

**Water District 37 ANNUAL MEETING MINUTES
January 14, 2019 1:30pm Hailey, Idaho
The Community Campus Minnie Moore Room**

(Copies of Meeting Agenda, 2018 Annual Meeting Minutes, Proposed Resolutions, Proposed Budget, 2019 Meeting Schedule with District 37 information, on table near sign-in)

ITEM #1 CALL TO ORDER AND INTRODUCTION

Watermaster Kevin Lakey introduced himself, introduced Cyndi McCowan, and called the meeting to order at 1:31pm. He asked for everyone to please sign-in legibly. He introduced the members of the Advisory Board – Sharon Lee, Howard Morris (not present), Nick Purdy, Bill Arkoosh, Rod Hubsmith, Mike Elliott, Dave Bell, Pat McMahon and Rob Struthers (not present).

ITEM #2 SELECTION OF A CHAIRMAN ACTION ITEM

Fred Brossy nominated Pat McMahon as chairman of the annual meeting. Motion was seconded by Rod Hubsmith. Vote. Motion passed unopposed.

ITEM #3 SELECTION OF SECRETARY ACTION ITEM

Carl Pendleton nominated Sunny Healey as secretary of the annual meeting. Motion seconded by Larry Schoen. Call for discussion. Vote. Motion passed unopposed.

ITEM #4 APPROVAL OF MINUTES FROM 2018 ANNUAL MEETING ACTION ITEM

Chairman McMahon allowed for time to review the meeting minutes from 2018. Nick Purdy made a motion to approve the 2018 annual meeting minutes. Larry Schoen seconded the motion. Call for vote. Vote. All in favor. Motion passed unopposed.

ITEM #5 IDAHO POWER CLOUD SEEDING PRESENTATION

Watermaster Lakey noted the Budget Account No. 6340 proposed increase from \$5000 to \$150,000 for cloud seeding by recommendation from the Advisory Board. Lakey introduced Mel Conklin and Sean Parkinson. Mel Conklin presented on: what is cloud seeding, SNOWIE, Idaho Power's cloud seeding projects, the benefits and the program expansion. Conklin asked for questions. Questions and comments regarding: effects of silver iodide on groundwater, how localized the effects are, percent increase in precipitation due to seeding last year, amount of propane used, aircraft availability, constraint by atmospheric conditions, targeting reservoir/Idaho Power dam locations vs focus on best long-term storage opportunities, and discussion of the winter 2016/2017 radar slide. Sean Parkinson gave an overview of calculated runoff benefits for Payette, Boise, and Big Wood at a cost of \$3 million or \$3.50/af and reported an average of 113 KAF of additional runoff from the 1951-2000 model runs for the Big Wood. Parkinson reported pursuit of additional ground generators would benefit 150,000 af for the Big Wood, and program costs for 113,000 afa as \$172,000/year or \$1.52/af. Questions, comments and discussion on: why Idaho Power is not participating, opportunities for collaborations, additional runoff calculation clarification/explanation, number of generators, how the process works, how the data is tracked, annual cost of ground unit \$30,000 and \$3000 to operate, and discussion about carriage water. Contact Mel Conklin and Sean Parkinson for questions and details about program.

ITEM #6 ADOPTION OF 2019 RESOLUTIONS (amended) ACTION ITEM

Watermaster Lakey read through the resolutions and explained changes: changes are mostly change of dates to reflect the new year, the minimum charge went up from \$60 to \$80, and an increased fee for unpaid assessments. There was a question about whether the District pays for the meters or the individual. Lakey answered individual. L. Schoen announced he opposes the expenditure for cloud seeding. He commented that the budget needs to be discussed before resolutions are approved. Lakey called for a motion to amend the agenda. Larry Schoen made a motion to amend the agenda to discuss the budget before approving the resolutions. Motion seconded by Fred Brossy. Vote. All in favor. Motion passed unopposed. Fred Brossy made a motion to adopt the 2019 resolutions. Motion seconded by Rod Hubsmith. Vote. Motion passed unopposed.

ITEM #7 ADOPTION OF THE 2019 BUDGET (amended) ACTION ITEM

Chairman McMahon explained the budget differences and noted that the advisory board is in favor of cloud seeding. Call for discussion. Nick Purdy asked if the minimum charge of \$80 from \$60 is a flat fee if the water user uses less than a certain amount of water. Lakey explained that it was about .87 cents for 24hr cfs. Discussion and explanation for \$1.19 per 24hr cfs. L. Schoen explained that he does not object to the money, that he has concerns and is generally opposed to cloud seeding. John Stevenson commented he is not sure that Wood River users should be paying 1/3 of the cost. Carl Pendleton made a motion to approve the budget. Motion seconded by Fred Brossy. Call for discussion. C. Pendleton offered to explain the political history and cost history. He noted that Bud Purdy said it was illegal about five years ago. He explained that the legislature has approved water districts putting effort into increasing snowpack and that it was recommended by the Idaho Water Resource Board. He noted that District 37 is about the last water district not participating. C. Pendleton gave an overview of this history of the program and mentioned that it is funded by Gooding County, Lincoln County, city of Richfield, private individuals and corporations and that there are other entities that need to contribute. Nick Purdy commented that he supports cloud seeding, thanked C. Pendleton, noted we need an association of entities to support cloud seeding, we need to all get together and we might need some insurance. Katie Breckenridge asked how we are charged. Lakey answered you are charged on what you use. Katie commented that she and Rob support cloud seeding. Call for a vote. Motion passed with two oppositions. Larry Schoen nay. John Stevenson nay.

