

Lester, Steve

From: Lester, Steve
Sent: Wednesday, December 03, 2014 3:50 PM
To: 'watermaster67'
Subject: RE: Wage increase

Hi Brandi:

After we talked this morning, I returned Jay's call. We talked about more/better measuring devices etc. He told me the benefit the irrigation district got with newer equipment they installed.

That's all good, I don't think there is any disagreement that it would be good to move in that direction to give you & future watermasters better tools for managing the water – there's always room for that in any water district. How to do it is the big question. I told him it would be better for me not to meet with him & Vern on the side at this time. He agreed to hold off on emails etc. & wait for working on a game plan within water district framework.

I will send a letter to you, officers & advisory committee to talk about getting started, how we need to discuss at annual meeting in February & so on. Would be good for Jay to summarize at the meeting what the irrigation district has done lately & how it has helped them get better use of their water. He said he could do that.

So I hope we can get back on course to use water district structure along with department help and probably a few interested/motivated people like Jay to move ahead. I'll talk to our department water district accounting people for their thoughts about what is needed long term for some improvements. Maybe they will have some ideas about funding, too.

If you do get more emails similar to Jay's recent ones, please just tell him you've forwarded them to me & we will follow up later depending on how the annual meeting goes. That will help the situation without your needing to get into all the email details.

I will keep in touch with you as we work through this. I hope the department can provide more help to work with you on this. It won't be easy but we need to start somewhere. Thanks for keeping me informed about what's going on.

Regards,

Steve

From: watermaster67 [mailto:watermaster67@hotmail.com]
Sent: Wednesday, December 03, 2014 9:48 AM
To: Lester, Steve
Subject: Fwd: Wage increase

Here's the latest email I received last night from Jay Edwards.

Sent from my Verizon Wireless 4G LTE Smartphone

----- Original message -----

From: Jay Edwards
Date: 12/02/2014 5:01 PM (GMT-07:00)
To: 'Brandi Horton'

JAY Edwards watermaster I.D.

1 642-3351 (w)

Notes
Not part
of record

Subject: RE: Wage increase

I appreciate your response. My concern is to give you the tools to have electronic modern water accounting for District 67. The Weiser Irrigation District directly pays \$3636.00 and indirectly pays approximately \$3500 of the Crane Creek Reservoir fee . Together about 1/3 of the Districts 67 budget and close to 1/2 including East Weiser and Sunnyside District.

We have seen the benefits for all parties when we automated both the Galloway and Sunnyside measuring devices. Each side distrusted the other until we openly shared measuring data. Last summer I sent you the web address and pass word so you can see the Canals as well as Crane Creek Reservoir.

I have been trying to get additional money for Jacque for her extra work and without your help, it is a dead issue. The additional measurements enabled her to notify water rights delivered through the Galloway to start using their Crane Creek water, which she is the manager. It did in fact benefit the District. We lowered our total water usage and retained additional 10% in storage. In reality, it should have been you as water master to make that call.

It is not feasible to form another District. I do a lot of work with Ron Shurtleff from Water District 65. He manages the Payette River including several storages. They started water accounting in the early 1990's. Today, He is able to give each user a daily balance of River flow and storage water, so the user can make decisions. There should be one person in charge of Weiser River water.

Finally, we will support additional assessments to fund equipment, wages, travel, what ever to have a water accounting system for the Weiser River.

Have a merry Christmas and do a snow dance too.

Jay

From: Brandi Horton [<mailto:watermaster67@hotmail.com>]

Sent: Tuesday, December 02, 2014 9:37 AM

To: Jay Edwards

Subject: Re: Wage increase

Mr. Edwards,

I've read through your ideas, and there are several points in the operations of Water District 67 upon which you must be either misinformed or unaware...

#1: As I have explained to you before, I am the FULL TIME WATERMASTER. I don't know where you got the idea this is a part time job; it isn't. Every day all irrigation season long I'm on the road, in the field regulating, measuring, and delivering not only the water from the Weiser River and its forks, but also all the creeks that are tributary to the Weiser River and its forks, as well as the creeks which are tributary to those creeks that are tributary to the Weiser River and its forks. In the off-season when there's no irrigation going on, I'm still

working. Setting budget, prepping assessments, reviewing recommendations, transfers, new applications, protests, hearings...the list goes on. Again, THIS IS MY FULL TIME JOB.

#2: The additional work Jacque Wray placed on herself this year is only for the good of Weiser Irrigation District. I realize she forced herself into the notice of everyone by sending out several emails about the curtailment of junior rights on the Weiser, all of which had already been done by me in the upper end of Water District 67 before they ever came to her attention and she felt it incumbent upon her to send out those emails. As far as the operations of Water District 67, the work she did changed nothing and benefitted no one EXCEPT Weiser Irrigation District. And just as she and I discussed in a meeting at her house in May of this year, and SHE STATED HERSELF, the additional work and accounting she did was for Weiser Irrigation District, and as such, they should foot the bill. Just as Jacque said to me that day in May. And just as she and I discussed following that statement, Weiser Irrigation District will try to make Water District 67 pay for it. As is apparent in your proposal. More on that in point #3...

#3: You propose to increase the salary of Jacque Wray and myself, but what about the other watermaster's deputies? There are several more, some in the Weiser Irrigation District area, and there are two in the upper end of the district who do almost as much work in the summer as I do, which is infinitely more than Jacque does. They are actually in the field measuring, regulating, curtailing and dealing face to face with the public in some of the most complex areas of the district. Yet you propose nothing for them. And what about the secretary? Major changes to the budget as you're proposing mean major changes to the paperwork and workload for her. Yet you propose nothing for her either. Your proposal, at best, can only be viewed as one-sided. At worst, it appears to be an attempt to get the water district to pay for work done for Weiser Irrigation District (in the increase to Jacque's salary) as well as containing a form of bribe for me (in the increases proposed for me) to gain my support. It's a good thing I understand that you prepared this while being misinformed and/or unaware of many key points about the district and its operations, as others reading your proposal may see it in a much more sinister light...

#4: You speak of Jacque's work as "to cover Lower Weiser River." That implies a division of Water District 67 into separate water districts, something you'd have to propose to the Idaho Department of Water Resources. It would require forming a new district with new boundaries, a chairman, vice chairman, secretary, watermaster, advisory committee, credentials committee, budget....all COMPLETELY SEPERATE from the current water district, which means all your budgetary recommendations are for not, as you cannot use the current district to fund your new district.

#5: You need to know that you've taken a lot of work upon yourself for no reason, since recommendations of budgetary and record keeping changes are already in motion at the appropriate levels. I've been working this year, first with John Westra (until his retirement this October), and now with Steve Lester, interim director of the IDWR - Western Region Office, about these issues. This winter we'll be completing a proposal to present at the annual meeting this February.

Brandi Horton
Watermaster-Dist.67
2297 Snapp Lane
Midvale, ID 83645
(208) 550-0313

Sent from Windows Mail

From: Brandi Horton

Sent: Tuesday, December 2, 2014 9:36 AM

To: Jay Edwards

Sent from Windows Mail

From: Jay Edwards

Sent: Tuesday, December 2, 2014 9:33 AM

To: Brandi Horton

I have put together some fresh ideas and preliminary costs. What do you think? I would like to present this to our Board tonight. It looks like the Weiser area pays about 50% of the cost of running Water District 67.

Jay

Proposed budget increases for Water District 67 to create a Weiser River water accounting system. Water is the most important thing to our agricultural community. We must account and protect our water.

Objective: Full time water master to measure and account for water using IDWR accounting software

Implementation: increase Brandi's salary to \$30,000 per year
Increase Jacque Wrays Deputy salary to \$5000 per year (to cover Lower Weiser River)

New computer, printer for Brandi	\$1000
Internet to Brandi's work site	\$50/month
Cell phone expense	\$75.00/month
Increase training on IDWR software and water management	

Objective: 5 year plan to automate data collection at all major canals and Lost Valley Reservoir \$10,000 / year

Implementation: WID has installed 7 stilling wells with communication within the last two years for a cost of about \$5000 per site. It enables instant measurement of flow. District personal could install one or two each year for parts only.

Objective: Increase revenue

Implementation: review current assessments some 2000 acres not currently assessed . I have access to all assessments maps and can help. The same process the WID went through in transferring from old hand written ledgers to correspond to current conditions.

Lester, Steve

From: Lester, Steve
Sent: Monday, November 17, 2014 3:52 PM
To: 'Brandi Horton'
Subject: RE: water master

Brandi:

You do have our support. I will be sending a letter to you & the water district Advisory Committee soon about some discussion at next year's annual meeting. I'll coordinate in more detail with you before then but basically we want to focus on moving forward with helping the district get better management tools – measuring devices where needed & where useful, finding ways to pay for some of these things – grants, loans and so forth.

As far as being watermaster, we need someone who is physically able to get out there and do hands-on stuff ... someone like, well ... you!

