLY SHUT OFF OF MARROW RESERVOIR DIVERSION

Dear Mr. Batrue:

This letter is a formally respond to your complaint against the watermaster of Water District 61D, Jim Allen. You telephoned me on 4/2/2001 to inform me that someone had shut down the diversion to your reservoir on 3/29/2001. At that time you also stated that you had gone back and turned the water back into your reservoir and that a day or so later the water was turned back down Little Canyon Creek. You stated that the loss of storage for the last 3 days of March could cost you one cutting of hay or approximately \$10,000.00.

I spoke with Jim Allen on 4/3/2001 and he told me that he turned 50 % of the water into Little Canyon Creek to allow the Smiths to begin irrigating on 4/1/2001. The Smiths own the water right with the earliest priority date on the creek and their water rights were in place before the development of the Marrow Reservoir. However, in recent history the Idaho Department of Water Resources (IDWR) has allowed you to store water in your reservoir until April 1 of each year before releasing water into the creek for the downstream water users. Therefore, Mr. Allen should not have adjusted your diversion before April 1 without consulting with IDWR first. I contacted Mr. Allen on April 3, 2001 and informed him of this and told him that next year he should contact our office before releasing water from the Marrow Reservoir diversion. Please be aware that the Smith's water right is senior to your storage rights and the Smiths could have petitioned IDWR to release water early to allow them to begin diverting water on April 1. However, Mr. Allen should have sought instruction from our office prior to making that decision.

page 2
Batruel

In speaking with Mr. Allen, I am confident he thought he was doing the right thing and did not intend to harm anyone. Mr. Allen tried to contact me before he made the adjustment, but I was not available to instruct him at that time. I do not feel that further action against the watermaster is necessary at this time. However, you can send a written request for the removal of the watermaster if you choose. Upon receipt of this request, IDWR will thoroughly investigate this situation and take the appropriate steps. On rare occasions IDWR has removed the watermaster and appointed a new watermaster. Removal is only justified after a showing that the watermaster has failed to perform his duty.

During our initial conversation, you stated that you re-adjusted the headgate for your diversion. You have been instructed multiple times that you do not have the authority to adjust any headgate after the watermaster is regulating the water deliveries. You are not allowed to adjust any headgate without direct written permission from the watermaster or IDWR. I have enclosed the sections in the Idaho Code that refers to the adjustment of a headgate without the permission of the watermaster or IDWR. Please do not adjust any more headgates without permission or you could be subject to criminal prosecution.

If you have any questions please contact me at the above address.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel A. Nelson", with a long, sweeping horizontal line extending to the right.

Daniel A. Nelson
Sr. Water Right Agent

enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 28, 2000

Teresa McCallum, Secretary
Little Canyon Water District #61D
Rt #1, Box 451
Glenns Ferry, ID 83623

Re: 2000 Irrigation Season Watermaster Report

Dear Mrs. McCallum:

Mr. Allen has submitted the Watermaster calls/diary for the past irrigation season to the Department. Attached is a summary breakdown of calls by user. The Watermaster budget amount of \$700 was exceeded resulting in a \$300 shortage. As in the past, the shortage is prorated based on the number of Viner and Batruel callouts. The shortage surcharge amounts should be assessed to these users.

The callout summary should be submitted at the next annual March water district meeting.

Should you have any questions feel free to contact me at the Western Regional Office, phone 334-2190.

Sincerely,

John Westra
Western Region

Enclosure.

SCANNED
JUL 07 2023

Watermaster Calls- Little Canyon Creek Water District
Year-2000 (Compiled from daily records)

NAME:	Batrue	Viner	Anne Reynolds	Sam Blackwell	IDWR
DATES:	4/5	4/7	4/12	9/2	4/17
	5/5	4/8			8/18
	5/22	4/12			
	5/27	4/19			
	5/31	4/23			
		4/29			
		5/3			
		6/15			
		6/17			
		6/20			
		6/21			
TOTAL	5	11	1	1	2

Total Calls for the season -20

Watermaster Compensation @\$50/call= \$1000

Approved Watermaster Budget \$ 700

Shortage \$ 300

Shortage Surcharge Due

Viner	11/16 of \$300	\$206.25
Batrue	5/16 of \$300	\$ 93.75

RECEIVED

MAY 10 2000

WATER RESOURCES
WESTERN REGION

LITTLE CANYON CREEK
#61-D

March 6, 2000

1:15 PM

City Hall, Glenns Ferry

1. Meeting called to order by Lea Blackwell at 1:15 P.M. at Glenns Ferry City Hall.
2. Election of Chairman.
Lea Blackwell was nominated by Alice Trail and seconded by Ralph Crane. Elected unanimously.
3. Election of Secretary
Teresa McCallum was nominated by Sam Blackwell and seconded by Ralph Crane. Alice Trail motioned for nominations to be closed, seconded by Ralph Crane. Elected unanimously.
4. Sam Blackwell moved that the Credentials Committee continue to be all water users, seconded by Alice Trail. Passed unanimously.
5. Sam Blackwell nominated Jim Allen as Water Master for the 2000 irrigation season with compensation of \$50.00 per call out. Seconded by Ralph Crane. Nominations moved closed by Alice Trail, seconded by Teresa McCallum. Passed unanimously.
6. Treasurers Report by Bob Hall Secretary/Treasurer
\$827.27 on hand as of March 6, 2000. Report moved accepted by Teresa McCallum and seconded by Sam Blackwell, passed
7. Minutes read by Secretary Bob Hall, moved for approval by Sam Blackwell, seconded by Alice Trail. Pass Unanimously.
8. Alice Trail made a motion for a budget of \$1150, with \$700.00 for water master, \$150.00 miscellaneous, \$300.00 workman's comp. Seconded by Sam Blackwell, pass unanimously.
9. Alice Trail made a motion, that after the \$700.00 for the water master budget was exhausted that the water master will determine the party at fault for the callout and the party at fault would be billed the \$50.00 callout fee within 30 days. Motion was seconded by John McCallum, then passed unanimously.
10. Old Business.
A motion was made by Sam Blackwell, for a bonus of \$200.00, plus \$100.00 for water master school, be given to Jim Allen for excellent services rendered in 1999. Motion seconded by Ralph Crane, passed unanimously.
11. 2000 meeting adjourned, until the 2001 meeting first Monday in March at 1:00 P.M. at Glenns Ferry City Hall.
12. People Present: Ralph Crane, Sam & Lea Blackwell, Teresa & John McCallum, Alice Trail, Margaret Trail, Rocky Trail, Bob Hall, Rob Whitney representing IDWR.

Teresa McCallum - Secretary

SCANNED

JUL 07 2023

PETITION FOR WATERMASTER'S SERVICES

Glenns Ferry, Idaho

3-6, 192000

RE: Water District No. 61-D

Stream: Little Canyon Creek

TO: IDAHO DEPARTMENT OF WATER RESOURCES

We, the undersigned, owners or managers of ditches or persons controlling ditches in Water District No. 61D, 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.

Date watermaster is to start: _____

If known, the date services of watermaster are to terminate: _____

366-2528
Robert H. Hall RT. 1 Box 103 CF 83623 61-2223
signature address telephone water right ident no.

366-7931
Theresa M. McCall RT. 1 Box 451 CF 83623 61-0297
signature address telephone water right ident no.

366-2765
Samuel D. Blackwell RT. 4 398 King Hill 366-2765 61-0371B
signature address telephone water right ident no.

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

SCANNED
JUL 07 2023

CHARTER MOUNTAIN RANCH

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the recipient or the employee or agent responsible for delivery of the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone to arrange for the return of the original to us. The following does not constitute an offer which may be accepted in final resolution of any disputed matter, but is provided only in the context of continuing discussions as to potential resolution. Thank you.

