

Steve

From: Charles Honsinger [mailto:honsingerlaw@gmail.com]
Sent: Friday, October 17, 2014 1:47 PM
To: Lester, Steve
Subject: Fwd: Permit App. 57-11834

Hi Steve:

Congratulations on the promotion (at least I hope its congratulations for you).

Can you please let me know if you are planning to take the same position with respect to this application that Mr. Westra has taken? And if so, will you please let me know when a written denial of the application will be issued?

Thanks.

Charlie Honsinger

----- Forwarded message -----
From: **Westra, John** <John.Westra@idwr.idaho.gov>
Date: Thu, Aug 21, 2014 at 1:06 PM
Subject: RE: Permit App. 57-11834
To: Charles Honsinger <honsingerlaw@gmail.com>

Mr. Honsinger:

I realize this application is for an off stream storage diversion during the non irrigation season; however,

there are already several other senior priority storage facilities up and downstream of the Low diversion. These non irrigation season

diversions also need water district regulation. At present, the Watermaster is a volunteer, is uncompensated, and only

Lester, Steve

From: Lester, Steve
Sent: Thursday, October 23, 2014 10:08 AM
To: 'Charles Honsinger'
Subject: RE: Permit App. 57-11834

✓ Add atty to
mail list about
w.d. improvement
correspondence

Charlie:

We will add you to the mailing list for water district improvements.

Can't think of any specific things your client can do at this time.

Regards,

Steve

From: Charles Honsinger [<mailto:honsingerlaw@gmail.com>]
Sent: Tuesday, October 21, 2014 2:03 PM
To: Lester, Steve
Subject: Re: Permit App. 57-11834

Steve: Thanks for the quick reply. My client will await the work that IDWR intends to do. I would let you know that he tells me he has been to every water district meeting for the past nine years, and has seen nothing to get his hopes up Can you let me know when the notifications of improvements will go out, and are there any improvements that my client can be working on now that will help?

Thanks.

Charlie

On Mon, Oct 20, 2014 at 8:14 AM, Lester, Steve <Steve.Lester@idwr.idaho.gov> wrote:

Charlie:

Thanks for the congrats (condolences?!).

Yes, will "stay the course" with this application. The intent is to hold it pending water district improvements that might make it possible to issue a new approval. I am working with the watermaster in this regard. The plan is to notify the users this winter that we need to start working on improvements next year, and to discuss and define the details at the next annual water district meeting early next year.

So the application will be held on that basis unless the applicant is pressing for a decision to be issued at this time. Please let me know what you think about that arrangement.

SCANNED
MAY 08 2015

Memorandum

To Castle Creek Water District 57C

From: J. Westra

Date: 03/26/14

RE: Field Measurement Inspection Request

On 03/26/14, Nick Van Dyke and I traveled to Castle Creek. We met Mike Ihli, Watermaster at the Fuquay Ditch and county road.

Flow Measurements

Nick took flow measurements on the creek just upstream of the county road—1.9 cfs and on the Fuquay diversion ditch also upstream of the county road—1.2 cfs. The Watermaster had calls for natural creek flow senior to the Fuquay storage right (57-2314) that totaled 3.397 cfs. Thus, the Fuquay storage right diversion needed to be curtailed as there is not enough water to fill the natural flow calls.

The Watermaster stated he had left several messages for Mr. Fuquay to contact him. I volunteered to contact Mr. Fuquay and forward our findings. I would keep the Watermaster informed.

Water Management Issues

-We discussed several water management tools that would aid the Watermaster's work as they volunteer without pay. There definitely needs to be at least a headgate for P/Ds so the watermaster can regulate/balance the creek deliveries on his rounds. Measurement devices could be phased in with time. The Department will work with the waterusers, and issue a mandate only if wateruser efforts are not progressing. The annual meeting is the forum to work on tightening up regulation.

The Watermaster felt each wateruser needed a copy of the creek water rights, so they understand their priority standing and start date—varies from 3/1 to 4/1 in this basin. I agreed to provide the information prior to the next water district meeting.

Follow-up 03/27/14

I contacted Mr. Fuquay by telephone and discussed our findings. He stated, he would shut the diversion off today.

John Fuquay 880-2518

Mike Ihli, Watermaster ~~880-2518~~

*updated → 867-5736 (cell)
for IDNR + public
-52*

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MAY 08 2015

✓ BEFORE 2015 MEETING!

Photographs

Castle Creek Measurement

Date: 03/26/14

By: J. Westra



Photo #1: Creek channel just upstream of the county road bridge. There appears to be little additional flow since the start of spring runoff from bank markings. Snow Pack 51% of normal on 03/24.

