

**Stanton, Jim**

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**From:** Stanton, Jim  
**Sent:** Wednesday, April 16, 2008 11:05 AM  
**To:** Luke, Tim  
**Cc:** Stanton, Jim  
**Subject:** RE: WD 37-O, Muldoon Creek

Tim – Understood. I have already sent out an oath of office to Wright, and will issue his certificate as soon as he returns the oath.

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**From:** Luke, Tim  
**Sent:** Wednesday, April 16, 2008 10:07 AM  
**To:** Stanton, Jim  
**Cc:** Merritt, Allen; Skinner, Corey  
**Subject:** RE: WD 37-O, Muldoon Creek

Jim,

I'm not sure how to respond since you describe on one hand a historical precedence that I think you may be advocating to keep but on the other hand express frustration with the operation. My main concern is whether the current practice denies someone like Crouch the ability to vote their delivery records and as a result are getting shafted or injured by the practice. Crouch did tell me that all voting was done by majority vote, one user-one vote, so perhaps this is not a big concern.

Based on your comments, I would say **don't** send the letter that I suggested yesterday and allow the assessments to go as they have done. As per one of my e-mails yesterday, I am okay appointing Peterson as watermaster as long as we are also appointing this Mr. Wright as deputy watermaster. I suspect Wright will be doing the work anyway and I know Crouch was okay with this arrangement. If the district had not budgeted or elected Wright as deputy, I might be more inclined to not appoint Peterson. I say lets try evaluating how things go with this new, additional deputy - that at least is a change in district operation that has not occurred before. It is imperative thought that we appoint Wright and send him the certificate. It is my understanding he was not willing to do the work without the official appointment from IDWR.

As I also said yesterday, I think it is important that we get staff out there this year to review diversions with Wright and Peterson, as a follow-up to Corey's memo from late last summer. There is probably one or two NOV issues that we may need to follow-up on as well. I will try to look into that next week.

Tim

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**From:** Stanton, Jim  
**Sent:** Wednesday, April 16, 2008 8:27 AM  
**To:** Luke, Tim  
**Cc:** Stanton, Jim  
**Subject:** RE: WD 37-O, Muldoon Creek

Tim – For the 2006 and 2007 seasons (and probably for every year before that), this district assessed based on the same split of costs among the users; two new users added last year just paid \$10 each. With such a small budget, there wouldn't be much motivation to adjust it at the end of the season based on actual deliveries. I doubt that this watermaster even keeps track of how much is delivered to each user, as this is not even listed on the annual report. This year's minutes state that everyone is satisfied with just billing by cfs (I'm not sure what the historic split is based on). Do you really want to "shake up" this district and get them in compliance with the Code? Since they never have done this, I'm not sure if Peterson is even capable of it. I will send the letter if you

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want.

We have historically been pretty easy on the water districts in regard to billing and record keeping; is the Director taking a harder line on this now that all the SRBA recommendations have been completed? Are we still going to appoint watermasters that just hang around without actually delivering water? I have always been frustrated with some of the small districts that don't really do anything except waste our time dealing with them, but there was never anything I could do about it. Just wondering.

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**From:** Luke, Tim  
**Sent:** Tuesday, April 15, 2008 11:42 AM  
**To:** Stanton, Jim  
**Subject:** RE: WD 37-O, Muldoon Creek

I recommend we advise the district that they must assess based on delivery and in accordance with the statutes, not water right cfs. I'm not sure what our recourse is for forcing the matter other than threatening to uphold the watermaster appointment. Would you send a letter to that effect?

Tim

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**From:** Stanton, Jim  
**Sent:** Tuesday, April 15, 2008 10:49 AM  
**To:** Luke, Tim  
**Cc:** Stanton, Jim  
**Subject:** WD 37-O, Muldoon Creek

Tim – I just got the minutes of the meeting held on April 8. It looks like all the interested parties were there, so any voting would represent the majority of the users. They did elect Jim Peterson as watermaster, with Bruce Price as the assistant; I will send out the necessary paperwork for appointment. They did raise the salary to \$500 for the watermaster (nothing for the assistant), but voted to bill by cfs instead of by the amount of water delivered; since this is apparently illegal, do you want to do anything about it? Arlen Crouch was concerned that water deliveries should be measured twice a week, and was told that this was being done.

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**Stanton, Jim**

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4/15/2008

## Stanton, Jim

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**From:** Stanton, Jim  
**Sent:** Friday, April 11, 2008 9:55 AM  
**To:** Luke, Tim  
**Cc:** Stanton, Jim; Skinner, Corey  
**Subject:** RE: Muldoon Creek 370

Tim -- I just called Mrs. Peterson (the district secretary). She said they just had their meeting last week, and that her husband was re-elected as watermaster. She will get the minutes to me next week.

Bob Simpson is still the watermaster of 37-N (upper Little Wood R.).

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**From:** Luke, Tim  
**Sent:** Friday, April 11, 2008 9:49 AM  
**To:** Skinner, Corey  
**Cc:** Merritt, Allen; Cooper, Jeff; Stanton, Jim  
**Subject:** RE: Muldoon Creek 370

All,

I think we need to immediately write to whoever our last secretary of record is plus probably Jim Peterson, or anyone else from the last minutes who was advisory committee or meeting chair, regarding the status of the 2008 meeting and minutes. Jim, is that something you should do? It may be worth our while to call party represented by Slette (not Slette directly) to find out what happened.

