



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

JUNE 5, 2000

MR. JIMMIE DOWTON
HC62 BOX 2320
MAY, ID. 83253

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Water District No. #73

Dear Mr. Dowton:

We acknowledge receipt of the Minutes of the Annual
Watermaster's Election Meeting held in your district.

Sincerely,

Harold W. Jones
Harold W Jones
Water Rights Supervisor

HWJ:dn

**MINUTES OF ANNUAL WATER MEETING
WATER DISTRICT # 73
PAHSIMEROI RIVER- CUSTER & LEMHI COUNTIES
MARCH 6, 2000**

Announcement- A person will be here from D.E.Q. (Department of Water Quality right after the water meeting today to give the water users information about work that is going to be done in the valley this year. All water users are invited to stay to listen to him.

The annual water meeting of Water District #73 was held at the May Grange Hall at May, Id on March 6, 2000, at 1:08 p.m.

The meeting was called to order by Chairman Ralph Hatch. Jim Dowton, Secretary, gave copies of 1999 minutes to those in attendance and Roy Ellis made a motion to dispense with the reading of the minutes and to accept as printed. Seconded by Troy Ziegler. All approved.
There were 23 in attendance.

Business Discussed: Troy Ziegler asked if there was any funds for weirs. John Folsom said he would check to see if any funds were available through the Model Watersheds.

Resolutions #1-#2-#3-#4-#5-#6-#7-#8- #9 #10 #11 from the 1999 meeting. These are also enclosed on the Resolution Page. There were some motions on the resolutions that were changed.

RESOLUTIONS FOR 2000

Resolution #1- (#1 amended in 1999 meeting):

That the watermaster shall be elected at said meeting, and that the district will also appoint him with the authority on down ditches to be ditch rider. It will be illegal for any individual to take water or adjust measuring devices and if the ditchrider/watermaster is called to make adjustments and he finds illegal use there will be an extra fee of \$50.00 + a \$5.00 handling fee on the 1st call. 2nd time called on the same water right the fee will increase to \$110.00 + \$10.00 an hour labor fee + \$5.00 handling fee.. The fee will double on the 3rd offense, then water will be shut off from the individual taking the water. The water district will do the billings for ditchrider/watermaster extra services and said bill will be due in 30 days or water will be shut off. The watermaster/dichrider will determine who is to be billed. Motion to adopt this resolution was made by Ben O'Neal. Seconded by George Miller. All voted in favor.

****NOTE-** Watermasters authority to the point of diversion. Ditch Rider from there on down the ditch.

#2- (#2 from 1999 resolutions)-That Water District #73 shall do own billing and collections. Payable or due May 1 or before water use. There will be a charge of 8% interest annually from said date until paid.

Resolved: That no water user shall have the right to demand and receive water, and the watermaster shall not deliver to such user until the amount due and payable from such user, as fixed by the budget, has been paid. Resolution made by Troy Ziegler, seconded by Doug Parkinson. All voted in favor.

#3- (#3-from 1999 Resolutions)- Resolution to combine Credentials and Advisory Board.

Motion made to keep the same as last year by George Miller, seconded by Norman Wallis. All voted in favor. The following are to serve on the Credentials and Advisory Board.

BOARD SELECTION:

- | | |
|-------------------|---------------|
| 1. Larry Whittier | 4. Ted O'Neal |
| 2. Roy Ellis | 5. Duane Moen |
| 3. Jack Whitworth | |

Note: Advisory Board can act for District for the season, but Watermaster can council with advisory board if needed. This board will draw no salary, nor would it have any legal authority. Watermaster has final say. Its duty would be to work for peace and harmony among the water users.

#4-(#4-1999 resolutions at Water Meeting) Request by watermaster for weirs and proper measuring devices be upgraded or put in by the individual users, starting with areas needing them most. Watermaster needs to make a list of what needs to be upgraded and to prioritize with a list. Continue to work on this. Motion made by John Folsom, seconded by George Miller. All approved.

#5- (#5-1999 Water Meeting)Proposal from Water Clerk & Treasurer that the Water District adopt a resolution that the Clerk-Treas. salary portion that is paid by the water master should be included in the District's budget because most of the time the Watermaster does not know that they have to pay half of the clerk's salary and they have not included it in their bid. Motion was made by Jim Martiny to adopt resolution. Seconded by George Miller. All approved.

#6- Proposed Budget for 2000-----\$3300.00

(Secretary, -----\$250.00

Clerk/Treasurer-----\$800.00

Other Expenses-(rent-postage
billing supplies- and other

costs incurred by water master & DIST.)

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+ \$700 for Workman's Comp Insurance. \$ 700.00

PLUS WATERMASTER BID-

\$1450.00/MONTH/5 MO.+ \$338.31 7 DAYS OCT.

