



State of Idaho
DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 23, 2000

Cheral McCallister
P.O. Box 157
Glenns Ferry, ID 83623

Re: Duties of Watermaster

Dear Ms. McCallister:

At the annual meeting for Water District No. 61-E (Cold Springs Creek), you were elected watermaster. John Westra of this office mailed you a letter on March 6, 2000 following your election. The letter generally instructed you about delivery of water. Enclosed with the letter was a summary of water rights referred to as a "watermaster report listing the water rights for Cold Springs Creek . . . under the [Snake River Basin Adjudication] SRBA Partial Decree." The letter also stated that some water rights objected to in the SRBA might be omitted from the list.

The document you received was a summary of the claims recommended to the SRBA Court by staff of the Idaho Department of Water Resources (IDWR). Although the summary contained most of the water rights you are to deliver to water users, the summary was inaccurate because some of the previously decreed water rights were omitted.

Because of the omission, Dan Nelson, an employee of IDWR, subsequently gave you a list of water rights recommended for disallowal that were not listed on the original summary. The list contained water rights originally describing the "Stephens Ranch" now owned by ARK Properties.

You are to deliver the water rights according to a Modified Judgment and Decree in the case of Stanfield v. McGinnis, (4th Judicial District, 1903) and other water rights licensed or permitted by IDWR later than the date of the decree. In addition, you are to deliver rights claimed to be perfected by beneficial use, but only after all other water rights have been satisfied, even if the claimed dates of priority predate the priority dates for decreed, licensed, or permitted rights. If a claimed beneficial use right is decreed in the SRBA, it will then be delivered in its order of priority.

Enclosed is another summary of water rights as described above. IDWR will attempt to inform you when individual water rights you deliver are decreed, changed, or disallowed by the SRBA Court.

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IDWR has received complaints that you are not responding promptly to requests by waterusers for delivery of water. IDWR's records show that you were called on to begin delivering water by resolution of the users at the annual meeting. You are to distribute water to all the users on Cold Springs Creek in order of priority, and in the amounts set forth in the summary of water rights enclosed. Delivered water should be measured and controlled to the best of your ability. If headgates and measuring devices are necessary, IDWR will assist in requiring the installation of these control devices.

Because of at least two complaints this year already, IDWR expects you to monitor the diversions from Cold Springs Creek on a daily basis. This means that you should check each of the diversions daily and measure and reset the diversions should the flow of the stream be varying. Alternatively, you may call the waterusers daily to determine if they are satisfied with the delivery of water. If not, you should respond on the day a wateruser expresses dissatisfaction by checking, measuring, and resetting the flow at the points of diversion.

Should you have further questions, please contact Dan Nelson of this office at 334-2190.

Respectfully,



Gary Spackman

cc. Dan Nelson
John Westra
Water District no. 61-E file