Will be in touch later but for now just wanted to let you know we still want to keep working with you to keep improving the district.

Hang in there,

Steve Lester
Interim Western Region Manager
IDWR Western Region
2735 Airport WY
Boise, ID 83705
(208-334-2190)

From: Brandi Horton [mailto:watermaster67@hotmail.com]
Sent: Monday, November 17, 2014 1:13 PM
To: Lester, Steve
Subject: Fw: water master

Morning Steve,

I've had my inbox bombarded with emails from Jay Edwards of Weiser Irrigation District today, and am so frustrated with him right now I can hardly stand it! However, I tried to calmly compose the following response to him, and you need to be aware of this situation. I have a feeling that Weiser Irrigation District, and specifically Jay Edwards and Jacque Wray, will be making hell for Water District 67, and I need to know that I have the backing of the IDWR. Since Weiser Irrigation District is something like 75% of the voting power in my district, this could be a very rough situation for all the rest of the water district if we don't do something about this now.

Brandi Horton
Watermaster-Dist.67
2297 Snapp Lane
Midvale, ID 83645
(208) 550-0313

Sent from Windows Mail

From: Brandi Horton

Sent: Monday, November 17, 2014 1:13 PM

To: Jay Edwards, 'rafterhl@ruralnetwork.net', 'Paula McElhinney', 'symestuart', wrayjacque@msn.com, widistrictshop@gmail.com

Jay,

You are apparently unaware of the operations of Water District 67 and the Idaho Department of Water Resources. As has been the case since the early 1930s, there IS a full time watermaster employed in Water District 67 who gives a yearly water report to the Idaho Department of Water Resources every year. I am that full time Watermaster for this water district, and I DO give a yearly report to the IDWR every year. The IDWR eventually makes that information available to the public via their website, but they aren't very timely about getting it done, obviously. We're talking about an entity who claimed that the Snake River Basin Readjudication would be completed inside of 5 years, and they put the final touches on it 30 years later. They don't have the man-power and resources to cover all their bases in a timely fashion, and water reports posted to a website isn't their highest priority. That information can be requested from the watermaster, as I keep an Excel spreadsheet of each year in my files. As for records of the Lost Valley Reservoir water delivery, that is water owned by a private entity and delivered to the private stockholders within that private entity, none of which has anything to do with the duties of the watermaster, or the record-keeping of the state. Had you ever attended an annual district meeting, you'd already know all of this and realize that your email and concerns about the operations of this district are unfounded.

Brandi Horton

Watermaster-Dist. 67

2297 Snapp Lane

Midvale, ID 83645

(208) 550-0313

watermaster67@hotmail.com

Sent from Windows Mail

From: Jay Edwards

Sent: Monday, November 17, 2014 12:48 PM

To: 'rafterhl@ruralnetwork.net', 'Paula McElhinney', 'symestuart', wrayjacque@msn.com, widistrictshop@gmail.com, Brandi Horton

Each water year, the Watermaster is to give a yearly report of what they delivered. The only thing sent to the State is water measurements for 2008. It appears each canal has a measuring device. No mention of Lost Lake, or Sunnyside or Galloway. We need a full time Watermaster. That can measure and account for all the water in District 67.

Jay

Lester, Steve

From: Lester, Steve
Sent: Monday, June 23, 2014 12:11 PM
To: 'watermaster67@hotmail.com'
Subject: Deputy Watermaster petition
Attachments: WD 67 deputy petition.pdf; WD 67 deputy wm petition.docx

Contacts: Brandi Horton

Hi Brandi:

I talked to John this morning about what we discussed last week, Weiser Irrigation District request to make J. Wray a deputy. He agrees with attached draft letter I put together. Their petition also attached.

Any comments/suggestions for the letter? Please reply to me by **Thursday June 26**. I'm here except Wednesday if you want to talk about it some more.

Whatever happens, needs to go thru water district membership at annual meeting plus have your support and the department's support – can't just happen because somebody wants it.

Thanks for your help with this.

Steve

6/27/14 - no reply ✓
- sent letter ✓

Lester, Steve

From: Peppersack, Jeff
Sent: Tuesday, June 10, 2014 9:45 AM
To: Lester, Steve
Subject: Petition for Watermaster Lower Weiser River

Jeff
Attached, 6/18
Call w/
Branch's

Steve,
When you get a chance to look at the letter/petition from Jay Edwards (Weiser Irrigation District) please give me a call so we can discuss.

Thanks,
Jeff

- 6/10 - talked to Jeff
- not clear what's really up
 - need more info etc.
 - then letter reply by Weston (not sure)
 - keep Jeff posted
 - told him to call back to Jacque in process
re her call earlier today
- ↓
- Res. com./Board → is there anyone on the list? - all our files etc.
 - I'm Dist - w/ WID Deputy? ask Branch
 - what problems need atten?
 - " discuss w/ wam yet?
 - " " " members WID 07 re several mtgs in other times?

RECEIVED

MAY 28 2014

WATER RESOURCES
WESTERN REGION

**Water District 67
% Terry Horton
2574 School Road
Midvale, Idaho 83645**

Watermaster: Brandi Horton
(208) 550-0313

Chairman: Vernon Lolley
(208) 549-0248

Secretary: Terry Horton
(208) 355-2315

February 3, 2014

Chairman Vernon Lolley called to order the meeting of Water District 67 at 1:06 p.m. in the US Bank Community Room- Cambridge, Idaho.

Minutes read by secretary- Terry Horton, minutes stand approved as read.

Election of officers:

Chairman- Vernon Lolley
Vice Chairman- John Sachtjen
Secretary- Terry Horton

Dale Barton moved to retain all officers, John Sutton 2nd, motion carried.

Election of Watermaster & Deputies

Watermaster- Brandi Horton
Deputies; Gordy Galus, Norma Ratcliff, Bruce Gochour, Jacqueline Wray, Mel Cunningham, Mark Rundle & Substitute watermaster Jerry Myers.

Harmon Horton move to retain Watermaster & all deputies, John Sutton 2nd, motion carried.

Election of Advisory & Credential Committees

Jerry Myers moved to retain the same members, Harmon Horton 2nd, motion carried.

Advisory Committee: Alvin Yantis- Council, Randy Noah- Cambridge, John Sachtjen- Cambridge, Wendell Walker- Sunnyside, Harmon Horton- Midvale, Paul Striker- Monroe Creek, Vernon Lolley- Weiser and Tyler Amano- Institute Canal.

Credential Committee: Bill Shore- Council, John Sachtjen- Cambridge, Laurie Chandler- Monroe Creek, Vernon Lolley- Weiser, Harmon Horton- Midvale and Paul Striker- Monroe Creek.

extra copy for notes

Watermaster- Brandi Horton presents the budget. Harmon Horton moved to accept budget as presented, Dale Barton 2nd, budget stands as presented.

Idaho Dept. of Water Resources- no one present due to slick roads.

Anita Van Grunsven asked about the snowpack, protocol to shutting water users down.

John Sutton moved to send letters to Washington & Adams Counties to keep collecting the monies through the taxing systems and disperse back to Water District 67 for the 2014 year. Harmon Horton 2nd, motion carried.

Next meeting date is February 2, 2015. Jeri Bemis moved to set date, Jerry Myers 2nd, motion carried.

Jeri Bemis asked if there could be an article in the paper about the water outlook after Vernon does his next measurements in March. It was agreed to put an article in the Cambridge, Council & Weiser papers at such time.

Harmon Horton moved to adjourn meeting, Gordy Galus 2nd, meeting adjourned at 1:31 p.m.

Those present: Terry Horton, Harmon Horton, Brandi Horton- watermaster, Joan Myers, Jerry Myers, John Sutton, Howard Sutton, Jerry Yantis, Dale Barton, Anita Van Grunsven, Mike Getusky, Stuart Syme, Bruce Gochnour, Vernon Lolley, Creed N. Noah, Edna Garlock, Kim States, Rick States, Bonnie Butera, Doug McAlvain, Gordy Galus, Karen & Keith Hood, Jason Mink, Herb Endicott, Vern & Pearl Ketz, Steven Johnson, Lynn Reinhold and Jeri Bemis

Curtis, Sharla

From: Lester, Steve
Sent: Friday, February 14, 2014 7:46 AM
To: Curtis, Sharla
Subject: Bs 67 "floodwater rights"

Sharla:

John & I are working with Brandi for some water district things. Would help to see if some "floodwater rights" were decreed in SRBA with an early irrigation cutoff like July 1 or something like that. These were usually statutory claims for people who also had old decreed rights.

Would you check into a couple dozen decreed rights that were statutory claims before SRBA to see what irrigation season they now have? Can check some in water districts #67 and #67A.

Results by 2/19 would help.

