

**FAX FROM:  
OAKLEY CANAL COMPANY**

**P.O. BOX 207  
OAKLEY, ID 83346  
OFFICE & FAX #  
(208)862-3356**

**TO:** Jim Stanton      fx 208-736-3037

**DATE:** \_\_\_\_\_

**ATTENTION:** Dept Water Res.

**Subject:** Water master reports  
for Cottonwood + Birch Creek Irrig Dist's

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Thanks,**

**Number of Pages:** \_\_\_\_\_ **including cover page.**



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380  
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

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C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

December 11, 2008

Oakley Canal Co  
PO Box 207  
Oakley, ID 83346

RE: Water District 45-B, Birch Creek

Dear Sirs;

After further reviewing your 2008 watermaster's report, I have reluctantly approved it. Although there are several anomalies that do not appear to make any sense, the charged amounts are the same as for 2007. And since the watermaster is no longer available to explain what he did, there is probably no point in pursuing the issue for this year. A signed copy of the approval page is enclosed for your records.

My understanding of the budgeting method for this district is that 39 of the 40 users pay at least \$40 each, and you pay a flat fee of \$440; is this correct? Now that you are providing watermaster services, do you pay \$440 to yourself? So far, I have accounted for \$2000 of the \$8534.76 budgeted for this year, leaving \$6534.76 to be pro-rated based on actual water deliveries. This is where your system breaks down, as Norman McMurray pays \$474.05 for zero water delivery instead of the \$40 that he should have paid. Merial Peterson got 24.3 af, so should have paid much more than \$40; Payton and Critchfield each got 20.2 af, but paid over \$553 each. If you prorate the water delivered to Payton, Critchfield, Manning and Robinson (841 af total) to make up the \$6534.76, you get \$7.77 per af; Payton & Critchfield would each pay about \$157 in addition to the \$40 base rate. Manning & Robinson would each pay \$3111. If you were charged based on your actual water delivery, OCC would pay over \$1000 this year.

Birch Creek will have to correct these anomalies for future years so that the major users pay based on actual deliveries, although OCC can probably continue to pay the flat fee based on this long-standing practice. And the basic maintenance fees to the minimum users can certainly continue; you should decide in your next water meeting how much volume a user can get before additional charges apply (just to have it on record, even if this has already been decided). We have been pretty lax on budgeting methods in the past, but this will change now that you and other small districts in Basin 45 (western Cassia County) are under the authority of Water District 140. Cindy Yenter, the 140 watermaster, hopes to be at your January meeting to discuss this further.

Regards,

James E. Stanton  
Sr. Water Resource Agent

(This report must be made in Triplicate and forwarded to the Department of Water Resources  
Boise, Idaho, for Approval.)

RECEIVED  
DEC 03 2008  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

# WATERMASTER'S REPORT

From MARCH 1 2008 To Oct 15 2008

Water District No. 45-B

Name of Watermaster Rychnael Ure

P. O. Address Box 207 Oakley Idaho 83346

## AFFIDAVIT OF WATERMASTER

STATE OF IDAHO.

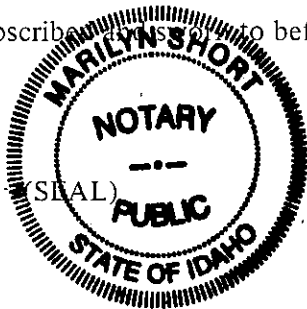
COUNTY OF CASSIA } ss.

Rychnael Ure, being first duly sworn, deposes and says  
that he is (Deputy) Watermaster on Birch Creek in District 45-B, having been  
lawfully appointed by the Director, Department of Water Resources David R. Tutthill, Jr.  
and that the volumes of water, as stated in this report, prorated by him to the several users, are correct;  
that the sum of \$ \_\_\_\_\_ is justly due as stated.

[Signature]

(Deputy) Watermaster District No. \_\_\_\_\_

Subscribed to before me, this 30 day of July 2008



Marilyn Short  
Notary Public.

My Commission expires 10/19/2013

Boise, Idaho, 12-13, 2008

I HEREBY CERTIFY, That Rychnael Ure

was lawfully appointed by me (Deputy) Watermaster of District No. 45-B, and that his bill  
for services rendered prorated to the several users, as herein sworn to, is, to the best of my knowledge  
and belief, correct.

