



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

March 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KEITH BRAMWELL, Secretary
PO BOX 65
DUBOIS ID 83423

RE: Water District No. 31 and 32-C

Dear Mr. Bramwell:

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

Now we need the Oath of Office and Petition for Watermaster Services before the watermaster can be officially certified in your district.

Sincerely,

Harold W Jones
Water Rights Supervisor

HWJ:sc

Garth Soderquist
Chairman

Donald Shenton
Watermaster

Keith A. Bramwell
Secretary

WATER DISTRICT #31

Dubois, Idaho

CLARK AND JEFFERSON COUNTIES, IDAHO

MINUTES OF THE ANNUAL MEETING OF MARCH 10, 1998

The water users of Water District No. 31 met in the County Courtroom at Dubois, Clark County, Idaho, on Tuesday, March 10, 1998, at 10:00 p.m., as provided by Idaho Statutes, for the purpose of electing a chairman and secretary, electing a watermaster, adopting the 1998 budget, and any other business that may come before the District.

Those in attendance were: Willy Schmitt, Don Parker, Richard Savage, Keith Shuldberg, Dave Hagenbarth, Jim Hagenbarth, Garth Soderquist, Pete McGarry, Gerald Messerli, Sid Brown, Farrel Downs, Donald W. Shenton, Deputy Watermaster; Greg Shenton, Watermaster; Bart May, Assistant Deputy Watermaster; Keith Bramwell, Secretary.

The meeting was called to order by Garth Soderquist, Chairman at 10:25 a.m. He requested that everyone introduce themselves.

ADOPTION OF AGENDA

Garth Soderquist read the following as the proposed agenda:

1. Adoption of agenda
2. Nomination and election of Chairman and Secretary
3. Appointment of credentials committee
4. Recess to allow Credentials Committee to prepare report
5. Report of Credentials Committee
6. Roll call
7. Reading of minutes of previous meeting
8. Report of Watermaster and approval
9. Adoption of budget
10. Fix the compensation of Watermaster and assistant
11. Election of Watermaster and assistant
12. Appointment of Advisory Board
13. Resolutions
14. Meeting time
15. Other business
16. Adjournment

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Don Parker moved that the proposed agenda be adopted as the order of business for this meeting, that the current chairman and secretary be elected, that the appointment and report of the credentials committee and roll call be dispensed with, and that the minutes as written be approved. The motion was seconded by Dave Hagenbarth, and passed unanimously.

REPORT OF WATERMASTER

Watermaster Greg Shenton distributed the 1997 Watermaster's Report and a copy of a permit to appropriate water and time was allowed for review. Greg Shenton discussed many of the items in the report.

Secretary's note: Items in the report are summarized with any discussion occurring in these minutes. Refer to the Watermaster's report for full details.

CAMAS CREEK CHANNEL CLEARING PERMIT

Greg moved the discussion to the Camas Creek Channel Cleaning Permit. It was required that the necessary permits be obtained. Greg has worked on the permits and they are in the public notice stage. Work on the channel will begin as soon as the permit is approved and the weather permits. Sid Brown asked if the private landowners would be charged extra for the work. Don said that it would not be a problem and will be handled as in the past. The sand, gravel, and other debris is filling the channel and causing flooding in some areas of the refuge. The rerouting of the channel by Larsen Farms caused the erosion and the down stream channel changes. Larsen Farms is working to stabilize the channel banks, hoping to minimize channel erosion in the future.

CAMAS CREEK FLOW INTO MUD LAKE

There were excellent flows in 1997, with the Camas Creek flow after May 1 being higher than in many years. In addition, the cooler wetter summer required less water per acre than in the previous three years.

WINTER SNOW REPORT

Greg said that the current average is 94% of normal, up from 64% in January. Late storms have been extremely beneficial. It is hopeful that 100% will be reached by April 1st. A question was asked about the location of the Blue Ledge Measuring Station. It is located at the old Blue Ledge Gold Mine on West Camas.

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MUD LAKE CONTENT

The Mud Lake water content was briefly mentioned. On March 1, the lake was at its highest level, at 12,000 A.F., on that date in the past seven years.

USGS CONTRACT

The Watermaster's report included a copy of the water measurement contract with USGS for 1998. The USGS provides for outside measurement when disputes arise and has been a very good resource. The USGS is continuing water measurement, on a 50-50-contract basis. The cost is included in the budget and may be considered with the budget review.

IDWR STATEMENT

No IDWR statement was given in the absence of anyone from the agency.

1998 STATE LEGISLATION

Don Shenton reported that not a lot of legislation was proposed this year with negative ramifications. One new advantage over years before is that bills can be monitored over the Internet. One bill, HB748, provides for the exchange of water rights but disallows transfers, although transfers can be applied for. The bill has some problems that need to be corrected.