Thx

Steve

looked at all 4000 series rts in both
wtr districts
seasons are 3/1-11/15 } "extended season"
3/15-11/15 } cond. not applied
3/15-10/31 } no "cut off"

Attached are confirmed floodwater w/ seasons:

3/15-10/31 } no cutoff or extended
3/15-11/15 } season cond
the only exception
is 67-4564 (stapled
by itself)

Results: none with short season

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/18/2014

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
3. This right when combined with Rights No. 67-23, 67-24, and 67-25 can be used to irrigate up to 3094 acres within the boundary of the Middle Valley Ditch Co.

Comments:

1. mcase 7/12/2004 POD
Updated shape
2. dfavreau 9/25/2006 period of use
claimed 04/01 to 09/01. Used standard.
3. csaxton 9/27/2006 Direct Overlap
This claim is for flood water that directly overlaps decreed water. Recommend claimed priority date.
4. csaxton 9/27/2006 Quantity
Ditch loss calculation was made to support recommending over the normal 3/8 inches per acre that is generally recommended for ~~flood water rights~~ that directly overlap Muir v. Allison decree.

Dates and Other Information

Decreed Date: 12/10/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 67
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report**

2/18/2014

Water Right 67-4102

Owner Type **Name and Address**
Current Owner MARGARET F RENWICK
 PO BOX 514
 1725 HWY 95
 COUNCIL, ID 83612
 (208)253-4842

Current Owner JAMES A RENWICK
 PO BOX 514
 COUNCIL, ID 83612
 (208)253-4842

Priority Date: 5/10/1918

Basis: Decreed

Status: Active

Source
COTTONWOOD CREEK

Tributary
WEISER RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	1.280 CFS	
STOCKWATER	01/01	12/31	0.090 CFS	
	Total Diversion		1.280 CFS	

Source and Point(s) of Diversion

COTTONWOOD CREEK SESENW Sec. 27, Twp 16N, Rge 01W, ADAMS County(R)

Place Of Use

IRRIGATION within ADAMS County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	01W	27			33.0					14.0	12.0	4.1	29.0	37.0	26.0	35.0			190.1
16N	01W	28																0.6	0.6
16N	01W	34					7.4	2.7											10.1

POU Total Acres: 200.8

Comments:

- csaxton 9/8/2006 From Claim (1)
WATER IS DIVERTED FROM COTTONWOOD CREEK AT 2 POINTS. THE WATER DIVERTED IN THE NW 1/4 OF THE NW 1/4 OF SEC. 36 IS INJECTED INTO LESTER CREEK. THERE ARE 2 POINTS OF REDIVERSION FROM LESTER CREEK. THE DIVERSION FROM COTTONWOOD CREEK TO LESTER CREEK IS KNOWN AS THE NORTH COTTONWOOD DIVERSION.
STOCKWATER PLACE OF USE IS SAME AS IRRIGATION PLACE OF USE.
- csaxton 9/8/2006 Diversion Rate
Diversion rate recommended at 3/8 inches per acre. ~~This is flood water~~ on top of decreed water. Use of this right and the decreed water brings the diversion rate up to one full inch per acre.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/18/2014

Water Right 67-4564

Owner Type
Current Owner

Name and Address
SUNNYSIDE DITCH CO
C/O JAQUELINE WRAY
PO BOX 829
WEISER, ID 83672
(208)549-0765

*67-4415 same season
w/ 3/1-11/15 cond
not flood water*

Priority Date: 4/25/1942
Basis: Decreed
Status: Active

Source
WEISER RIVER

Tributary
SNAKE RIVER

Beneficial Use
IRRIGATION

From **To**
04/25 07/20
Total Diversion

Diversion Rate
16.080 CFS
16.080 CFS

Volume

Source and Point(s) of Diversion

WEISER RIVER

SWSENW

Sec. 25, Twp 11N, Rge 04W, WASHINGTON County

Place Of Use

IRRIGATION within WASHINGTON County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	04W	2		X L2			X L3	X L4	X	X	X	X	X	X		X	X		0.0
10N	04W	3	X L1	X L2	X	X	X L3		X	X	X	X	X	X	X	X	X	X	0.0
10N	04W	4							X		X	X	X	X	X	X	X	X	0.0
10N	04W	5	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X	X	X	X	X	X	0.0
10N	04W	6	X L1		X	X					X	X L6	X L7	X	X	X	X	X	0.0
10N	04W	7	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X	0.0
10N	04W	8	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0.0
10N	04W	9	X	X	X		X	X	X	X	X	X				X			0.0
10N	04W	10		X															0.0
10N	04W	17			X		X	X		X					X	X		X	0.0
10N	04W	18	X	X			X	X L1											0.0
10N	05W	1									X	X	X	X	X	X	X	X	0.0
10N	05W	2												X			X	0.0	

*see next
2 pages*


IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/18/2014

10N	05W	11	X			X									X			X	0.0
10N	05W	12	X	X	X	X	X	X	X	X	X	X	X			X			0.0
11N	04W	35									X			X		X	X		0.0

POU Total Acres: 3,313.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
3.  S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 25 and after July 20 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Proof Report

4. csaxton 4/10/2006 Season of use

Season of used claimed as 4/15 to 7/15 which appears to be only for the flood water season of use. However, since the water master records show delivery of decreed rights 67-146 and 67-148, it would seem that water could be used for the standard irrigation season if they chose to do so. Recommend the full irrigation season of use under this right and let the availability of water and priority date determine season of use.

5. mvanbussum 12/13/2006 NOE Priority Date

Per NOE correspondence, claimants state priority date should be earlier. This is recommended at one day after the Muir v. Allison decree because it is based on decreed rights and Lost Valley storage water. No changes can be made.

WD 67 ACCOUNTING PROGRAM

8/19/2014 Meeting, SO

Sean V, Liz C. & new staff member, Matt A., JFW, Angie & SL

Set framework for bringing Weiser into watermaster accounting program.

Do in phases, similar to other areas?

- Mainstem 1st
- 1+ key tribs next (Hornet Ck re meas. order, Pine Ck per meas. order, Rush Ck ...?)
- Continue ...

What data now available?

- Crane Creek Res thru lower end of river (Jacque Wray & Weiser Irr Dist?)
- Lost Valley Res
- Existing stream gages on mainstem
- Other

Funding

- BOR water smart grants? As in WD #2 etc., timing/other factors
- IWRB
- Other

Steve Baker's WM data program (on website?), will this help?

If lower Weiser working ok, what benefits found, what has worked or not worked?

Discussions to get going

- WM ✓
 - Then WM & Adv Comm ✓
 - Then annual water district meeting ✓
 - Liz &/or WM 65 talk to folks, what's working elsewhere, what not, benefits of accounting etc.
- } good results 2/2015

Have outline/framework ready along these lines so can present to users more successfully, not just us telling them what to do

Start w/ Map – Linda Davis group? So can continue with project as evolves

- Mainstem Weiser
- PODs (and wr table for those)
- Existing stream gages
- Note main ditch companies
- Show Lost Valley & Crane Ck reservoirs (also af storage)
- Differentiate upper & lower Weiser areas
- Show proposed Galloway POD

