



State of Idaho

Department of Water Resources

322 East Front St, PO Box 83720, Boise, ID 83720-0098 • 208-287-4800 • www.idwr.idaho.gov

Certificate of Appointment

This is to certify that I have appointed Larry T Burke as *Watermaster* of *Water District 65D*, from this day until the 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, October 20th, 2017.

Gary Spackman
IDWR Director

SCANNED
APR 16 2018



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 20, 2017

LARRY T BURKE
PO BOX 1169
MCCALL ID 83638

Dear Mr. Burke,

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

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

Sincerely,

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

Rachel Neely
Administrative Assistant

SCANNED

APR 16 2018



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

SCANNED
MAY 15 2017

This is to certify that I have appointed Linda Duncan as *Treasurer* of
Water District 65D, 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, May 15th, 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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 15, 2017

LINDA DUNCAN
13608 FARM TO MARKET
MCCALL ID 83638

Dear Ms. Duncan,

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

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

Sincerely,

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

Rachel Neely
Administrative Assistant

SCANNED

MAY 15 2017

WATERMASTER REQUIREMENT SHEET

WATER DISTRICT: 65D

2017

DATE/TIME OF 2018 ANNUAL MEETING: First Monday of March 10am - 3/5/18

PLACE OF MEETING: Donnelly Bible Church

| |
|--|
| WATERMASTER: <u>Larry Burke</u> |
| ADDRESS: <u>PO Box 1169</u> <u>McCall, ID 83638</u> |
| PHONE: <u>315-1719</u> |
| OTHER: |
| SECRETARY/TREASURER: <u>Linda Duncan</u> |
| ADDRESS: |
| PHONE: |
| OTHER: |

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

SENT

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

RECEIVED

- ☒ ANNUAL MEETING MINUTES
 - ☐ ADOPTED BUDGET
 - ☐ OATH(S)
 - ☐ WATERMASTER
 - ☐ ASSISTANT WATERMASTER
 - ☒ SECRETARY/TREASURER - same as 2016
 - ☐ WATERMASTER REPORT
 - ☐ DAILY RECORD BOOKS
- *NEW**

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED
AUG 21 2017
WATER RESOURCES
WESTERN REGION

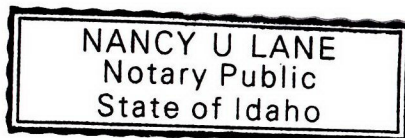
State of Idaho)
County of VALLEY) ss

Official Oath

I do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution and laws of the State of Idaho, specifically including the provisions of Section 42-605 and 42-607, Idaho Code, and that I will faithfully discharge all the duties of the office of Watermaster of District 65D according to the best of my ability. So help me God.

HARRY T BURKE
Watermaster

SUBSCRIBED AND SWORN TO before me this 17 day of Aug, 2017.



SEAL

Nancy U Lane
Notary Public
Residing At 475 E Dehard McCall
Commission Expires 5.31.23

SCANNED
APR 16 2018

RECEIVED

MAY 11 2017

DEPARTMENT OF
WATER RESOURCES

May 10, 2017

Dept. of Idaho Water Resources

This is a letter to inform
you of a change of
watermaster for 650.

He is Larry Burke

PO Box 1169

McCall, Id. 83638

He would also like a
copy of the watermasters
Handbook.

RECEIVED

MAY 26 2017

WATER RESOURCES
WESTERN REGION

Thank you,

Linda B. Duncan

Sec. - Treas.

(Watermaster) 650

13608 Farm to Market

McCall, Id. 836

SCANNED

APR 16 2018

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:

Water Dist. 65-D

RECEIVED

MAR 13 2017

WATER RESOURCES
WESTERN REGION

Meeting Date:

March 6, 2017

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

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

Completed by:

Linda B. Duman - Sec. - Treas.

Water District Representative

SCANNED

MAR 20 2017

The Annual Meeting of Dist. 65-D was held on March 6, 2017 at 10 a.m. at the Donnelly Bible Church.

Users present – Isaac Babcock, David Carey, Vicky Eld, Rick Fereday, Tim and Mary Hart, Jimmy James, Paul and Gretel Kleint, Rochelle and Robert Oxarango, Kathy Points, Tom and Sketer Shaw, Gary Swain, John, George, and Linda Duncan. Others -- Rachael Sommer (Dept. of Water Resources) Glenn Ward.

