



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

January 15, 2010

Oakley Canal Co
PO Box 207
Oakley, ID 83346

RE: Water Districts 45-B, Birch Creek

Dear Sirs;

Your 2009 watermaster's report has been reviewed and approved, as I now understand that your cost figures are based on water rights rather than actual amounts of water delivered. A copy of the signed approval page is enclosed for your records.

Regards,

James E. Stanton
Sr. Water Resource Agent

Oakley Canal Company
100 W. Elm
P.O. Box 207
Oakley, ID 83346-0207
(208) 862-3356

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JAN 14 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

January 12, 2010

Department of Water Resources
1341 Fillmore St. Suite # 200
Twin Falls, ID 83301

Attn: James E. Stanton

RE: Birch Creek Watermaster report

Dear Jim:

We have revised the previous Watermaster report and, to my best knowledge, feel it is correct. We are enclosing the list of the town users and the amount of water each used, as well as, the daily stream report you requested. Brian Short is no longer working for the canal company so Birch Creek will have a new water master this year. The Birch Creek annual meeting will be held January 28, 2010 and a new Watermaster will be appointed at that time.

If you still have questions about this report please contact myself or Marilyn at the office. We will be happy to resolve any problems concerning the report.

Sincerely,



James Mullen
Watermaster, Oakley Canal Co.



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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

January 5, 2010

Brian Short
c/o Oakley Canal Co
PO Box 207
Oakley, ID 83346

RE: Water Districts 44-B, Birch Creek

Dear Brian;

We have received your 2009 watermaster's report, but have not received your daily delivery records; please submit the daily records to this office at your earliest convenience. With regards to the annual report, it is being returned to you for completion and correction. The report needs to include a breakdown of the various expenses, but it only has the final total. The pro-rated delivery costs that you show are incorrect, as you forgot to remove the fixed cost of \$440 for the Oakley Canal Co. from your calculations. In the past, I believe that the town users charged the minimum delivery fee were shown separately; you have lumped all these folks together, however, which is not correct. Also, anyone who is charged more than the minimum fee based on actual deliveries, needs to be treated the same as the other pro-rated users and charged accordingly. Since every user has their own individual water rights, it is important that the delivery of each right be properly documented on your report.

With so many problems on the report, I am enclosing 2 new forms for your use. If you need help filling out the report, I would be happy to meet with you on this matter; please call for an appointment if you so desire.

Regards,

James E. Stanton
Sr. Water Resource Agent

REPORTS OF WATERMASTERS. All watermasters shall make an annual report to the department of water resources prior to the expiration of the watermaster's appointment for the current year. This report shall show the total amount of water delivered by the watermaster during the preceding year, the amount delivered to each water user, the total expense of delivery and the apportionment of expenses among users and all debits and credits to be carried over to the following year. Such report shall also include records of stream flow the watermaster used or made in the process of distributing water supplies. The director may ask for other information deemed necessary in assuring proper distribution of water supplies within the district. The reports of watermasters to the department of water resources shall be filed and kept in the office of the department.

Instructions For Completing Annual Watermaster's Report

This form has been developed to assist the watermaster in complying with some of the annual reporting requirements of Section 42-606, Idaho Code. The form provides for summary of the amount of water delivered by the watermaster to each user, the total expense of delivery and the apportionment of expenses among water users, including debits and credits. Water distribution and hydrologic information including stream flow records, daily diversion data, water right information and water right priority cut summaries should be presented in a separate water distribution report.