SCANNED

MAY 08 2015

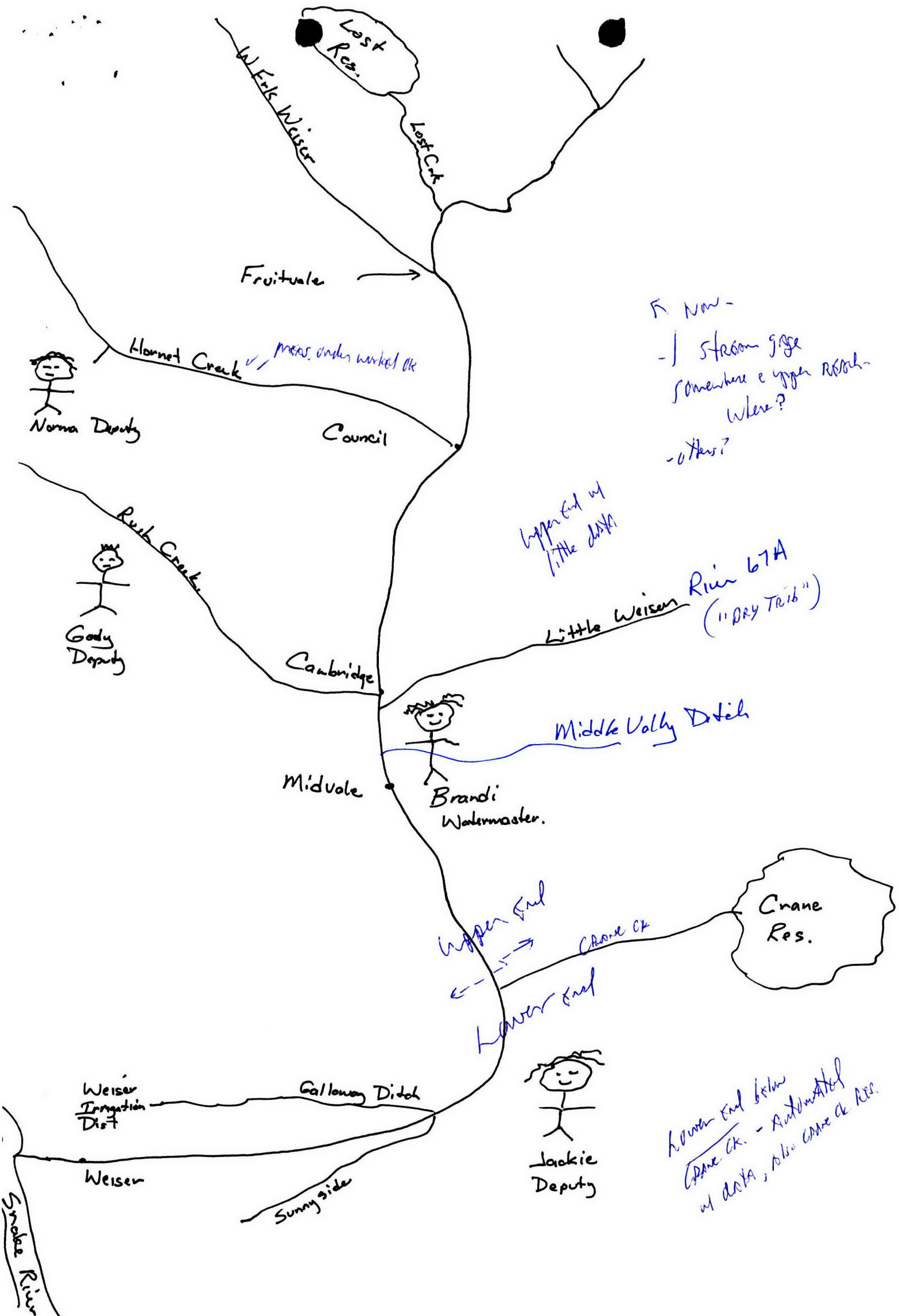
WD 67

Wm Account.

FALL/Winter 2014

-CALL up e /Mk Sept -

System schematic Attached



R Now -
 - 1 station gate
 somewhere e upper Reservoir
 where?
 - others?

Upper End w/
 little ditch

River 67A
 ("dry Trib")

Lower End below
 Crane Ck. - Automated
 w/ data, also Crane Res.

- Weiser Irrigation Ditch.
 Storage in Lost & Crane Res.

SCANNED

MAY 08 2015

MEMORANDUM

TO: John Westra
FROM: Angie Grimm *AG*
DATE: August 5, 2014
RE: June 25, 2014 Pine Creek Diversion Inspections

On 6/25/14, I accompanied Brandi Horton (Water District 67 Watermaster) to inspect Pine Creek diversions and measurement devices for compliance with the measurement order issued 9/3/2013. Attached is a map and pictures of the diversion sites visited including the headgate and measuring device (if present) at each site. The current owners (and associated water rights) indicated with each diversion site are based on the Watermaster's knowledge of water users of each diversion. The associated water rights in parentheses are based on the recorded POD location and water right owners/users referenced to the water right database. The water rights are listed for reference and may or may not be all or part of the water rights diverted at each site.

Summary of Diversion Site Inspections

Site #1 (Little Pine Creek) "Cuddy Meadows":

- Lockable headgate located T16N R04W 22 NESE (GPS N44° 42.473' W116° 47.908').
- Acceptable measurement device on bubbler downstream from diversion located T16N R04W 22 NESE (GPS N44° 42.480' W116° 47.927').
- Water user(s) Cuddy Meadows Ranch LLP (67-196, 67-198, 67-199 & 67-2113A) & Mackey (now owned by McCaughan per Watermaster).
- Headgate left open at time of inspection.

Site #2 (Pine Creek) "Mink":

- Ditch diversion located T15N R04W 14 SWSE (GPS N44° 37.842' W116° 47.144').
- Acceptable measurement device rectangular weir blade in ditch located T15N R04W 14 SWSE (GPS N44° 37.809' W116° 47.129').
- Water user(s) Mink Land & Livestock Co. (67-4050).
- Diversion does not have a lockable headgate (rocks, other debris present in ditch, evident once used to divert water).
- No diversion occurring at time of inspection.

Site #3 (Pine Creek) "Schwartz":

- Pump diversion located in T15N R04W 23 SENE (GPS N44° 37.419' W116° 46.668').
- Water user(s) Schwartz (67-195 per proposed Transfer No. 78950).

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- No lockable headgate on diversion, diversion via pump and pipeline to sprinklers.
- No measurement device in place. Owner (Frank Schwartz) spoke with Watermaster during visit regarding his plans to purchase a pipe flowmeter.
- Diversion occurring at time of inspection.

Site #4 (East Pine Creek) “Mink Advent Gulch”:

- Lockable headgate and acceptable measurement device (weir blade) located in T16N R04W 35 NWSE (GPS N44° 40.701’ W116° 47.165’ headgate – weir w/in 40 ft).
- Water user(s) Mink Land & Livestock Co. (67-4050 & 67-217). WR Schwartz (67-195) formally diverted now diverting from new diversion at Site #3
- Minimal pool behind rectangular weir blade. Watermaster will speak with WR holder to improve pool.
- Headgate left open at time of inspection.

Site #5 (Pine Creek) “Horse Flat”:

- Lockable headgate in disrepair located in T15N R04W 25 NESE (GPS N44° 36.307’ W116° 45.559’). IDWR GPS Site Tag A0014060.
- Non-functional, old measurement device – cement channel - located in T15N R04W 25 SESE (GPS N44° 36.159’ W116° 45.423’).
- Water user(s) Edwards (67-14662 & 67-4059), Keller (67-12320) & Spiering.
- Headgate left open at time of inspection.

Site #6 (Pine Creek) “Hansen & Wiebe”:

- Lockable headgate located in T14N R03W 05 Gov’t Lot 3 NENW (GPS N44° 35.082’ W116° 43.648’).
- Non-functional, pre-existing concrete structure/potential measuring device [T14N R03W 04 SWNW (GPS N44° 34.772’ W116° 42.726’)] on smaller Weibe ditch not in a good location.
- No measuring device installed in main canal adjacent to point of diversion, despite Watermaster’s request.
- Water user(s) Hansen (67-185B, 67-188, 67-186B, 67-189, 67-190, 67-4058 & 67-4057) & Wiebe (67-187 & 67-204).
- Headgate left open at time of inspection.

Site #7 (Pine Creek) “Noah Upper Diversion”:

- Lockable headgate located in T14N R03W 04 NWSW (GPS N44° 34.640’ W116° 42.729’).
- Fish screen and potential measuring device (no weir blade in place, only 2’x4’ board) located in T14N R03W 04 NWSW (GPS N44° 34.619’ W116° 42.710’).
- Water user(s) Noah (67-183, 67-184 & 67-4458A).
- Headgate left open at time of inspection.

Site #8 (Pine Creek) “Noah Lower Diversion”:

- Lockable headgate located T14N R03W 10 NWNW (GPS N44° 34.215’ W116° 41.694’).

- Acceptable measurement device – replaced bulkhead around weir blade - located T14N R03W 10 NWNW (GPS N44° 34.186' W116° 41.686').
- Water user(s) Noah (67-14879, 67-14880, 67-14881, 67-14882, 67-191A, 67-4458A, 67-14883 & 67-14884), Amidon (67-192B & 67-193B) & Hauxwell.
- Headgate left open at time of inspection.

Conclusions:

