



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

February 21, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

DOUBLE ANCHOR RANCHES INC  
ATTN ELSIE RIGGS  
RR 1 BOX 445  
GLENN'S FERRY ID 83623

**RE: REQUEST FOR ACTION AGAINST JOHN MC CALLUM'S WATER  
DIVERSION**

Dear Ms. Riggs:

Our office received your letter concerning the diversion of Cold Springs Creek by John McCallum on 2/20/2001. The Regional Manager, Gary Spackman and I reviewed your letter and the available information concerning Cold Springs Creek. Our review included the agreement that was made between you and Mr. McCallum on 3/7/2000. This agreement states that all parties believe that the irrigation season should begin the first of February. On 1/9/2001, your water rights were decreed in the Snake River Basin Adjudication (SRBA) with a season of use of 2/15 to 11/15. We are assuming that the SRBA courts will decree all of the other irrigation rights on Cold Springs Creek the same. Therefore, unless the courts direct us differently, all irrigation rights on the creek will be delivered with this agreement in mind.

This means that the water district and a watermaster could have been activated on 2/15 of this year. Unfortunately, we are unaware of the availability of a watermaster for your creek. Since it is the duty of the watermaster to regulate irrigation rights for the creek during the irrigation season, the Idaho Department of Water Resources (IDWR) would need to appoint a watermaster before we could take any action against Mr. McCallum. The Cold Springs water district meeting is less than 2 weeks away. We feel that it would not be prudent to appoint a watermaster so close to the district meeting.

Therefore, we will propose that the watermaster elected at the meeting be sworn in at the meeting and begin his/her duties immediately. The watermaster can then be called on to deliver your water and regulate the stream. The watermaster will also be told that all rights on Cold Springs Creek should be delivered as if they all have the same season of use of 2/15 per your agreement with Mr. McCallum.

If you have any questions please contact me at the above address.

Respectfully,

A handwritten signature in cursive script that reads "Daniel A. Nelson". The signature is written in black ink on a white background.

Daniel A. Nelson  
Sr. Water Right Agent