

WATER DISTRICT 143 ADVISORY COMMITTEE
MEETING MINUTES
January 5, 2022
1:00 pm, REA Board Room, Malta, ID

Attendees: Division #2 Mike Wheeler
Division #3 Nolan Branch (RRGWD Board Member)
Division #4 Kirt Yates
Division #5 Dallen Ward
Member #6 (non-irrigation): Scott Nichols by phone
Member #7(non-irrigation): Jason Webb
IDWR Water Master 143 – Nathan Erickson, Southern Region
WD 143 Treasurer – Sara Jane Ward

RECEIVED
JAN 10 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

The meeting was called to order at 1:23 pm by WM Nathan Erickson. He called for the nomination of a Chairman and Secretary for the meeting. **Motion made by Nolan Branch, 2nd by Jason Webb to appoint Mike Wheeler as Chairman. Motion passed. Motion by Nolan Branch, 2nd by Dallen Ward to appoint Sara Jane Ward as Secretary. Motion passed.** Minutes from last advisory meeting and annual meeting were provided for review. **Motion made by Scott Nichols, 2nd by Dallen Ward to accept the minutes as presented with correction of Jason Webb's name. Motion passed.**

Nathan gave a brief report on WD 143: No actions issued this past year. All water users were current on their assessments. Some questions about meter problems: Grow-Smart batteries & chronic problems with Sparling meters (no longer accepted.) If meters have issues they need to be taken care of in the winter months. Chairman Wheeler would like this information to be shared at the annual meeting.

1. The financial report was reviewed. An estimated carryover of \$2,489.51
2. The proposed budget for 2022 was reviewed. **Dallen Ward made a motion to accept Water District 143 budget of \$17,000.00 and submit it to the membership at the annual meeting for approval, 2nd by Jason Webb. Motion passed.**
3. The resolutions for 2022 were reviewed and discussed. **Kirt Yates made a motion to accept the resolutions as presented, 2nd by Nolan Branch. Motion passed.**
4. The IDWR requires a Memorandum of Understanding (MOU) between the department and WD 143 in order to enter into an agreement with the Department to provide the Water District with watermaster services. The MOU contract was reviewed. **Dallen Ward made a motion to accept the contract, Nolan Branch 2nd. Motion passed.**
5. As an IWUA member we have a vote at the annual meeting. After discussion, **Jason Webb moved, that WD 143 provide funds from the budget to cover the expense for a person to attend the annual meeting. Dallen Ward 2nd. Motion passed.** Advisory Board member Scott Nichols agreed to attend the meeting Jan 17 – 20 in Boise and vote on behalf of WD 143. His registration will be paid by the district.
6. Meeting adjourned at 2:45 pm.

Minutes submitted by Sara Jane Ward - Secretary

Notice of Meeting and Agenda Water District 143 Annual Meeting

**January 25, 2022, 7:00pm
Raft River High School Auditorium
55 N 1st W, Malta Idaho**

1. Call meeting to order (Chairman)
 - a. Welcome, the introduction of Advisory Committee and Guests
 - b. Select meeting Chairman and meeting Secretary*
 - c. Review minutes from the previous meeting*

2. Water District Report
 - a. Financial Report (Treasurer and Watermaster)
 - b. Proposed Budget (Watermaster)
 - c. Proposed Resolutions* (Watermaster)

3. Other Business
 - a. Flow meters: Lessons learned
 - b. Report on IWUA annual meeting

4. Adjourn

***Items requiring a vote by members of the Water District**

WATER DISTRICT 143 – ANNUAL MEETING
JANUARY 25, 2022 – 7:00 PM
RAFT RIVER HIGH SCHOOL, MALTA, ID

Agenda was prepared by Water Master Nathan Erickson and Advisory Board at their organization meeting held on Jan 5, 2022 (See attached agenda)

Meeting was called to order at 7:08 pm by Chairman Mike Wheeler. (Water Master Nathan Erickson was excused due to an unavoidable family commitment)

A motion was made by Ryan Moss, 2nd by Dallen Ward to have Advisory Board Member Mike Wheeler serve as chairman of the annual meeting, and Sara Jane Ward serve as meeting Secretary. Motion passed.