WATERMASTER- \$7588.31

(If called out earlier than May 1-
watermaster will be compensated for
days called out at the rate of -\$48.33 a day)

Budgeted for 5 months + 7

days for October-

(With adjustments for debits and credits
from the 1999 Report)

Maria requests to be able to purchase an updated version of Microsoft Office (this has word and spreadsheet Excel) for her computer which has Windows 98 and the old version of office is not compatible with Windows 98. She thinks the approximate cost is \$250 -\$300. There is enough in the budget for this.

BUDGET FOR THE YEAR 2000 — \$ 11,588.31

Resolution to adopt budget was made by John Folsom, seconded by Troy Ziegler. Passed unanimously.

#7-Opening of Watermaster Bids-

Call for bids from the floor, there were none.

Opened Watermaster Bids from

Roy Ellis- \$1400.00 a month

Ben O'Neal- \$1000.00 a month + \$35.00 a day if called out over 15 times a month + ditch rider costs.

Troy Ziegler-\$1450.00 a month for 5 months + 7 days Oct. regardless of miles called out. he will provide own transportation and will appoint a deputy if he can't be there..

The advisory board counted the ballots and Troy Ziegler was elected Watermaster for the 2000 year season. A motion was made by Roy Ellis and seconded by Ben O'Neal to accept the election and Troy Zieglers bid for watermaster for 2000. Motion passed.

#8-ELECTION OF OFFICERS--Jim Martiny made the motion to keep the same officers as last year. Seconded by Ben O'Neal Passed unanimously.

Officers for 2000 ----

Chairman-----Ralph Hatch

Secretary-----Jimmie L. Dowton

Clerk/Treasurer---Maria Elena Dowton

#9-(#9 -1999 water meeting) Motion made for Jim Dowton to represent Water District # 73 on the Upper Salmon River Caucus with the STATE OF IDAHO ATTORNEY GENERALS OFFICE for the coming year if need be.. Motion made by Ben O'Neal and seconded by Troy Ziegler. Motion passed.

10-(# 10 - 1999 water meeting) Motion for Water District #73 to take a stand on keeping historical use of water for the district and not just recorded rights. This motion was amended so that the watermaster can estimate the individual use so have a paper trail but they will be only billed up to the decree right. Use above the decree rights will not be billed for. Motion made by Norman Wallis, seconded by George Miller, all in favor.

11-(#11-1999 water meeting) Motion made that Watermaster is to answer call from water users within 12 hours or at least contact person making request. Moved by George Miller, seconded by Jack Whitworth. All voted in favor.

Other business discussed- Users would like measurements done at heads of ditches (diversion points) at least once a week. Duane Moen said that there was a government grant for weeds available. Users wanted to know if there could be a project to sink water to help the percolation of water in the valley but it could not affect water rights.. John Folsom will look into.

There being no further business Norman Wallis made the motion to adjourn.

Seconded by Ben O'Neal. Passed.

Time- 2:45 p.m.

JIMMIE L. DOWTON, SEC. *Jimmie L. Dowton*

RALPH HATCH, CHAIRMAN-----

Note- A person from the D.E.Q. met with the water users after the meeting to tell the users that the D.E.Q. will be in the valley this summer to assess the quality of the water to see if we are meeting the State Water Standards for sediment and bacteria. Those wanting to can get on a mailing list to get reports on it. The Soil Conservation District will help with any problems. John Folsom, who is starting a job as the Model Watersheds Coordinator, wants the people in the valley to work with the D.E.Q.

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WATER DISTRICT # 73 --RESOLUTIONS FOR 2000

1- (new resolution 1999) That the watermaster shall be elected at said meeting, and that the district will also appoint him with the authority on down ditches to be ditchrider. It will be illegal for any individual to take water or adjust measuring devices and if the ditchrider/watermaster is called to make adjustments and he finds illegal use the will be an extra fee of \$50.00 + a \$ 5.00 handling fee on the 1st. call. 2nd time called on the same water right the fee will increase to \$110 + \$10.00 an hour labor fee + \$5.00 handling fee. The fee will double on the 3rd offense, then water will be shut off from individual taking the water. The Water District will do billings for ditchrider/watermaster extra services and said bill will be due in 30 days or water will be shut off.

Motion made by Ben O'Neal, second by George Miller. All voted in favor.

** Note- Watermasters authority to point of diversion. Ditch rider from there on down the ditch.

#2- (#2-from 1991 - 1999) Resolutions-That the Water DIST.-#73 shall do own billings and collections. Payable or due May 1 or before water use. There will be a charge of 8 % interest annually from said date until paid. Resolved: That no water user shall have the right to demand and receive water, and the watermaster shall not deliver to such user until the amount due and payable from such user, as fixed by the budget, has been paid. Resolution made by.-
Troy Ziegler Seconded- Doug Parkinson vote- All in favor.

