



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

July 12, 2010

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

Lee Blackwell, Chairperson  
5486 Winter Camp RD  
Glenns Ferry ID 83623

Elsie Riggs, Secretary  
5714 W Double Anchor DR  
Glenns Ferry ID 83623

Cold Springs/Bennett Creek Water District Waterusers

**RE: Resignation of Cold Springs/Bennett Creek Water District Watermaster**

Dear Chairperson, Secretary, and Waterusers:

On Friday July 2<sup>nd</sup>, Mr. Garza (District Watermaster) submitted his resignation to our agency. Unfortunately, recent District Watermasters have either resigned mid-season or not returned the next year as watermaster. The District needs to work towards selecting candidates that have credentials and are committed long term.

Under Idaho Code 42-602 & 605, the Department Director is responsible to supervise the distribution of water within Water Districts of our State. The distribution is to be accomplished by a watermaster who is elected by the district waterusers and then appointed by the Department Director. Should a Watermaster not be elected/resign, the Director is authorized to appoint a new watermaster.

As soon as possible, the District should begin a search for a new watermaster candidate. Given the situation, the Department will also need to interview the candidate for their credentials and experience prior to appointment. If there is a water regulation call prior to the selection of a new watermaster, the Director will appoint a staff member as temporary watermaster to perform duties. The District will be charged a compensation rate of \$42.00 per hour for Department watermaster services.

*To make a call for water regulation:*

*-A wateruser will need to contact the District Chairperson for payment authorization.*

*- The District Chairperson will then forward the water regulation call and information to contacts John Westra or Rob Whitney at the Western Regional Office, phone 334-2190.*

Should you have questions or need assistance, please contact Rob Whitney or me at the Western Regional Office, 334-2190.

Sincerely,

A handwritten signature in black ink that reads "John Westra". The signature is written in a cursive style with a large, prominent 'J' and 'W'.

John Westra, Manager

Cc: T Luke, SO

FYI - ROB

Shurte, Jan

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**From:** Shurte, Jan  
**Sent:** Friday, July 02, 2010 4:26 PM  
**To:** Westra, John  
**Subject:** Watermaster for Cold Springs, Bennett & Little Canyon Creek

On Friday, 7/2, Ramiro Garza called to state that he was going to resign as watermaster for the above three creeks. Kay had office day and received the call. We spoke with Nick Miller at the state office as Tim was busy and he said he would talk with Tim and possibly call Mr. Garza back.

Tim called me back because Kay was on the phone and afterwards I called Mr. Garza. It appears that he was recruited by Teresa McCallum and had not received a watermaster list or any training. He started getting calls and Harley Riggs took him on a watermaster training expedition, plus he had been talking to John McCallum (who he works for part time) and felt that the jobs were not for him.

I tried to talk with him about training that we could give him, plus a watermaster list and all sorts of things, but the bottom line is that he just wants to quit. So, after a long talk I told him to go ahead and send in his resignation.

In between these conversations, Tim and I spoke, plus I also called Elsie Riggs. She agreed that Mr. Garza wanted to and had told everyone he was resigning. He had not been threatened (he told me) just that it was too complicated in every way including the paperwork. Tim corroborated this when he spoke with Harley Riggs. He was told the same thing, the poor guy just wants to quit it all.

There is an illegal pivot by McCallum in the NW1/4 S. 21, T4S, R9E that Elsie told me about and Tim and I checked on. We both looked at Arcmap and I even doublechecked by legal description. No water right. So, Tim is thinking about an NOV. You will need to talk with him about that.

Bottom line – Tim may go out tomorrow (Saturday) and look at the situation, a new watermaster is needed and a possible NOV to McCallum. That is what Tim and I came up with. Plus watermaster training for the new watermaster.

Jan

**Westra, John**

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**From:** Allen, Debbie  
**Sent:** Wednesday, July 07, 2010 1:55 PM  
**To:** Westra, John  
**Subject:** RE: Watermaster rate-- Dan Nelson

John,  
If we set this up the way the other Water Districts operate with our staff the rate would be reimbursement of Dan's time, any operating expense (i.e. travel, supplies) and an overhead rate of 44.55% of Dan's total personnel costs.

Dan's current loaded hourly rate is \$28.41/hour – this includes fringe benefits  
Current mileage rate is 45.5 cent per mile however this would be covered under the overhead rate. Lodging and meals would not be covered under the overhead rate.  
It may be easier to talk this over on the phone. Call if you need to.  
DA

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**From:** Westra, John  
**Sent:** Wednesday, July 07, 2010 12:56 PM  
**To:** Allen, Debbie  
**Subject:** Watermaster rate-- Dan Nelson

Debbie:  
The Cold Creek Water District Watermaster has resigned.  
I may need to put Dan Nelson on as Watermaster.  
What would be the Department rate charged for his services as watermaster? Also what is our current mileage rate?

I will let you know if we have to make an appointment.

Thanks  
John Westra, Western.

28.41  
X .4455  

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17.65  
28.41  
\$ 41.06  

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