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MAY 08 2015



Photo #2: Measurement of creek flow just upstream from the county road bridge. Flow 1.9 cfs.



Fuquay ditch, flow 1.2 cfs

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CONVERSATION MEMO

FROM: Steve Lester
DATE: March 25, 2014 *SL*
RE: Castle Creek #57C Delivery Calls

Watermaster (WM) Mike Ihli called this morning in 2nd round this month for delivery calls, downstream senior rights, some if not all with 3/1 irrigation start dates. Reported junior user Fuquay previously responded to WM request to curtail by reducing but not closing Fuquay diversion.

WM said

- Needs Fuquay to shut off completely to satisfy delivery calls
- Left phone messages twice (?) about this, no response from Fuquay
- Seeks IDWR help to handle this.

Consulted with regional manager, called Mike back and landed with:

- Meet WM Wednesday 3/26 at 10:00, where road crosses Fuquay Ditch
- WM bring list of delivery calls: who, which water rights, cfs and irrigation start dates
- IDWR will measure stream flow to see what's available.


WM said this will work for him.

- Left Messg. 3/27 8:00 AM Fuquay
- Fuquay returned call 3/27 10:00 AM.

John Fuquay 867-5736
Mike Ihli X 880-2518

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MAY 08 2015

CONVERSATION MEMO

FROM: Steve Lester 
DATE: March 25, 2014 & continuing
RE: **Castle Creek #57C Delivery Calls**

3/25/2014 WATERMASTER (WM) MIKE IHLI 867-5736

WM called this morning in 2nd round this month for delivery calls, downstream senior rights, some if not all with 3/1 irrigation start dates. Reported junior user **Fuquay** previously responded to WM request to curtail by reducing but not closing Fuquay diversion.

WM said

- Needs Fuquay to shut off completely to satisfy delivery calls
- Left phone messages twice (?) about this, no response from Fuquay
- Seeks IDWR help to handle this.

Consulted with regional manager (JFW), called WM back and landed with:

- Meet WM Wednesday 3/26 at 10:00, where road crosses Fuquay Ditch
- WM bring list of delivery calls: who, which water rights, cfs and irrigation start dates
- IDWR will measure stream flow to see what's available.

WM said this will work for him.

3/27/2014

IDWR staff JFW & NVD met with WM yesterday, measured creek flow and Fuquay Ditch diversion in use, only about 3 cfs total found.

Based on those results & telephone call(s) yesterday, about late morning today I called & left message for WM: Fuquay said would shut off ditch today.

3/28/2014

WM called this morning. Said checked Fuquay Ditch yesterday evening & this morning, still diverting. Asked what now? How can regulation be enforced? Frustrated that has tried to satisfy delivery calls for about 3 weeks & can't due to Fuquay not shutting off his diversion.

Told him would discuss with JFW & get back to WM soon. JFW & I then called Fuquay, he said was on his way to shut off now. Told him that sounds good but would have to issue cease & desist if not shut off today.

I called & left message for WM about that, asked him to call us before 5 pm today with results -- this is Friday so curtailment avoids weekend problems.

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MAY 08 2015



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor

GARY SPACKMAN, Director

March 24, 2014

For Nick Nettleton as requested ---

- WATER DISTRICTS 57C CASTLE CREEK & 61C BENNETT CREEK
- CURRENT WATERMASTER DELIVERY LIST
- CONDENSED LIST, SINGLE POINT OF DIVERSION PER RIGHT ¹

COPY ALSO SENT TO WATERMASTER

A handwritten signature in black ink that reads "Steve Lester". The signature is written in a cursive, flowing style.

Steve Lester
Water Rights Supervisor

¹ Listing single point for right with multiple points of diversion does not affect amount of water or date of priority for delivery. Consult IDWR website or contact this office if need to identify locations for rights with multiple points of diversion.

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MAY 08 2015

MEMORANDUM

Office Visit Telephone Meeting

TO WD FILE # 57C
FROM JL
DATE 3/24/2014
RE CURRENT Wm DELIVERY LIST *

✓ 208-386-7364

Nick Nettleton requested current delivery
lists for WD 57C (Castle Crk) & 61C
(Bennett Crk) in 3/18/2014 office day call.

Thanks updated lists to condensed version
showing 1 pool/right. Multiple pool/right
still available on our N/Water Districts
site

Sent to Nick today w/ CC to:

Wm Ili 57C

Wm Reynolds 61C

S/T McCollum 61C

see *57C "permanent file" for
updated list

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MAY 08 2015

MEMORANDUM

Type: In Office Conversation

Telephone
Meeting Notes

Follow-up

Log of Events

Other _____

To: Castle Creek WD 57C

From: J. Westra, Western Reg.