Minutes of 2021 meeting were reviewed. **Motion to approve the 2021 minutes was made by Kirt Yates, 2nd by Nolan Branch. Motion passed.**

The Financial Report was presented by WD 143 Secretary Sara Jane Ward. After all bills are paid we will have an estimated carryover of \$2,489.51. The Proposed Budget for 2022 is \$17,000.00.

Chairman Wheeler went through the 2022 resolutions. (See attached Resolutions) Clarification was given as questions were asked. The current advisory committee was presented with no changes at this time. Members are: Jake Gerratt, Mike Wheeler, Nolan Branch, Kirt Yates, Dallen Ward, Scott Nichols and Jason Webb. Included in the resolutions are retaining Water Master Nathan Erickson, Treasurer Sara Jane Ward and the budget will be \$17,000. The only addition to the resolutions was providing funds in the budget to cover the expense for an advisory board member to attend the IWUA annual meeting. (Resolution 12) **Motion was made by Ryan Moss, 2nd by Dallen Ward to approve the Resolutions as presented. Motion passed.**

Other business was called for. Jaxon Higgs of Water Well Consultants gave a brief report on the IWUA meeting held in Boise last week. He also gave a report about the meters and the main problems throughout the district. He would like the irrigators to leave the power connected until the 15th of November if possible to better facilitate collection of the meter data. Take a photo of the meter and send to him if the power is disconnected sooner.

Clark Ward moved, Darin Harper 2nd that meeting adjourn at 7:50 pm. Motion passed.

Next meeting January 24, 2023.

Minutes submitted by Sara Jane Ward – Recording Secretary

Attendees: Mike Wheeler, Ryan Moss, Janet McFarland, Kenneth McFarland, Nolan Branch, Kirt Yates, Alan Harper, Jason Harper, Eric Webb, Jaxon Higgs, Clark Ward, Dallen Ward, Darin Harper, Sara Jane Ward

**WATER DISTRICT NO. 143
RAFT RIVER BASIN
2022 RESOLUTIONS**

The water users of Water District No. 143, as part of the annual district meeting held on January 25, 2022, at Malta, Idaho, HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

1. DISTRICT CREATION AND BOUNDARIES

Water District 143 consists of the area and water rights as defined by the *Preliminary Order Creating Water District No. 143*, dated December 2, 2015. The district includes all ground water rights in the Raft River Basin, except rights used for domestic and stock water purposes as defined by Idaho Code § 42-111 and 42-1401A and ground water rights located within Water District 130 overlying the ESPA.

2. ADVISORY COMMITTEE

It is herewith resolved that an advisory committee shall be selected to provide input to the watermaster and the Director of IDWR. The advisory committee will meet as often as needed to address the structure, governance and operation of the district. Seven water users shall comprise the advisory committee, five representing irrigation and two non-irrigation. The five irrigation representatives will be selected from the five divisions as defined by the Raft River Ground Water District. It shall be required that six of the seven representatives shall not be members of the Raft River Ground Water District Board. The advisory committee members for the ensuing year shall be the following (members selected at the meeting):

Member #1(RRGWD Division 1): Jake Gerratt
Member #2(RRGWD Division 2): Mike Wheeler
Member #3(RRGWD Division 3): Nolan Branch (RRGWD Board Member)
Member #4(RRGWD Division 4): Kirt Yates
Member #5(RRGWD Division 5): Dallen Ward
Member #6(Non-irrigation): Scott Nichols
Member #7(Non-irrigation): Jason Webb

3. ANNUAL MEETING DATE

It is herewith resolved that the Annual Meeting for Water District 143 shall be held on the fourth Tuesday of January of each year at a time and place to be determined each successive year unless the Director of IDWR should find it necessary to change the meeting date or unless changed by resolution of the district at any annual meeting. The next Annual Meeting will be held on January 24, 2023.

4. ANNUAL MEETING MINUTES

Copies of the minutes of the annual meeting and all approved resolutions shall be filed with the Director of IDWR immediately after the annual meeting in accordance with Idaho Code § 42-605(5).

5. ELECTION OF WATERMASTER AND TREASURER

It is herewith resolved that the Idaho Department of Water Resources (IDWR) be elected to provide the watermaster services for Water District 143 and that the Director of IDWR appoint Nathan Erickson, an employee of IDWR, or other employees of IDWR as may be necessary, to serve as the watermaster for the ensuing year.