#3- (#3 from 1993 - 1999 Water Meeting)- Motion to combine Credentials and Advisory Board.

Motion made to keep the same as last year by George Miller, seconded by Norman Wallis. All voted in favor. The following to serve on the Credentials and Advisory Board.

CREDENTIALS and ADVISORY BOARD:

- | | |
|-------------------|---------------|
| 1. Larry Whittier | 4. Ted O'Neal |
| 2. Roy Ellis | 5. Duane Moen |
| 3. Jack Whitworth | |

NOTE ** Advisory board can act for District for the season, but Watermaster can council with advisory board if needed. This board will draw no salary, nor would it have any legal authority. Watermaster has final say. Its duty would be to work for peace and harmony among the water users.

#4-(#4-1999 Water Meeting) Request by Watermaster for continuing installation of weirs and proper measuring devices be upgraded or put in by the individual users, starting with areas needing them most. Watermaster needs to make a list of what needs to be upgraded and to prioritize with a list. Continue work on this.

Motion- John Folsom Second- George Miller
- vote- All in favor

#5-(From 1993-1999 Water Resolutions)

Proposal from Water Clerk and Treasurer that the Water Dist. adopt a resolution that the Clerk-Treas. salary portion that is paid by the watermaster should be included in the District's budget because most of the time the Watermaster does not know that they have to pay half of clerk's salary and has not included it in their bids.

Motion by Jim Martiny Second by George Miller
All in favor.

#6- Proposed Budget for 2000- \$ 3300.00 \$3300.00
with full payment of clerk's salary.
(Sec-\$250.00 Clerk-Treas. (\$800.00 full)
Other expenses- rent- postage bulling supplies
and costs incurred by watermaster
plus Workman's Compensation Insurance- \$ 700.00
PLUS THE WATERMASTER BID--(\$1450.00 month/ 5 months
+ #338.31 7 days Oct.----- \$ 7588.31
Clerk Maria Dowton requested to be able to purchase an updated version of
Microsoft Office (this has Word and spreadsheet Excel) for her computer
which has Windows 98 and the old version of Office is not compatible with
Windows 98. She thinks the approximate cost is \$250- \$300. There is
enough in the budget for this.

BUDGET TOTAL--- \$11,588.31

IF CALLED OUT EARLIER THAN MAY 1- WATERMASTER CAN BE
COMPENSATED FOR DAYS CALLED OUT AT THE RATE OF \$48.33 A DAY

BUDGET WILL BE WITH ADJUSTMENTS FOR DEBITS & CREDITS FROM
THE 1999 REPORT.

Resolution to adopt budget was made by John Folsom second by Troy Ziegler
Vote- Passed unanimously.

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#7- OPEN WATERMASTER BIDS-

Call for bids from the floor, there was none.

Opened Watermaster bid from:

Opened Watermaster Bids from

Roy Ellis- \$1400.00 a month

Ben O'Neal- \$1000.00 a month + \$35.00 a day if called out over 15 times a month + ditch rider costs.

Troy Ziegler-\$1450.00 a month for 5 months + 7 days Oct.

regardless of miles called out. He will provide own

transportation and will appoint a deputy if he can't be there..

The advisory board counted the ballots and Troy Ziegler was

elected Watermaster for the 2000 year season. A motion was

made by Roy Ellis and seconded by Ben O'Neal to accept the

election and Troy Ziegler's bid for Watermaster for 2000.

Motion passed Troy Ziegler- \$1450.00 a month /5 months

+ 7 Days Oct. \$338.31

TOTAL- \$ 7588.31

REGARDLESS OF MILES CALLED OUT.

#8- ELECTION OF OFFICIERS- Jim Martiny made the motion to keep the same officers as last year. Seconded by Ben O'Neal. All in favor.

OFFICIERS FOR 2000

CHAIRMAN- RALPH HATCH

SECRETARY- JIMMIE LEE DOWTON

CLERK/TREASURER-MARIA ELENA DOWTON

#9-(#9 - 1999 water meeting) Motion was made for Jim Dowton to continue to represent the Water District # 73 on the UPPER SALMON RIVER CAUCUS with the STATE OF IDAHO ATTORNEY GENERALS OFFICE for the coming year if need be. MOVED by Ben O'Neal second by Troy Ziegler All in favor.

10-(#10-1999 water meeting)-Resolution for Water District # 73 to take a stand on keeping historical use of water for the District and not just recorded rights. This motion was amended so that the watermaster can estimate the individual use so have a paper trail but they will only be billed up to the decree right. Use above the decree rights will not be billed for. Moved by Norman Wallis. Seconded by George Miller. All in favor.

11- (#11-1999 water meeting)- Resolution made that Watermaster is to answer calls from water users within **12 hours or at least contact person making request..** Moved by George Miller. Second by Jack Whitworth. All in favor.

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