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Little Canyon Creek Water District 61-D
11204 N. Bar 21 Dr.
Glenns Ferry, Idaho 83623
(208) 366-7931

February 24, 2014

Mr. John Westra, Manager
Idaho Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

RE: February 17th, extra meeting By-Law Changes

Dear Mr. Westra

During our meeting on proposed changes to the By-Laws of Little Canyon Creek, there was a great deal of discussion. The consensus of most of the group was that Proposal 3a (see attached copy) is already covered under Idaho water law. Therefore, the proposed was unnecessary. Would you please issue us clarification or confirmation in writing. At this point the proposal is Tabled till the next annual meeting, at which point I am to report back to the members.

Also we would request training for our new watermaster Rich Wootan and assistant/alternate Mark Brumlett. Please coordinate with Rich Wootan, at 599-0394.

I am enclosing a copy of the minutes of our last meeting for you information.

Should you have any question, please contact me at number above.

Sincerely,



Teresa McCallum, Secretary

Enclosures: Proposed changes & Minutes

CC: All users, sent out with minutes

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GIVENS PURSLEY^{LLP}

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Jeremy C. Chou
William C. Cole
Michael C. Creamer
Amber N. Dina
Elizabeth M. Donick
Thomas E. Dvorak
Jeffrey C. Fereday
Martin C. Hendrickson
Don E. Knickrehm

Neal A. Koskella
Debra K. Kristensen
Michael P. Lawrence
Franklin G. Lee
David R. Lombardi
Emily L. McClure
Kenneth R. McClure
Kelly Greene McConnell
Alex P. McLaughlin
Melodie A. McQuade*
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Deborah E. Nelson

W. Hugh O'Riordan, LLM.
Angela M. Reed
Matt G. Smith
P. Mark Thompson
Jeffrey A. Warr
Robert B. White

Of Counsel
Kimberly D. Maloney

*Licensed in Virginia

Retired:
Kenneth L. Pursley
James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

January 13, 2014

Via Hand Delivery

Water District No. 61-D
c/o Teresa McCallum, Secretary
11204 N Bar 21 Drive
Glenns Ferry, ID 83623

Re: *Proposed Resolutions for 2014*

Dear District:

On behalf of Paul Batruel, please find the enclosed resolutions Mr. Batruel proposes for adoption at Water District 61-D's January 13, 2014 Annual Meeting.

Sincerely,



Michael P. Lawrence

Enclosure

cc: John Westra, IDWR (w/enc.)
1978430_1

*Little Canyon Creek Water District #61-D
Resolutions
January 13, 2014
City Hall, Glens Ferry, Idaho*

The water users of Water District No. 61-D (the "District"), as part of the annual district meeting held on January 13, 2014, at the Glens Ferry City Hall in Glens Ferry, Idaho, in accordance with the laws and rules of the State of Idaho, HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

1. The Watermaster's term of service shall commence on April 1 and shall end on October 31, during which time the Watermaster solely shall have control over all diversions of water within the District. Prior to April 1 and after October 31, water users shall have control of their respective authorized diversions of water.

2. An Advisory Committee ("Committee") is hereby selected to provide input to the Watermaster and the Director of IDWR. The Committee will meet as often as needed to address the structure, governance and operation of the District. Three water users in the District shall comprise the Committee. The Committee members for the ensuing year shall be the following (selected at the annual meeting):

Member #1: Paul Batruel

Member #2: _____

Member #3: _____

3. The Watermaster shall distribute water to rights in accordance with Idaho Code Title 42, IDWR's Watermaster Handbook updated May 2013 (as may be amended), the District's duly approved resolutions, and according to currently effective decrees, partial decrees, permits, licenses, and transfers approved or issued by IDWR or a court of law as the case may be. To prevent the diversion of water by junior water right holders when senior rights are not filled, and to ensure that water called for by senior right holders is put to beneficial use and not wasted, the following procedures shall be followed:

a. When there is not sufficient water in Little Canyon Creek to deliver water to all water rights, the Watermaster shall first deliver water to users holding senior priority water rights who call for water following the procedures set forth below, and who affirm in writing their intention to divert such water into storage or put it to beneficial use within 48 hours of delivery and to thereafter continue to put such water to beneficial use without unreasonable waste. Otherwise, junior water rights may divert water.

b. A senior water user must place a call in writing with the Watermaster for delivery of water no less than 48 hours prior to the time the user desires delivery to their authorized point of diversion. If a senior water user who calls for water fails to divert such water into storage or put it to beneficial use within 48 hours of delivery, or to thereafter put such water to beneficial

use without unreasonable waste, the Watermaster shall: (i) cease delivering water to such user; (ii) re-commence delivering water to other users entitled to such water in priority; and (iii) specially assess the user who made the unnecessary call \$150 to compensate the Watermaster. The Watermaster shall not deliver water to a user who made an unnecessary call unless and until such user fully pays all special assessments.