Date: 03/19/14

RE: Delivery of Water Calls senior to Fugway storage.

3/19/14 John Fugway - telephone 880-2518

John had questions regarding start dates on natural flow irrigation right senior to his storage (1931 priority) right. Discussed that the rights have start dates from 3/1, 3/15, & 4/1. SRBA Court decrees.

The watermaster wanted curtailment of Fugway's diversion for the Murdoch rights - some have start dates of 4/1. I discussed with John the delivery should only be for the rights that are senior to him with start dates of 3/1 and 3/15. He needed to work with the watermaster to let enough water by his diversion so the water calls were filled.

- He agreed to work with the watermaster.
- I agreed to send him a delivery list of the creek rights with start dates. -

JFW 3/31/14 Carol Gilbert telephone 250-1653

8:00 AM Talked with Mrs Gilbert - upset the Fugway ditch shut off on Friday. Forces her to use her diversion upstream on creek. She is in the process of sand bagging diversion. Discussed that Fugway needs to be off as a junior right. Stated she needed to work with Watermaster on issues. Was not happy! 57-108B, 85B, 100B, 102B - Wards have "A" portions.

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MAY 08 2015

Lester, Steve

From: Lester, Steve
Sent: Monday, March 17, 2014 2:28 PM
To: 'mikeihli@gmail.com'
Subject: Castle Creek Water Delivery
Attachments: 57C WM letter.pdf

Hi Mike:

Attached is a letter regarding diversion of junior right 57-2314 for Foreman Reservoir. Note only an email version is sent.

Please don't hesitate to call/email if we can do anything to help you this irrigation season.

Later, let's visit about lockable and measureable diversions along the creek – sounds like it's time to get that done.

Regards,

Steve Lester
Water Rights Supervisor
IDWR Western Region
2735 Airport WY
Boise, ID 83705
(208-334-2190)

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MAY 08 2015



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor

GARY SPACKMAN, Director

March 17, 2014

Castle Creek Watermaster Mike Ihli
Water District #57C

SENT BY EMAIL ONLY

Re: Castle Creek Delivery Calls

Dear Mike:

This morning we discussed the Castle Creek water supply situation. You said you already had delivery calls by senior rights downstream from a junior storage right. Storage water rights are subject to the same priority date system as all other water rights under watermaster regulation.

Fuquay storage water right 57-2314 authorizes year around diversion to storage for the Foreman Reservoir located away from Castle Creek. Right 57-2314 can be diverted anytime during the year to fill the Foreman Reservoir if enough water is available for this 1931 priority right.

Diversion to storage for 57-2314 must cease immediately if:

- The watermaster receives a delivery call from senior rights during the authorized period of use for those senior rights; and
- There is not enough water to satisfy senior rights and the 1931 storage right simultaneously, and;
- The watermaster informs the owner of right 57-2134 to stop diverting water in order to satisfy senior water rights.

In this instance, it is clear that diversion to storage under right 57-2314 should cease if the water supply is not sufficient to satisfy a 1931 priority. Failure for a right holder to comply with correct instructions from a watermaster regarding diversion of water under the priority system is subject to additional enforcement action by the Idaho Department of Water Resources.

Please let me know if you need any help in this or in other matters.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Steve Lester', is written over a white background.

Steve Lester
Water Rights Supervisor

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

March 1, 2014

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

MIKE IHLI
625 S SCHOOL AVE
KUNA ID 83634

RE: Water District #57C Castle Creek

Dear Mr. Ihli:

Enclosed is your Watermaster Certificate of Appointment.

You will take charge of the water of the district and distribute the same in accordance with the laws of Idaho and decrees of the courts. Distribution shall be in accordance with the terms and conditions of the user's respective rights, and as may be required by the Department of Water Resources. 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.

Feel free to contact me at our Western Regional Office if you need assistance during the irrigation season, phone 334-2190.

Sincerely,

A handwritten signature in black ink that reads "John Westra". The signature is written in a cursive style.

John Westra
Western Region

Enclosure

SCANNED

MAY 08 2015

State of Idaho
Department of Water Resources

SCANNED
MAY 08 2015

Certificate of Appointment

This is to certify that I have on this day appointed Mike Ihli as WATERMASTER of
Water District 57C Castle Creek for the 2014 IRRIGATION SEASON or until his/her successor is
appointed and qualified under the provisions of Sections 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
fixed at Boise, Idaho, this 1st day of March, 2014.

