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WATER RESOURCES
WESTERN REGION

Water District 61E Cold Springs Creek
Annual Meeting Minutes
January 11, 2021 – 6:00PM – Glenns Ferry City Hall

Present: John and Teresa McCallum, Kelly and Paula Riggs, Harley and Shelley Riggs, Rich Wootan. Calling in on the phone was Kelly Smith and Nick Miller from IDWR.

John nominated Rich to be Chair for the meeting, Kelly second, motion passed.

Kelly nominated Paula to be meeting Secretary, Harley second, motion passed.

Minutes: Teresa motioned to approve the minutes, Kelly second, motion passed.

Water Master Report: Rich stated 3666.11 AF and 24-hour CFS were delivered this year. Mileage was 1,187 and there were 42 call outs for the year. Harley asked why such a big discrepancy between CDN's total is there of 1,359.05 and Double Anchors of 355.90. That is a huge difference and wanted Rich to give an explanation. Rich said that is just what ran through the diversion meters. Kelly asked was that much more delivered to CDN after everyone else was out of water? 8-14 was the last day anyone got water and then on 10-26 he went back up and opened the stock water for CDN. So, from 8-14 to 10-26 there was no water being delivered. Teresa asked Rich if this detailed info is in the link he sent out. Rich said yes, the detailed info is in the Survey 123 site on IDWR. That will show the data entered on the day it was measured. Rich asked Kelly at IDWR how the users can access the data. Go to IDWR website, water data, water diversion, search water district, she said she did not see our info. Harley asked for Rich to print it out and give to the users. Kelly clarified, is this the information that we used to get in a monthly report from Rich Neal? Why are the numbers not showing on their program? Nick was not sure why our info is not showing, he is not familiar with the upload. Kelly S. said there are a few bugs they were not aware of at the beginning year. She emailed the link and data to Rich, so he has the format by diversion and every entry that has been made is available. Rich apologized for not forwarding on. Kelly R. asked for Rich to print it off and email it to the users if asked for. Harley wants the numbers in front of us next year, so we have something to refer to. Kelly R asked that the report is emailed out to all water users every month in the spring. Rich said he would. Rich will email the link to the Treasurer to send out to everyone.

Financial Report: Teresa gave the treasurer report. Assessments collected of \$8,066.70, expenses paid \$5,595.60 for a balance of \$5,952.90. Paula asked that all the dates showing 2020 be revised to show 2021 on the treasurer's report and the projected budget. Teresa said the numbers are correct just not the dates. Paula also said the call out number should state 42 not 40. Teresa said she did not break the mileage out separately she included that amount in the contract labor. Kelly made a motion to approve with the date changes; John second, motion passed.

Proposed Budget and Resolutions:

Select Advisory Committee: Kelly made a motion to leave all the advisory committee members the same as all users. Harley second, motion passed.

Adopt 2021 Resolutions: Paula asked if the copy we have are the exact same resolutions as last year with no changes? Teresa said yes they were. Rich said we need to change the date from 2020 to 2021. Rich tabled 4B and C to hold elections so we could fill in the blanks.

Elections:

Election of Watermaster: Teresa nominated Rich Wootan, Kelly second, motion passed.

Election of Treasurer: John nominated Teresa, Kelly second, motion passed.

Teresa motioned to approve the proposed budget with the revision of the date to 2021. Harley asked if the rates for the water users could be reduced since we have \$5,952 in the account. There was discussion about the carryover. Teresa said per the resolution we must budget for the 71 call outs and that would need to change to change the proposed budget. Harley said he just wants better numbers to look at next year. John made a motion to approve the budget, Kelly second, motion passed.

Paula said that a lot of confusion could be illuminated with a detailed Treasurers report and a detailed water master report showing dates and numbers of call outs. At this meeting we are going off a piece of paper saying there were this many callouts and this many miles, but we have nothing to show that, we do not have any reports or anything.

Kelly Smith from IDWR wanted to clarify that she found our data and she emailed the information to Rich. She said it does not show every diversion, Harley asked why not. Rich said because he did not deliver water to those diversions. Rich said there are probably 100 diversions on the creek, and most are not used so that is why there are diversions with no entries. Rich asked if Harley felt he was being dishonest. Harley said no, he just wants detailed information on what is going on on the creek.

Resolution: Change date on the top from 2020 to 2021 and the date of the meeting needs changed from last year to January 11, 2021. Harley asked about item #6 is there anything to discuss there. Rich said he was fine this year and he does not think we need to worry about an assistant. Paula asked if we are removing it or leave it. Rich said leave it. Item #11 should be 2021 not 2020 and the amount entered is \$5,539.10. Teresa motioned to approve the resolution as amended, John second, motion passed.