ITEM #8 CURRENT ADVISORY BOARD MEMBERS ACTION ITEM

2018 Advisory Board for Water District 37: (2) *Big Wood River Representatives:* 1– Above Magic Sharon Lee, 1– Below Magic Howard Morris, (1) *Little Wood River/Silver Creek* Nick Purdy, (1) *Hydropower* Bill Arkoosh, (2) *Canal Companies/Irrigation Districts* 1-2018 Rep – American Falls Res. Dist. #2 Rod Hubsmith, 1-2018 Rep – North Side Canal Company Mike Elliott, (1) *Groundwater Municipals* Pat McMahon, (1) *Groundwater Small Users (Less / 40 Acres)* Dave Bell, (1) *Groundwater Large Agricultural (Larger / 40 Acres)* Rob Struthers

Watermaster Lakey announced Rob Struthers' resignation. Lakey called for a nomination for the Groundwater Large Agricultural (Larger/40 Acres) seat. Dave Bell nominated Justin Stevenson. Motion seconded by Pepin Corso-Harris. Vote. All in favor. Motion passed unopposed.

ITEM # 9 DISTRICT NEWS AND UPDATES

Watermaster Lakey announced he does not have a lot to update this year. He noted that they are working with a collaborative. He explained he does not like to make predictions in January, but that if things stay the same, Big Wood 1886 will likely be off around mid to late July, May 1884 Silver Creek rights will likely be off around mid-July. Worst case scenario Magic rights will be off Aug. 1.

ITEM # 10 ADJOURN ACTION ITEM

Carl Pendleton made a motion to adjourn. Motion seconded by Sharon Lee. Vote. All in favor. Meeting adjourned 3:10pm.

Respectfully,

Pat McMahon, Chairman

Sunny Healey, Minutes Secretary

Cyndi McCowan, Treasurer

Water District 37**2019 Adopted Budget**

Payroll 2019	\$	176,295.08
Social Security (ER Share)	\$	13,486.57
St. Ret--PERSI (ER Share)	\$	20,503.12
Workmans Comp	\$	5,791.10
Idaho Tax Comm (SUTA)	\$	3,063.58
Liability Insurance (ICRMP)	\$	-
Medical Insurance-Full Time	\$	14,774.40
Employee Reim. For Expenses	\$	1,200.00
Above Magic Auto Expense	\$	10,934.77
Silver Cr & Up L.W. Auto Exp.	\$	9,346.62
Below Magic & Lwr Little Wood Auto Expense	\$	7,119.00
Extra Labor / Auto Expense	\$	750.00
Office Rent	\$	5,700.00
Office Expense	\$	6,000.00
Office Utilities	\$	5,000.00
Annual Audit	\$	1,400.00
Field Expenses	\$	7,000.00
Auto Expense	\$	3,500.00
USGS Co-Op Fund Ketchum Gage	\$	4,561.00
IDWR Co-Op Fund Willow Creek Gage	\$	2,495.00
Big Wood Canal Co.	\$	950.00
North Side Canal Co.	\$	-
District Canal Co.	\$	-
Base Line Canal Co.	\$	150.00
PivoTrac - WD 37 Measuring Station Service		6,550.00
PivoTrac - Little Wood Measuring Station Service		1,995.00
Water Measurement (By BWCC)	\$	1,200.00
Contracted Water Measurement	\$	6,750.00
Idaho Power / Cloud Seeding	\$	150,000.00
Id. Water Users (Member Dues)	\$	500.00
Equipment Reserve (to Savings)	\$	2,000.00

Insured by State of Id

Previous Year 2018	\$321,150.41	\$	469,015.25
% of Increase over 2018	31.53%		
Proposed Total 2019		\$	469,015.25