David R. Tutthill Jr  
Director, Department of Water Resources

By J.E. Stanton



BIRCH CREEK WATERUSERS				2008	
	NAME	Vol.	Budget amt	Address	
1	ADAMS, ERENST	0	\$ 40.00	P.O. BOX 172 OAKLEY ID 83346	
2	ZEVENBERGEN, DAVE	0.42	\$ 40.00	145 N. LINCOLN AVE. OAKLEY, ID 83346	
3	BEDKE, MRS. RAY C.	0	\$ 40.00	P.O. BOX 283, OAKLEY, ID 83346	
4	BELL, CLIFF	1.54	\$ 40.00	215 N. LINCOLN, OAKLEY, ID 83346	
5	BURCH, GOLDEN	0	\$ 40.00	P.O. BOX 202, OAKLEY, ID 83346	
6	COOPER, MAX	0.84	\$ 40.00	P.O. BOX 47, OAKLEY, ID 83346	
7	QUARTER CIRCLE FIVE	3.52	\$ 52.15	3805 SANDPIPER, POCATELLO, ID 83201	
8	JUDD, DAVID	0	\$ 40.00	1750 S. HWY 27, OAKLEY, ID 83346	
9	FEHLMAN, ROBERT	2.044	\$ 40.00	P.O. BOX 251, OAKLEY, ID 83346	
10	FONSBECK, MRS. JOHN	0	\$ 40.00	2441 W. 16TH, BURLEY, ID 83318	
11	FRANCE, MRS LINDA	0	\$ 40.00	P.O. BOX 125, OAKLEY, ID 83346	wrong address
12	GARRARD, EDNA C/O Rod Garrard	1.204	\$ 40.00	1070 S. DUDLEY ST., LAKEWOOD, CO 80226	
13	GEE, LAVERDA	3.008	\$ 40.00	P.O. BOX 74 OAKLEY, ID 83346	
14	GORRINGE, BRENDON	0	\$ 40.00	426 E. 200 S. BURLEY, ID 83318	
15	GARDNER, LUTHER	0	\$ 40.00	C/O GENE LEWIS 3748 CIVIC CENTER DR N LAS VEGAS, NV 89030	wrong address
16	HALE UTAUNA	1.036	\$ 40.00	395 W POPULAR OAKLEY ID 83346	
17	HARPER, MRS. ARNOLD	0	\$ 40.00	270 N. LINCOLN, OAKLEY, ID 83346	
18	JACOBSEN, JOYCE	0	\$ 40.00	2000 N. 1450 E. PROVO, UT	
19	LUKER, DAN	0	\$ 40.00	330 W. POPLAR OAKLEY, ID 83346	
20	MANNING, ROBERT	400.35	\$ 2,570.60	2233 BIRCH CREEK RD. OAKLEY 83346	
21	MCBRIDE, JIM	2.008	\$ 40.00	P.O. BOX 203 OAKLEY, ID 83346	
22	MCMURRY, NORMAN	0	\$ 474.05	270 S. WILSON, OAKLEY, ID 83346	
23	MCKNIGHT, TIM	0.84	\$ 40.00	195 N. LINCOLN AVE. OAKLEY, ID 83346	
24	MULLARD, GARY	0.6384	\$ 40.00	P.O. BOX 249 OAKLEY, ID 83346	
25	MYERS, T.R.	0	\$ 40.00	P.O. BOX 216 OAKLEY, ID 83346	
26	MITTON, DELROY	0.804	\$ 40.00	P.O. BOX 19 OAKLEY, ID 83346	
27	MUHLESTEIN, CLINT	1.308	\$ 40.00	P.O. BOX 12 OAKLEY, ID 83346	
28	CRITCHFIELD FARMS	20.16	\$ 553.68	495 N. LINCOLN AVE. OAKLEY, ID 83346	
29	PAYTON, TIM	20.16	\$ 553.68	478 W. 1900 S. OAKLEY, ID 83346	
30	PETERSON, MERIAL	24.336	\$ 40.00	P.O. BOX 181, OAKLEY, ID 83346	
31	PETERSON, NELS	0.336	\$ 40.00	P.O. BOX 57, OAKLEY, ID 83346	
32	QUALLS, CINDY	1.14	\$ 40.00	P.O. BOX 193 OAKLEY, ID 83346	
33	RANDALL, ILLA	0	\$ 40.00	P.O. BOX 59, OAKLEY, ID 83346	
34	ROBINSON, DUTCH	400.35	\$ 2,570.60	2288 WILLIAMSBERG, WEST JORDAN, UT 84088	
35	JACOBSEN FAMILY TRUST	0	\$ 40.00	2009 N 1450 E PROVO, UT 84604	
36	ROUNDY, JON	0.804	\$ 40.00	P.O. BOX 272, OAKLEY, ID 83346	
37	LDS CHURCH C/O Terry Bradshaw	0	\$ 40.00	7770 MAKAYLA DR., NAMPA, ID	
38	SHEFFIELD BLANCHE	0.3024	\$ 40.00	C/O CLARK SHEFFIELD 274 N 500 E LINDON, UT 84042	
39	WITELEY JOSEPH	1.04	\$ 40.00	240 N. CENTER, OAKLEY, ID 83346	
40	OAKLEY CANAL CO.	151.8	\$ 440.00	P.O. BOX 207 OAKLEY, ID 83346	
<b>Totals</b>		<b>1039.9888</b>	<b>\$ 8,534.76</b>		

395 N Cedar





vol	budget 1	min	budget 2
1	0	0	40
2	0.42	3.45	40
3	0	0.00	40
4	1.54	12.64	40
5	0	0.00	40
6	0.84	6.89	40
7	3.52	28.89	40
8	0	0.00	40
9	2.044	16.77	40
10	0	0.00	40
11	0	0.00	40
12	1.204	9.88	40
13	3.008	24.69	40
14	0	0.00	40
15	0	0.00	40
16	1.036	8.50	40
17	0	0.00	40
18	0	0.00	40
19	0	0.00	40
20	400.35	3285.51	2823.845
21	2.008	16.48	40
22	0	0.00	40
23	0.84	6.89	40
24	0.6384	5.24	40
25	0	0.00	40
26	0.804	6.60	40
27	1.308	10.73	40
28	20.16	165.44	142.1974
29	20.16	165.44	142.1974
30	24.336	199.72	171.6525
31	0.336	2.76	40
32	1.14	9.36	40
33	0	0.00	40
34	400.35	3285.51	2823.845
35	0	0.00	40
36	0.804	6.60	40
37	0	0.00	40
38	0.3024	2.48	40
39	1.04	8.53	40
40	151.8	1245.76	1070.712
	<b>1039.989</b>	<b>8534.76</b>	<b>1360 7174.45</b>
			<b>8534.45</b>

Budget	8534.76
Pro rata 1	8.21 per AF
Budget 2	7174.76
Pro Rata 2	7.05



1017.2 AF