It is herewith resolved that Sara Jane Ward be elected Water District 143 treasurer. The duties of the treasurer will be to approve expenses, oversee disbursement of Water District funds, and to prepare or authorize a review of financial affairs of the district at the end of each fiscal year, in accordance with Idaho Code Section § 42-619.

6. WATERMASTER DUTIES

The Watermaster shall perform his or her duties as required by Chapter 6, Title 42, Idaho Code and in accordance with:

- a. Direction and guidance provided by the Director of IDWR;
- b. The annual water district resolution adopted herein.
- c. Guidance and input from the Water District 143 Advisory Committee.

It is here with resolved beginning fall of 2018 the Raft River Ground Water District (RRGWD) will be responsible for the collection of flow meter totalizing data and entering it into the IDWR database for calculation of annual use for members of the RRGWD. The RRGWD will contract a hydrographer to complete this work. Flow meters on wells owned by users not participating in RRGWD will be the responsibility of the Watermaster.

7. WATERMASTER TERM OF SERVICE

As provided in Idaho Code § 42-608(4), watermaster's term of service shall begin upon appointment by the Director of IDWR immediately following the annual meeting election and continue until the next annual meeting, or until a successor is appointed and qualified under the provision of Section 42-604, Idaho Code.

8. WATER DISTRICT BUDGET

The water users of Water District 143 hereby empower the elected advisory committee to enter into a Memorandum of Understanding between the Water District and the Director of IDWR that will provide for the following:

- 1) The budget for Water District 143 for the year beginning February 1, 2022 and ending on January 31, 2023 shall be Seventeen Thousand Dollars (\$17,000) for Watermaster duties.
- 2) Given that the water district cost for administering water for many water users is greater than their normal assessments would be based upon their total water right, it is resolved that pursuant to Idaho Code § 42-612 (5) the watermaster of Water District 143 is authorized to assess a \$20 minimum charge for watermaster services to water users within his or her jurisdiction.

- 3) In accordance with Idaho Code § 42-612 (6), the assessment amount for each individual user as shown in the annual adopted budget shall constitute a final determination of the amount due for that year. In the computation of assessments, the watermaster shall use a 5-year rolling average of diversions for each water user.
- 4) Water users in Water District 143 who are not participating in RRGWD and require the watermaster to read meters for annual water use will be assessed a measurement and reporting fee of \$50 per well each year.
- 5) If IDWR is elected to provide watermaster services, the watermaster shall maintain an office for the ensuing year within the IDWR Southern Regional Office, located in Twin Falls, Idaho. IDWR will provide office space, vehicles and the use of all necessary office and field equipment, and other necessary watermaster expenses. This arrangement shall not give Water District 143 any ownership interest in any IDWR office space and equipment.

9. COLLECTION OF THE BUDGET AND DISBURSEMENT OF FUNDS

It is herewith resolved that the budget for Water District 143 be collected from the water users by the Water District 143 Watermaster as provided by Idaho § 42-618. The Watermaster will make an assessment to each water user in pro-rata amounts as determined by the budget which is formally adopted at the annual meeting. Collection of the assessment for water right holders which are members of the Raft River Ground Water District (RRGWD) shall be assessed through the RRGWD. Water right holders which are not members of the RRGWD shall receive an assessment directly from Water District 143. All funds shall be deposited in a bank account maintained by the water district at D.L. Evans Bank in Albion, ID. Treasurer shall disperse funds from water district bank account using two-party signature checks signed by Treasurer and one member of the Advisory Committee.

10. WATERMASTER ACCESS TO CONTROL STRUCTURES AND MEASURING DEVICES

Whereas watermaster access to control structures and measuring devices is essential for providing watermaster services and limiting expenses, it is herewith resolved that all users shall provide for watermaster access where access to control structures and measuring devices is through a locked gate and other reasonable means of access are not available. The user shall, upon request by the watermaster, provide to the watermaster a key or combination to any such locks.

11. ENTRY OF LANDS BY WATERMASTER

It is herewith resolved that the watermaster and any watermaster assistants are authorized as employees of IDWR under Idaho Code § 42-1701(5) to make reasonable entry on lands within the district, in accordance with IDWR policy, to carry out the duties of the watermaster as instructed by IDWR. These duties include but are not limited to:

1. Inventory of diversions in the district, including inspection of conveyance infrastructure and place of use of water.

2. Measuring and recording rates of diversions, and regulating diversions as necessary from the ground water diversions within the district.
3. Monitoring the place, period, and nature of use of water to identify unauthorized diversion and use and/or to determine compliance required by any agreement or order of IDWR.

