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MAR 14 2022

**WATER DISTRICT #31
Dubois, Idaho
CLARK AND JEFFERSON COUNTIES, IDAHO
MINUTES OF THE ANNUAL MEETING OF MARCH 9, 2022**

Department of Water Resources
Eastern Region

The water users of Water District No. 31 met in the Clark County Annex Building, Dubois, Idaho, on Wednesday, March 9, 2022, at 1:00 p.m., as provided by Idaho Statutes for the purpose of electing a chairman and secretary, electing a Watermaster, adopting the 2022 budget, and any other business that may come before the District.

Those in attendance were Jim Hagenbarth, Keith Shulberg, Steve Shively, Marty Owen (Let It Snow), Larry Singleton, Roy Yearsley, Brian Wehausen (Camas Wildlife Refuge), Danette Frederiksen, David Dalling, Josh Burtenshaw, Jared Adamson (IDWR), Jake Nebeker (IDWR), Dallas Furness (Chairman), Greg Shenton, Watermaster; Brett Murdock, Deputy Watermaster; and Laurie Small, Secretary.

Chairman, Dallas Furness, called the meeting to order at 1:10 p.m.

ADOPTION OF AGENDA:

Mr. Furness entertained a motion to adopt the proposed agenda. Keith Shulberg moved that the proposed agenda be adopted as the order of business. The motion was seconded by Jim Hagenbarth. Motion passed.

1. Adoption of Agenda
2. Reading and Approval of Previous Year's Minutes
3. Nomination and Election of Chairman and Secretary
4. Report of Watermaster and Approval
5. Adoption of Budget
6. Election of Watermaster and Appointment of Deputy
7. Appointment of Advisory Board
8. Adoption of Resolutions
9. IDWR Report
10. Other Business
11. Set Date and Time of Next Year's Annual Meeting
12. Adjournment

MINUTES:

Brian Wehausen made a motion to approve the 2021 minutes. Keith Shulberg seconded the motion. Motion passed

NOMINATION AND ELECTION OF CHAIRMAN AND SECRETARY:

Mr. Furness asked for nomination from the floor for Chairman and Secretary. Keith Shulberg moved that Dallas Furness continue as Chairman and Laurie Small as Secretary. Steve Shively seconded the motion. Nominations passed.

REPORT OF WATERMASTER:

Watermaster Greg Shenton discussed the Watermaster's Report items as follows.

2021 WATER YEAR

The 2021 water delivery was at 95,936 A.F. down 14,766 A.F. from last year. A total of 10,514 A.F. of water was delivered in Clark County, and 85,422 A.F. of water was delivered in Jefferson County.

The 2020 water delivery was at 110,702 A.F. for the water district. A total of 15,405 A.F. of water was delivered in Clark County, and 95,297 A.F. of water was delivered in Jefferson County.

STREAM FLOWS

Beaver Creek flowed through Dubois until May 14th. Camas Creek reached Camas Wildlife Refuge intermittently only three times. Camas Creek did keep a steady flow to Riverbend Ranch the rest of the irrigation season.

EARLY PUMPING

It was determined that the Mud Lake be filled to six-and-a-half-foot level.

BEAVER

There were some problems with beaver on upper Camas Creek this year. In the Kilgore area there has been some beaver activity in Ching Creek.

MUD LAKE CONTENT

Watermaster reported on the water levels in Mud Lake May 1, 2021 which was 30,200 A.F., November 1, 2021 which was 11,300 A.F., and March 1, 2022, which was 7,840 A.F.

CAMAS CREEK INFLOW INTO MUD LAKE

For 2020 the inflow was 0 A.F. The 2021 inflow was 0 A.F.

2021 WATER USE OF MAJOR CANAL COMPANIES

Mud Lake Water Users used a total of 62,427 A.F., applying 2.85 A.F. per acre, while the Independent Water Users used 8,467 A.F. applying 2.06 A.F. per acre. 2021 average use in the Mud Lake area 2.72 A.F. per acre. From 1992 to 2021 the average is 2.81 A.F. per acre. The high was in 1992 of 3.31 and the low was in 2009 of 2.26.