Complete this annual report form of delivery and costs as follows:

- 1) Enter water right holder name, corresponding IDWR water right number or numbers, and corresponding diversion name and/or remarks on page 2;
- 2) Enter the total amount of water delivered to each user as total 24-hour second feet under column 1, page 3. Total **24-hour second feet** is a flow rate expressed in terms of one day or 24 hours. For example, a continuous diversion of 2 cfs over 20 days would equal 40 24-hour second feet.
- 3) Under column 3, page 3, enter the amount of money assessed or billed to each user at the beginning of the year. The assessment may be found in the previous year's adopted budget report.
- 4) In the work space provided on the right hand side of page 3, add up total watermaster salary costs and expenses and enter as 'TOTAL COST'. Then divide this total cost by the total number of 24-hour second feet delivered (sum of column 1) to obtain the cost per 24 hour second feet delivered, or the unit cost factor.
- 5) Under column 2, page 3, multiply the unit cost factor (obtained in step number 4 above) by each user's total 24-hour second feet delivery in column 1 to obtain the total cost against each user.
- 6) For each user, subtract the total cost amount in column 2 from the adopted budget in column 3 and enter the difference either as a credit or debit (negative differences entered as debits, positive differences entered as credits).
- 7) Sign the report before a notary public and submit the original to the appropriate regional office of the Department of Water Resources. Retain one copy for the Water District.

WATERMASTER'S REPORT

From March 1 2009 To October 15 2009

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JAN 14 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Water District No. 45B

Name of Watermaster Brian Short

P.O. Address PO Box 207 - 260 N. Center, Oakley, ID 83544

AFFIDAVIT OF WATERMASTER

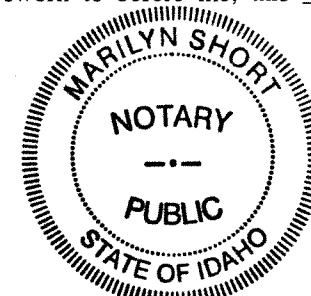
STATE OF IDAHO }
COUNTY OF Cassia } ss.

Brian Short, being first duly sworn, deposes and says that he is Watermaster of Water District 45B, having been lawfully appointed by David R. Tutthill, Jr., Director, Idaho Department of Water Resources, and that the volumes of water, as stated in this report and prorated by him to the water right holders of the district are correct.

[Signature]

(Deputy) Watermaster District No. 45-B

Subscribed and sworn to before me, this 12 day of January, 192010



Marilyn Short
Notary Public

(SEAL)

My Commission expires 10/19/13

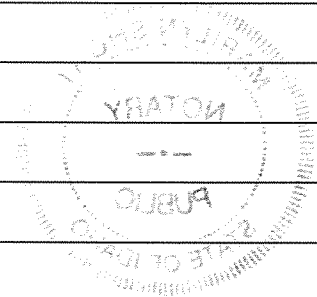
Boise, Idaho, 1-15, 192010

I HEREBY CERTIFY, that Brian Short was lawfully appointed by me as Water Master of Water District No. 45-B, and that the information contained in this report, as herein sworn to, is, to the best of my knowledge and belief, correct.

Gary Spackman
Acting Director, Department of Water Resources

By J. F. Stanton

	WATER RIGHT OWNER	IDWR WATER RIGHT IDENT No.	DIVERSION NAME / REMARKS
1	ROBERT MANNING		
2	H. DUTCH ROBINSON		
3	Tim Payton		
4	Critchfield Farms		
5	Oakley Canal Co		
6	Oakley Town		
7			
8			
9			
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28			
29			
30			



1	2	3	4	5	Cost Per 24-Hr. Sec. Ft. \$ <u>2.29</u>		
					Total Delivery in 24-Hour Sec. Feet	Total Cost \$ cts.	Adopted Budget \$ cts.
1	536.5	2570 60				Total No. Days of Watermaster	5000 -
2	536.5	2570 60				days at \$ per day	\$
3	30.24	553 68				Total No. Days of Asst. Watermaster	
4	30.24	553 68				days at \$ per day	\$
5	1758-	440 00				Other expenses charged pro rata	\$ 3200 71
6	19.07	1572 15				TOTAL COST	\$ 8260 71
7						Total No. 24-Hour Sec. Feet Delivered	2910 55
8	TOWN = 38 @ x	4200 =	1520 -			Cost per 24-Hour Sec. Feet Delivered	\$ 2.29
9		1 @	52.15 =	52 15			
10				1572 15			
11							
12							
13							
14							
15							
16							
17							
18							
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20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							