WATER DISTRICT 37
ADOPTED RESOLUTIONS 2019

1. BE IT RESOLVED that hereafter the annual meeting of Water District 37 shall be held on the second Monday of January of each year.
2. BE IT RESOLVED that for the year 2019, a charge of \$80.00 shall be assessed to each individual who owns a water right, whose share of the total budget is less than the above specified amount.
3. BE IT RESOLVED that the amounts payable by each ditch, Canal Company, or other water user, as shown by the approved budget, shall become due and payable by April 1st and said amount, if not paid, shall bear a penalty of 10% and interest from that date until paid, at the rate of 1% per month or at the discretion of the treasurer, that if a customer's account(s) has not been paid in full by April 1 of the year assessed, the delinquent account(s) will instead be referred to a credit reporting agency after April 30 of that year. At which time, the customer will not again be contacted by Water District 37 but instead will deal solely with the collection agency where a contingent rate and applicable fees will be applied to the unpaid assessment(s). This will warrant that all claims by the collector will be valid, legally enforceable and comply with all applicable laws.
4. BE IT RESOLVED that in accordance with Idaho Code 42-618 that no ditch, Canal Company, or other water user shall have the right to demand and receive water, and the Watermaster shall not deliver to such person or persons, until the amount due and payable from such users, as fixed by the budget, has been paid.
5. BE IT RESOLVED that the Watermaster of the district shall be in service for the full year, commencing on February 1st of each year and continue until the following January 31st, or until a successor has been duly qualified and elected.
6. BE IT RESOLVED that the Deputy Watermaster(s) of Water District 37, may remain in service for 12 months from the date of hire. The Watermaster may hire additional assistants as authorized in Idaho Code 42-609 in an emergency.
7. BE IT RESOLVED that in accordance with Idaho Code 42-605A, all non-consumptive Hydro Power water users shall be charged at a rate of 2.0% of the total amount of water delivered through their system.
8. BE IT RESOLVED that assessments, shall be based upon the total amount of annual water delivery, regardless of use or timing, as fixed by the approved budget. Hydro power will be assessed based on the total amount of water delivered through their system as referenced in Resolution #7.
9. BE IT RESOLVED that Kevin Lakey shall be elected Watermaster of District 37 for the ensuing year beginning February 1, 2019 and ending January 31, 2020, and that he shall be authorized to hire a full-time staff.
10. BE IT RESOLVED that Cyndi McCowan shall be elected Secretary-Treasurer, for District 37 for the ensuing year, beginning February 1, 2019 and ending January 31, 2020.
11. BE IT RESOLVED that the elected Treasurer of Water District 37 shall only disburse funds from water district accounts upon a voucher approved by the Watermaster. All district checks can be signed either by the Treasurer or Watermaster, but must be co-signed by individual(s) approved by the Advisory Board.

12. BE IT RESOLVED that the 2019 assessments shall be calculated over a five-year average, according to Idaho Code 42-612, paragraph 3 which reads as follows: The budget shall show the aggregate amount to be collected from all the water users in the district, and the amount to be paid by each ditch, canal company, irrigation district or other water user. For the purpose of computing the respective amounts to be paid by each water user, the water delivered to the various ditches, canal companies, irrigation districts or other users during the past season or seasons, not exceeding five (5) seasons, shall be used as a basis.

12A. BE IT RESOLVED if a groundwater irrigation diversion does not have flow data for its delivery, the assessment will be estimated using the full water right and charged for 100 days of use and that rate will be used to calculate the five-year average. Additionally, all other groundwater diversions that do not have flow data will be charged based on type of water use using the full use portion over its full season of use (i.e. commercial-snowmaking for 168 days, domestic and municipal for 365 days, etc). These rates will be used to calculate the five-year average.

13. BE IT RESOLVED the Watermaster shall require lockable and controllable measuring devices to monitor the flows of water both from and back to the main source from which water has been diverted. He shall have the authority to investigate, enforce and act accordingly with the Code of the State of Idaho.

13A. BE IT RESOLVED that in order to insure accurate data collection, but also control costs, groundwater diversions using meters will be recorded three times per year. Diversions that have been allowed power consumption coefficient and time clock variances will be measured and calibrated every three years and power usage will be calculated annually.

**ADOPTED BUDGET AND RESOLUTIONS
PERTAINING TO THE COLLECTION THEREOF**

FOR 2019

WATER DISTRICT NO. 37
STREAM Big Wood River, Little Wood River, Silver Creek
COUNTY Lincoln, Gooding and Blaine
NAME OF SECRETARY Cyndi McCowan
ADDRESS OF SECRETARY 107 West 1st Street, Shoshone Idaho 83352

COLLECTION AND HOLDING OF WATER DISTRICT FUNDS

Please check the appropriate box regarding the collection and holding of Water District funds.

- ☒ The Water District collects and holds its own funds.
- ☐ _____ County collects and holds funds for the Water District.
(county name)
- ☐ _____ County collects the Water District's funds and deposits the funds in an account
(county name) held by the Water District.

(This report must be certified and made in duplicate, one copy to be forwarded to the appropriate regional office of the Idaho Department of Water Resources., and one copy to the Secretary of the Annual Water User's Meeting of the Water District. If a designated county collects funds for the water, then a third copy must be sent to the auditor of the designated county.)

Shoshone, Idaho, Apr. 22, 2019

I HEREBY CERTIFY that the within is true and correct copy of the budget as adopted at the annual Water User's Meeting of Water District No. 37, held at Hailey, Idaho on the 14th day of January, 2019 and all resolutions adopted at said meeting pertaining to the time and the manner of collecting the amounts provided for in the said budget.

Cyndi McCowan
Secretary, Water District No. 37