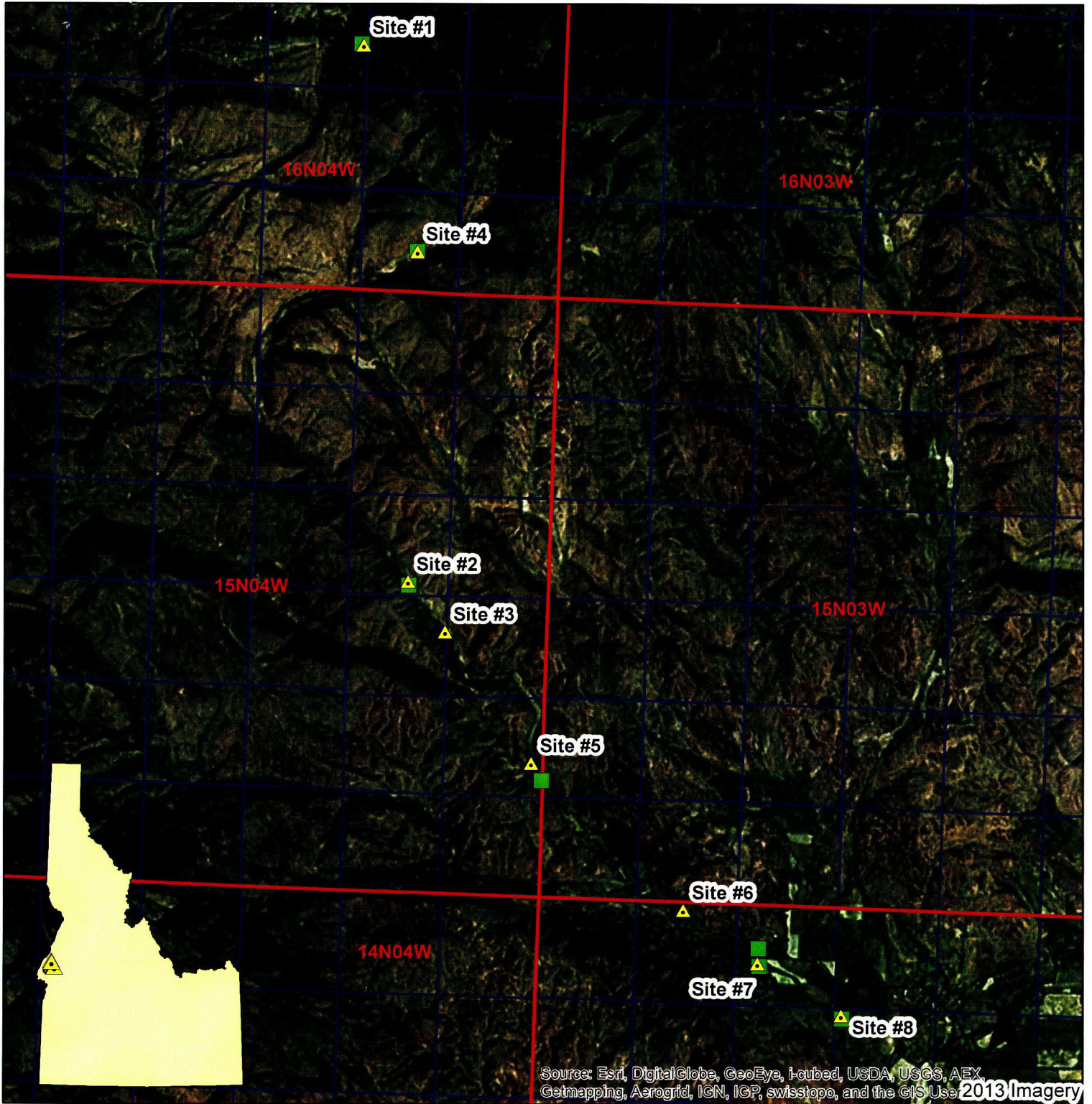
- 5 diversions not in compliance with the measurement order. 2 of the 5 diversions have a lockable headgate, but no measuring device. 1 of the 5 diversions has a measuring device, but no lockable headgate. 2 of the 5 diversions do not have a lockable headgate or an operational measuring device.
- 3 diversion sites were in compliance with the order, in a manner acceptable to the watermaster. 1 of the 3 sites in compliance needs further attention/repair to allow for more accurate measurement.
- Only visited 8 diversion sites. These sites have most senior rights and/or were a source of conflict in previous water seasons. Junior diversions were not visited.

Recommendations for Further Action:

- Department should follow up with Watermaster regarding compliance actions/follow-up taken by users after site inspection conducted.
- Department should take further action to enforce Order for those users not in compliance upon Watermaster request.
- Watermaster should follow up with users of site needing further repair to measurement device to allow for more accurate measurements.

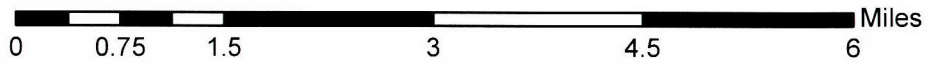
Pine Creek Diversion Inspection

6/25/2014



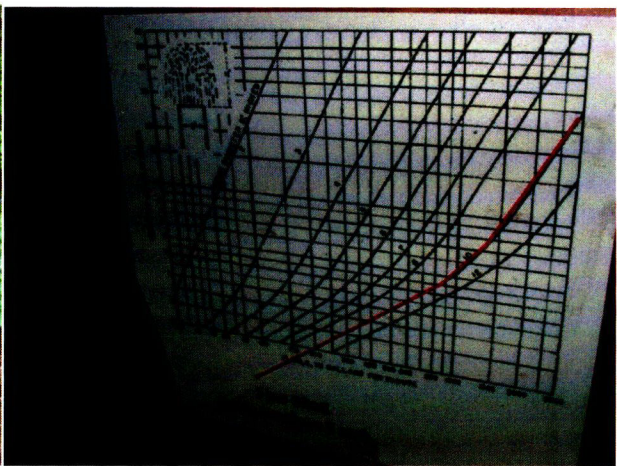
Legend

- PODs
- Measurement Devices
- Township/Range
- Sections





6/25/14 Pine Creek Diversion Inspection: Site #1 "Cuddy Meadows" (Little Pine Creek) headgate.



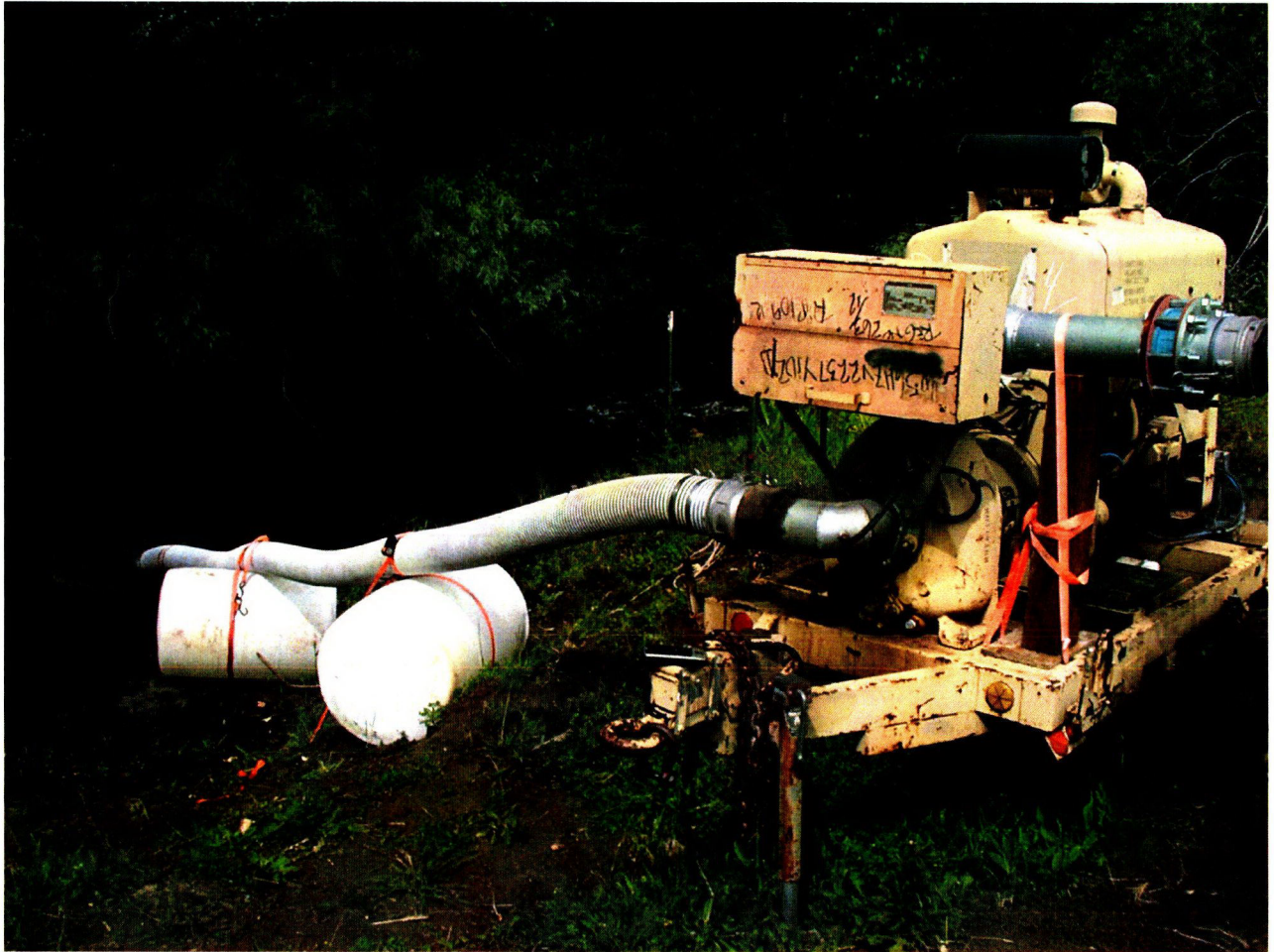
6/25/14 Pine Creek Diversion Inspection: Site #1 "Cuddy Meadows" (Little Pine Creek) measurement device on bubbler.



6/25/14 Pine Creek Diversion Inspection: Site #2 "Mink" (Pine Creek) head of diversion ditch off Pine Creek. No headgate in place.



6/25/14 Pine Creek Diversion Inspection: Site #2 "Mink" (Pine Creek) measurement device.