1. The minutes of 2016 were read and approved.
2. Treasurer's report was \$250.44 in the checking account. Outstanding bills: Michelle Anchustegui-\$110; Ardys Curtis-\$10; Patrick Harren-\$10; John Hoffman-\$20; Island Capital-\$10; Andrew Lausen \$30; Myron and Susan McCumber-\$80; Robert Oxarango-\$10. Vicky moved and Kathy seconded to accept this report. Passed.
3. Mary moved and Robert seconded to have next year's meeting on the first Monday of March at 10 a.m. at the Donnelly Bible Church. Passed.
4. Paul moved and David seconded to continue 65D's membership in the Idaho Water Users Association at \$50. Passed.
5. Mary moved and Isaac seconded to keep the advisory board of- George Duncan, David Carey, and Stephanie Johnson. Passed.
6. Robert moved and Vicky seconded to elect **David Carey -- Chairman**, \$100. Passed.
7. David moved and Paul seconded **Linda Duncan**—Sec.-Treas., \$300 plus \$150 for office supplies. Passed.
8. David moved and Kathy seconded that the following resolution be continued. "Resolved, that no ditch, canal Co. or other water user shall have the right to demand and receive water and the Water Master shall not deliver water to such user, until the amount due and payable from such user, as set by the budget, has been paid." Passed.
9. Mary moved and Isaac seconded to adopt the budget of \$6,342.98 and hire on a trial basis: **Glen Ward** as Water Master -- \$52.50 per day, provide a phone with a nine hour response time to messages, and \$300 for motorcycle. Glen accepted. Passed.
10. Gary moved and David seconded to continue the resolution: "Resolved, that no water will be delivered to party or parties that the Water Master deems responsible for the maintenance of a weir or measuring device until the weir or measuring device is repaired/replaced to the Water Master's satisfaction." Passed.
11. Robert moved and David seconded to continue the resolution: "Resolved, that new developments leave an easement for companies and districts to be able to clean and maintain the ditch and to have access for the ditch rider: accessible, unlocked gates a minimum of 12' and as in accordance with Idaho Code Ch. 11 – Rights of Way." Passed.
12. David moved and Tim seconded to continue the following letter (Idaho Codes 42-1201; 42-1202; 42-1204; 42-1209; 43-304; 43-327) written by Dana Hostetter (water lawyer) as resolutions. Passed.

SCANNED
MAR 20 2017

March 6, 2016 2017

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

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

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

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

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

We hope this information is helpful and avoids any future misunderstandings about the respective legal rights and obligations applicable to Boulder Irrigation Company's, Roseberry Irrigation District's, or other ditch owner's in Water District 65-D facilities and its delivery of water. If you have any further questions, please do not hesitate to contact us. Thank you.

Sincerely,

David Carey
Chairman Water District 65-D

13. David moved and Mary seconded that the meeting be adjourned. Passed.

Linda B. Duncan
Secretary

SCANNED
MAR 20 2017



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

RECEIVED

FEB 01 2017

WATER RESOURCES
WESTERN REGION

To: 65D Boulder Creek
From: Rachel Neely
Date: January 20, 2017
Re: Annual Water District Meeting Information Form

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

Meeting Location

Facility Name Donnelly Bible Church
Room Name/Number _____
Street Address FW Destin
City Donnelly Ida.

Meeting Time/Day

Date (month, day, year) March 6, 2017
Day of Week Monday
Time 10 a. m.

