



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

SCANNED  
JUN 26 2017

# *Certificate of Appointment*

This is to certify that I have appointed Richard Neal as *Watermaster* of *Water District 61E*, from this day until the 2018 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, June 26th, 2017.

Gary Spackman  
IDWR Director



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082  
Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

June 26, 2017

RICHARD NEAL  
PO BOX 354  
GLENN'S FERRY ID 83623

Dear Mr. Neal,

Enclosed is your certificate of appointment as watermaster of Water District 61E Cold Springs Creek. Per Idaho Code Section 42-608(1), the watermaster's term of service "*...is throughout the year, extending until the annual meeting for the ensuing year, or until a successor is appointed.*" Based on the code, the watermaster's appointment is from one annual meeting to the next, generally speaking.

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

Sincerely,

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

Rachel Neely  
Administrative Assistant

SCANNED

JUN 26 2017



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 2018 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, June 26th, 2017.

Gary Spackman  
IDWR Director

SCANNED  
JUN 26 2017



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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

June 26, 2017

PAULA RIGGS  
5420 W DOUBLE ANCHOR DR  
GLENN'S 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 that of the watermaster: "*throughout the year, extending until the annual meeting for the ensuing year, or until a successor is appointed*" (Idaho Code §42-608(1)). Based on the code, the treasurer's appointment is from one annual meeting to the next, generally speaking.

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

Sincerely,

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

Rachel Neely  
Administrative Assistant

SCANNED

JUN 26 2017

WATERMASTER REQUIREMENT SHEET

WATER DISTRICT: 612

2017

DATE/TIME OF 2018 ANNUAL MEETING: 1/8/18 - 6pm

PLACE OF MEETING: Glenns Ferry City Hall

WATERMASTER: <u>Rich Neal</u>
ADDRESS:
PHONE:
OTHER:
SECRETARY/TREASURER: <u>Paula Riggs</u>
ADDRESS:
PHONE:
OTHER:

ASSISTANT WATERMASTER:
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) (same 2016)
  - WATERMASTER
  - ASSISTANT WATERMASTER
  - SECRETARY/TREASURER
- WATERMASTER REPORT
- DAILY RECORD BOOKS

Iron Horse Ranch, LLC  
11204 N. Bar 21 Dr.  
Glenns Ferry, Idaho 83623

April 23, 2017

Charles L. Honsinger  
Honsinger Law, PLLC  
P.O. Box 517  
Boise, Idaho 83701

RECEIVED  
MAY 01 2017  
DEPARTMENT OF  
WATER RESOURCES  
RECEIVED  
MAY 08 2017  
WATER RESOURCES  
WESTERN REGION

Re: Mr. Honsinger's letter to Rich Neal & IDWR dated March 28, 2017

Dear Mr. Honsinger,

Charlie, I can't believe the spin and misdirection in your letter, it makes me dizzy.

First, we were not using the four-mile ditch this year. Regarding the unnamed stream which you have named the "Rock House Springs"; in February with the extreme amount of runoff, we sent our son, JT McCallum, to make sure that the slide gate in the four-mile ditch from the "Rock House Spring" was open. He did, and informed us that it was washed out around to pipe with the slide gate. As you are well aware this point of contact is out on the BLM. Since then someone has closed our pipe with the slide gate, and also put two large rocks in front of the slide gate to slow down the flow, sending water down the four-mile ditch. This ditch can not be used in the winter. The water will freeze and glaciare and when spring comes it will wash out. This is not the first time someone has messed with the four-mile ditch. We had not used the four mile ditch for 4-5 years. However, someone repaired the ditch where the "Rock House Spring" crosses diverting the water down the ditch thru the BLM allotment. We had left this open to Cold Springs Creek. Then two years ago we were repairing the four-mile ditch with our track-hoe. At that time we noticed backhoe tracks where the ditch had been repaired without our consent. One of these repairs was at the location where T-posts and a plastic dam were placed, and the ditch was washed out. We did not make these repairs to the ditch. We haven't had a backhoe on this ditch for over 10 years.

