

Idaho Department of Water Resources
1341 Fillmore Street
Suite 200
Twin Falls, ID 83301

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Dear Sirs;

I would like to file complaints against Jack Challis for acts he committed in his position of Watermaster which not only seem to be improper but are against the instructions given by the Department of Water Resources.

First, Challis stopped my stockwater stating that "the water would not get there." I told him that I would get the water where I needed it but it did not matter.

Next, Challis tore apart my diversion. That diversion had a wing dam which diverted water to the headgate and measuring device. Challis placed a pile of rocks and gravel in front of my headgate preventing water from going through the headgate and preventing me from receiving my water rights. Later, in the attempt to justify his actions, he claimed that this headgate was leaking but water which might have seeped past the headgate was not enough to go over the weir.

Whether or not my water right had been turned off for a proper reason, his act of tearing apart my diversion prevented me from receiving stockwater after the irrigation season in accordance with my water right.

Finally, I have a fish screen which was installed by the Department of Fish & Game and which is my private property. Challis removed the bypass gate paddle to the fish screen and threw the paddle on the ground where it could have been damaged by stock that were present in that field. The design of the fish screen does not require removal of the bypass gate paddle but Challis would not have known that fact because it was not his concern. The only authority that he had as the watermaster concerning my fish screen was to adjust the headgate.

At the annual meeting I read Statute 18-4306 and asked why he had torn apart my headgate and had torn apart my fish screen and exposed the parts to possible damage. His only response was "I did it because your headgate was leaking". Challis's remarks since the annual meeting stated that the statute is "clearly not applicable to IDWR employees, most definitely not a Watermaster (or Ditch Rider)". The statute does not state that exclusion.

The Watermaster Handbook says that " the watermaster does not have the authority to actually order the installation or repair of headgates and measuring devices. The watermaster should advise IDWR of the need for measuring devices and/or controlling works. Upon advising IDWR, the department can then work with the watermaster in issuing the appropriate order. The water user has the responsibility for installing and maintaining measuring devices and headgates in satisfactory condition. The cost of installation and maintenance of these structures is also borne by the water user. The watermaster may refuse to deliver water if a headgate and/or measuring device is not installed or is not properly installed and maintained, provided that the user has been given reasonable time in which to comply with the order of the department."

I was never informed that a problem existed by Challis or by IDWR, nor was I given time to correct any problem.

The watermaster is supposed to know and follow the regulations. He has no right to disassemble my personal property. Any person who cannot follow regulations or the instructions of IDWR, should not be allowed to be an employee of IDWR.

Sincerely,



Dick Burchill