Gary Spackman

Director

**WATER DISTRICT No 57-C
MINUTES OF ANNUAL MEETING
February 3, 2014**

RECEIVED
FEB 13 2014
WATER RESOURCES
WESTERN REGION

The meeting was called to order. Blaine Collett was elected as chairman and Nick Nettleton was elected secretary/treasurer. Minutes were read and approved.

Cal Lowe, Mike Lewis and Mike Ihli were selected to be Credentials Committee. Eight waterusers were reported as eligible to vote.

Resolutions pertaining to the time and manner of collecting the budget were adopted and are attached as part of the minutes.

Compensation and budget were fixed as follows: Salary \$50.00 per day when called out, with up to four days per call out, other items \$290.00, with a total budget of \$2590.00.

Mike Ihli, 625 S School, Kuna Id was elected watermaster.

Mike Lewis, Brian Collett and Cal Lowe were selected to be the Advisory Committee.

The 2015 meeting will be held at 1:30 P. M. February 2, 2015, the first Monday in February, at Blaine Collett's residence, 25804 Collett Rd, Oreana ID 83650.

Blaine I Collett
Blaine Collett, Chairman

2-8-14
Date

Nick Nettleton
Nick Nettleton, Secretary

2-12-14
Date

SCANNED
MAY 08 2015

RECEIVED

FEB 13 2014

WATER RESOURCES
WESTERN REGION

**RESOLUTIONS ADOPTED AT THE ANNUAL
MEETING OF THE WATER USERS OF WATER DISTRICT No. 57-C
FEBRUARY 4, 2013**

BE IT RESOLVED: That the amounts payable by each water user, as shown by the approved budget, shall become due and payable on April 1, and that said amounts, if not paid shall bear interest from that date until paid, at the rate of eight percent per annum.

BE IT FURTHER RESOLVED: That no water user shall have the right to demand and receive water, and the Watermaster shall not deliver to such a person until the amount due and payable for such user, as fixed by the budget, has been paid.

BE IT FURTHER RESOLVED: That waterusers will after the first callout of the watermaster each season, shall be assessed \$50.00 for each callout. The Watermaster shall visit up to four times per callout.

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MAY 08 2015

**BUDGET ADOPTED AT THE ANNUAL MEETING
OF THE WATERUSERS WATER DISTRICT No. 57-C
February 3, 2014**

RECEIVED
FEB 13 2014
WATER RESOURCES
WESTERN REGION

Watermaster		\$2,300.00
Social Security, bond, etc.		290.00
Total Budget for 2014		\$2,590.00
INDIVIDUAL ASSESSED	ADDRESS	AMOUNT
Tom Nicholson	P.O. Box 690 Meridian, ID 83680	\$130.00
Don Birch	4021E. Summit Ln Nampa, ID 83651	260.00
Blaine Collett	25804 Collett Rd Oreana, ID. 83650	211.00
Dave Jenkins	17694 Oreana Loop Rd Oreana, ID. 83650	165.00
Brian Collett	24777 Collett Rd Oreana, ID. 83650	165.00
David Ward	1722 Banks Lowman Rd Garden Valley, ID 83622	306.00
John Fuquay	18907 Castle Ln Oreana, ID. 83650	63.00
Cal Lowe	21101 Oreana Loop Rd Oreana, ID 83650	186.00
Mike Lewis	20735 Oreana Loop Rd Oreana, ID. 83650	222.00
Heart K Trust	P. O. Box 36 Murphy, ID. 83650	226.00
Lenny P Buss	PO Box190476 Boise, ID 83719-0476	52.00
Blair Hansen	9374 Tarten View Dr Fairfax VA 22032	52.00
Nick Nettleton	18542 Wilson Rd Glenns Ferry, ID. 83623	200.00
Bob Thomas	17947 Short Cut Rd Oreana, ID. 83650	47.00
Gisela Schaal	29776 Highway 78 Oreana, ID. 83650	105.00
S V Ranch	338S, 600W Corral, ID 83322	<u>200.00</u>
TOTAL		\$2,590.00

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MAY 08 2015



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 6, 2014

copy

MIKE IHLI
625 S SCHOOL AVE
KUNA ID 83634

RE: Water Right in Water District 57C

Mr. Ihl:

Enclosed are two copies of a list of all the rights within your water district. This listing is sorted by priority date. If you want the list sorted by another parameter, please feel free to request that. It can be sorted by point of diversion, name or whatever would be easier for your use. We have gone through and made corrections to some of the rights that were not entered correctly. If you find any errors or changes that need to be made, please let us know.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

Enclosures

SCANNED

MAY 08 2015