TELECOPIER INFORMATION SHEET

DATE 5-4-00

TIME SENT _____

TEL# RECEIVING

TELECOPY 334-23483 # OF PAGES INCLUDING COVER SHEETTO Steve JesterFROM TERESA McCallum

OF _____

OF _____

RE _____

JOB# _____

MESSAGE

Little Canyon CKWater District questions-

① is it ok to implement item #9
about assess cost to "party at fault"
once \$700 has funds spent? Are
there other districts with model for
this?

② What does sec'ty need to provide IOWA

SCANNED

JUL 07 2000

RT #1 Box 451, Glenn's Ferry, Idaho 83623 (208) 366-~~8888~~
FAX (208) 366-2685following the annual mtg?CALL TERESA 366-7931

-petition
-Adopted budget
-minutes of mtg.
-No county rule since
w.d. acct for \$

LITTLE CANYON CREEK
#61-D)

March 6, 2000
1:15 PM
City Hall, Glenns Ferry

1. Meeting called to order by Lea Blackwell at 1:15 P.M. at Glenns Ferry City Hall.
2. Election of Chairman.
Lea Blackwell was nominated by Alice Trail and seconded by Ralph Crane. Elected unanimously.
3. Election of Secretary
Teresa McCallum was nominated by Sam Blackwell and seconded by Ralph Crane. Alice Trail motioned for nominations to be closed, seconded by Ralph Crane. Elected unanimously.
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A motion was made by Sam Blackwell, for a bonus of \$200.00, plus \$100.00 for water master school, be given to Jim Allen for excellent services rendered in 1999. Motion seconded by Ralph Crane, passed unanimously.
11. 2000 meeting adjourned, until the 2001 meeting first Monday in March at 1:00 P.M. at Glenns Ferry City Hall.
12. People Present: Ralph Crane, Sam & Lea Blackwell, Teresa & John McCallum, Alice Trail, Margaret Trail, Rocky Trail, Bob Hall, Rob Whitney representing HDWR.

Teresa McCallum - Secretary

SCANNED
'JUL 07 2023

PETITION FOR WATERMASTER'S SERVICES

Glenns Ferry, Idaho3-6, 29
2000RE: Water District No. 61-DStream: L.H. Canyon Creek

TO: IDAHO DEPARTMENT OF WATER RESOURCES

We, the undersigned, owners or managers of ditches or persons controlling ditches in Water District No. 61D, 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.

Date watermaster is to start: _____

If known, the date services of watermaster are to terminate: _____

Charles Hull RT. 1 Box 103 366-2528 61-2223
signature address telephone water right ident no.

Tom M. M'Call RT. 1 Box 451 366-7931 61-0297
signature address telephone water right ident no.

Samuel D. Chadwell Box 398 366-2765 61-0371B
signature address telephone water right ident no.

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

SCANNED

JUL 07 2023

MEMORANDUM

TO: Gary Spackman, Water Dist. File 61D

From: Rob Whitney

RE: Delivery of water on Sand Springs Gulch 50/50

Date: 4-25-00

On this date I received a telephone call from Mrs. Allen (wife of Jim Allen, Water Master) regarding a call for water delivery at the 50/50 diversion. Mrs. Allen explained that Jim has been called seven times to make the split of water and it appears that the diversion on the Batruel side is being tampered with.

Pursuant to our conversation this a.m., Dan Nelson and I will meet with the water master this afternoon to close the delivery of water on the Batruel side of the 50/50. This action will be taken because Batruel has not installed a proper headgate that allows the water master to effectuate the appropriate split to the parties. The water will be allowed to continue down sand springs gulch through the Smith's headgate at the 50/50. Mrs. Allen also stated that Batruel may be receiving the majority of the water reaching the 50/50, but it has been alleged that Batruel is not beneficially using this water.

This information is subject to verification at the time of our visit this afternoon.

SCANNED
JUL 07 2023



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 4-25-00

TO: Matt Howard
345-8945

FROM: Rob Whitnell

DOCUMENT DESCRIPTION: Attached: Dan is your Marz!

TOTAL PAGES SENT: 1 + COVER SHEET

CONTACT: RW

SCANNED
JUL 07 2023



Idaho
Department of Water Resources

2735 Airport Way, Boise, ID 83705-5082

DANIEL A. NELSON
Sr. WATER RESOURCE AGENT
WESTERN REGIONAL OFFICE
Ph. (208) 334-2190
Fax (208) 334-2348
dnelson@idwr.state.id.us

SCANNED
JUL 07 2023

MATT J. HOWARD**ATTORNEY AT LAW**

2402 W. IFFERSON

BOISE, IDAHO 83702

TELEPHONE (208) 333-0622

FACSIMILE (208) 345-8945

EMAIL: MHOWARD@MICRON.NET

April 21, 2000

VIA FACSIMILE

Norman C. Young

Administrator

Idaho Department of Water Resources

P. O. Box 83720

Boise, ID 83720-0098

David R. Tuthill, Jr.

Adjudication Bureau Chief

Idaho Department of Water Resources

P. O. Box 83720

Boise, ID 83720-0098

RE: Motion for Order of Interim Administration / Request for Basis of Director's Report
SRBA Subcase No. 61-00293B

Dear Norm and Dave:

I represent Mary Batruel, Paul Batruel, and Batruel Dairy ("the Batruels") in the above-referenced subcase. Enclosed please find a copy of a Motion for Order of Interim Administration. That motion was filed in response to a call placed by Carlene Smith, which resulted in the water master closing the Batruels' "Pond Diversion" headgate on Sand Springs Gulch. The motion for interim administration seeks to have water distributed and administered in accordance with the Director's Report for 61-00293B, which does permit the Batruels to divert water at their Pond Diversion. It is my understanding that the Department can and will distribute water in accordance with its Director's Report for 61-00293B if so ordered by the Court under Idaho Code § 42-1417. If I am incorrect in my understanding, please let me know immediately.

The hearing on the motion for interim administration is set for next Friday, April 28, 2000, at 3:00 p.m. I apologize for the short notice. The call by Ms. Smith was not anticipated. However, now that my clients are being harmed by that call, they must move quickly to get their Pond Diversion headgate opened.

SCANNED
JUL 07 2023

- 2 -

APRIL 21, 2000

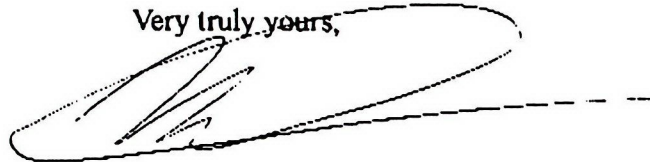
On that note, my clients will need to have Idaho Department of Water Resources (IDWR) personnel testify at the April 28 hearing. Specifically, there will need to be someone who can testify as to the basis of the Director's Report for 61-00293B, as it relates to the issues raised by the motion for interim administration. There will also need to be someone who can testify concerning the measurement and distribution of water, if the water is allowed to be administered pursuant to the Director's Report. I believe Rob Whitney is the allocations agent most familiar with this latter issue.

Please let me know, as soon as possible, which agents will be made available for the April 28 hearing so that I may identify them in my list of witnesses and exhibits. Also, I would ask that IDWR prepare a poster-size map of the area encompassing the Batruels' place of use and the Morrow Reservoir. Please include on that map markers that identify the Pond Diversion, the 50/50 Diversion, and any other helpful markers that you feel would be of assistance to the Court in getting a clear picture of the facts in this case. I believe Wendy Eklund has prepared something similar to that in the last couple of months that you may be able to work from.

The above request for assistance is made pursuant to Idaho Code §§ 42-1401B and 42-1412(4). Again, I regret the short notice. Any assistance you can provide the Court and the parties in this case is greatly appreciated.

Please feel free to contact me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Matt J. Howard', with a long horizontal line extending to the right.