New Business:

Kelly Riggs: Kelly had a point of clarification for Nick Miller. After a conversation Kelly had with him last year and what he felt was a legitimate complaint on water wasting and they talked about the duties of the water master. Nick indicated to him it was not the water master's job to regulate water on private ground after it had been diverted from the legal diversion. Kelly followed up with the state statutes where the duties of the water master is outlined to only handling the point of diversion and water diverted from the stream (Idaho Code 42607) so the question to Nick is what are the water master's duties pointed specifically to two things. 1) We had a ruling from a water hearing officer last year on a transfer and one of the things he handed down was a water meter to be put in a pipeline of CDN to monitor the flow of water but that is a pipeline on private ground not a diversion point. The hearing officer did not state who monitors that. So who is going to monitor that flow meter? Nick said he would check with John McCallum if the flow meter was intended to prevent enlargement of water rights when delivered down to that lower field. But John has a transfer in front of them to move that water off the field up to a pivot. Kelly stated that he does not care about the hearing officers ruling what he wants clarified is whose job it is to monitor that flow meter. He feels that the hearing officer should have indicated that in his decision, but he did not. Kelly felt it should be the water master that monitors but based on the discussion with Nick last year now he is not sure. He wants clarification whose job it is to monitor that flow meter. Nick said it is the water user's responsibility to monitor the flow meter so that the water user uses his water right in conformance with the condition of the water right. Kelly said to clarify it is not the water master's job to monitor that flow meter. Nick said there are a lot of conditions put on water rights that are just the responsibility of the water user. I.e: water right will not provide more than .02 cfs per acre at the field headgate. It is not the water master's job to monitor that, it's the user's job to insure they are using their water consistent with their water right. If there is reason to believe the user is not using their water according to their right, then IDWR has the ability to go out there and enforce that and do an investigation. Kelly said question 2) If I see water going on a piece of ground that is out of

priority, as a water user on the creek I know water priorities on the creek. Who do I call, who is going to take care of that? Nick said Kelly would call the department because its their job to enforce but the department would probably call the water master to help investigate. But the department would issue a NOV or Cease and Desist order if they determined the water was being used out of priority. Kelly said so he would not call the water master he would call IDWR. Nick said if the water master gets the call then he should call the dept. If Nick gets the call, then he would call the water master. Kelly said he wants to know who is going to solve the problem, Nick said whoever he calls they are going to call each other so it does not matter. So, to clarify for the minutes, Nick you do not care who I call the department will take care of the problem. Nick said when they receive a complaint they will investigate just like any other complaint, they will gather the facts of what is going on and if they find a water user not using their water in priority rights, they will pursue that. Kelly asked is a phone call enough or should he do it in writing. Nick said depends on the severity and urgency. They prefer it in writing, so they have something to go off but if it needs to be handled immediately then call. Kelly said for the minutes, if it is time sensitive call but if it is not time sensitive in writing. Nick said yes but if in writing you should follow up with a phone call anyway. Kelly said last year when he had a legitimate complaint he talked to Nick on the phone and followed up in writing and heard nothing. Is that standard practice? Kelly wants it in the minutes that if someone has a complaint in the future that Nick will get back to them. Nick said as he recalled when Kelly called him, he had conversations with John McCallum and with Rob Whitney and Rob had conversations with John as well. He remembers having a conversation with Kelly after all those conversations, so he feels that to say they did not do anything is incorrect. Kelly said when he sent the complaint in writing he heard absolutely nothing. Therefore, he is clarifying in the minutes that the protocol if it is above and beyond the diversion point is going to be handled by the department not the water master. The water master might be involved but it will start with the department. Nick said yes that is accurate.

The other point Kelly wanted to discuss was the locks on the diversion. Kelly had talked to Harley and Double Anchor feels that we are comfortable enough with Rich as water master that having the diversions locked cause issues relating to flood water events, not being able to shut a weir down if we have flooding. Rich agreed there could be issues. Kelly said it is in the minutes that Double Anchor Ranch and CDN's diversions must be locked. If we want to change that, Double Anchor is fine with that if Rich is water master. John said he would prefer them to stay locked and just let Rich deal with them. That keeps someone from messing with them. Kelly said we are fine with that too. Harley asked about the key that was lost to the lock. Rich said he had another one made. CDN's was shut and locked then he lost the key so did not shut Double Anchors. Rich said the consensus is to keep them locked.

Kelly made a motion to adjourn to the second Monday in January which is January 10, 2022. Second by John, motion passed.

Respectfully Submitted,

Paula Riggs
Secretary

FEB 16 2021

ROSTER OF ATTENDANCE

2021 ANNUAL MEETING

RECEIVED
FEB 16 2021
WATER RESOURCES
WESTERN REGION

Address 110 East 2nd Ave
Glenns Ferry, Id 83623

REPRESENTING

NAME	ADDRESS	REPRESENTING
Kelly & Paula Riggs	Glenns Ferry	
Harling & Strickland	Glenns Ferry	Double the Fun
Rich Wootton	King Hill	
John & Teresa McCallum	Glenns Ferry	ARK Properties LLC & Casa Del Norte LLC

WATER DISTRICT CONTACT SHEET

Year 2021

Cold Springs Creek Water District 61-E

Water District No. / Name

Rich Wootan

Watermaster Name

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Address, City, State, Zip

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Assistant Watermaster Name

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E-mail Address

Teresa M McCallum

Treasurer Name

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This information is required for elected water district officer(s). The information provided will be posted on the IDWR website. Please fill in the information above and return it to the appropriate IDWR regional office along with the other forms listed in the meeting checklist above, after your annual meeting.