Another bill deals with agency advisory boards. It states that if one is in a lawsuit on water, he/she cannot be on a board. Don said he would be calling to check the status of the bill.

A bill dealing with water measurement was passed extending the allowable time period. It is a good bill. Another bill was a directive to IDWR on handling illegal well water use. Don said that fortunately, our legislature is still rural enough that many of the legislators have some understanding of water law. Nevertheless, that could change with reapportionment after the next census.

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1997 WATER DISTRICT 31 PROPOSED BUDGET

Misc. Expense	17,000.00
Channel & Legal	1,000.00
Secretary Salary	400.00
Office Rent	1,500.00
	<hr/>
	\$19,900.00

Watermaster Salary	25,750.00
Deputy Salary	12,000.00
	<hr/>
	37,750.00

Watermaster Mileage	9,000.00
Deputy Mileage	0.00
	<hr/>

Asst. Deputy Salary	6,500.00
Asst. Deputy Mileage	3,500.00
Secretary	1,000.00
Misc. Expense	1,000.00
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	12,000.00

Total Budget	\$78,650.00
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1997 Budget	\$83,550.00
1998 Budget	78,650.00
Decrease	<hr/>
	\$ 4,900.00

1997 Budget	\$78,650.00
Less Federal agencies	-6,003.74
Proposed Budget	<hr/>
	\$72,646.26

Don Parker moved that the Watermaster's report be accepted. Jim Hagenbarth seconded the motion and the motion passed.

ADOPTION OF BUDGET

Gerald Messerli moved that the Deputy Watermaster's salary be increased from \$12,000 to \$13,500. Keith Shuldberg seconded the motion and the motion passed unanimously. Gerald Messerli moved that the amended proposed 1998 budget be approved. Keith Shuldberg seconded the motion and the motion passed. This raised the total for the budget to \$80,150.00.

COMPENSATION OF WATERMASTER AND DEPUTY

Compensation of the watermaster and deputy watermaster was set with approval of the amended budget.

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ELECTION OF WATERMASTER

The Chairman called for nominations from the floor for Watermaster. Keith Shuldberg moved that Greg Shenton be nominated for the position of Watermaster. Don Parker seconded the motion and the motion passed unanimously, electing Greg by unanimous ballot

ELECTION OF DEPUTY WATERMASTER

The election of a deputy watermaster was discussed. Don Parker moved and Gerald Messerli seconded the motion that Don Shenton be appointed as Deputy Watermaster. The motion passed, thus authorizing Don to continue dealing with the legal issues facing water and water rights.

APPOINTMENT OF ADVISORY BOARD

The Chairman opened the floor for appointment of the Advisory Board. A motion was made by Don Parker and seconded by Gerald Messerli to retain the current Advisory Board. The following would be on the board: Garth Soderquist, Chairman, Dave Hagenbarth, Carl Hoggan, LaMoyné Barney, Edgar Green, Andy Dobson, Harold Siddoway, and David Burtenshaw as members. The motion carried.

RESOLUTIONS

High Water at Mud Lake

That the Watermaster be authorized to divert any high water and that such water be considered stored in the aquifer, with rights to the water being retained by the district. Diversion of said waters would be by diverting at the Lone Tree Diversion, and pumping through the diversion ditch at the end of Owsley Canal.

Don Parker moved and Jim Hagenbarth seconded the motion to adopt the resolution with the changing of disperse and dispersal to divert and diversion(see underlined). Motion passed.

Collection of Water Assessments

Moved: Keith Shuldberg; Seconded: Gerald Messerli; Passed.

That no ditch, canal co., or other water user shall have the right to demand and receive water, and the watermaster shall not deliver such water, until full payment is made. Said payment becomes due April 1, and becomes delinquent April 15, and if not paid by April 15, shall bear interest from the date of April 1, until paid at the rate of 8% per annum.

That government agencies be exempt from the above provisions to the extent necessary for them to comply with payments according to the provisions of Federal law, and that the Watermaster of District 31, be authorized to enter into contract with said agencies of the United States for payment of assessment as provided in the budget.

Mud Lake Water Users

Moved: Don Parker; Seconded: Willie Schmitt; Passed.

That any water user that completes the water year with a negative balance on the Mud Lake balance sheet shall have that negative balance carried forward to the April draft column on the balance sheet of the following year, and said negative balance shall be charged to the Mud Lake allotment of said following year, as set forth in part 5, paragraph 4 of the Mud Lake Decree.

District Billings and Collections

Moved: Dave Hagenbarth; Seconded: Keith Shuldberg; Passed.

