

RECEIVED

MAR 14 2022

Department of Water Resources  
Eastern Region

Water District 13A \*Minutes\* Annual Meeting March 7, 2022, 1:00p.m. Preston Idaho

Present: See Attached Roster.

Maxine Waddoups (2021 meeting Secretary) read the minutes from the 2021 Water District 13A meeting. Motion was made by Gib Hull to accept the minutes as read; Jason Westover 2<sup>nd</sup> with all voting in favor, motion passed.

Chris Karren was nominated as the meeting chairman. Motion made by Alan Smith, Brian Jensen 2<sup>nd</sup> with all voting in favor, motion passed.

Maxine Waddoups was nominated as meeting Secretary by Lyle Porter, Gib Hull 2<sup>nd</sup> with all voting in favor, motion passed.

### **ELECTION OF WATERMASTER**

Dan Sharp made the motion that Kirk Iverson be hired as Watermaster for Water District 13A; Lyle Porter 2<sup>nd</sup> with all voting in favor, motion passed. Alan Smith made a motion that Casey Clark be hired as assistant watermaster, Brian Jensen 2<sup>nd</sup> with all voting in favor, motion passed. It is herewith resolved that Kirk Iverson be elected as Watermaster for Water District 13A for the ensuing year, with duties to continue on a year-round basis. It is herewith resolved that Casey Clark be elected as Assistant Watermaster for Water District 13A for the ensuing year with duties to continue on a year-round basis.

#### **1. WATERMASTER DUTIES**

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

- a. Direction and guidance provided by the Director of IDWR
- b. The annual water district resolutions adopted herein.
- c. Guidance and input from the Water District 13A advisory Committee
- d. Guidance from the IDWR "Watermaster Handbook."

#### **2. WATERMASTER TERM OF SERVICE**

As provided in Idaho Code #42-608 (4), watermaster's term of service shall begin upon appointed 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.

Kirk Iverson presented the Watermaster Financial Report from 2021 and discussed the 2022 proposed Budget. Kirk discussed the cloud seeding and the river measurements programs that Franklin County Soil and Water Conservation District implements. This is now a contract with this office. This past year there was nothing was spent on cloud seeding or water measurements on the Cub River. The Soil and Water Conservation office has not been able to administer these 2 projects and probably won't be able to do it again this coming year. Cloud seeding was discussed, and the Idaho State Legislature has allocated so much money to use planes to do the cloud seeding in the Bear River Basin. It was discussed that planes are more effective in cloud seeding, than the cloud seeders we have now.

Lyle Porter discussed the measurements of the river has not been done for the last couple of years. He also explained that the measuring device is on a rating system and must be rated 3 times a year. He explained that it needs a data collector and explained how the measurements, rating flows needs to be done at different levels. During a drought would really be beneficial to start measuring the river again.

It was discussed that the extra money in the account that is building up is set aside for the river measurements and/or measuring device. (This fund was started about 10 - 11 years ago.)

Brian Jensen made a motion and 2<sup>nd</sup> by Jason Westover to have the advisory committee start looking into options to measure the Cub River and/or the device to measure it. Motion passed with all voting in favor.

Dan Keller moved and Maurice Nielsen 2<sup>nd</sup> the motion that the following resolution be adopted: (motion passes with all voting in favor)

**RESOLUTION SETTING THE 2022 BUDGET**

It is herewith resolved that the 2022 operating budget for Water District 13A is as follows:

Watermaster wages	\$ 5843.25
Assistant Watermaster Wage	550.00
Secretary Wages	500.00
Treasurer Wages	1200.00
FICA/Medicare/Workers Comp.	970.50
Vehicle Mileage for watermaster	4350.00
Cloud Seeding (contract)	3500.00
River Measuring (contract)	2000.00
Misc. Bank Charges	<u>75.00</u>
Total	\$ 18,988.75

\*Budget line-item totals shown are estimates; actual line-item costs may vary, but the total cost incurred for the district cannot exceed \$18,988.75 during the fiscal year.

**COLLECTION OF THE BUDGET AND DISBURSEMENTS OF FUNDS**

It is herewith resolved that the adopted budget for Water District 13A be collected from water users by the WD 13A watermaster as provided by Idaho Code #42-918. The watermaster will make an assessment to each water user in pro-rata amount as determined by the budget which is formally adopted at the annual meeting. A motion was made by Lyle Porter and seconded by Gib Hull to have Franklin County Treasurer bill and collect the water assessments and then at the request of the Treasurer of the WD13A, the Franklin County Clerk deposits the assessments in the checking account held by the Water District 13A at Ireland Bank to pay the bills of the Water District 13A. Motion passed with all voting in favor.