Jim, who now is the watermaster for the Upper Little Wood?

Tim

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**From:** Skinner, Corey  
**Sent:** Friday, April 11, 2008 9:44 AM  
**To:** Luke, Tim  
**Cc:** Merritt, Allen; Cooper, Jeff  
**Subject:** Muldoon Creek 370

I checked with Jim Stanton and the only information he has received from Muldoon Creek was a proposed budget from Jim Peterson (last year's water master). They were supposed to have a meeting in February, but we haven't heard anything from them since the meeting.

## Stanton, Jim

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**From:** Luke, Tim  
**Sent:** Tuesday, April 15, 2008 8:22 AM  
**To:** Stanton, Jim  
**Cc:** Skinner, Corey; Merritt, Allen  
**Subject:** RE: Muldoon Creek 370

I spoke with Arlen Crouch yesterday and he affirmed what Mrs. Peterson told you. The meeting was cancelled due to a lot of snow. Crouch said Mrs. Peterson sent out notice directly. As far as he was concerned he felt the second meeting was legitimate and he would not challenge the validity of it or the results of the meeting. He did mention that a Bruce Wright was elected as deputy watermaster and he felt Mr. Wright is a respected and neutral person in the community. I will be interested to see if Wright is mentioned in the minutes. He should be appointed as a deputy watermaster. As long as Wright is appointed as deputy, I think we are okay to appoint Jim Peterson as watermaster.

It will be important for staff to schedule a field visit with both Peterson and Wright this year, perhaps after the high water.

Tim

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**From:** Stanton, Jim  
**Sent:** Tuesday, April 15, 2008 8:16 AM  
**To:** Luke, Tim  
**Cc:** Stanton, Jim  
**Subject:** RE: Muldoon Creek 370

Tim – Mrs. Peterson told me that they had to cancel the original meeting – she did not say why, and I did not ask. I expect the minutes to come in this week, and will let you know what happened.

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**From:** Luke, Tim  
**Sent:** Saturday, April 12, 2008 12:56 PM  
**To:** Stanton, Jim; Roberts, Christine  
**Cc:** Skinner, Corey; Merritt, Allen  
**Subject:** RE: Muldoon Creek 370

Jim

Our website says the meeting was Feb 5, so I'm assuming that we sent out notices for that date. If this is the case and there was not proper notice of the annual meeting held last week, then we should hold off on appointing Peterson and consider our next steps, which may include holding another meeting or appointing someone else but I don't know that we could find anyone. I'll be curious to see what the minutes say.

Christine, please look into the meeting notice information for WD37-O.

Tim

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**From:** Stanton, Jim  
**Sent:** Friday, April 11, 2008 2:27 PM  
**To:** Luke, Tim  
**Cc:** Stanton, Jim; Skinner, Corey; Merritt, Allen  
**Subject:** RE: Muldoon Creek 370

Tim – Apparently the users on Muldoon don't want a competent watermaster, and don't want to pay a reasonable amount for watermaster services (since the same watermaster and same miniscule budget have been in place for a long time). Do we have authority to appoint someone else, and to charge higher fees if they have already had their meeting and election for this year?

I heard last year that Simpson was going to retire in a year or two, and that he was training a younger replacement. This might open the door to some changes in the future.

I have nothing official from Fish Creek this year, either (their meeting was last month). I know that Darla Tanner is very ill, so I would expect some changes in that district. I remember talking to Lawrence Kimball last winter, but have heard nothing from him since. I just spoke to the new district secretary, who said that Lawrence was elected as watermaster this year.

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**From:** Luke, Tim  
**Sent:** Friday, April 11, 2008 10:37 AM  
**To:** Stanton, Jim  
**Cc:** Skinner, Corey; Merritt, Allen  
**Subject:** RE: Muldoon Creek 37O

Thanks. That's disappointing news but not surprising. Perhaps IDWR should propose consolidated 37-O with 37-N, and include maybe Fish Creek. I feel like the whole area needs at least a full-time seasonal watermaster - consolidation it seems is the only way to get any watermaster of some competence on Muldoon Creek, but I'm open to other suggestions.

Tim

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**Cc:** Stanton, Jim; Skinner, Corey  
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**Cc:** Merritt, Allen; Cooper, Jeff  
**Subject:** Muldoon Creek 37O

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## Stanton, Jim

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**From:** Luke, Tim  
**Sent:** Monday, April 14, 2008 7:54 AM  
**To:** Stanton, Jim; Skinner, Corey; Merritt, Allen  
**Subject:** FW: Emailing: 370 Mtg Info.pdf

**Attachments:** 370 Mtg Info.pdf



370 Mtg Info.pdf  
(26 KB)

The meeting notice that IDWR sent for WD37-O is attached, and did specify Feb 5. That is curious because I thought these folks normally held their meeting in late March or early April. Anyway, there is a question as to whether the meeting was valid and I think we should hold off on appointment and discuss this matter further.

I'm curious if the minutes will reflect whether Slette's client was in attendance - I don't recall the name, but they are the ones who have complained in the past which resulted in Corey's last visit and our order a few years back. We may need to contact this party or user.

Tim

-----Original Message-----

**From:** Roberts, Christine  
**Sent:** Monday, April 14, 2008 7:40 AM  
**To:** Luke, Tim  
**Subject:** Emailing: 370 Mtg Info.pdf

The message is ready to be sent with the following file or link attachments:

370 Mtg Info.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.