We have seen your people and Harley on this ditch many times. Whoever is repairing this ditch and using it in the winter has caused us considerable damage to our irrigation and stockwater system. The truth of the matter is the only people that the diversion from the "Rock House Spring" thru the BLM would benefit are the Nettleton's and Rigg's as cattle water in their joint allotment, and of course to harass us.

We have previously had people illegally on our land digging and repairing ditches when it was of benefit to them. Remember when the Riggs were stealing water which started on the Blackwells and ran across the end of our property, then diverted to

SCANNED  
MAY -5 2017

intersect with their irrigation system instead of being returned to Cold Springs Creek. The adjoining fence south of the ditch on Riggs side had been cut, T-posts removed, and backhoe work had been done to repair the diversion across our property for their benefit. That theft was to the tune of 3+cfs at the beginning of the year and had apparently been going on for years. The water master diverted the illegal Rigg's ditch back to Cold Springs creek.

As you accurately stated Casa Del Norte was not trying to divert water into the four mile ditch. We didn't plan to use the ditch this year because there was too much runoff, we had no cattle in the bull pasture and were not ready to start irrigating. The last thing in the world we would want to do is blow out our own ditch. We intend to start using game cameras to attempt find out who and why this is happening. When we identify the perpetrators we will prosecute to the fullest extent of the law. For humor let's put this "major theft event" into perspective we measured the "Rock House Spring" flow. The weir measurement was 12" x4" or approximately .61 cfs. Looking at the pictures you supplied only about half was flowing down the 4 mile ditch (.344 cfs). This is your major event!

Everyone is flooded and has as more water than they can use. As soon as we received your letter I personally went to the pipe, opened it and removed the rocks that were impeding the water to flow through the pipe. If we been told of the problem when it was seen (as any good neighbor would), we would have been out there the same day. But no, your to busy playing gotcha games.

We did correct this problem we diverted the .61 cfs to our fields. Casa Del Norte does in fact have two water rights to divert said water, which we are now using on the Upper Bench wheel-lines.

Washouts were in abundance this year, dams were washed out. Our main county roadways were washed out in no less that five locations during February and March. The sabotage of the four mile ditch caused some major break outs, and increased the damage to us. The major washout this year was created by Mother Nature.

Regarding your paragraph 4. The large reservoir in the bottom of Ryegrass drainage was constructed by BLM long before we purchased the property. There were no boards in to impound the water, it is grass in the bottom at this time.

As referenced in paragraph 5, the small "pond" on Ross Road, again you have got to be kidding me. We own the land that the county road has easements on and all the land in that area is covered on our irrigation rights. This is measured water within our water rights. I object to you, your client and consultant telling us how we may chose to irrigate. This is not a pond this is the irrigation ditch, which has historically been used in the same manner for at a minimum of 5 decades. It is sub-irrigating about 70 acres

SCANNED

MAY -5 2017

to the south of that structure. Once we shut it off it will empty into the aquifer within a few days. This is the perfect way to irrigate this land. When God gives us a gift of water like this year all the users should be saturating the ground as much as possible to recharge the aquifer for our less than plentiful years.

Finally, as to the assertion that we could be diverting 23cfs with hidden diversions is ridiculous. If we were, it would have to be to a mystical farm that cannot be seen on satellite where we raise unicorns and the tooth fairy lives.

I am also concerned with the recurring nature of your continued harassment. I will also be copying Nick Miller, and Tim Luke of IDWR, also Rich Neal Watermaster with this correspondence to be included in the Water District 6-E files.

Respectfully submitted,



Teresa M McCallum

CC: Tim Luke, Water Resources  
Nick Miller, Water Resources  
Rich Neal, 61 E Watermaster

SCANNED

MAY -5 2017



RECEIVED

APR 19 2017

WATER RESOURCES  
WESTERN REGION

April 6, 2017

Charley:

I received your email concerning Casa del Norte's illegal diversion of Cold Springs Creek basin water. I forwarded a copy to Casa del Norte and asked them to address these issues and review them with me on my next water call. On Monday April 3<sup>rd</sup>, I met with Casa del Norte to address these issues.