BIRCH CREEK TOWN WATER USERS

NAME	2009		Tot inches used	
	Address		2009	
ADAMS, ERENST c/o Maxine Adams	315 N. WILSON, OAKLEY, ID 83346		84.2	
ANDERSON, ROBERT / DUTCH ROBN	c/o Nate Robinson, PO Box 111, Oakley, ID 83346		0	
BELL, CLIFF	215 N. LINCOLN, OAKLEY, ID 83346		48.1	
BURCH, GOLDEN	PO Box 202, Oakley ID 83346		0	
COOPER, MAX	P.O. BOX 47, OAKLEY, ID 83346		29.7	
FEHLMAN, ROBERT	PO Box 251, Oakley, ID 83346		60.48	
FONSBECK, CLYDINE	2441 W. 16th , Burley, ID		0	
(FRANCE)LINDA & Kent Gardner	176 E. ONEIDA, PRESTON, ID 83263		0	
GARRARD, EDNA C/O Rod Garrard	C/O Rod Gerrard 1070 S. Dudley St, Lakewood, CO 80226		18.9	
GEE, LAVERDA	P.O. BOX 74 OAKLEY, ID 83346		37.8	
GORRINGE, LORRAINE	426 E. 200 S. BURLEY, ID 83318		56.7	
HALE UTANA	395 W POPULAR OAKLEY ID 83346		62.9	
HUNTER, CHAD & UTANA	330 W. Poplar		68.04	
HARPER, MRS. ARNOLD	270 N. LINCOLN, OAKLEY, ID 83346		0	
JACOBSEN FAMILY TRUST (&Joyce)	2009 N 1450 E PROVO, UT 84604		0	
JUDD, DAVID	1750 S. Hwy 27, Oakley, ID 83346		0	
LEWIS, GENE			0	
LDS CHURCH Real Estate Division	12th Floor E., 50 E. North Temple, SLC, UT 84150		0	
MCBRIDE, JIM	PO Box 203, Oakley, ID 83346		24.57	
MCKNIGHT, TIM	195 N. LINCOLN AVE. OAKLEY, ID 83346		49.8	
MCMURRY, NORMAN	270 S. Wilson, Oakley, ID 83346		0	
MITTON, DELROY	P.O. BOX 19 OAKLEY, ID 83346		31.5	
MUHLESTEIN, CLINT	PO Box 12, Oakley, ID 83346		75.6	
MULLARD, GARY	PO Box 249, Oakley, ID 83346		22.68	
MYERS, Terrance R.	P.O. BOX 216 OAKLEY, ID 83346		0	
PAPP/ OKLEBERRY	1401 S. 600 W., Oakley, ID 83346		0	
PETERSON, MERIAL	P.O. BOX 181, OAKLEY, ID 83346		60.48	
PETERSON, NELS	P.O. BOX 57 OAKLEY, ID 83346		22.68	
QUALLS, CINDY	P.O. BOX 193, OAKLEY, ID 83346		0	
QUARTER CIRCLE FIVE (Dayley)	3805 Sandpiper, Pocatello, ID 83201		94.5	X 1.89
RANDALL, ILLA	PO Box 59, Oakley, Id 83346		0	
ROSE, GLEN	RT 1 BOX 1-1 OAKLEY, ID 83346		0	
ROUNDY, JON	PO Box 272, Oakley, ID 83346		37.8	
SHEFFIELD BLANCHE	c/o Clark Sheffield 274 N 500 E Lindon, UT 84042		0	
STRINGHAM, LONNIE	PO BOX 235, OAKLEY, ID 83346		37.8	
WHITELEY JOSEPH (Reid)	240 N. CENTER, OAKLEY, ID 83346		0	
WHITELEY, W.B./ TIM MCKNIGHT			0	
WINECUP Eric Bedke	PO BOX 283, OAKLEY, ID 83346		5.67	
ZEVENBERGEN, DAVE	145 N. Lincoln Ave, Oakley, ID 83346		23.81	37
Fairchild, Asahel				
TOTALS		minor inches	953.71	
updated: 5-19-09		CFS	19.07	
updated: 9-25-09				
updated: 11-03-09				
updated: 1-12-10				