**DISTRICT TREASURER**

A motion was made by Gib Hull and seconded by Lyle Porter to have Tami Midinski to act as the treasurer for Water District 13A. Tami Midinski shall be elected WD 13A treasurer for the 2022 fiscal year beginning March 1, 2022 and ending March 1, 2023. The treasurer shall be compensated the fixed-sum amount approved in the adopted budget as authorized by Idaho Code #42-619 (6). The duties of the treasurer will be to maintain the WD 13A checking account oversee disbursements of water district funds based upon approval of expenses by the Watermaster and prepare and authorize review of financial affairs of the district at the end of each fiscal year, in accordance with Idaho Code #42-619.

**MINIMUM USER FEE**

It is herewith resolved that a minimum charge of \$60.00 per water owner shall be assessed. Whenever the prorated charge to a user is less than a \$60.00.

#### **FINAL ASSESSMENT DETERMINATION**

It is herewith resolved, that in accordance with Idaho Code 42-612 (5), The assessment amount for each user as shown in the adopted budget shall constitute a final determination of the amount due for that year.

#### **DISTRICT PAYMENT TERMS**

Current year assessments shall be due to WD 13A on or before April 1<sup>st</sup> of each year. Payment of any assessment that is not received by June 1, 2022, shall accrue penalties in the amount of 10% of the charge plus interest in the amount of 1% per month from said April 1, due date, until paid, pursuant to Idaho Code #42.-617. The watermaster is authorized by Idaho Code #42-618, to withhold or suspend delivery of water to any water user who has paid their assessment, penalties, and interest in full by June 1<sup>st</sup> of said year.

#### **ADVISORY COMMITTEE MEMBERS**

Chris Karren meeting chairman appointed the Advisory Committee members for the ensuing year shall be the following: Brian Jensen, Lance Zollinger, Jason Westover.

The water users of WD 13A hereby empower the elected chairman of the advisory committee, created to do the following as approved by the committee:

**\*\*Enter into a service contract between WD13 and any qualified party, in exchange for monetary compensation, as necessary and as authorized by the adopted annual budget for expenses incurred related to the delivery of water in WD 13A.**

#### **CREDENTIALS COMMITTEE**


Chris Karren (meeting chairman) appointed the Credential Committee for the ensuing year: Alan Smith, Phil Smith, Mary Roberts.

#### **ANNUAL MEETING DATE**

Next annual meeting of Water District 13A will be Monday March 6, 2023, at 1:00p.m. in the Preston City Office.

Meeting adjourned at 2:10p.m.

Signed,

  
Maxine Waddoups, meeting Secretary  
Water District 13A

After the meeting adjourned Michael Holliday from the Idaho Department of resources gave a update on the adjudication. The judge commenced it on June 15, 2021, but the Federal Government has appealed the adjudication, but Idaho is proceeding on with the adjudication as planned. They are looking for an office in Preston and will start hiring agents and supervisors sometime this summer. He is not sure which basin it will start in. The adjudication will be very well publicized. Discussed some of the different scenarios, costs, and objections of claims, etc. The burden of proof is on the claimant. He also discussed different statues regarding the adjudication.

# ROSTER OF ATTENDANCE

2022 ANNUAL MEETING

WATER DISTRICT NO. 13 A )

ANNUAL MEETING

WATER DISTRICT AREA Cub River )

Date March 7 Time 1:00 am/pm

Location \_\_\_\_\_

Address Preston Idaho

NAME	ADDRESS	REPRESENTING
Alan Smith	P.O. Box 215 Lewiston	Cub River
Jason Westover	19N 2400W Lewiston	Cub River
Chris Karren	PO Box 86 Lewiston UT 84320	Cub River
MICHAEL HOLLIDAY	900 N SKYLINE, IDAHO FALLS	IDWR
Lance Zollinger	1433E 1400 S Preston, ID	<del>Consolidated</del>
Dan Sharp	1274 E 2200 S	Whitney
Easton Fellows	975 N 1400 W	Consolidated
Terry Westberg	5484 E. STATION CREEK RD.	Consolidated
Maurice Nielson	1097 EAST ONWIDE	SELF
Ron Randall	1200 E 400 N Preston	consolidated. SELF
ZON AUDER	4339 W 1200 N Dayton	
Seth Whetstey	1598 E 3200 South	Wheatley Dairy
Ben Hensser	354 S. 1800 E	Eldon Holiday/Hensser
Tami Udinski		TRASKOV
Dan Keller	Preston City	Preston
Casey Clark	1922 W. 4000 W. Dayton	Cub River

NAME

ADDRESS

REPRESENTING

LUIE PORTER	1447 E 800 N	Consolidated Irr Co
GIB HULL	1309 Canyon Rd Logan, UT,	Spring Creek OUNR
Brian Jensen	3563 S. Row Preston	CIC
Robert P Smith	2088 E Riverdale Rd	Preston Id Warm Creek OUNR
Mary Roberts	1387 E 800 S	Preston ID Maple Creek
Cheryl Willeitner	8484 Barnstable Drive W. Jordan, Utah 84081	Spring Creek
Sharon McMullin	463 E Canyon Kim Rd, Smithfield UT	Spring Creek
Maxine Stoddards	Water District 13A	Secretary