Matt J. Howard

Enclosures
cc: Clients

SCANNED

JUL 07 2023

MATT J. HOWARD
Attorney at Law
2402 W. Jefferson
Boise, Idaho 83702
(208) 333-0622
(208) 345-8945 (facsimile)
mhoward@micron.net
ISB 5115

Attorney for Mary Batruel, Paul Batruel, and Batruel Dairy

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcase Nos. 61-00293B, 61-00293C, 61-
) 00293D
)
) MOTION FOR ORDER OF INTERIM
) ADMINISTRATION; MOTION FOR
) DISCLOSURE OF WITNESSES AND
) EXHIBITS
)

MOTION FOR ORDER OF INTERIM ADMINISTRATION

Mary Batruel, Paul Batruel, and Batruel Dairy ("the Batruels"), by and through their attorney of record, Matt J. Howard, Attorney at Law, hereby move this Court, pursuant to Idaho Code § 42-1417(1)(a), for an Order of Interim Administration, ordering that water right no. 61-00293B be administered by the Idaho Department of Water Resources (IDWR) in accordance with its Director's Report for water right no. 61-00293B issued on February 12, 1999, a copy of which is attached as Exhibit A.

SCANNED

JUL 07 2023

MOTION FOR ORDER OF INTERIM ADMINISTRATION; MOTION FOR DISCLOSURE
OF WITNESSES AND EXHIBITS - 1

The grounds for this motion are as follows. As a result of a recent "water call" made by Carlene Smith, an objector in subcase no. 61-00293B, the watermaster, on April 18, 2000, shut down and locked the Batruels' headgate at a point commonly known as the "Pond Diversion." The watermaster, under direction of IDWR, took this action pursuant to a 1995 "Supplemental Judgment" entered in Elmore County case no. 82-08224, a copy of which is attached as Exhibit B. That judgment prohibits diversion of the Batruels' water at the Pond Diversion and requires that the water be diverted downstream at a point commonly known as the "50/50 Diversion." Because the 1995 Supplemental Judgment was entered after the commencement of the SRBA, there is a question as to whether the Elmore County Court lacked jurisdiction to enter the judgment and whether exclusive jurisdiction, at that time, vested in the SRBA Court.

As a result of the headgate being shut down and locked at the Pond Diversion, the Batruels are unable to divert their Sand Springs Gulch water (right no. 61-00293B) onto their entire recommended 295-acre place of use. If the Batruels are forced to take their water downstream at the 50/50 Diversion, they will only be able to irrigate the lower portion of their farmland with Sand Springs Gulch water. A large portion of their farmland, which is higher in elevation than the 50/50 Diversion, can only be irrigated with water from Sand Springs Gulch by diverting it at the Pond Diversion. The Director's Report for 61-00293B recognizes the Batruels' need for, and historical use of, diverting water at the Pond Diversion.

IDWR has indicated that, under its ministerial duties, it can and will distribute water pursuant to its Director's Report for 61-00293B, if this Court issues an Order of Interim Administration pursuant to Idaho Code § 42-1417(1)(a). Because the Batruels' are being immediately harmed by the closure of their headgate, they respectfully move the Court for an

SCANNED
JUL 07 2023

Order granting interim administration until the dispute between the parties can be resolved on the merits, pursuant to the Trial Scheduling Order issued by this Court on April 18, 2000.

MOTION FOR DISCLOSURE OF WITNESSES AND EXHIBITS

The Batruels also respectfully move this Court for an Order requiring that each party and IDWR lodge with the Court and serve on the other parties and IDWR on or before 5:00 p.m. on April 26, 2000, a list of witnesses and exhibits that the party and/or IDWR intend to call or introduce at the hearing on the above motion.

The Motion for Order of Interim Administration is supported by the record in this case and such testimony and other evidence as will be introduced at the hearing scheduled on this motion.

DATED this 21 day of April, 2000.



MATT J. HOWARD

SCANNED
JUL 07 2023

CERTIFICATE OF SERVICE

The undersigned certifies that on the 21 day of April, 2000, a true and correct copy of the within MOTION FOR ORDER OF INTERIM ADMINISTRATION; MOTION FOR DISCLOSURE OF WITNESSES AND EXHIBITS was sent to the following person(s) by the method indicated below:

Larry Brown

U. S. Department of Justice

550 W. Fort Street, MSC 033

Boise, ID 83724

☒ U.S. Mail ☐ Overnight Mail ☒ Facsimile ☐ Hand-delivered

Charles L. Honsinger

Ringert Clark, Chtd

P. O. Box 2773

Boise, ID 83701

☒ U.S. Mail ☐ Overnight Mail ☒ Facsimile ☐ Hand-delivered

Norman M. Semanko

Rosholt, Robertson, & Tucker

P.O. Box 1906

Twin Falls, ID 83303-1906

☒ U.S. Mail ☐ Overnight Mail ☒ Facsimile ☐ Hand-delivered

Idaho Department of Water Resources

P.O. Box 83720

Boise, ID 83720-0098

☒ U.S. Mail ☐ Overnight Mail ☒ Facsimile ☐ Hand-delivered


MATT J. HOWARD

SCANNED
JUL 07 2023

AJS05GMP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: FEB-12-1999
PAGE: A-915

 RIGHTS FROM: SOURCE: SAND SPRINGS CULCH TRIBUTARY: LITTLE CANYON CREEK

 RIGHT NUMBER: 67-00293B

 NAME & ADDRESS: MARY BATRUEL
 RT 1 BOX 426
 GLENNS FERRY ID 836230000

 PAUL BATRUEL
 RT 1 BOX 426
 GLENNS FERRY ID 83623

 PETER BATRUEL
 RT 1 BOX 426
 GLENNS FERRY ID 836230000

 SOURCE: SAND SPRINGS CULCH TRIBUTARY: LITTLE CANYON CREEK
 QUANTITY: 0.575 CFS

 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
 SHALL NOT EXCEED 10,000 GALLONS PER DAY.
 PRIORITY DATE: 01/01/1898
 POINT OF DIVERSION: T05S R09E S12 SESE (SAND DIVERSION) Within ELMORE County
 R10E S18 SWNW (SAND DIVERSION)
 PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
 IRRIGATION 03-15 11-15 0.575 CFS
 STOCKWATER 01-01 12-31 0.575 CFS

 PLACE OF USE: IRRIGATION Within ELMORE County
 T04S R09E S13 NWNE 3 SWNE 24 SESE 9 NENE 16
 NWNW 5 SWNW 4 NENE 16 NWSE 16
 SESE 13
 R10E S12 SENW 16
 S10 SEKW 28 NWSE 30 SWSW 38 NESE 17
 NWSE 40
 295 ACRES TOTAL
 PLACE OF USE FOR STOCKWATER IS SAME AS IRRIGATION

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
 STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
 USE.

SCANNED

JUL 07 2023

EXHIBIT A

RECEIVED

JUL 10 1995

Department of Water Resources

D. Blair Clark
 RINGERT CLARK CHARTERED
 455 South Third, P.O. Box 2773
 Boise, Idaho 83701-2773
 Telephone No. (208) 342-4591
 Attorneys for Plaintiffs

FILE COPY

1995 JUL -5 AM 9:44

CLERK OF THE COURT

DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF ELMORE

RICHARD P. VINER and CARLENE R.
 VINER, husband and wife,

Plaintiff,

vs.

PETER BATRUEL, MARY N. BATRUEL,
 Husband and Wife, and PAUL BATRUEL,

Defendants.