John McCallum and I drove to the place where the unnamed stream (Rock House Spring) crosses the 4-mile ditch. Mr. McCallum had the gate removed from the headgate and inserted downstream blocking the 4-mile ditch. All spring water was flowing freely down its designated channel to Cold Spring Creek. Mr. McCallum had no explanation how/why the water had been diverted since he had no need for any water to go down the 4-mile ditch and had raised the gate to allow all water to proceed down the designated channel. Casa del Norte has 2 water rights that pertain to this unnamed spring but wasn't utilizing either of them. The spring is now running a substantial amount of water into Cold Springs Creek. Casa del Norte is well aware that work needs to be done to make the 4-mile ditch usable.

Some ponding in the area is due to the high-water table. Water in your figure 4 is used to sub-irrigate the 65 acres to the South.

Unfortunately, Hydro Logic personnel are not able to observe the stream bed between their two monitoring points. If they could they would find an undefined stream bed in many areas meandering over a relatively level coarse gravel bed. I have had experience in the past with the amount of water that is lost under such circumstances. I again walked this stretch of the creek and have included several pictures of the creek. Casa del Norte doesn't necessarily question the competence of Hydro Logic personnel but to verify their figures he is hiring his own person to measure this same area.

I hope I have addressed all your concerns and want you to know I am sending copies of this letter to Tim Luke and Nick Miller.

Sincerely,

Rich Neal, WM 61E Cold Springs Creek

Cc: Tim Luke, Nick Miller

SCANNED

APR 18 2017



APR 18 2017

RAINIER

RECEIVED

APR 13 2017



Richard Neal <tob1ask15172@gmail.com>  
DEPARTMENT OF  
WATER RESOURCES

## Casa del Norte illegal diversion of Cold Springs Creek basin water

2 messages

Charles Honsinger <honsingerlaw@gmail.com>  
To: Richard Neal <tob1ask15172@gmail.com>  
Cc: "Luke, Tim" <tim.luke@idwr.idaho.gov>, "Miller, Nick" <Nick.Miller@idwr.idaho.gov>

Tue, Mar 28, 2017, at 11:59 AM

RECEIVED

APR 19 2017

WATER RESOURCES  
WESTERN REGION

Rich:

I am sending you this message on behalf of my client Double Anchor Ranches because Casa del Norte ("CDN") is once again illegally diverting water from the Cold Springs Creek basin into the Ryegrass Creek basin. This water would otherwise benefit downstream Cold Springs Creek water right holders, including Double Anchor Ranches.

Please refer to the excerpt of an email below from Ed Squires of Hydro Logic Inc. to myself, along with the attached map and photographs. As you will recall, IDWR and the watermaster have required Mr. McCallum/CDN to ensure that water flowing from "Rock House Springs" flowing into the Cold Springs Creek drainage but captured by the Four Mile Ditch (and thus conveyed to the Ryegrass Creek drainage) was in fact flowing back into the Cold Springs Creek drainage. The attached map illustrates the situation: the site denoted as "1" shows the location where Rock House Springs flows are captured by the Four Mile Ditch.

To address this situation, Mr. McCallum/CDN installed a headgate in the Four Mile Ditch that allowed water collected from the springs to be released from the ditch back into the Cold Springs Creek drainage. Unfortunately, as you can see from the attached photographs (Figures 1a and 1b), that headgate was closed on March 23, 2017. At the same time, no diversions were being made from Cold Springs Creek into Four Mile Ditch. Thus, Rock Creek Spring water is currently flowing directly (and illegally) into the Ryegrass Creek basin out of a damaged portion of the Four Mile Ditch, into an eroded and incised drainage running downstream from the Four Mile Ditch (Figures 2 and 3), and thence into ponds and onto lands that do not have a Cold Springs Creek water right.