SNOW REPORT - MARCH 1, 2022

The Camp Creek measurements show a snow depth of 24.8" with water content at 6.7". Kilgore measurements show a snow depth of 24" with water content at 6.5". Lake View Ridge measurements show snow depth of 24" with water content at 3.6". The Crab Creek measurements show a snow depth of 35" with water content at 7.6". The Camp Creek snow course is at 93% of normal, the Kilgore course is 74% of normal, the Lake View Ridge course is at 43% of normal, the Crab Creek course is at 71%. The average of all 4 sites is 70% of normal. Cloud seeding was discussed. Marty Owen with Let it Snow has 25 manual generators and Idaho Power has 25 remote generators. Idaho Power also does aerial applications. Cloud seeding was down 60% due to lack of weather systems and patterns. Mr. Owen said there were not any optimal days to cloud seed in February, but they did run generators on the 15th and 20th during small storms. The season to date totals are 997.5 but are optimistic about March and April storms. Let it Snow budget 6625 hours and will run until April 15th. Mr. Owen commented that the meteorologist with Northwest Farm Credit is predicting more moisture in the next couple of months. Mr. Shenton commented that it has been a good partnership with Let It Snow. If the money that is budgeted is not used Let It Snow turns it back in. Jim Hagenbarth mentioned that efforts are being made to have cloud seeding in Montana. Mr. Shenton reviewed other district snow percentages and discussed the new 30 year average determined between 1990-2020.

2021 BUDGET REVIEW AND 2022 BUDGET PROPOSAL:

Watermaster, Greg Shenton, reviewed the 2021 budget and expenses, explaining the expenditures.

Budget	2022 Proposed Budget	2022 Adopted Budget
Miscellaneous Expenses	\$48,400.00	\$48,440.00
Channel & Legal	\$1000.00	\$1000.00
Secretary	\$580.00	\$580.00
Office Rent	\$2000.00	\$2000.00
Total	\$51,980.00	\$51,980.00
Watermaster Salary	\$38,410.00	\$38,410.00
Deputy Salary	\$29,110.00	\$29,110.00
Total	\$67,520.00	\$67,520.00
Watermaster Mileage	\$17,500.00	\$20,819.05
Deputy Mileage	\$15,000.00	\$18,319.05
2021 Budget	\$152,000.00	\$152,000.00
2022 Budget	\$152,000.00	\$152,000.00
Increase	\$0.00	\$0.00
2022 Budget	\$152,000.00	\$157,000.00
Less 2021 carry over	\$1,638.10	Carry over will be added to mileage
Amount to be assessed	\$150,361.90	\$157,000.00

APPROVAL OF WATERMASTER’S REPORT & ADOPTION OF BUDGET:

Steve Shively made a motion to approve the Watermaster’s Report. Jim Hagenbarth seconded the motion. Motion passed.

Steve Shively made a motion to adopt the budget with the following adjustments. Increase Watermaster and Deputy Watermaster’s mileage by \$2,500.00 each and transfer the carryover of \$1,638.10 into mileage. Assessment to the water users \$157,000.00. Keith Shulberg seconded the motion. Motion passed.

ELECTION OF WATERMASTER AND DEPUTY WATERMASTER:

The Chairman called for nominations from the floor for Watermaster and Deputy Watermaster. Keith Shulberg moved to retain Greg Shenton as Watermaster and Brett Murdock as Deputy Watermaster. Jim Hagenbarth seconded the motion. Nomination passed.

APPOINTMENT OF ADVISORY BOARD:

The Chairman appointed the following to the Advisory Board: Dallas Furness as Chairman, Jim Hagenbarth, Andy Dobson, Keith Shulberg, and MaCoy Ward. The Chairman will

appoint additional individual after review of names to make sure that all areas are represented.

RESOLUTIONS

The Chairman called for a motion to adopt the following resolutions.

High Water at Mud Lake

Be it hereby resolved, that the Watermaster be authorized to determine when diversion is needed and to divert any high water. 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 pumping through the diversion canal at the Mud Lake Water Users.

Collection of Water Assessments

Be it hereby resolved, 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.

Be it further resolved 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

Be it hereby resolved, 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

Be it hereby resolved that the Clark County Auditor make up a roll of all Water District 31 users to include all of Clark and 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 Clark County Clerk 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.

REGARDING OBSTRUCTIONS IN CHANNELS

No dam or other obstruction to the natural flow of Camas Creek or its tributaries shall be maintained so as to divert water from the channel of the stream, except through ditches, canals or other works provided with head gates, control works and measuring devices. Holders of water rights that were previously decreed in *Suave v. Abbott* to divert water from Camas Creek or any of its tributaries, their successors, agents, servants and employees are hereby perpetually enjoined

and restrained from maintaining in any stream or slough, or permitting to exist within such stream or slough where the same traverses their respective lands, or any land owned or controlled by them, any obstruction to the flow of water, except in connection with the diversions of water through head gates equipped with measuring devices. In the case any water right holder shall fail to remove any obstruction from the channel of Camas Creek or any of its tributaries within 7 days after receiving notice from the watermaster, who has determined that the obstruction interferes with water delivery, the watermaster may authorize a water user to remove such obstruction in accordance with applicable federal and state laws and regulations. The expense thereof shall be the responsibility of the water right holder requesting the removal.