Case No. 8224

SUPPLEMENTAL JUDGMENT

Plaintiff Carlene Viner Smith having moved the Court to order Defendants to comply with prior orders of this Court, and the Court having considered the pleadings and records in this action, and the Court having determined in conference with counsel for the parties that a hearing thereon is not required, and good cause appearing,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Defendants shall immediately and forthwith construct a good and sufficient ditch in the manner outlined in the reports of Carlyle W. Briggs, Special Master, by constructing approximately 400 feet of ditch, to include installation of a culvert under a road, from the Morrow Reservoir to the Batruel pond located near Batruel's home. The water from the Morrow Reservoir shall be diverted from such reservoir through such new ditch and pond, and shall not be diverted

EXHIBIT B

SCANNED

JUL 07 2023


into Sand Springs Gulch, except as provided in paragraph 3 hereof.

2. Defendants shall immediately and forthwith remove all obstructions to the flow of Sand Springs Gulch from such Gulch, in order that there can be a full flow of water in such Gulch. Further, Defendants shall not divert water from Sand Springs Gulch at the so-called "pond diversion," but shall allow water to flow to the "50-50" diversion downstream therefrom. Further, the parties shall jointly install two locking headgates in order that the Watermaster may properly allocate the parties' respective water rights. However, if Plaintiff agrees in writing filed in this Court, the equal division of the water that rises and flows in Sand Springs Gulch may occur at the Pond Diversion.

3. Defendants shall, however, be allowed to use Sand Springs Gulch, if directed to do so by the Department of Water Resources to alleviate leaking and structural integrity problems with such dam on the Morrow Reservoir. Defendant shall not divert water through their pond in such fashion as it floods Plaintiff's fields.

4. The Department of Water Resources and the Watermaster with jurisdiction over this region shall be furnished with a copy hereof, and shall endeavor to allocate the water rights of the parties in conformance with this Judgment and the prior orders of this Court.

Dated this 30th day of June, 1995.

 ROBERT M. ROWETT

Robert M. Rowett, District Judge

MATT J. HOWARD
 Attorney at Law
 2402 W. Jefferson
 Boise, Idaho 83702
 (208) 333-0622
 (208) 345-8945 (facsimile)
 mhoward@micron.net
 ISB 5115

Attorney for Mary Batruel, Paul Batruel, and Batruel Dairy

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
 THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA


Case No. 39576

) Subcase Nos. 61-00293B, 61-00293C, 61-
) 00293D

) NOTICE OF HEARING
)
)
)
)

PLEASE TAKE NOTICE that Mary Batruel, Paul Batruel, and Batruel Dairy ("the Batruels"), by and through their attorney of record, Matt J. Howard, will bring for hearing before the Honorable Thomas R. Cushman, Special Master, their Motion for Order of Interim Administration, at the SRBA Courthouse, in Twin Falls, on the 28th day of April, 2000, at 3:00 p.m., or as soon thereafter as they can be heard. Please take notice that the Batruels intend to call witnesses and introduce exhibits at the hearing in support of their motion.

DATED this 21 day of April, 2000.


MATT J. HOWARD

CERTIFICATE OF SERVICE

The undersigned certifies that on the 21 day of April, 2000, a true and correct copy of the within NOTICE OF HEARING was sent to the following person(s) by the method indicated below:

Larry Brown
U. S. Department of Justice
550 W. Fort Street, MSC 033
Boise, ID 83724

☒ U.S. Mail ☐ Overnight Mail ☒ Facsimile ☐ Hand-delivered

Charles L. Honsinger
Ringert Clark, Chtd
P. O. Box 2773
Boise, ID 83701

☒ U.S. Mail ☐ Overnight Mail ☒ Facsimile ☐ Hand-delivered

Norman M. Semanko
Rosholt, Robertson, & Tucker
P.O. Box 1906
Twin Falls, ID 83303-1906

☒ U.S. Mail ☐ Overnight Mail ☒ Facsimile ☐ Hand-delivered

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

☒ U.S. Mail ☐ Overnight Mail ☒ Facsimile ☐ Hand-delivered


MATT J. HOWARD

SCANNED
JUL 07 2023

Memorandum

File: Little Canyon Creek Water District #61D

From: J. Westra

Date: 4/18/00

RE: Batruel Pond Diversion shutoff-Sand Springs Gulch

With instructions from J.Holman and N. Young, Rob Whitney and I met the #61D Watermaster and Ms. S. Richards Elmore County Deputy at Glenns Ferry. The group proceeded to the diversion site, and found the lock had been removed from the previous locked open headgate. The Batruel gate was closed, chained/locked, and tagged by the watermaster; some fill was placed in front of the gate to seal leakage. There was approx. 2cfs + flow past the diversion.

The group then traveled to the 50-50 Batruel/Viner-Smith split in the lower gulch. The split area is overgrown with cattails/reeds. The Viner-Smith diversion is an 8" headgate with a cipolleti weir (2 ft length) downstream. There is basically little, if any weir pool behind the weir, and the weir blade is too long to accurately measure the small gulch flows. The Batruel gate is approx. 30-50 ft downstream, (east side) consisting of tin slide over a 1 ft dia concrete pipe; there is no measuring device. It appeared Batruel was getting considerable more flow than Viner.

The cattail growth and locations of the gates makes it impossible for the Watermaster to make any kind of accurate split. Growth needs to be controlled in the area, along with a diversion structure that can automatically split flow (pipes at equal elevation, etc.).

Photos Attached.

SCANNED

JUL 07 2023

MEMORADUM

File: Little Canyon Creek Water Dist. #61D

Date: 4/14/00

From: J. Westra

RE: Batruel Diversion in Sand Springs Gulch.

On Mike Stubblefield and I inspected the Morrow Dam. Reservoir outlet flow were being diverted to the regulating pond on the Batruel property. No flow was being released into the Sand Springs Gulch.

As the result of a call earlier in the week from Mrs. Jim Allen (watermaster spouse) of Little Canyon Water District, we stopped at the "pond diversion" located in Sand Spring Gulch below the dam. The ditch gate at the diversion was chained and padlocked open; all the gulch flow (approx. 2 cfs.) was diverted into the ditch that conveys water to the Batruel dairy pond. Overflows from the dairy pond were flowing east crossing the road down the draw to the gulch flume, and to a newly constructed ditch to the Batruel pasture. We did not follow the ditch through the pasture. See attached map.

4/15/00

I received a call from Mrs. Jim Allen to discuss problems her husband was having with the Batruels and Mrs. Viner-Smith. The problem centered around the pond diversion and 50/50 on Sand Springs Gulch. Mrs. Viner-Smith had become abusive with the Watermaster, and Mrs. Allen indicated he was gone to turn in his resignation. After a long discussion, I stated, the Dept. would contact Jim on Monday, and possibly meet with him on the site if needed.

SCANNED

JUL 07 2023



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

July 13, 1995

KARL J. DREHER
DIRECTOR

Dan Hall
Watermaster
Water District 61-D
P.O. Box 644
Glenns Ferry, ID 83623

COPY

Re: Revised Delivery Instructions for Sand Springs Gulch

Dear Mr. Hall:

Attached you will find a copy of the District Court's Supplemental Judgment filed on July 5, 1995.

The District Court required the parties to take certain actions to effectuate water delivery on Sand Springs Gulch.

1. Defendant Batruel has been ordered to immediately construct a new ditch and remove any obstructions from Sand Springs Gulch.
2. Defendant Batruel and Plaintiff Viner have each been ordered to install a locking headgate at the 50/50 diversion in order that the Watermaster may properly allocate the parties' respective water rights.
3. Defendant Batruel was further ordered not to divert water from the "pond diversion," and only use the gulch if directed to do so by the Department in order to alleviate structural integrity problems with Morrow Dam.

Additionally, the Supplemental Judgment ordered the Department to allocate the water rights of the parties in conformance with the Judgment and all prior orders of the Court. Pursuant to I.C. § 42-701 the design and installation of the headgates at the 50/50 diversion must be approved by the Department to insure the water in the gulch can be divided equally.