Be it resolved that the Clark County Auditor make up a roll of all Water District 31 users to include all Jefferson County users. Be it further resolved that the Clark County Treasurer mail out said billings and make collections of all Water District 31 Water Users to include all Jefferson County Water Users in said Water District 31 boundaries. Be it further resolved that the Clark County Treasurer also make all payments and disbursements owed by Water District 31, which are presented through the proper claims procedures which are common to other Clark County practices.

Watermaster And Deputy Watermaster Vehicle Requirement

This resolution was discussed and since the situation no longer exists, it was proposed that the resolution be dropped. Don Parker moved to amend and Keith Shuldberg seconded the motion to dispose of the resolution. Motion passed. Willie Schmitt moved that the disposal or the resolution be accepted. Keith Shuldberg seconded the motion and the motion passed.

Well Water Measurements

Moved: Don Parker; Seconded: Pete McGarry; Passed.

Be it resolved that the following canal companies be allowed to contract with Water District #31 to measure and record and report the well water flows of the Montevue Canal

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Company, the Jefferson Irrigation Company, and the Producers' Irrigation.

Be it also resolved that the Watermaster and his Deputies accomplish the required measurements and recording and reporting of the above named companies.

Be it also resolved that monies paid for these services be paid from a separate account deposited in a bank account under a subterranean heading. The above named canal companies will be charged a fee of \$26.00 per second foot(c.f.s.) for the above services. The monies paid out for these services shall be drawn only if the chairman and the secretary of Water District #31 sign the check. We order that the water district is out no costs from any source of the regular water district funds and that recording and reporting be separate from regular water district water reports and budgets.

MEETING TIME

Moved: Don Parker; Seconded: Gerald Messerli; Passed.

That the 1999 meeting be held at the same time and place as this year, at 10:00 a.m. on the second Tuesday of March, 98.

OTHER BUSINESS

The Chairman asked for any further business. Gerald Messerli said that Don Burtenshaw had asked him if the area had a watershed advisory group (WAG) and that the advisory group was the only way to provide input to the Idaho Division of Environmental Quality regarding management of "streams at risk." Pete McGarry said that DEQ is trying to become its own department instead of being under the Department of Health and Welfare. He added that there is some discussion to move the division to the Idaho Department of Agriculture.

Gerald presented the operating procedures for the South Fork of the Snake River Watershed Advisory Group operating rules. He said that we need to get a watershed advisory group organized before the environmentalists do it and leave the rest of us out. That happened on the South Fork but when the local people organized a new group, DEQ recognized the new group because it represented a broader base than just the environmental point of view. The issue did get somewhat heated.

Jim Hagenbarth said that the WAG should extend from Dry Creek to Birch Creek. Sheridan Creek should be included in the North Fork group since it drains to the East instead of toward Mud Lake. It was decided that a meeting needed to be held and suggested that it be in Dubois at the Community

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Center. Gerald said he would make the arrangements and get the information to Keith Bramwell. Keith had mentioned that he had a newsletter nearly ready to send out and the meeting announcement could be included in it. Gerald said that the WAG needed to be organized properly to get official recognition from DEQ.

Keith Bramwell explained what was happening in weed control. A weed management area to include all of Clark County and the Mud Lake SCD area is being formalized. The National Fish and Wildlife Foundation awarded a \$25,000 grant under the "Pulling Together" initiative for the project.

Don Shenton said he appreciated the deputy and retirement status allowing him to provide service at any time. Although FICA restricts pay, the 90-day limit has passed so his appointment is valid. Bart is doing a good job but he can only work part time on his days off as deputy sheriff. Don expressed his appreciation for the support of the water users and to Hagenbarths for coming all the way from Dillon. Don said there is a real need for young people to be involved.

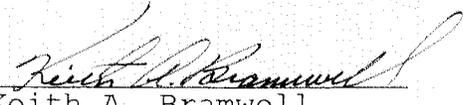
Garth Soderquist, on behalf of the Mud Lake Water Users, expressed his appreciation for all the work Don has done to make the canal company merger a reality.

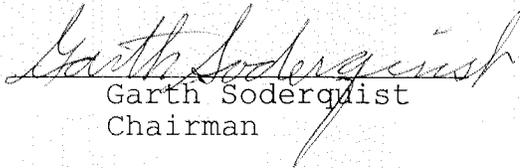
Chairman Soderquist asked if there was any further business; hearing none, he called for a motion for adjournment.

ADJOURNMENT

Keith Shuldberg moved that the meeting be adjourned and Don Parker seconded the motion. The motion carried and the meeting was adjourned at approximately 12:30 p.m.

ATTEST:


Keith A. Bramwell
Secretary


Garth Soderquist
Chairman

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