ADOPT RESOLUTIONS:

Mr. Shenton requested that under resolution "District Billing and Collection" that Clark County Treasurer be replaced with Clark County Clerk. Payments and disbursements are done through the clerk and not the treasurer.

Jim Hagenbarth made a motion to adopt the resolutions with changes to the "District Billing and Collection". Brian Wehausen seconded the motion. Motion passed.

IDWR REPORT:

Jarod Adamson spoke briefly about a hearing being held on March 9, 2022 proposing to modify WD 110 to include an area located between the existing WD 110 and the ESPA GWMA boundaries. The proposed modification will incorporate into WD 110 all ground water rights in this area that are not currently within a water district. Ground water rights excluded from administration by WD 110 are domestic and stockwater rights as defined in Idaho Code 42-111 and 42-1401A (11). Recharge efforts were down to 130,463-acre feet for the 2020-2021 season. This hurts the five-year average of 250,00-acre feet goal they hoped to meet.

Brian Wehausen motioned to accept the IDWR report. Steve Shively seconded. Motion passed.

OTHER BUSINESS:

Mr. Shenton asked if the water users wanted to continue the USGS measurements. It is included in the budget now.

There is \$185.00 left for trapping beaver. Mr. Shenton asked if they wanted to designate more funds or be responsible for their own problem beaver. Jim Hagenbarth prefers to have the watermaster take care of it. The trapper they have had do it was charging per beaver.

Jim Hagenbarth made the motion to request donations from the water users for problem beaver. Keith Shulberg seconded the motion. Motion passed

Mr. Murdock will add a notice with the billings requesting donations from those interested. The donations will be payable to Water District 31.

Discussion on removing problem beaver from Forest Service Ground.

MEETING TIME:

Keith Shulberg made the motion to have the next meeting on March 8, 2023 at 1:00 p.m., at the Clark County Annex Building in Dubois, Idaho. Jim Hagenbarth seconded the motion. Motion passed.

ADJOURNMENT:

Steve Shively moved to adjourn the meeting at 2:20 p.m.

ADJOURNMENT:

Thayne Siddoway moved to adjourn the meeting at 2:20 p.m.

ATTEST:

Dallas Furness
Dallas Furness
Chairman

Laurie Small
Laurie Small
Secretary

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ROSTER OF ATTENDANCE

20 22 ANNUAL MEETING

Department of Water Resources
Eastern Region

WATER DISTRICT NO. 31

ANNUAL MEETING

WATER DISTRICT AREA Mud Lake Tributaries

Date 3-9-22 Time 1:00 am/pm

Location Clark County/City Annex Bldg

Address 332 W. Main St.
Dubois, ID.

NAME	ADDRESS	REPRESENTING
<u>Marty Proum</u>	<u>P.O. Box 53 Dubois ID</u>	<u>MC Ag</u>
<u>Larry Dwyer</u>	<u>266 N. 2400 E. St. Anthony</u>	
<u>Kevin Sheldy</u>	<u>1745 N 1800 E Hamer</u>	<u>Independent water</u>
<u>Jim Hagenbach</u>	<u>Po Box 1128 Dillon MT</u>	<u>SELF</u>
<u>Roy Yearley</u>	<u>1739 N. 1800 E Hamer</u>	<u>Mud Lake Water Dist</u>
<u>Jared Adamson</u>		<u>IDWR</u>
<u>JAKE NEBEKER</u>		<u>IDWR</u>
<u>BRIAN WEHAUSEN</u>	<u>2150 E 2350 N Hamer</u>	<u>U.S. FISH & WILDLIFE SERVICE</u>
<u>Greg Shenton</u>	<u>P.O. Dubois</u>	<u>31</u>
<u>Britt Mardock</u>	<u>Dubois</u>	<u>31</u>
<u>Dallas Fournier</u>		<u>Chairman</u>
<u>Steve Shively</u>		<u>MLWU</u>
<u>Danette Frederiksen</u>	<u>Dubois</u>	<u>SELF</u>
<u>David Dalling</u>		<u>Self</u>
<u>LEE BURTEMAN</u>		<u>SELF</u>
<u>JOSH</u>		