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DEC 29 2009

DEPT. OF WATER RESOURCES
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BIRCH CREEK WATER USERS

	2009
NAME	Address
ADAMS, ERENST c/o Maxine Adams	315 N. WILSON, OAKLEY, ID 83346
ANDERSON, ROBERT / DUTCH ROBN	c/o Nate Robinson, PO Box 111, Oakley, ID 83346
BELL, CLIFF	215 N. LINCOLN, OAKLEY, ID 83346
BURCH, GOLDEN	PO Box 202, Oakley ID 83346
COOPER, MAX	P.O. BOX 47, OAKLEY, ID 83346
CRITCHFIELD FARMS (Wybenga)	495 N. Lincoln, Oakley, ID 83346
D&N RANCH -Dutch/Nate Robinson	P.O. BOX 111, OAKLEY, ID 83346
FEHLMAN, ROBERT	PO Box 251, Oakley, ID 83346
FONSBECK, CLYDINE	2441 W. 16th , Burley, ID
(FRANCE)LINDA & Kent Gardner	176 E. ONEIDA, PRESTON, ID 83263
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GEE, LAVERDA	P.O. BOX 74 OAKLEY, ID 83346
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JUDD, DAVID	1750 S. Hwy 27, Oakley, ID 83346
LEWIS, GENE	
LDS CHURCH Real Estate Division	12th Floor E., 50 E. North Temple, SLC, UT 84150
MANNING, ROBERT	2233 Birch Creek Rd., Oakley, ID 83346
MCBRIDE, JIM	PO Box 203, Oakley, ID 83346
MCKNIGHT, TIM	195 N. LINCOLN AVE. OAKLEY, ID 83346
MCMURRY, NORMAN	270 S. Wilson, Oakley, ID 83346
MITTON,DELROY	P.O. BOX 19 OAKLEY, ID 83346
MUHLESTEIN, CLINT	PO Box 12, Oakley, ID 83346
MULLARD, GARY	PO Box 249, Oakley, ID 83346
MYERS, Terrance R.	P.O. BOX 216 OAKLEY, ID 83346
OAKLEY CANAL CO.	PO Box 207, Oakley, ID 83346
PAPP/ OKLEBERRY	1401 S. 600 W., Oakley, ID 83346
PAYTON, TIM	478 W. 1900 S. OAKLEY, ID 83346
PETERSON, MERIAL	P.O. BOX 181, OAKLEY, ID 83346
PETERSON, NELS	P.O. BOX 57 OAKLEY, ID 83346
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WINECUP Eric Bedke	PO BOX 283, OAKLEY, ID 83346
ZEVENBERGEN, DAVE	145 N. Lincoln Ave, Oakley, ID 83346
updated: 11-03-09	

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SOUTHERN REGION

BIRCH CREEK 2009

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JAN 14 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