6/25/14 Pine Creek Diversion Inspection: Site #3 "Schwartz" (Pine Creek) motor and pump diversion on Pine Creek. No headgate or measuring device in place.



6/25/14 Pine Creek Diversion Inspection: Site #4 "Mink Advent Gulch" (East Pine Creek) headgate.



6/25/14 Pine Creek Diversion Inspection: Site #4 "Mink Advent Gulch" (East Pine Creek) measuring device.



6/25/14 Pine Creek Diversion Inspection: Site #5 "Horse Flat" (Pine Creek) headgate in disrepair.



6/25/14 Pine Creek Diversion Inspection: Site #5 "Horse Flat" (Pine Creek) concrete structure potential measuring device in disrepair.



6/25/14 Pine Creek Diversion Inspection: Site #6 "Hansen & Weibe" (Pine Creek) headgate.



6/25/14 Pine Creek Diversion Inspection: Site #6 "Hansen & Weibe" (Pine Creek) concrete structure potential measuring device in disrepair.



6/25/14 Pine Creek Diversion Inspection: Site #7 "Noah Upper Diversion" (Pine Creek) headgate.



6/25/14 Pine Creek Diversion Inspection: Site #7 "Noah Upper Diversion" (Pine Creek) fish screening structure with no weir blade to allow for measurement.



6/25/14 Pine Creek Diversion Inspection: Site #8 "Noah Lower Diversion" (Pine Creek) headgate.



6/25/14 Pine Creek Diversion Inspection: Site #8 "Noah Lower Diversion" (Pine Creek) measuring device.

RECEIVED

JUL 07 2014

WATER RESOURCES
WESTERN REGION

Weiser Irrigation District
P.O. Box 591
Weiser, Idaho 838672

July 3, 2014

John Westra Manager
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Re: Lower Weiser River

Dear Sir:

Thank you for your response about the appointment of Jacque Wray. I understand any authority and compensation comes directly through Water District 67. The question came up due to the fact that this year we will have the ability to measure water in both the Galloway Canal and Sunnyside Canal as well as the storage water from Crane Creek Reservoir. Coupled with the USGS site, this can give us a clearer picture of Weiser River flow. We will meet with all the parties and decide a game plan prior to next year's meeting.

Historically, since the acquisition of Crane Creek storage water, it was very easy to supplement Weiser River flow to the Galloway and Sunnyside canals with storage water without invoking curtailing of junior water rights. With the uncertainty of water supplies, the Weiser River and its storage should be micromanaged to insure proper water delivery.

Sincerely yours,



Jay Edwards
Sec.

Cc: V Lolley
BHorton
J Wray

SCANNED

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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 2, 2014

Jay Edwards, Secretary
Weiser Irrigation District
PO Box 591
Weiser ID 83672

RE: Petition for Watermaster-- Lower Weiser River

Dear Mr. Edwards:

The Idaho Department of Water Resources (Department) has received your petition to appoint Jacque Wray as Watermaster for the Lower Weiser River. The petition did not include any factual information or explanation for the need. These elements were included:

- Expand regulatory duties for the Lower Weiser River
- Increased Compensation for Ms. Wray
- Enforce water appropriations
- Increase water monitoring

Idaho Code Title 42 Chapter 6 "Distribution of Water Among Appropriators" (water districts) outlines water district organization and operations which falls under the supervision of the Department Director. The statute mandates that a district budget be set along with the election of a watermaster, assistant watermaster(s), and an advisory committee at the annual district meeting. One of the purposes of the advisory committee is to serve as advisors to the Department Director and Watermaster pertaining to the distribution of water within the district.

According to the 2014 Weiser Water District #67 annual meeting minutes and Watermaster, Jacque Wray is already an assistant watermaster. It has been my understanding that she has focused on the Crane Creek and Galloway areas. If you have suggestions on how regulation or monitoring might be improved within Ms. Wray's current assignments, I would encourage you to have discussions with the Watermaster.

Your petition requests that Ms. Wray's duties be expanded to be the Watermaster for the Lower Weiser River with additional compensation. The water district elections and budget have already been finalized for 2014. The proposal for expanded duties and increased budget compensation would have to be addressed by the waterusers at the 2015 annual district meeting. The Department, Watermaster, and Water District need more information and justification to address the proposal. Please address the following:

- Identify specific regulation and monitoring matters that need to be addressed such as: problem diversions, use out of priority, accounting for natural/storage flows, etc.

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MAY 08 2015

Page 2.

Weiser Irrigation Dist.

- Specifically what expanded watermaster duties are being proposed? Provide the justification and benefits. How would this be coordinated with the District Watermaster?
- To what section of the river and tributaries would this be applicable?
- What additional measurement and infrastructure would be required for expanded regulation and monitoring?
- What are the costs for equipment and additional compensation?

I would ask that you facilitate a meeting with the Watermaster, District Advisory Committee and the Department to discuss the above information and gain input. The meeting should be held prior to the next annual water district meeting.

Thank you for your interest in the Weiser Water District and attention to this letter. If you desire to further discuss the petition, please contact me at the Western Regional Office; phone 208-334-2190.

Sincerely,



John Westra, Manager

Cc: V. Lolley. B. Horton,

Enclosure: 2104 Water Dist. meeting minutes

SCANNED

MAY 08 2015

Lester, Steve

From: Brandi Horton [watermaster67@hotmail.com]
Sent: Friday, June 27, 2014 11:59 AM
To: Lester, Steve
Subject: RE: Deputy Watermaster petition

Good Afternoon Steve,

For some reason my email in response to the letter you and John prepared for Weiser Irrigation District was in my drafts file rather than sent to you. I'm sorry I didn't figure that out until just now. The letter looked perfect to me. It is exactly what I would write to them as well. Their request is extremely vague and leaves one with far more questions than answers. I'm forwarding a copy of this email to John as well, and again I apologize for your not receiving this yesterday morning as intended.

Have a Great Day!

Brandi Horton
Watermaster-Dist 67

Sent from my Verizon Wireless 4G LTE Smartphone

----- Original message -----

From: "Lester, Steve"
Date: 06/23/2014 12:11 PM (GMT-07:00)
To: watermaster67@hotmail.com
Subject: Deputy Watermaster petition

Hi Brandi:

I talked to John this morning about what we discussed last week, Weiser Irrigation District request to make J. Wray a deputy. He agrees with attached draft letter I put together. Their petition also attached.

Any comments/suggestions for the letter? Please reply to me by Thursday June 26. I'm here except Wednesday if you want to talk about it some more.

Whatever happens, needs to go thru water district membership at annual meeting plus have your support and the department's support – can't just happen because somebody wants it.

Thanks for your help with this.

Steve

SCANNED
MAY 08 2015

Jay Edwards
June 27, 2014
Page 2

How would the deputy actually manage increased regulation of diversions? Would this involve onsite visits to the diversions? How would the deputy coordinate additional regulation with the WD 67 watermaster?

Enforce Water Appropriation: ~~What do you mean? Why is there a need for more regulation?~~ Are there specific problems for the area in question? For example, is a specific diversion being used out of priority or for an excessive amount of water?

Compensate Deputy Watermaster: What specific compensation do you propose? This would mean an increase in the WD 67 budget. How would WD 67 as a whole benefit from increased regulation and increased expenses?

Please provide the above requested information at your earliest convenience.

Summary: existing deputy watermaster duties should always be coordinated with the WD 67 watermaster to protect the priority system and remain consistent with water rights. Any increase in regulation as proposed by your petition must include the following to be considered for approval:

- Documentation provided to IDWR justifying more regulation, including the above requested information
- Support of the WD 67 watermaster
- Approval at the next annual WD 67 meeting to increase deputy regulation
- Approval at the next annual WD 67 meeting to increase budget for additional expenses.

Thank you for your interest in WD 67 and your attention to this letter. I would be glad to discuss this in more detail if you prefer (208-334-2190).

Sincerely,

John Westra
Western Regional Manager

Cc: WD 67 Watermaster Brandi Horton

SCANNED

MAY 08 2015

PETITION FOR WATERMASTER'S SERVICES

Waiver
June 4, 2014, Idaho
_____, 20__

RE: Water District No. 67
Stream: ^{Cover} Waiver River

TO: IDAHO DEPARTMENT OF WATER RESOURCES

I, the undersigned, owner or manager of ditches or person controlling ditches in Water District No. 67, hereby request the services of a watermaster for the reason that there is a necessity for the use and control of the waters ~~of~~ ^{into} the District.

NAME OF WATERMASTER: Jackie Wray

ADDRESS OF WATERMASTER: _____

PHONE NUMBER: _____

Date watermaster is to start: _____

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

[Signature] _____ 414-1792
signature address telephone
Sec Waiver Irr Dist.