On behalf of my client, I am asking that you immediately address this illegal diversion. While the diversion may seem minor in the context of the current water year, it in fact deprives the Cold Springs Creek basin of water that would otherwise recharge the ground in the basin, and that would keep Cold Springs Creek flowing later into the year, thereby permitting my client (and other Cold Springs Creek water right holders) to divert their legal water right as long as possible this year.

Along with your immediate attention to this illegal diversion, I would suggest that you also address the blowout of the Four Mile Ditch on Bureau of Land Management Lands that results in Cold Springs Creek water being delivered through a large eroded incision (caused by the blowout and disrepair of Four Mile Ditch) to a large pond in the Ryegrass Creek drainage that does not appear to be within the ambit of any established Cold Springs Creek water right. Additionally, Hydro Logic, Inc. noticed what appear to be new ponds alongside Ross Road into which water is being diverted (Figure 4). We are not aware of any water rights permitting the storage of water in such ponds.

Finally, Hydro Logic, Inc. found a 23 cfs depletion of the flows of Cold Springs Creek between a location just above the CDN diversion and a location less than one mile downstream. Is CDN making a 23 cfs diversion from Cold Springs Creek? If so, pursuant to which water rights?

SCANNED

APR 18 2017

Because I would like to ensure that this email and attachments are included in the Water District 61E files, and because I am particularly concerned with the recurring nature of CDN's/McCollum's illegal collection and diversion of Cold Springs Creek basin surface water flows, I am copying Nick Miller and Tim Luke of IDWR with this correspondence.

Thank you for your attention to this matter, and please contact me with any questions or concerns.

Sincerely,

Charles L. Honsinger  
Honsinger Law, PLLC  
P.O. Box 517  
Boise, ID 83701  
Phone: (208)863-6106  
Fax: (208)908-6085  
honsingerlaw@gmail.com

Mr. Honsinger:

On March 23, 2017 HLI personnel Kurt Newbry and Alex Hafer were conducting monitoring measurements and observations in-and-around Cold Springs Creek for Double Anchor Ranches. They observed the so-called "Rock House Springs" had been captured by CDN (by means of a closed slide gate) and that the springs water was being diverted through the Four-Mile Ditch to a point downstream in the ditch where the ditch bank had been blow out and collapsed by apparent high flows and where the diverted springs water was being allowed to flow into an ephemeral drainage of Ryegrass Creek and, ultimately, to constructed ponds on CDN property. The only water being diverted through the Four-mile Ditch at the time was the captured springs water and no water from Cold Springs Creek itself was being diverted. You may recall that the closed slide gate was made to be installed by IDWR in years past when CDN was found to be illegally diverting the springs water to the Ryegrass Creek drainage. The "blown-out" portion of the Four-Mile Ditch is at the same location where it was found to be damaged and broken in 2015 with a similar leakage of Cold Springs Creek water being diverted onto Ryegrass Creek desert lands. The attached map and annotated photographs show these locations and diversions. Of concern is that the springs flow, which would ordinarily recharge ground water and late-year surface water flows in the higher Cold Springs Creek drainage are being diverted out-of-drainage to Ryegrass Creek drainage and to desert lands that are not tributary to Cold Springs Creek and water users on that creek. It seems that these diversions and damaged ditch should be brought to the attention of the Water Master and IDWR immediately so that the tributary flows can be returned to the Cold Springs Creek drainage to prolong ephemeral flows later in the year.

All for now.

Ed Squires

SCANNED  
APR 18 2017

RECEIVED

APR 10 2017

WATER RESOURCES  
WESTERN REGION

Richard Neal <tob1ask15172@gmail.com>



## Casa del Norte illegal diversion of Cold Springs Creek basin water

2 messages

Charles Honsinger <honsingerlaw@gmail.com>

Tue, Mar 28, 2017 at 11:59 AM

To: Richard Neal <tob1ask15172@gmail.com>

Cc: "Luke, Tim" <tim.luke@idwr.idaho.gov>, "Miller, Nick" <Nick.Miller@idwr.idaho.gov>