At this point, both parties still need to make the structural changes described in paragraph number one and two above, in order to allow for the delivery of water as contemplated by the Court's order. A period of ten days from the date of this letter will be allowed for both parties to make any required structural changes. Thereafter, the watermaster is directed to deliver water in accordance with the Supplemental Judgment

SCANNED

JUL 07 2023

Dan Hall, Watermaster
Water District 61-D
July 13, 1995
Page 2

of the Court unless it has been stayed through appropriate legal action.

Delivery of water under the Supplemental Judgment will require that the headgate at the "pond diversion" be locked and posted by the Watermaster, and that no water be diverted through the existing ditch from Sand Springs Gulch into the Batruel pond. Likewise, at the 50/50 diversion, the watermaster under the Supplemental Judgment is directed to divide the available water one-half to Batruel and one-half to Viner up to her decreed amount of 28-3/4 inches, provided Department approved headgates are installed. The unauthorized removal of a lock placed by the watermaster or otherwise illegally diverting water at either the pond diversion or the 50/50 diversion will be subject to criminal prosecution under Chapter 43, Title 18, Idaho Code.

The watermaster's actions will result in no water being diverted through the existing ditch into Batruel's pond. Plaintiff may need to take precautions to prevent flooding should it become necessary for the watermaster to lock the diversion of water at the pond diversion, and is being so advised by copy of this letter.

After considerable review by the Department it appears that the Supplemental Judgment may have substantially modified the earlier decrees of the Court and effectively adjudicated the parties' water rights. The Court's Supplemental Judgment raises issues concerning jurisdiction of the Court to adjudicate water rights under Chapter 14, Title 42, Idaho Code. The Department expects that the jurisdictional issue will be addressed later in the Snake River Basin Adjudication, Twin Falls County Case No. 39576, in the event the issue is not appealed in this case.

Upon a showing of good cause, either party may petition the Department for additional time to take any actions identified above.

Sincerely,



NORMAN C. YOUNG
Administrator
Resource Administration Division

NCY/JWH/dde

cc: Paul Batruel
Carlene Viner-Smith
D. Blair Clark, Esq.
Howard I. Manweiler, Esq.

SCANNED
JUL 07 2023



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

March 17, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Jim Allen
Rt1 Box 14C
King Hill, ID 83633

RE: Little Canyon Creek Delivery list

Dear Mr. Allen

Attached are the Little Canyon Creek Watermaster Reports listing rights according to priority. The sheets marked "Adjudication" show the current land owner according to our records. The Adjudication Claims are submitted to the District Court, and are awaiting the Judge to rule/issue final decrees.

For this season, continue to use the "Water Right list for deliveries, and reference the Adjudication list for current owner only. Once the Judge decrees the rights, I will send you a final copy.

I apologized for the continued confusion. Please call me if you have any questions, phone 334-2190

Sincerely,

A handwritten signature in cursive script that reads 'John Westra'.

John Westra
Western Region

SCANNED

JUL 07 2023

OD-5813
AJ5813NP
SELECTION FILE: LITTLE3

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION WATER MASTER REPORT
BY WATER SOURCE/PRIORITY DATE

DATE: 03/16/00
TIME: 15:27:20
PAGE: 2

*MPOD: Y = Multiple Pts of Diversion, Pod Diversion Rate(s) is 0
U = Multiple Pts of Diversion, Pod Diversion Rate(s) Not 0
N = No Multiple Pts of Diversion (1 or less)

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	S T	POINT OF DIVERSION	F L	G	TOTAL DIVERSION	POD DIVERSION NAME	*M P O D	U S E
61-10642	JOHN, SAMUEL M	05/08/1892	D	05S 10E 30	NENE		2.290 CFS		Y	01
61-00308	BATRUEL, PETER	08/07/1895	D	04S 10E 9	NENWNE		200.000 CFS		N	02
61-02000B	SMITH, CARLENE	12/07/1903	L	05S 10E 8	NENWSW		2.056 CFS		Y	01
61-02000A	JONES, ROGER L	12/07/1903	L	05S 10E 18	SESE		1.044 CFS		N	01
61-02000B	SMITH, CARLENE	12/07/1903	L	05S 10E 18	SESE		2.056 CFS		Y	01
61-02000B	SMITH, CARLENE	12/07/1903	L	05S 10E 8	NWSWSW		2.056 CFS		Y	01
61-02000B	SMITH, CARLENE	12/07/1903	L	05S 10E 5	NWSWSE		2.056 CFS		Y	01
61-10473	HOLLOWAY, DONALD S	06/04/1910	D	05S 10E 31	SWNE	B	0.020 CFS		Y	04
61-10473	HOLLOWAY, DONALD S	06/04/1910	D	05S 10E 31	NWSENE	E	0.020 CFS		Y	04
61-02223	HALL, ROBERT K	11/08/1911	L	05S 09E 35	NWNE	6	0.240 CFS		Y	01
61-02223	HALL, ROBERT K	11/08/1911	L	05S 09E 36	NWNW		0.240 CFS		Y	01
61-02044	HALL, ROBERT K	05/19/1915	L	05S 09E 36	NWNW		0.360 CFS		Y	01
61-02044	HALL, ROBERT K	05/19/1915	L	05S 09E 35	NWNE	6	0.360 CFS		Y	01
61-10834	BATRUEL, MARY	12/28/1918	L	04S 10E 9	NENWNE		0.600 CFS		N	02
61-10680	HAMMETT LIVESTOCK COMPANY	01/01/1922	D	02S 09E 35	NENE		0.020 CFS		Y	04
61-10680	HAMMETT LIVESTOCK COMPANY	01/01/1922	D	03S 10E 18	NWSW	3	0.020 CFS		Y	04
61-10680	HAMMETT LIVESTOCK COMPANY	01/01/1922	D	02S 09E 35	SESE		0.020 CFS		Y	04
61-10680	HAMMETT LIVESTOCK COMPANY	01/01/1922	D	03S 09E 2	NENE	1	0.020 CFS		Y	04
61-10681	HAMMETT LIVESTOCK COMPANY	01/01/1922	J	04S 10E 29	SENE		0.060 CFS		N	04
61-10474	GARDNER, EARL P	02/07/1932	D	05S 10E 31	NENE		0.020 CFS		N	04
61-04041	COLEMAN, ETHEL R	06/01/1940	J	05S 10E 30	NESESE		0.030 CFS		N	01
61-10116	GARCIA, ANN MARIE	05/01/1943	D	05S 10E 30	NESESE		0.030 CFS		N	43
61-02228A	CRANE, VERNES	01/21/1955	L	04S 10E 29	NENE		1280.000 AFA		N	02
61-02228B	TRAIL, LEE T	01/21/1955	L	04S 10E 29	NENE		1252.000 AFA		N	02
61-02107A	CRANE, RALPH	04/14/1955	L	04S 10E 29	NENE		6.400 CFS		N	01
61-02107B	TRAIL, LEE T	04/14/1955	L	04S 10E 29	NENE		6.260 CFS		N	01
61-11618	AMERICA ACTING THROUGH, UNITED STAT	07/26/1957	D	04S 10E 9	SWNE		0.300 AFA		N	05
61-04123B	TRAIL, LEE T	11/06/1957	J	04S 10E 29	NENE		71.500 AFA		N	02
61-04123A	SPLIT CLAIM	11/06/1957	J	04S 10E 29	NENE		71.500 AFA		N	02
61-11439	AMERICA ACTING THROUGH, UNITED STAT	06/04/1958	D	04S 10E 29	SENE	E	0.020 CFS		Y	04
61-11439	AMERICA ACTING THROUGH, UNITED STAT	06/04/1958	D	04S 10E 28	NWNW	B	0.020 CFS		Y	04
61-02086	HALL, ROBERT K	07/05/1961	L	05S 09E 36	NWNW		0.820 CFS		Y	01
61-02086	HALL, ROBERT K	07/05/1961	L	05S 09E 35	NWNE	6	0.820 CFS		Y	01
61-04079	TRAIL, ALICE	04/01/1967	J	04S 10E 29	NENE		0.710 CFS		N	01
61-07011	ALLEN, JOEL	11/09/1967	L	05S 10E 31	NWSENE		0.080 CFS		N	01
61-07039	THREE ISLAND LLC	07/29/1968	L	05S 10E 31	SWNE		0.070 CFS		N	01
61-04090	CRANE, RALPH	03/15/1970	J	04S 10E 29	NENE		0.260 CFS		N	01