	Creek	Feeder		Manning	Robinson	Totals	Sec Feet
MARCH		Inches		Inches	Inches		
3/1/2009	300	0	300	150	150	300	6
3/2/2009	300	0	300	150	150	300	6
3/3/2009	300	0	300	150	150	300	6
3/4/2009	300	0	300	150	150	300	6
3/5/2009	300	0	300	150	150	300	6
3/6/2009	300	0	300	150	150	300	6
3/7/2009	300	0	300	150	150	300	6
3/8/2009	300	0	300	150	150	300	6
3/9/2009	300	0	300	150	150	300	6
3/10/2009	350	0	350	175	175	350	7
3/11/2009	350	0	350	175	175	350	7
3/12/2009	350	0	350	175	175	350	7
3/13/2009	300	0	300	150	150	300	6
3/14/2009	300	0	300	150	150	300	6
3/15/2009	300	0	300	150	150	300	6
3/16/2009	300	0	300	150	150	300	6
3/17/2009	300	0	300	150	150	300	6
3/18/2009	300	0	300	150	150	300	6
3/19/2009	300	0	300	150	150	300	6
3/20/2009	300	0	300	150	150	300	6
3/21/2009	400	200	200	100	100	200	4
3/22/2009	400	200	200	100	100	200	4
3/23/2009	400	200	200	100	100	200	4
3/24/2009	400	200	200	100	100	200	4
3/25/2009	450	200	250	125	125	250	5
3/26/2009	450	200	250	125	125	250	5
3/27/2009	450	200	250	125	125	250	5
3/28/2009	450	200	250	125	125	250	5
3/29/2009	450	200	250	125	125	250	5
3/30/2009	500	200	300	150	150	300	6
3/31/2009	500	200	300	150	150	300	6
			0	0	0		0
APRIL			0	0	0	0	0
1/9/2009	500	200	300	150	150	300	6
4/2/2009	500	200	300	150	150	300	6
4/3/2009	500	200	300	150	150	300	6
4/4/2009	500	200	300	150	150	300	6
4/5/2009	500	200	300	150	150	300	6
4/6/2009	500	200	300	150	150	300	6
4/7/2009	600	300	300	150	150	300	6
4/8/2009	600	300	300	150	150	300	6
4/9/2009	600	300	300	150	150	300	6
4/10/2009	600	300	300	150	150	300	6
4/11/2009	600	300	300	150	150	300	6
4/12/2009	600	300	300	150	150	300	6
4/13/2009	600	300	300	150	150	300	6
4/14/2009	700	400	300	150	150	300	6
4/15/2009	700	400	300	150	150	300	6
4/16/2009	700	400	300	150	150	300	6
4/17/2009	700	400	300	150	150	300	6
4/18/2009	700	400	300	150	150	300	6
4/19/2009	700	400	300	150	150	300	6
4/20/2009	700	400	300	150	150	300	6

BIRCH CREEK 2009

APRIL							
4/21/2009	900	600	300	150	150	300	6
4/22/2009	900	600	300	150	150	300	6
4/23/2009	900	600	300	150	150	300	6
4/24/2009	900	600	300	150	150	300	6
4/25/2009	1200	900	300	150	150	300	6
4/26/2009	1200	900	300	150	150	300	6
4/27/2009	1200	900	300	150	150	300	6
4/28/2009	1200	900	300	150	150	300	6
4/29/2009	1200	900	300	150	150	300	6
4/30/2009	1800	1500	300	150	150	300	6
MAY			0	0	0		0
5/1/2009	1400	1100	300	150	150	300	6
5/2/2009	1400	1100	300	150	150	300	6
5/3/2009	1200	900	300	150	150	300	6
5/4/2009	1200	700	500	250	250	500	10
5/5/2009	1200	700	500	250	250	500	10
5/6/2009	1600	1100	500	250	250	500	10
5/7/2009	1600	1100	500	250	250	500	10
5/8/2009	1600	1100	500	250	250	500	10
5/9/2009	1600	1100	500	250	250	500	10
5/10/2009	1600	1100	500	250	250	500	10
5/11/2009	1600	1100	500	250	250	500	10
5/12/2009	1800	1300	500	250	250	500	10
5/13/2009	1800	1300	500	250	250	500	10
5/14/2009	1800	1300	500	250	250	500	10
5/15/2009	1800	1300	500	250	250	500	10
5/16/2009	1800	1300	500	250	250	500	10
5/17/2009	1400	900	500	250	250	500	10
5/18/2009	1500	1000	500	250	250	500	10
5/19/2009	1700	1200	500	250	250	500	10
5/20/2009	1200	700	500	250	250	500	10
5/21/2009	1000	500	500	250	250	500	10
5/22/2009	1000	500	500	250	250	500	10
5/23/2009	1000	500	500	250	250	500	10
5/24/2009	1000	500	500	250	250	500	10
5/25/2009	1800	1300	500	250	250	500	10
5/26/2009	1800	1300	500	250	250	500	10
5/27/2009	2000	1500	500	250	250	500	10
5/28/2009	2000	1500	500	250	250	500	10
5/29/2009	2000	1500	500	250	250	500	10
5/30/2009	2200	1700	500	250	250	500	10
5/31/2009	2200	1700	500	250	250	500	10
JUNE			0	0	0	0	0
6/1/2009	2800	2300	500	250	250	500	10
6/2/2009	2800	2300	500	250	250	500	10
6/3/2009	2800	2300	500	250	250	500	10
6/4/2009	3400	2900	500	250	250	500	10
6/5/2009	3400	2900	500	250	250	500	10
6/6/2009	3400	2900	500	250	250	500	10
6/7/2009	2600	2100	500	250	250	500	10
6/8/2009	2600	2100	500	250	250	500	10
6/9/2009	2100	1600	500	250	250	500	10
6/10/2009	2100	1600	500	250	250	500	10
6/11/2009	2100	1600	500	250	250	500	10
6/12/2009	2100	1600	500	250	250	500	10