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BUMAD2

11/1/17

SCANNED

JUN 23 2017

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Phone: (208)863-6106  
Fax: (208)908-6085  
honsingerlaw@gmail.com

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Ed Squires

SCANNED

JUN 23 2017

April 6,2017

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Sincerely,

Rich Neal, WM 61E Cold Springs Creek  
Cc: Tim Luke, Nick Miller

SCANNED  
JUN 23 2017



SCANNED

JUN 23 2017



# 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

RECEIVED  
JAN 12 2017  
WATER DISTRICTS  
WESTERN IDAHO

Meeting Date:

Jan. 9, 2017

- Election of meeting chairman and secretary *Same*
- Election of water district watermaster *Same*
- Election of water district assistant watermaster(s) (optional) *N/A*
- Election of water district secretary/treasurer (optional) *Same*
- Approval of adopted budget
- Next year's meeting date, location, and time *Jan. 8, 2018 - 6:00pm @ Glenns Ferry City Hall*

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

Water District 61E  
Cold Springs Creek  
Annual Meeting Minutes  
January 9, 2017  
6:00PM Glenns Ferry City Hall

The meeting was called to order by Teresa McCallum at 6:20PM.

In attendance were Teresa McCallum (CDN & ARK), Paula Riggs (Secretary/Treasurer), Rich Neal (Water Master), Harley & Shelley Riggs (Double Anchor), Kelly Riggs (Double Anchor), Travis Christensen and Justin Christensen (Desert View Ranch). Travis and Justin are the new owners of the Half Moon and Barber-Caven Ranches.

Minutes & Treasurers Report: Teresa asked that since Paula sent out all documentation a head of time if someone would motion to accept them minutes without reading them. Kelly made a motion to approve as presented, Justin second, motion passed. Same request on Treasurers report, Kelly made a motion to approve, Justin second, motion passed.

Water Master Report: Rich asked if there were any questions, there were none. He asked if we wanted him to continue with the same call out schedule and everyone agreed that it was working well. Harley said the water being received by the lower water users was evident that what Rich is doing is well worth it. He thanked Rich for doing a great job.

Old Business: None

New business: Teresa said that IDWR could not be at the meeting due to roads but was asked to let everyone know that basin 61 is in the newly formed water district for ground water users. There will be a meeting on January 17th at 7:00 pm at the Elks Lodge in Mountain Home to elect a water master and discuss the regulations. She said that all ground wells (other than domestic) will require readable measuring devices to be installed no later than 2019. There is a proposed budget of \$30,000 for a water master and all users will be billed by usage.

Proposed Budget and Assessment Fees: Teresa went over the budget and assessment fees, Kelly motioned to approve, Justin second, motion passed.

Election of Officers: Harley made a motion to retain current officers, water master and advisory committee as all users the same. Justin second, motion passed.

By-Laws: Teresa asked for a motion to approve the existing by-laws, Justin moved Kelly second. Paula pointed out the by-laws state the water master notify her after every 10 call outs but Rich has been sending the water master report with call outs whenever he has them done. It is usually around 10 -13 but sometimes it is a lot more. Paula felt that if everyone was ok with that we would leave it that way. Teresa asked if we should change the by-laws but after discussion decided we did not and motion passed.

Kelly moved we adjourn the meeting to January 8<sup>th</sup>, 2018 at 6:00pm at Glenns Ferry City Hall, Justin second, motion passed.

Respectfully Submitted,  
Paula N. Riggs, Secretary

**Cold Springs Creek Water District #61-E**  
**Budget**  
**January 9, 2017**

71 callouts for 2017 at \$75 each = (See Below)	\$5,325.00
Office Supplies =	\$ 100.00
Workers Compensation =	<u>\$ 325.00</u>
<b>Proposed Budget</b>	<b>\$ 5,750.00</b>
Current Checking Balance	\$ 2,140.35
Difference	\$(3,609.65)
Slush Fund	\$ 1,000.00
<b>Due from Water Users</b>	<b>\$ 4,609.65</b>

**NOTES:**

**2017 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 2017:	71 @ \$75 = \$5,325.00