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

208) 634-5387
Representative Phone Number

Representative Email Address

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

Mail

2735 Airport Way
Boise, ID 83705-5082

Fax

(208)334-2348

Email

Rachel.Neely@idwr.idaho.gov

SCANNED

MAR 20 2017

| Addressee Organization | InCareOf | Address | City | ZipCode |
|--|----------------------|------------------------------------|------------------------|---------------------|
| • 65D Aaron Cramblet | | 13885 Farm To Market Rd | McCall | ID 83638 |
| • 65D Andrew Laseun | | Box 1529 | Mccall | ID 83638 |
| • 65D Andrew Miller and Rita Miller | | PO Box 297 | Donnelly | ID 83615 |
| • 65D Ardys Curtis | | 4520 W Cypress Ave #122 | Visalia | CA 93277 |
| • 65D Barbara Pyle | | 13686 Farm To Market Rd | Mccall | ID 83638 |
| • 65D Bill Willey | | 218 Willey Lane | Mccall | ID 83638 |
| • 65D Boulder Irrigation Company | Linda Duncan | 13608 Farm To Market Rd | Mccall | ID 83638 |
| • 65D Brett Mendia | | PO Box 4343 | Mell McCall | ID 83638 |
| • 65D Daniel Jones | | Box 872 | Donnelly | ID 83615 |
| • 65D Dave Splan | | 13667 Farm To Market Rd | Mell McCall | ID 83638 |
| • 65D Dennis Campbell | | 13985 Farm To Market Rd | Mell McCall | ID 83638 |
| • 65D Dennis Crispin | | 5067 Lakehurst Ln Se | Bellevue | WA 98006 |
| • 65D Dorothy Gestrin <i>estate</i> | | Box 10 | Donnelly | ID 83615 |
| • 65D Durena Schoonover | | Box 702 | Donnelly | ID 83615 |
| • 65D Edward Freeburg | | 13988 Farm To Market Rd | Mell McCall | ID 83638 |
| • 65D Eld Ranch Eld Ranches | <i>2554</i> | 204 E Roseberry Rd | Mell McCall | ID 83638 |
| • 65D Gary Swain | | 13675 Farm To Market Rd | Mccall | ID 83638 |
| • 65D Gendreaw Gendreaw Realty Holdings LLC | | 1515 Busch Parkway | Buffalo Grove | IL 60089 |
| • 65D Gene Bleymaier | | 851 Brevins Loop | San Jose | CA 95125 |
| • 65D George Duncan | | 13608 Farm To Market Rd | Mccall | ID 83638 |
| • 65D Harry Bettis | | Box 7 | Emmett | ID 83617 |
| • 65D Heikkila Estate | Alan Maki | 7776 Pierce Park Ln | Boise | ID 83707 |
| • 65D Isaac Babcock <i>Hobbit Hill Farm</i> | | 251 Heikkila LN | McCall | ID 83638 |
| • 65D Island Capital | Graye Wolfe | 1409 E 1St St | Meridian | ID 83642 |
| • 65D Ivan Phelps | | 13508 Farm To Market Rd | Mell McCall | ID 83638 |
| • 65D Jack Jeffries | | 261 Finn Church Lane | Mccall | ID 83638 |
| • 65D Jan Busby | | PO Box 2021 | Mccall | ID 83638 |
| • 65D Jeffrey Klock | | 13089 HWY 55 | Donnelly | ID 83615 |
| • 65D Jerry Greenland | | Box 532 | Donnelly | ID 83615 |
| • 65D John Carey Jug Mt. Ranch | | Box 2069 | Mccall | ID 83638 |
| • 65D John Hoffman | | 5335 E Exeter Blvd | Phoenix | AZ 85018 |
| • 65D John Russell | | Box 945 | Mccall | ID 83686 |
| • 65D Jughandle Jughandle Corporation | | Box 1324 | Mell McCall | ID 83638 |
| • 65D Kendell Meier | | 536 Mango | Eagle | ID 83616 |
| • 65D Kris Allen | | 1060 E Washakie St | Meridian | ID 83642 |

Box 1204 Donnelly 83615

RECEIVED

FEB 01 2017

WATER RESOURCES
WESTERN REGION

SCANNED

MAR 20 2017

| | | | | | |
|-------------------------------------|--------------------------|-------------------------------------|----------------------|---------------|-------------------------------|
| • 65D Larry Eld | | 2056 E Bowstring St | Meridian | ID | 83642 |
| • 65D Michael Clement | <i>below</i> | 1100 Pacific Marina #705 | Alameda | CA | 94501 |
| • 65D Michael Robbins | | Box 806 | Donnelly | ID | 83615 |
| • 65D Michelle Anchustegui | | 1723 Herry St | Boise | ID | 83705 |
| 65D Myron McCumber | | 621 Kanuga Dr | West Palm | FL | 33401 |
| • 65D Needles View Ranch | Paul Kleint | Box 42 | Donnelly | ID | 83615 |
| • 65D Pat Morell | | 270 Heikkila Lane | Mt McCall | ID | 83638 |
| • 65D Patrick & Terry Mcentee | <i>1743 Draco Pl.</i> | PO Box 15010 | Boise | ID | 83715 <i>83712</i> |
| • 65D Patrick Harren | | 2311 Ormond St | Boise | ID | 83705 |
| • 65D Pauline Yensen | | Box 164 | Donnelly | ID | 83615 |
| • 65D Payette La Payette Land Trust | <i>Joss Kuhler</i> | 309 E Lake St | Mccall | ID | 83638 |
| • 65D Peter Allen | | Box 3095 | Mccall | ID | 83638 |
| • 65D Richard Cussler Estate | <i>Anita Cussler</i> | 14005 Farm To Market Rd | Mccall | ID | 83638 |
| • 65D Rick Morrison | | 13706 Farm To Market Rd | Mccall | ID | 83638 |
| • 65D Robert Biechner | | Box 4291 | Mccall | ID | 83638 |
| • 65D Ronald Pascoe | | 14482 Highway 44 | Caldwell | ID | 83605 |
| • 65D Roseberry Irrigation District | Kathy Points | Box 366 | Donnelly | ID | 83615 |
| • 65D Scott Findlay | | Box 1064 | Mt McCall | ID | 83638 |
| • 65D Steve Wright | <i>Box 1696</i> | Box 85 | Mt McCall | ID | 83340 <i>83638</i> |
| • 65D Steve Wurster | | 861 Timber Ridge Ct | Mccall | ID | 83638 |
| • 65D Tim Hart | | 301 Finn Church Lane | Mccall | ID | 83638 |
| • 65D Tom G Shaw | <i>777 E Idaho Blvd.</i> | 2701 Luail Run Rd | Emmett | ID | 83617 |
| • 65D Tom Grote | | 1000 1St St | Mccall | ID | 83638 |
| 65D William Nikkel | <i>292 Potter Lane</i> | Box 293 | Mccall | ID | 83638 |

Michael Clement
 P.O. Box 190676
 Maui HI 96719

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

SCANNED

MAR 20 2017