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

SCANNED
MAY 08 2015

**Water District 67
% Terry Horton
2574 School Road
Midvale, Idaho 83645**

RECEIVED
MAY 28 2014
WATER RESOURCES
WESTERN REGION

Watermaster: Brandi Horton
(208) 550-0313

Chairman: Vernon Lolley
(208) 549-0248

Secretary: Terry Horton
(208) 355-2315

May 23, 2014

Hi John,

Received your letter about not having a copy of the minutes from WD67's annual meeting. I did send them; apparently they did not find you. So here they are and I hope they find you this time. Have a wonderful day.

Thank You,

 , Secretary-WD67

SCANNED
MAY 08 2015

Weiser Irrigation District
P.O. Box 591
Weiser, Idaho 83672

RECEIVED
JUN 05 2014
WATER RESOURCES
WESTERN REGION

June 4, 2014

Gary Spackman
Director Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098


John Westra
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

RE: Watermaster Lower Weiser River District 67 Petition

Dear Sirs:

Due to the complexity of the Lower Weiser River adjudicated water rights, the Weiser Irrigation District requests, that Jackie Wray have her duties expanded to be the Water Master for the Lower Weiser River. She should be appropriately compensated. She has unique talents and experience in running Crane Creek Reservoir and various irrigation districts. With the increased water monitoring, we have an opportunity to enforce water appropriation.

Sincerely yours,


Jay Edwards
Sec.

Enc.

SCANNED
MAY 08 2015

RECEIVED

MAY 28 2014

WATER RESOURCES
WESTERN REGION

**Water District 67
% Terry Horton
2574 School Road
Midvale, Idaho 83645**

Watermaster: Brandi Horton
(208) 550-0313

Chairman: Vernon Lolley
(208) 549-0248

Secretary: Terry Horton
(208) 355-2315

February 3, 2014

Chairman Vernon Lolley called to order the meeting of Water District 67 at 1:06 p.m. in the US Bank Community Room- Cambridge, Idaho.

Minutes read by secretary- Terry Horton, minutes stand approved as read.

Election of officers:

Chairman- Vernon Lolley
Vice Chairman- John Sachtjen
Secretary- Terry Horton

Dale Barton moved to retain all officers, John Sutton 2nd, motion carried.

Election of Watermaster & Deputies

Watermaster- Brandi Horton
Deputies; Gordy Galus, Norma Ratcliff, Bruce Gochour, Jacqueline Wray, Mel Cunningham, Mark Rundle & Substitute watermaster Jerry Myers.

Harmon Horton move to retain Watermaster & all deputies, John Sutton 2nd, motion carried.

Election of Advisory & Credential Committees

Jerry Myers moved to retain the same members, Harmon Horton 2nd, motion carried.

Advisory Committee: Alvin Yantis- Council, Randy Noah- Cambridge, John Sachtjen- Cambridge, Wendell Walker- Sunnyside, Harmon Horton- Midvale, Paul Striker- Monroe Creek, Vernon Lolley- Weiser and Tyler Amano- Institute Canal.

Credential Committee: Bill Shore- Council, John Sachtjen- Cambridge, Laurie Chandler- Monroe Creek, Vernon Lolley- Weiser, Harmon Horton- Midvale and Paul Striker- Monroe Creek.

Watermaster- Brandi Horton presents the budget. Harmon Horton moved to accept budget as presented, Dale Barton 2nd, budget stands as presented.

Idaho Dept. of Water Resources- no one present due to slick roads.

Anita Van Grunsvan asked about the snowpack, protocol to shutting water users down.

John Sutton moved to send letters to Washington & Adams Counties to keep collecting the monies through the taxing systems and disperse back to Water District 67 for the 2014 year. Harmon Horton 2nd, motion carried.

Next meeting date is February 2, 2015. Jeri Bemis moved to set date, Jerry Myers 2nd, motion carried.

Jeri Bemis asked if there could be an article in the paper about the water outlook after Vernon does his next measurements in March. It was agreed to put an article in the Cambridge, Council & Weiser papers at such time.

Harmon Horton moved to adjourn meeting, Gordy Galus 2nd, meeting adjourned at 1:31 p.m.

Those present: Terry Horton, Harmon Horton, Brandi Horton- watermaster, Joan Myers, Jerry Myers, John Sutton, Howard Sutton, Jerry Yantis, Dale Barton, Anita Van Grunsvan, Mike Getusky, Stuart Syme, Bruce Gochnour, Vernon Lolley, Creed N. Noah, Edna Garlock, Kim States, Rick States, Bonnie Butera, Doug McAlvain, Gordy Galus, Karen & Keith Hood, Jason Mink, Herb Endicott, Vern & Pearl Ketz, Steven Johnson, Lynn Reinhold and Jeri Bemis

Field Work Request

To: Steve Lester & Angie Grimm

From: J. Westra JFW

Date: 05/22/14

RE: Basin 67 --Pine Creek Measurement/Lockable Order

As you know, I issued an order requiring measurement and lockable devices on Pine Creek last fall. One of the order parameters was the devices would be identified and inspected by the Watermaster and the Department in May 2014.

I discussed the order today with Brandi, and she agreed there needs to be a check. She would like a staff member to accompany her for the day.

The following field work is requested (similar to what we did on Hornet Creek):

- Accompany Brandi to each diversion
 - GPS the diversion site
 - Identify the diversion owner and applicable water rights
- It might be good to take the meter that we are going to loan the district with you. If there is time, provide Brandi some training on the meter operation.

Angie, coordinate directly with Brandi regarding meeting date, time, and place.

Thank you

SCANNED
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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 21, 2014

TERRY HORTON
2574 SCHOOL RD
MIDVALE ID 83645-5044

RE: Water District 67 Weiser River

Dear Terry Horton,

It is required that a copy of the minutes from the Annual Meeting for the district be on-file in the Western Regional office. As of the writing of this letter, the minutes from the 2014 Annual Meeting for Water District 67 are absent. Please send those to our office as soon as possible.

Thank-you in advance for correcting this situation. If you have any questions please call 208-334-2190.

Sincerely,

A handwritten signature in black ink that reads "John Westra" followed by a horizontal line and the word "for".

John Westra
Western Region

SCANNED
MAY 08 2015

Lester, Steve

From: Lester, Steve
Sent: Tuesday, April 22, 2014 1:51 PM
To: 'qsmoser@aol.com'
Subject: FW: Monroe Creek Irrigation District Rights
Attachments: Monroe Ck Irr Dist rights.pdf; Monroe Ck Irr Dist map.pdf; Attorneys.doc

BCC → WATERMASTER #67

This should work with corrected address.

From: Lester, Steve **On Behalf Of** Western Info
Sent: Tuesday, April 22, 2014 1:28 PM
To: 'qsmosier@aol.com'
Subject: Monroe Creek Irrigation District Rights

Shauna:

Attached are the 3 water rights for this irrigation district: numbers 67-634, 67-724 & 67-2032. Involves Mann Creek & Monroe Creek, including Barton Reservoir. Also a map showing district boundary within which its rights can be used for up to 753 acres.

Distribution of these water rights within the irrigation district boundaries remains internal business of the irrigation district, subject to law under *Idaho Code Title 43*. Problems regarding those laws are civil matters not under jurisdiction of the Idaho Dept. of Water Resources (IDWR) or any other government agency. State civil matters fall under jurisdiction of Idaho courts.

Diversion of water rights from water sources is under regulatory authority of the Weiser River Watermaster, Brandi Horton. She determines how much water can be diverted from sources based on available water supply and water rights priority (seniority) system. She does not regulate that water after it has been diverted from sources ... so she does not get involved with internal questions about how the irrigation district distributes water to its users.

The Watermaster operates under authority delegated by the IDWR Director, *Idaho Code Title 42, Chapter 6*. Problems/questions about Watermaster delivery of water rights can be addressed to Brandi at 208-550-0313.

There is nothing more I can add to this situation – neither IDWR nor the Watermaster can resolve problems with distribution of irrigation district water rights within the irrigation district boundary. You may wish to seek legal help by contacting an attorney. Legal reference information is also attached (Idaho State Bar etc.).

As we discussed this morning, the water supply is pretty tight in the Weiser River drainage this year.

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

WATERUSER'S QUESTIONS/CONCERNS ABOUT
MONROE CK. IRR DISTRICT RIGHTS

JL

SCANNED
MAY 08 2015

IDAHO DEPARTMENT OF WATER RESOURCES

4/22/2014

Proof Report

Water Right 67-634

Owner Type
Current Owner

Name and Address
MONROE CREEK IRRIGATION DISTRICT
C/O GEORGE L CHANDLER
1116 HWY 95
WEISER, ID 83672
(208)549-1144

MANN CREEK
BARTON RESERVOIR
LULLAY DITCH

Priority Date: 4/1/1915

Basis: Decreed

Status: Active

Source
MANN CREEK

Tributary
WEISER RIVER

Beneficial Use
IRRIGATION

From To
03/01 11/15
Total Diversion

Diversion Rate
12.000 CFS
12.000 CFS

Volume

Source and Point(s) of Diversion

MANN CREEK

SWSE

Sec. 12, Twp 12N, Rge 05W, WASHINGTON County

Place Of Use

IRRIGATION within WASHINGTON County

Large POU not displayed
Total Acres = 753.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
3. 167 This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.
4. 168 This right is a Secondary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, is subordinate only to all rights identified as Primary Rights on Mann Creek.