NOW THEREFORE BE IT RESOLVED, upon vote of the District's water users in accordance with Idaho Code, that the District's rules and procedures are hereby amended as set forth above.

_____, President

ATTEST: _____
_____, Secretary

Little Canyon Creek Water District #61-D
Minutes of the Meeting
Outside Glenns Ferry City Hall
February 17 , 2014

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Call to Order: Meeting was called to order at 1:02 pm, February 17, 2014, by Alan Crane, President.

Water Users in Attendance: Robert Hall, Mary Hall, Jim Chambers, Rocky Trail, Rich Wootan, Mark Brumlett, Paul Batruel, Alan Crane, Wes Wootan, Jerry Gorrell, Ann Murray, Teresa McCallum, Allison McCallum.

Reading of Minutes, Treasurer's Report, Water Report: Readings to be suspended to the 2nd Monday of January 2015; (January 12th, 2015-2:00 pm, Glenns Ferry City Hall).

Old Business: Paul introduced Mark Brumlett, as a potential alternate watermaster that may be able to assist as well as cover in case the current watermaster Rich Wootan is not available. After much discussion a Motion was made to approve an alternate/backup watermaster with the conditions that Rich Wootan would be primary, and only on the request of Rich Wootan would the alternate take charge of the position until that time when Rich Wootan becomes available to reclaim his duties. Motion was made by Paul Batruel and seconded by Rocky Trail. A motion was made by Rocky Trail that when unavailable Rich Wootan would inform all water users via mass text when he is unavailable and to contact Mark Brumlett (the alternate) in his absence, motion was seconded by Robert Hall. Teresa made a amendment to pay to train the alternate, motion seconded by Rocky Trail. Vote to pass, passed unanimously.

New Business: Proposed resolutions brought forth by Paul Batruel, proposal 1 discussion about watermasters term of service, (*See proposal 1 of attached document of proposed changes*) Motion was made to amend the by-laws to include the proposal 1, motion did not pass, one (1) yea, seven (7) nay. Followed by Proposal 2, (*See proposal 2 of attached document of proposed changes*) item was withdraw having been previously handled at the annual meeting held on January 13, 2014. Proceeded to proposal 3 which was dealt with in portions a & b separately. Portion a. of proposal 3 (*See a. of proposal 3 of attached document of proposed changes*) after much discussion it was widely believed that this was already covered in existing law. This portion was Tabled with the direct instruction that the secretary (Teresa McCallum) would request and receive clarification in writing from Water Resources and would report back at the next annual meeting. If it is not covered under current law then the proposed changes will be brought forth at the annual meeting. Motion to Table was made by Teresa McCallum, seconded by Rocky Trail. Placed up for vote, passed unanimously. Portion b. of proposal 3 (*See b. of proposal 3 of the attached document of proposed changes*), after lengthy discussion a motion was made by Alan Crane to amend the by-laws to include the proposal 3 b., voted on by all present one (1) yea, seven (7) nay, changes were denied.

Other Business: See attached "Outline for February 17, 2014 WD 61D Meeting" Brought forth by Paul Batruel. Paul inquired to how the assessments were determined and

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allocated to each user, Secretary Teresa McCallum responded with documentation provided her via Water Resources. Said document will be provided to users upon request. Paul Batruel brought forth information that there were indications that the stream-bed located in conjunction with his diversion had presumably been tampered with.

Motion to Re-approve the by Laws: Motion made by Alan Crane, seconded by Robert Hall. Passed Unanimously.

Adjournment: Meeting adjourned to the 2nd Monday of January 2015; (January 12th, 2015 at 2:00 pm, Glenns Ferry City Hall).


Teresa McCallum, Secretary

If you feel that there is anything that I have left out or misstated please call or send me a note so that I can have the corrections at the next meeting on Monday January 12th, 2015, at 2:00 pm at Glenns Ferry City Hall.

Water District Board maybe reached at the following:

President

Allen Crane
803 S. Boise
Glenns Ferry, ID 83632
(208) 941-6687
ikmm,

Alternate Watermaster
Mark Brumlett

Sec/Treas.

Teresa McCallum
11204 N. Bar 21 Dr.
Glenns Ferry, ID 83623
(208) 366-7931

Watermaster

Rich Wootan
2286 S. Pruett Rd.
King Hill, ID 83633
(208) 366-2696 Home
(208) 599-0394 Cell