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DEPT. OF WATER RESOURCES
SOUTHERN REGION

**BIRCH CREEK WATER USERS ANNUAL MEETING
MINUTES**

January 10, 2012

7:00 P.M.

OAKLEY CANAL COMPANY OFFICE

PRESENT:

Tim Payton
Earl Daley

Marilyn Short
James Mullen

John Dayley

Tim Payton, acting in behalf of deceased president Robert Manning, called the meeting to order at 7:10 p.m. The meeting was held at the Oakley Canal Company Office at 100 West Elm Street, Oakley, Idaho.

I. Elections:

1. Earl Daley made a motion to appoint Marilyn Short meeting secretary, Tim Payton seconded the motion. Motion carried

2. Tim Payton opened the floor for nominations of new officers. Earl Dayley nominated Steve Manning as President and Tim Payton Secretary/Treasurer. Tim Payton seconded the motion, all approved. Tim Payton nominated Earl Dayley as a new director. Earl accepted the position.

The new board is as follows: President – Steve Manning; Sec/Treas – Tim Payton; Earl Dayley - Director.

3. Oakley Canal Co. was contracted for Watermaster responsibilities. James Mullen will continue the responsibility of Watermaster. All approved.

II. Minutes:

The minutes of the 2011 annual Birch Creek meeting were read individually. Earl Dayley made a motion to approve the minutes, Tim Payton seconded the motion, and minutes were approved.

III. Financial Report:

The financial reports were discussed. The current bank balance is \$16,702.67. Two fees were approved for payment: \$5000.00 to Oakley Canal Company for the 2012 water master fees and \$300.00 to Marilyn Short for Secretarial Fees.

Questions were asked about the outstanding accounts receivables and if all 2011 fees have been collected. James Mullen will obtain a report from the county assessor's office.

The 2012 budget was discussed, and it was decided to keep the budget of \$8300.71 the same as 2011. The water assessments will remain the same with the exception of adding \$1.50 to each bill to cover the billing fee charged by the county. Earl Dayley made the motion to approve the budget. Tim Payton seconded the motion. All agreed, motion carried.

IV. Watermaster Report: James Mullen explained the Watermaster report.

V. Old Business:

Summary Tab

1. The water Delivery policy will remain the same as 2010. A new agreement for 2011 was signed.

2. Nate Robinson reported on the Advisory committee. The only thing on the agenda for last year was piping water to Gloria Gee. This will be done this year.

3. James was asked to report on the proposed pipe line projects for 2010. He presented maps of the proposed pipelines for the Canal Company, Birch Creek and D&N Ranch. There will be 3 pipe lines in the ditch. This is to separate Birch Creek water from canal water on the weeks both are using water. This will go from Wilson St and get water to Muriel Peterson and Gloria Gee. James felt that 8" pipe is needed and Nate Robinson said that would tie into their existing 8" line. James stated the need for an agreement is critical to establish ownership and liability for the pipe lines. Canal Company needs to have a right-of-way through the Birch creek ditches. James will work on drafting this agreement. It will need to be seen by an attorney and then recorded.

4. Future pipe lines were discussed which could possibly deliver water from Birch Creek through the town. It was proposed that the Advisory Committee address long term plans for pipe projects.

5. James Mullen stressed the importance of the officers being more involved with the finances of the district. He suggested that they check more than once a year on the unpaid balances of the water users and the bank balance.

6. A contract agreement was discussed. It is felt that there needs to be an agreement between Dutch Robinson and the Birch Creek water users stating that a 10" line be installed in place of the cement ditch through the Callahan property by Dutch Robinson. And that the Birch Creek water users have an easement right, through this property, for the repairs and maintenance of the pipe line. Jim McBride made a motion that we follow through with obtaining this contract as soon as possible. Tim Payton seconded the motion and motion carried.

7. Future pipe line projects were discussed. The need to put all city ditches in pipe was discussed as the ideal situation for saving water and easing the water delivery situation. James Mullen explained that it is the long range goal of the Canal Company but the cost is high. He explained that it will all need to be surveyed, legal descriptions drawn up and that everyone in the district will have to agree to the plan.

James also reported on the success of the High line and Birch Creek pipe line projects which were completed in 2010.

8. The board decided to schedule a board meeting next month, Feb. 10th at 1:00pm

9. James Mullen requested an opening date to begin recording the 2011 water season. Jim McBride made a motion the begin April 1st. Tim Payton seconded the motion. Motion carried

VI. New Business:

1. The Trade Agreement was discussed. Earl Dayley made a motion to keep it the same for another year. Tim Payton seconded the motion, all approved, motion carried.

2. The opening date for the 2012 season will be April 15th

3. The need to continue committees was discussed. With the changes to property ownerships and leadership this needs to be addressed at a later meeting.

4. James discussed the need to repair the headgate at the diversion to the main channel. This was discussed at the April 2011 board meeting but has not been completed. James explained that he could do it at a cost of approximately \$200.00. Tim Payton made a motion to have this completed this year. Earl Dayley seconded the motion. All agreed, motion carried.

5. James Mullen gave an update of the Birch Creek pipe line. He reported that Dutch Robinson put in a 10" pipe line but it has not been connected to the Birch Creek line yet. James does not know where it ends, but reported that Wes Hawkes installed the existing line and could locate it for the board. All agreed that the line needs to be finished and connected to the Birch Creek line. This will involve crossing a road and will need to be approved by the city. Tim Payton will look into the situation. James suggested he start by contacting Jared Mitton. Earl Dayley suggested money be budgeted to finish this project. James also suggested that Tim contact Wes Hawkes or Max Sager to do the job for them since he is tied up in the E3 pipeline project this spring.

The next Annual board meeting was scheduled for Tuesday, January 15, 2013 at 7:00pm at the Oakley Canal Company office. The next regular board meeting was scheduled for Tuesday, February 21st, 2012. Tim Payton made a motion to adjourn the meeting, Earl Daley seconded the motion, and meeting was adjourned at 8:35pm.

President

Secretary