Secondary Right

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/22/2014

5. F01 Water is delivered through Lolley Ditch.

Comments:

1. mvanbussum 1/29/2008 Copied from remarks
THIS IS A SECONDARY RIGHT.= 8.4 CFS FLOOD WATER RIGHT IS 12.0000 CFS.
WATER CARRIED IN THE LOLLEY DITCH.
STORAGE IS BARTON RESERVOIR.
2. mvanbussum 1/29/2008 Amended claim
Right was decreed for storage and was claimed for irrigation. We recommended it as
irrigation, but it seems it would be better claimed as a diversion to storage right with the storage
right for Barton Reservoir being covered under 67-2032. Sent amended claim to Monroe
Creek ID January 28, 2008. See scanned docs.

Dates and Other Information

Decreed Date: 9/10/2008
Civil Case Number: 39576
Water District Number: 67

IDAHO DEPARTMENT OF WATER RESOURCES

4/22/2014

Proof Report

Water Right 67-724

MONROE CREEK

Owner Type
Current Owner

Name and Address
MONROE CREEK IRRIGATION DISTRICT
C/O GEORGE L CHANDLER
1116 HWY 95
WEISER, ID 83672
(208)549-1144

Priority Date: 4/1/1888

Basis: Decreed

Status: Active

Source
MONROE CREEK

Tributary
WEISER RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	15.060 CFS	1,749.0 AF
	Total Diversion		15.060 CFS	1,749.0 AF

Source and Point(s) of Diversion

MONROE CREEK	NENW	Sec. 28, Twp 11N, Rge 05W,	WASHINGTON County(F
MONROE CREEK	SESW	Sec. 10, Twp 11N, Rge 05W,	WASHINGTON County(F
MONROE CREEK	NWNW	Sec. 22, Twp 11N, Rge 05W,	WASHINGTON County(F
MONROE CREEK	SWSE	Sec. 21, Twp 11N, Rge 05W,	WASHINGTON County(F
MONROE CREEK	NENE	Sec. 21, Twp 11N, Rge 05W,	WASHINGTON County(F
MONROE CREEK	SWSE	Sec. 10, Twp 11N, Rge 05W,	WASHINGTON County(F
MONROE CREEK	SESW	Sec. 22, Twp 12N, Rge 05W,	WASHINGTON County

Place Of Use

IRRIGATION within WASHINGTON County

Large POU not displayed
Total Acres = 753.0

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/22/2014

4. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Dates and Other Information






Decreed Date: 9/10/2008

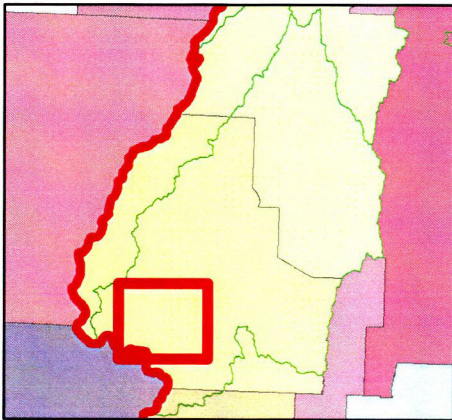


Monroe Creek Irrigation District

Water Rights: 67-634 , 67-724 , 67-2032

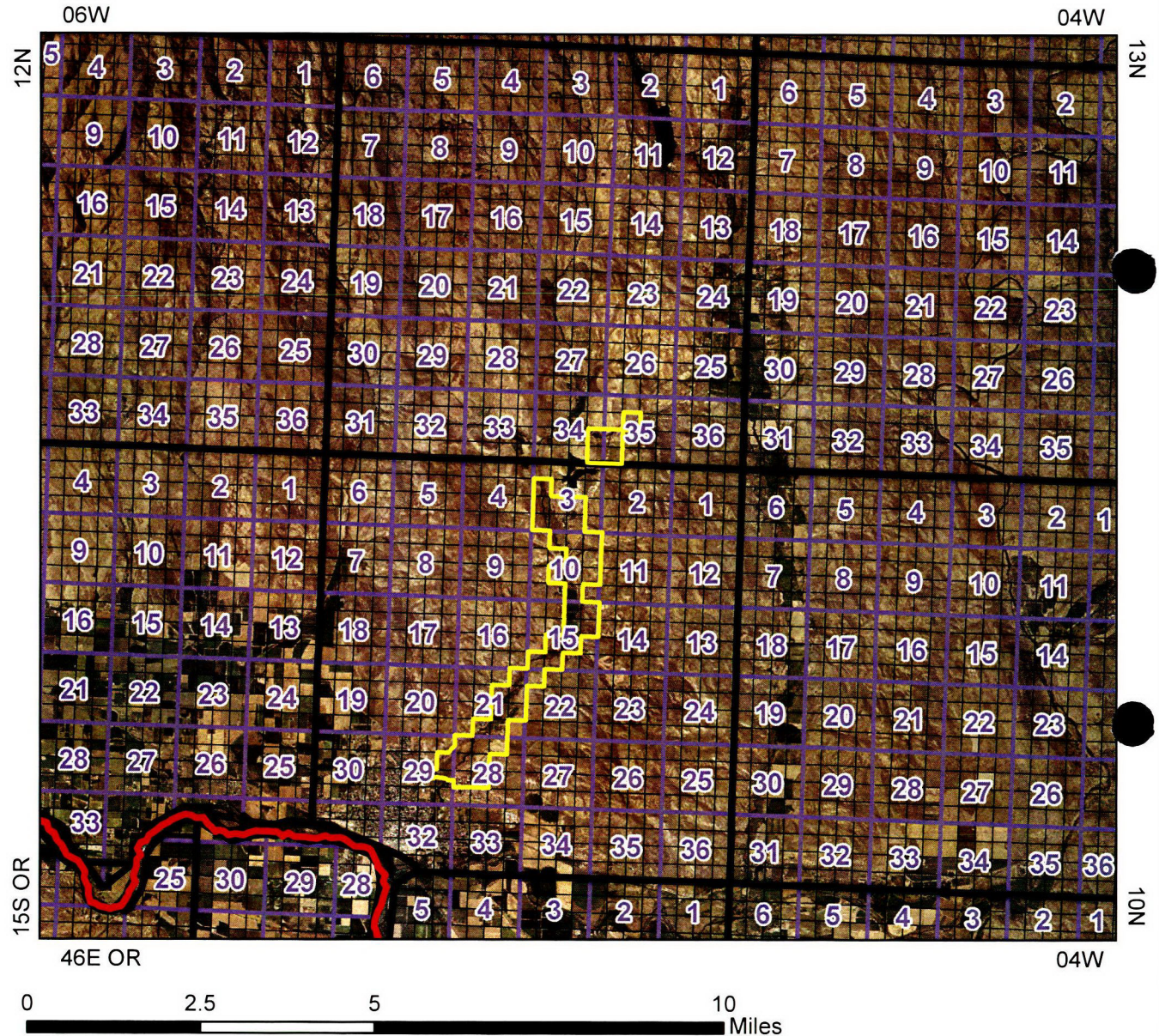
Irrigation Service Area Boundary
GIS Place of Use Illustration

-  Service Area
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67

Prepared by Lester, Steve
On April 22, 2014
2009 Aerial Photography



RECOMMENDING ATTORNEYS

As a public agency, IDWR cannot recommend a specific attorney for water related problems. The following references might help you find an attorney for your situation.

IDAHO STATE BAR & IDAHO LAW FOUNDATION INC.

WEBSITE www.isb.idaho.gov
EMAIL see contact info at website
TELEPHONE 208-334-4500
MAILING ADDRESS PO Box 895
Boise, ID 83701

IDAHO LAW SCHOOL

WEBSITE www.law.uidaho.edu
EMAIL uilaw@uidaho.edu
TELEPHONE 208-885-4977
MAILING ADDRESS University of Idaho
College of Law
PO Box 442321
Moscow, ID 83844

IDAHO WATER USERS ASSOCIATION

WEBSITE www.iwua.org
EMAIL iwua@iwua.org
TELEPHONE 208-344-6690
MAILING ADDRESS 1010 W. Jefferson
Suite 101
Boise, ID 83702

State of Idaho
Department of Water Resources
Certificate of Appointment

This is to certify that I have on this day appointed BRANDI HORTON as
WATERMASTER of WEISER WATER DISTRICT #67 for
2014 or until his successor is
appointed and qualified under the provisions of Sections 42-605,
Idaho Code, at such rate of compensation as established by applicable law.

SCANNED
MAY 08 2015



This certificate has been issued and the seal of the
Director fixed at Boise, Idaho, this 11th
day of February, 2014.

Gay Spackman

Interim Director