BIRCH CREEK 2009

JUNE							
6/13/2009	2100	1600	500	250	250	500	10
6/14/2009	2100	1600	500	250	250	500	10
6/15/2009	2100	1600	500	250	250	500	10
6/16/2009	1700	1200	500	250	250	500	10
6/17/2009	1400	900	500	250	250	500	10
6/18/2009	1300	800	500	250	250	500	10
6/19/2009	1100	600	500	250	250	500	10
6/20/2009	1200	700	500	250	250	500	10
6/21/2009	1200	700	500	250	250	500	10
6/22/2009	900	400	500	250	250	500	10
6/23/2009	900	400	500	250	250	500	10
6/24/2009	700	200	500	250	250	500	10
6/25/2009	700	200	500	250	250	500	10
6/26/2009	700	200	500	250	250	500	10
6/27/2009	500	0	500	250	250	500	10
6/28/2009	500	0	500	250	250	500	10
6/29/2009	500	0	500	250	250	500	10
6/30/2009	500	0	500	250	250	500	10
			0	0	0	0	0
			0	0	0	0	0
JULY							
7/1/2009	400	0	400	200	200	400	8
7/2/2009	400	0	400	200	200	400	8
7/3/2009	400	0	400	200	200	400	8
7/4/2009	350	0	350	175	175	350	7
7/5/2009	350	0	350	175	175	350	7
7/6/2009	350	0	350	175	175	350	7
7/7/2009	300	0	300	150	150	300	6
7/8/2009	300	0	300	150	150	300	6
7/9/2009	300	0	300	150	150	300	6
7/10/2009	300	0	300	150	150	300	6
7/11/2009	300	0	300	150	150	300	6
7/12/2009	200	0	200	100	100	200	4
7/13/2009	200	0	200	100	100	200	4
7/14/2009	150	0	150	75	75	150	3
7/15/2009	150	0	150	75	75	150	3
7/16/2009	150	0	150	75	75	150	3
7/17/2009	150	0	150	75	75	150	3
7/18/2009	150	0	150	75	75	150	3
7/19/2009	150	0	150	75	75	150	3
7/20/2009	150	0	150	75	75	150	3
7/21/2009	100	0	100	50	50	100	2
7/22/2009	100	0	100	50	50	100	2
7/23/2009	100	0	100	50	50	100	2
7/24/2009	100	0	100	50	50	100	2
7/25/2009	100	0	100	50	50	100	2
7/26/2009	100	0	100	50	50	100	2
7/27/2009	50	0	50	25	25	50	1
7/28/2009	50	0	50	25	25	50	1
7/29/2009	50	0	50	25	25	50	1
7/30/2009	0	0	0	0	0	0	0
7/31/2009	0	0	0	0	0	0	0
Totals-inches	141550	87900	53650	26825	26825	52150	1043
Totals - Feet	2831	1758	1073	536.5	536.5	1043	