WATER RIGHT NUMBER	OWNER NAME	O C	PRIORITY DATE	S T	POINT OF DIVERSION	F L	G	TOTAL DIVERSION	POD DIVERSION NAME	*M P O D	U S E
61-07039	ANDERSON, DON L.	P	07/29/1968	L	05S 10E 31	SWNE		0.070 CFS		N	01
61-04090	BLAIR, MARY	C	01/01/1970	S	04S 10E 28	SWNW		0.360 CFS		N	01
61-07575	R J T FARMING INC	C	02/24/1986	P	05S 10E 18	SESE		0.800 CFS		N	01

WATER SOURCE: WASTE WATER

61-07575 R J T FARMING INC C 02/24/1986 P 05S 10E 18 SESE 0.800 CFS N 01

SCANNED
JUL 07 2023

00-5813
AJ5813NP
SELECTION FILE: LITTLE3

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION WATER MASTER REPORT
BY WATER SOURCE/PRIORITY DATE

DATE: 03/16/00
TIME: 15:27:11
PAGE: 1

*MPOD: Y = Multiple Pts of Diversion, Pod Diversion Rate(s) is 0
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N = No Multiple Pts of Diversion (1 or less)

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	S T G	POINT OF DIVERSION	F L G	TOTAL DIVERSION	POD DIVERSION NAME	*M P O D	U S E
WATER SOURCE: LITTLE CANYON CREEK									
61-00299	SMITH, CARLENE	05/01/1871	D 05S	10E 5	NWSWSE	0.600 CFS		Y	01
61-00299	SMITH, CARLENE	05/01/1871	D 05S	10E 8	NENWSW	0.600 CFS		Y	01
61-00299	SMITH, CARLENE	05/01/1871	D 05S	10E 8	NWSWSW	0.600 CFS		Y	01
61-00371B	BLACKWELL, SAMUEL D	05/02/1872	D 04S	09E 36	SESESE	0.400 CFS		Y	04
61-00371A	PEARSON, JOYCE	05/02/1872	D 05S	10E 8	NENWSW	0.800 CFS	WEST DITCH	Y	01
61-00371A	PEARSON, JOYCE	05/02/1872	D 05S	10E 8	NWSWSW	0.800 CFS	EAST DITCH	Y	01
61-00371B	BLACKWELL, SAMUEL D	05/02/1872	D 04S	10E 9	NENWNE	0.400 CFS	HERRON (MORROW) DITCH	Y	04
61-00371B	BLACKWELL, SAMUEL D	05/02/1872	D 04S	10E 9	NESWSE	0.400 CFS		Y	04
61-11452	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 04S	10E 21	SWSW	0.020 CFS		Y	04
61-11527	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 03S	10E 28	SWSWSW	0.020 CFS		Y	04
61-11435	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 04S	10E 9	NWNESE	0.020 CFS		Y	04
61-11440	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 04S	10E 29	NESENE	0.020 CFS		N	04
61-11411	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 04S	10E 9	NWSENE	0.020 CFS		Y	04
61-11487	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 03S	09E 1	SWNW	0.020 CFS		Y	04
61-11527	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 03S	10E 29	NWNWSE	0.020 CFS		Y	04
61-11436	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 04S	10E 15	NENESW	0.020 CFS		Y	04
61-11447	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 05S	10E 5	NWSWSE	0.020 CFS		Y	04
61-11527	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 03S	10E 19	NENESE	0.020 CFS		Y	04
61-11527	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 03S	10E 19	NENESE	0.020 CFS		Y	04
61-11487	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 03S	09E 12	SENE	0.020 CFS		Y	04
61-11411	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 03S	10E 33	NWNWNW	0.020 CFS		Y	04
61-11447	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 05S	10E 8	SENWSW	0.020 CFS		Y	04
61-11436	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 04S	10E 15	NWNWSE	0.020 CFS		Y	04
61-11527	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 03S	10E 19	NENESE	0.020 CFS		Y	04
61-11527	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 03S	10E 19	NENESE	0.020 CFS		Y	04
61-11435	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 04S	10E 9	NENESE	0.020 CFS		Y	04
61-11452	AMERICA ACTING THROUGH, UNITED STAT	01/01/1876	J 04S	10E 15	NENESW	0.020 CFS		Y	04
61-00297	CHARTER MOUNTAIN RANCH INC	06/01/1883	D 04S	10E 10	NWNWSW	2.000 CFS		N	01
61-00298	CHARTER MOUNTAIN RANCH INC	05/25/1885	D 04S	10E 10	NWNWSW	0.500 CFS		N	01
61-00294	MAGIC WEST INC	03/15/1886	D 05S	10E 31	NESENW	1.180 CFS		N	01
61-00295	THREE ISLAND LLC	11/18/1888	D 05S	10E 31	SWNE	0.340 CFS		N	01
61-00304A	SMITH, CARLENE	05/02/1892	D 05S	10E 5	NWSWSE	1.200 CFS		Y	01
61-00304A	SMITH, CARLENE	05/02/1892	D 05S	10E 8	NWSWSW	1.200 CFS		Y	01
61-00304A	SMITH, CARLENE	05/02/1892	D 05S	10E 18	NESE	1.200 CFS		Y	01
61-00303B	BATRUEL, PETER	05/02/1892	D 05S	10E 8	NENWSW	0.200 CFS		N	01
61-00303A	SMITH, CARLENE	05/02/1892	D 05S	10E 8	NWSWSW	0.300 CFS		N	01
61-00304A	SMITH, CARLENE	05/02/1892	D 05S	10E 8	NENWSW	1.200 CFS		Y	01
61-00370	SMITH, CARLENE	05/05/1892	D 05S	10E 8	NENWSW	1.400 CFS		Y	01
61-00370	SMITH, CARLENE	05/05/1892	D 05S	10E 8	NWSWSW	1.400 CFS		Y	01
61-00370	SMITH, CARLENE	05/05/1892	D 05S	10E 5	NWSWSE	1.400 CFS		Y	01
61-00372	PEARSON, JOYCE	05/06/1892	D 05S	10E 8	NWSWSW	1.600 CFS	EAST DITCH P/D	Y	01
61-00372	PEARSON, JOYCE	05/06/1892	D 05S	10E 8	NENWSW	1.600 CFS	WEST DITCH P/D	Y	01
61-00304B	BATRUEL, PETER	05/07/1892	D 05S	10E 8	NENWSW	0.800 CFS		N	01
61-10642	JOHN, SAMUEL M	05/08/1892	D 05S	10E 19	SWSE	2.290 CFS		Y	01

01 - Irrigation
04 - Stockwater
02 - Storage
05 - Stock Storage

Instream Stockwater

SCANNED
JUL 07 2023

WATER RIGHT NUMBER	OWNER NAME	O C	PRIORITY DATE	S T G	POINT OF DIVERSION	F L G	TOTAL DIVERSION	POD DIVERSION NAME	P O D	U S E
61-07039	ANDERSON, DON L.	P	07/29/1968	L 05S 10E 31	SWNE		0.070 CFS		N	01
61-04090	BLAIR, MARY	C	01/01/1970	S 04S 10E 28	SWNW		0.360 CFS		N	01
61-07575	R J T FARMING INC	C	02/24/1986	P 05S 10E 18	SESE		0.800 CFS		N	01
WATER SOURCE: WASTE WATER										
61-07575	R J T FARMING INC	C	02/24/1986	P 05S 10E 18	SESE		0.800 CFS		N	01