12. PARTICIPATION IN IDAHO WATER USERS ASSOCIATION

It is herewith resolved that Water District 143 will participate in the Idaho Water Users Association (IWUA) as a general member. The annual membership fee of \$50 will be paid from the Water District 143 account. Water District 143 will also budget \$1,200 annually for a member of the advisory committee to attend the IWUA annual meeting and vote on behalf of Water District 143. The budgeted amount for attendance at the IWUA annual meeting shall be used for registration fees, travel, food, and lodging expenses incurred while attending the annual meeting.

RECEIVED

JAN 31 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is entered into between the Department of Water Resources (the Department), and the water users of Water District No. 143, Raft River Basin (Water District), acting through the Water District Advisory Committee (Advisory Committee).

Recitals

A. The statutes of the State of Idaho require the Director to have direction and control of the distribution of the waters of the state to those holding valid water rights within water districts created pursuant to Title 42, Chapter 6, Idaho Code.

B. On January 25, 2022, the Water District authorized the Advisory Committee, as advisors to, and elected representatives of the Water District, to enter into an agreement with the Department to provide the Water District with watermaster services.

Agreement

The parties agree as follows:

1. The Department will provide the following services to the Water District:
 - a. Watermaster services as described in the Water District adopted resolutions and budget (Resolutions), attached, and incorporated by this reference. Such watermaster services will be provided consistent with the provisions of Title 42, Chapter 6, Idaho Code.
 - b. Any full-time or part-time employee(s) as necessary for the water distribution operations of the Water District in accordance with its adopted budget. Any persons directly employed by the Department as classified state employees, performing duties on behalf of the Water District under this MOU will only perform those duties as described in the Resolutions.
 - c. Office space as necessary for the operation of the Water District and Department vehicles for use by full-time employees of the Department, to conduct Water District business, and to share the use of other Department equipment and facilities as are necessary to equitably administer, monitor, regulate and distribute the waters to the users within the Water District.
2. The Water District will pay the Department, in accordance with the Resolutions, sufficient funds to cover the costs of operations incurred in providing watermaster services. Reimbursement shall not exceed the personnel costs and other costs incurred in conducting Water District business and providing watermaster services. Indirect costs will be paid at the rate approved by the Cognizant Federal Agency and current at the time of the water district annual meeting.
3. This MOU shall take effect on the date when all parties have signed. This MOU shall automatically renew each year for five years, subject to the Water District adopting a resolution and budget each year providing funds for this MOU. The MOU can be terminated by written agreement of the Director of the Department and the Water District, on the recommendation of the Advisory Committee.

4. No waiver, modification, or amendment of this MOU or any of its terms is valid unless in writing executed by both parties.
5. Nothing in this MOU will act to change, modify, or release either party of any obligation or responsibility otherwise provided by contract or by law.
6. This MOU is executed in duplicate. Each of the two documents with an original signature of each party shall be an original.

The parties have executed this MOU on the date following their respective signatures.

State of Idaho

**IDAHO DEPARTMENT OF WATER
RESOURCES**

322 East Front Street
PO Box 83720
Boise, ID 83720-0098

WATER DISTRICT 143

PO Box 122
Almo, ID 83312

Gary Spackman
Director



Mike Wheeler
Advisory Committee Chairman

Date

Jan 25, 2022
Date

WATER DISTRICT 143
2022 BUDGET
January 25, 2022

	2019	2020	2021	2022
Proposed Budget	16,416.00	17,000.00	17,000.00	17,000.00
Carryover from previous year		101.52	1,640.70	2,489.51 *
Total		17,101.52	18,640.70	19,489.51
Actual Expenses (Feb-Dec)	15,000.00	14,822.63	14,601.19	15,000.00 *
Expected January Expenses		1,800.00	1,500.00	1,500.00 *
Idaho Water Users Assoc. Dues		50.00	50.00	50.00
Idaho Water Users Assoc. Annual meeting				1,200.00 *
Total Expenses		16,672.63	16,151.19	17,750.00
Estimated Carryover		428.89	2,489.51	
Proposed Assessment	15,000.00	17,000.00	17,000.00	17,000.00

* estimated amounts for 2022