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FEB 22 2001
Department of Water Resources
Eastern Region

WATER DISTRICT 11
2001 ANNUAL MEETING
SODA SPRINGS, ID 83276
FEBRUARY 6, 2001

The meeting was called to order by Jerry Brown at 2:01 PM. Nominations were opened for chairman. Golden Keetch nominated Dean Mathews. Seconded by Joe Larsen. Kelly Holt moved that we accept Mr. Mathews by acclamation. Pete Peterson seconded and motion carried.

Mr. Mathews opened nominations for secretary. Golden Keetch nominated Jerry Brown, seconded by Pete Peterson. Kelly Holt moved that we accept Mr. Brown by acclamation. Joe Larsen seconded and motion carried.

The minutes of the last meeting were read. Golden Keetch made the motion that we accept the minutes as read. Joe Larsen seconded and motion carried.

A letter from IDWR dated June 22, 2000 was reviewed. The letter summarized the legislative action that was taken in 2000. A copy of the letter is attached to the minutes.

Pete Peterson, presented his watermaster report. In 2000, 646,587 acre feet of water was diverted from the system. In 1999, it was 918,198. 157,146 acre feet of water was released from Bear Lake in 2000. 56,000 of this amount was charged to Idaho users. The cost in 2000 was 6 cents per 24 hour second foot. The cost in 1999 was 4.2 cents per 24 hour second foot. Releases from Bear Lake started on May 6, 2000. Current lake elevation is at 5915.81. Last year at this time it was 5919.21. Maximum level occurred on May 22, 2000 and was at 5919.78. The low was on November 12 at 5915.81.

Jerry Brown made the motion that minimum bills be raised from the current \$20 to \$50 as was allowed by the 2000 legislature. Seconded by Pete Peterson. Motion carried.

Jerry Brown made the motion that water assessments be due on April first of each year. Seconded by Joe Larsen. Motion carried.

Joe Larsen moved that we accept the watermaster's report. Seconded by Golden Keetch, motion carried.

Mr. Peterson presented the proposed budget for 2000 as follows:

Watermaster 105 days at \$28 per day	2,940
260 days at \$37 per day	<u>9,620</u>
Total	12,560
Asst. watermaster 240 days @ \$28 per day	6,720
Other expenses	<u>28,000</u>
Total	47,280

Joe Larsen moved that we adopt the proposed budget. Golden Keetch seconded the motion and motion carried.

Nominations were opened for Watermaster. Golden Keetch nominated Pete Peterson, Bill Robinson seconded. Voting was in the affirmative.

Nominations were opened for Treasurer. Joe Larsen nominated Jerry Brown, Golden Keetch seconded. Voting was in the affirmative.

Nominations were opened for Advisory committee. Pete Peterson moved that we retain the same advisory committee as last year. Golden Keetch seconded and motion carried. Next years committee is Lee Ream, Dean Mathews, Kelly Holt, and Joe Larsen.

Kelly Holt indicated that basin wide the snowpack is 65% of normal. It was 71% last year at this time. The current level of Bear Lake is 5915.81 It was at 5919.21 last year. The power company estimates that the lake level could top out at between 5917.5 and 5918.0. His company will be sending an excel spreadsheet to Pete on a weekly basis providing him with more current readings on the system. The power company is in the process of obtaining a 10 year dredging permit under the Rivers and Harbors Act. This would allow sand to be removed from the inlet to the pumps at Lift Haven. They will be using provisions of the Act that pertain to irrigation usage.

Golden Keetch attended the Idaho Water Users annual meeting recently in Boise. He discussed the study that IDWR has conducted with Salmon Smelts and water levels. He indicated that they had determined that water volume was not a primary concern to the success of the smelt migration.

Golden Keetch moved that we adjourn. Kelly Holt seconded, motion carried.

Meeting was adjourned at 3:04 PM

wd01



State of Idaho
DEPARTMENT OF WATER RESOURCES

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RECEIVED
FEB 22 2001
Department of Water Resources
Eastern Region

June 22, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Distribution List: State Watermasters and Water District Secretaries

RE: 2000 Legislative Changes and Watermaster Handbook Update

Changes were made during this year's State legislative session which may directly or indirectly affect your Water District. Following is a brief discussion of the pertinent changes and how they may impact Water District billing or delivery practices. All statutory changes are effective **July 1, 2000**.