SCANNED

JUL 07 2023

00-5813
WR5813NP
SELECTION FILE: CANYON1

IDAHO DEPARTMENT OF WATER RESOURCES
WATER MASTER REPORT
BY WATER SOURCE/PRIORITY DATE

DATE: 03/16/00
TIME: 15:30:33
PAGE: 1

*MPOD: Y = Multiple Pts of Diversion, Pod Diversion Rate(s) is 0
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N = No Multiple Pts of Diversion (only 1)

WATER RIGHT NUMBER	OWNER NAME	O C	PRIORITY DATE	S T G	POINT OF DIVERSION	F L G	TOTAL DIVERSION	POD DIVERSION NAME	*M P O D	U S E
WATER SOURCE: LITTLE CANYON CREEK										
61-00299	VINER, RICHARD P.	P	05/01/1871	D			0.600 CFS		N	01
T61-00371B	BLACKWELL, SAMUEL	C	05/02/1872	D			0.400 CFS		N	01
T61-00371A	GLENN, JENNY	C	05/02/1872	D			0.800 CFS		N	01
61-00371	BLACKWELL, SAMUEL D	P	05/02/1872	D			1.200 CFS		N	01
61-00307	ANDERSON, RICHARD W.	P	02/01/1880	D			12.000 CFS		N	01
61-00297	MC GREW, W. H.	P	06/01/1883	D	04S 10E 4	SWSE	2.000 CFS		N	01
61-00298	MC GREW, W. H.	P	05/25/1885	D	04S 10E 4	SWSE	0.500 CFS		N	01
61-00294	MAGIC WEST	C	03/15/1886	D			1.180 CFS		N	01
61-00295	MARTELL, JAMES R	C	11/18/1888	D	05S 10E 31	SWNE	0.340 CFS		N	01
61-00303	VINER, RICHARD P.	P	05/02/1892	D			0.500 CFS		N	01
61-00305	JOHN, SAMUEL M.	P	05/03/1892	D			0.400 CFS		N	01
61-00370	VINER, RICHARD P.	P	05/05/1892	D			1.400 CFS		N	01
61-00372	BLACKWELL, SAMUEL D.	P	05/06/1892	D			1.600 CFS		N	01
61-00304B	VINER, RICHARD P.	P	05/07/1892	D			0.400 CFS		N	01
61-00304A	VINER, RICHARD P.	C	05/07/1892	D	05S 10E 8	NWSW	1.600 CFS		Y	01
61-00304A	VINER, RICHARD P.	C	05/07/1892	D	05S 10E 8	SENW	1.600 CFS		Y	01
61-00306	JOHN, SAMUEL M.	P	05/08/1892	D			2.000 CFS		N	01
61-04132	BATRUDEL, PETER	C	04/01/1895	S	04S 10E 9	SWNE	10.230 CFS		N	01
61-00308	BATRUDEL, PETER	P	08/07/1895	D			200.000 CFS		N	55
61-02000	VINER, RICHARD P.	C	12/07/1903	L	05S 10E 8	NWSW	3.100 CFS		Y	01
61-02000	VINER, RICHARD P.	C	12/07/1903	L	05S 10E 8	NENW	3.100 CFS		Y	01
61-02000	VINER, RICHARD P.	C	12/07/1903	L	05S 10E 18	SESE	3.100 CFS		Y	01
61-04015	VINER, RICHARD P.	C	06/01/1910	S	05S 10E 8	SENW	4.000 CFS		Y	01
61-04015	VINER, RICHARD P.	C	06/01/1910	S	05S 10E 8	NWSW	4.000 CFS		Y	01
61-02223	HALL, ROBERT K.	P	11/08/1911	L	05S 09E 36	SWNE	0.240 CFS		N	01
61-02044	HALL, ROBERT K.	P	05/19/1915	L	05S 09E 36	SWNE	0.360 CFS		N	01
61-02046	HALL, ROBERT K.	P	11/05/1915	L	05S 09E 36	NWNW	0.340 CFS		N	01
61-02224	BATRUDEL, PETER	P	12/28/1918	L	04S 10E 9	SWNE	700.00 AFA		N	02
61-02055	BATRUDEL, PETER	P	12/28/1918	L	04S 10E 9	SWNE	0.600 CFS		N	01
61-04113	VINER, RICHARD	C	06/05/1928	S	05S 10E 8	SWSW	0.300 CFS		N	01
61-04041	HALL, VAN T.	C	06/01/1940	S	05S 10E 30	SESE	0.050 CFS		N	01
61-02074	WHITE, MARK	C	10/27/1942	L	05S 10E 31	NENE	0.160 CFS		N	01
61-02076	STATE OF IDAHO	P	08/16/1944	L	05S 10E 32	NWNW	0.300 CFS		N	01
61-02083	CRANE, B. E.	C	06/02/1949	L	05S 10E 32	NWNW	0.040 CFS		N	01
61-02084	WHITE, MARK	C	06/02/1949	L	05S 10E 32	NWNW	0.100 CFS		N	01
61-02228A	TRAIL, LEE T.	C	01/21/1955	L	04S 10E 28	SWNW	1280.00 AFA		N	02
61-02228B	TRAIL, LEE T.	C	01/25/1955	L	04S 10E 28	SWNW	1252.00 AFA		N	02
61-02107B	TRAIL, LEE T.	C	04/14/1955	L	04S 10E 28	SWNW	6.260 CFS		N	01
61-02107A	TRAIL, LEE T.	C	04/14/1955	L	04S 10E 28	SWNW	6.400 CFS		N	01
61-04123	BLAIR TRAIL PARTNERSHIP	C	03/02/1957	S	04S 10E 28	SWNW	143.00 AFA		N	02
61-02086	HALL, ROBERT K.	P	07/05/1961	L	05S 09E 36	NWNW	0.820 CFS		N	01
61-02152	ANDERSON, RICHARD W	C	03/06/1965	L	05S 09E 36	SENW	1.360 CFS		N	01
61-04079	TRAIL, LEE T.	C	04/01/1967	S	04S 10E 28	NWNW	0.710 CFS		N	01
61-07011	ANDERSON, DON L.	P	11/09/1967	L	05S 10E 31	SWNE	0.080 CFS		N	01

SCANNED
JUL 07 2023



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 15, 2000

Jim Allen, Watermaster
Rt 1, Box 14C
King Hill, ID 83633

RE: Water District No: 61D
Stream: Little Canyon Creek

Dear Mr. Allen:

Your Oath of Office and Petition has been received by the Department.
The Watermaster Certificate of Appointment is enclosed.

You will take charge of the water of the district and distribute the same in accordance with the law and the decrees of the courts to the various users in such district in accordance with the terms and conditions of their respective rights and perform such other duties as may be required by the Department of Water Resources, under the laws of the State of Idaho. You are hereby requested to assume your duties for the upcoming irrigation season and continue until the necessity therefore shall cease.

You should note that the enclosed Certificate of Appointment authorizes delivery of natural flow and also stored water pursuant to Section 42-801, Idaho Code.

Please feel free to call upon this office, if we can be of assistance to you.

Sincerely,

A handwritten signature in cursive script, appearing to read 'John Westra', is written over the typed name.

John Westra
Western Region

Enclosure

SCANNED
JUL 07 2023

STATE OF IDAHO

SCANNED
JUL 07 2023

DEPARTMENT OF WATER RESOURCES

CERTIFICATE OF APPOINTMENT

This is to certify that I have this day appointed JIM ALLEN as
WATERMASTER of LITTLE CANYON CREEK WATER DISTRICT for
2000 IRRIGATION SEASON or until his successor is appointed and qualified
under the provisions of Section 42-605, Idaho Code, at such rate of compensation as established by
applicable law.

This certificate has been issued and the seal of the
Director affixed at Boise, Idaho this 14TH
day of MARCH XX 2000.



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

RECEIVED

MAR 14 2000

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 - Little Cyn. Creek 161-D according to the best of my ability. So help me God.

[Signature]
(Principal)

SUBSCRIBED AND SWORN to before me this 13th day of March, 192000.



[Signature]
NOTARY PUBLIC
Residing at [Signature]
Commission Expires MY COMMISSION EXPIRES:
April 30, 2005

SEAL

SCANNED

JUL 07 2023

RECEIVED

MAR 14 2000

WATER RESOURCES
WESTERN REGION

PETITION FOR WATERMASTER'S SERVICES

_____, Idaho
_____, 19__

RE: Water District No. 61 D

Stream: Little Canyon Creek

TO: IDAHO DEPARTMENT OF WATER RESOURCES

We, the undersigned, owners or managers of ditches or persons controlling ditches in Water District No. 61 D, 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.

Date watermaster is to start: _____

If known, the date services of watermaster are to terminate: _____

Jens Loe BTJ Box 14C King Hill, ID (208) 366-2777
signature address telephone 83633 water right ident no.

signature address telephone water right ident no.

signature address telephone water right ident no.

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

SCANNED
JUL 07 2023



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 6, 2000

Jim Allen
Rt 1 Box 14C
King Hill, ID 83633

RE: Little Canyon Creek Water District

Dear Mr. Allen:

At the annual Water District meeting you were again elected as the Watermaster. Although the duties of Watermaster are straight forward, the following are responsibilities regarding record keeping:

-Before the Watermaster can perform duties, a completed Oath and Petition For Services (enclosed) must be submitted to the Department. The Department will inturn send a "Certificate of Appointment," (this places the Watermaster under the State Surety Bond).

-Keep a detailed diary of calls, dates, measurements, and activity. The diary should be submitted to the Department at the irrigation season end. Several daily record books are enclosed.

-Prepare a year end Watermaster Report to be submitted to the Department and the water district secretary. Also, develop a proposed water district budget for the upcoming year. The Department will send the forms and instructions later this fall.

Should you have any questions, please contact me at the Western Regional Office, phone 334-2190.

Sincerely,

John Westra
Western Region

Enclosure

SCANNED
JUL 07 2023



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
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Should you have any questions, please contact me at the Western Regional Office, phone 334-2190.

Sincerely,

John Westra
Western Region

Enclosure

Little Canyon Creek Water Dist. #61-D 1998 Address List

DICK ANDERSON - WR #61-2152
P.O. Box 807
GF, Id 83623

JOYCE PEARSON - WR #61-0371A
c/o Annie Jones
HC 63 Box 18
Hammett, Id 83627

JOEL ALLEN - WR #61-7011
P.O. Box 564
GF, Id 83623

NORMAN SELLMAN - WR #61-2084
c/o Magic West, Inc.
P.O. Box 475
Rupert, Id 83350

PETER BATRUEL - WR #61-0308
RT 1 Box 426
GF, Id 83623

ALICE TRAIL - WR #61-2107B
Box 66
King Hill, Id 83633

SAMUEL BLACKWELL - WR #61-0371B
Box 398
King Hill, Id 83633

THREE ISLAND STATE PARK - WR #61-0222
PO Box 609
GF, Id 83623

CRANE FARMS - WR #61-2107A
PO Box 177 WR #61-2228A
GF, Id 83623

EARL GARDNER - WR #61-10474
PO Box 208
GF, Id 83623

BOB HALL - WR #61-2223
Rt 1 Box 103
GF, Id 83623

VAN HALL - WR #61-04041
PO Box 127
GF, Id 83623

CHARLES HENNING - WR #61-10642
c/o Dan Hall
PO Box 644
GF, Id 83623

LAVA RIM RANCH - WR #61-0299
Carlene Viner Smith
RT 1 Box 420
GF, Id 83623

MAGIC WEST, INC. - WR #61-0294
PO Box 475
Rupert, Id 83350

JAMES MARTELL - WR #61-07039
c/o Magic West, Inc.
P.O. Box 475
Rupert, Id 83350
CHARTER MTN RANCH - WR #61-0297
c/o John McCallum
~~PO Box 443~~ Rt 1 Box 451
~~Garden Valley, Id 83622~~
Glenns Ferry, Id 83623

SCANNED
JUL 07 2023

OD-5813
AJ5813NP
SELECTION FILE: PAUL

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION WATER MASTER REPORT
BY WATER SOURCE/PRIORITY DATE

DATE: 04/17/00
TIME: 07:25:52
PAGE: 1

*MPOD: Y = Multiple Pts of Diversion, Pod Diversion Rate(s) is 0
U = Multiple Pts of Diversion, Pod Diversion Rate(s) Not 0
N = No Multiple Pts of Diversion (1 or less)

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	S T G	POINT OF DIVERSION	F L G	TOTAL DIVERSION	POD DIVERSION NAME	*M P U O S D E
-----------------------	--------------------	------------------	-------------	--------------------	-------------	-----------------	--------------------	-------------------------

WATER SOURCE: SAND SPRINGS GULCH

61-00293B	BATRUEL, MARY	01/01/1898	D	05S 09E 12 SESE		0.575 CFS		Y 01
61-00293C	JONES, ROGER L	01/01/1898	D	05S 10E 18 NWSESE	I	0.395 CFS		Y 01
61-00293C	JONES, ROGER L	01/01/1898	D	05S 10E 18 NWSESE	R	0.395 CFS		Y 01
61-00293D	SMITH, CARLENE R	01/01/1898	D	05S 10E 18 NWSESE	I	0.180 CFS		Y 01
61-00293D	SMITH, CARLENE R	01/01/1898	D	05S 10E 18 NWSESE	R	0.180 CFS		Y 01
61-00293C	JONES, ROGER L	01/01/1898	D	05S 10E 18 NWSESE	I	0.395 CFS		Y 01
61-00293C	JONES, ROGER L	01/01/1898	D	05S 10E 18 NWSESE	R	0.395 CFS		Y 01
61-00293D	SMITH, CARLENE R	01/01/1898	D	05S 10E 18 NWSESE	I	0.180 CFS		Y 01
61-00293D	SMITH, CARLENE R	01/01/1898	D	05S 10E 18 NWSESE	R	0.180 CFS		Y 01
61-00293B	BATRUEL, MARY	01/01/1898	D	05S 10E 18 SWNW		0.575 CFS		Y 01

SCANNED
JUL 07 2023

DATE: 04/17/00
PAGE: 1

[illegible]

AJ0749NP
No. A61-00293B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/17/00
PAGE: 2

Place of use Legal Description for: AESTHETIC

	NE				NW				SW				SE															
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac
05S	09E	13	:								:							:					:					
			:								:							:					:					

POU County: ELMORE

Non-Irrigation Uses: DOMESTIC USE FOR LAWN IRRIGATION FOR 4 HOMES

Other Rights: CLAIM NO.'S A61-04132, 00303B, 00304B, 02055, 00308.

Remarks: GEN PLACE OF USE FOR STOCK IS IN THE SAME AREA AS THE IRRIGATION ONLY
BY DIFFERENT METHOD OF CONVEYANCE. QUANTITY FOR STOCKWATER IS AT
THE FIELD HEADGATE. WILDLIFE AND AESTHETIC USE AT THE POND.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 61D Field Inspection Flag:
Presumption Flag:

SCANNED
JUL 07 2023