Senate Bill 1418 - Amending sections 42-612, 613 and 617, Idaho Code

Under section §42-612, the allowable annual minimum water user charge may be increased from \$20.00 to \$50.00. The minimum charge must be set and authorized by district resolution at the annual meeting, and the charge is applicable whenever the prorated annual charge for the water user is less than the minimum charge. Sections §42-613 and §42-617 were amended to raise the penalties for late payment from 8% to a maximum of 10% of the amount owed, plus interest of 1% per month, and section §42-613 further provides that the due date for payment of assessments may be changed from June 1 to a date which is fixed by resolution at the annual meeting.

Senate Bill 1419a - Amending section 42-113, Idaho Code

Subsection 3 added to this section provides for diversion of either an existing or a newly acquired instream stockwater right away from the stream source to troughs or tanks under certain conditions, including:

- the use is for stockwater *only* (no "incidental" irrigation), and is limited to 13,000 gallons per day
- diversion is in a closed conduit (pipeline) and must have an automatic shutoff valve or a return pipeline to the stream for unused flow
- the rate of diversion must be able to be measured
- the point of diversion and place of use are located on lands which the livestock would ordinarily have access to
- the bed and banks of the stream at the point of diversion may not be altered unless a separate Stream Channel Alteration permit is obtained

Establishment of a diverted stockwater right under this section requires filing a Notice to IDWR with a \$25.00 fee for *each point of diversion*. It is important to note that this is a notice procedure only and not an approval procedure. Water users will not be required to file a claim, application for permit or application for transfer so long as the total out-of-stream diversion is within the 13,000 g.p.d. limit and the use has or will be established the same as an in-stream beneficial use right. IDWR is drafting a Notice of Diversion form for instream stockwater uses, which will be available with filing instructions after July 1, 2000. Advertising is not required for such notices, although IDWR will notify Watermasters of notices filed in their Districts.

Watermasters will not be required to monitor or regulate stockwater diversions made under this statute. At this time, any and all complaints against such uses shall be filed with the Department, who will take necessary action. The Watermaster may be asked to investigate the diversion but it is not clear at this time if the Watermaster will be asked to take adverse action. If the Watermaster becomes aware of unauthorized uses under the statute, such as irrigation or ponding, these events should be reported to IDWR immediately.

House Bill 545 - Amending section 42-248, Idaho Code

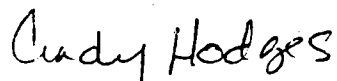
Legislation requires for the first time a fee for filing a Notice of Change in Ownership of a water right record, although the filing itself was required beginning in 1996. The fee is \$25.00 *per water right* for ownership transfer of entire rights, and \$100.00 *per water right* if the ownership change results in the splitting of the right into two or more portions. Late filing dates previously established in 1996 have been advanced and the late filing fee of \$100.00 was retained. Notice of Change in Ownership is now required for all types of water right records in all areas of the state, and is no longer restricted to only those areas affected by the Snake River Adjudication. IDWR is drafting changes in the Notice of Claim form. The revised form and instructions will be available after July 1, 2000

Included with this letter to Watermasters only is a packet which includes complete updated text of the above statutes and other Water Distribution Statutes which are applicable to Water Districts. This packet is comprehensive and is intended to replace the *entire contents of Appendix A* of your Watermaster Handbook. **Please discard all previous pages in Appendix A, Water Distribution Statutes, and replace with the contents of the packet.**

Direct access to all Idaho statutes is also available on the state's web pages at <http://www3.state.id.us/idstat/TOC/idstTOC.html>. The statutes may also be accessed through the State of Idaho's new home page at <http://www.accessidaho.org>.

If you have any questions about this year's legislation or the application of any Water Distribution statute, please contact me at 208-327-5406.

Sincerely,



Cindy Hodges
Sr. Water Resource Agent
Water Distribution Section

cc: IDWR Regional Offices
IDWR Permits Section