Payette River Basin, State of Idaho

Water District No, 65

Chairman: Marc Haws
Vice Chairman: John Hartman
Secretary: Kevin Border
Treasurer: Ron Mio

102 N. Main St.
Payette, ID 83661

Phone: 208-642-4465
Fax: 208-642-1042
Email: neil.waterdistrict65@gmail.com
Watermaster, Neil Shippy

Special Meeting- June 7, 2023

Date: June 7, 2023
Time: 8:00 p.m.
Location: Payette River Irrigation Office

Attending: Sign in sheet attached.

Guests:

Welcome: Chairman Haws called the meeting to order and welcomed everyone to the meeting. He also explained the meeting rules and had everyone introduce themselves.

Administrative Expansion Plan Discussion: Chairman Haws went over the agenda from the last meeting and where it was left off, beginning the task of expanding the district. Since there was no consensus made at the last meeting Chairman Haws is looking for this meeting to find a direction for the water district.

Chairman Haws went over how this district was formed in 1989, and 3 years later in 1992 the district was expanded further and that was 31 years ago. Chairman Haws talked about the Snake River Adjudication and how it consumed this state time and resources for 25 to 30 years. After that the IDWR started getting back to regular business. Chairman Haws explained that IDWR is doing their job by bringing this to the district's attention. It is the law to administer all surface water rights (with the exception of those exempted on the amended declaration of intent) as resources permit. He said all this to set the background of why we are all here tonight.

Chairman Haws said we are already started on phase #4 of the district's plan as sketched out by Watermaster Shippy and tonight the focus is on discussing and possibly approving a version of this plan, or possibly another plan if someone had a better idea on what that plan should be. Watermaster Shippy says the way he sketched this plan out was with talking to IDWR and the water right holder's in the district. Watermaster Shippy said that some think this plan is too aggressive, and some think this plan is not aggressive enough. Watermaster Shippy explained that Emmett Irrigation District is one of the senior water right holders that have been harmed for 30 years.
Chairman Haws asked him to explain the resources that he will need to make this plan work. Water Master Shippy said he is planning on 2 or 3 days a week in the upper country to meet with the newly administered right holders and to start measuring these diversions. With this added workload and the normal work, he would also like to audit irrigation rights on the river that should be administered so he could use another person.

Chairman Haws asked the Watermaster if there is another water district in the state that is comparable to 65. Watermaster Shippy explained that with the amount of water rights to be administered that 65 would compare with Water District 01. Water District 01 has a staff of five people and they hire seasonal help also to accomplish daily accounting. Watermaster Shippy thought that if we stay with weekly account we would not need such a large staff.

Chairman Haws called on Stewart Russell to explain Emmett irrigation District's position and explain the letter that was sent.
Mr. Russell explained that the letter was to clarify their position and what they want to see occur. Russell said that EID have been harmed long enough. Chairman Haws asked Stewart to explain how Emmett is differently situated then the other seniors being harmed.
Mr. Russell explained that because of EID's water right priority dates, they incur the largest amount of harm of the currently administered rights. He also stated that because EID's water is diverted out of Black Canyon Dam by pumps and that the cost of repairing or replacing this equipment is extremely high, and repairs are needed for the patrons of EID to continue to irrigate. Mr. Russell said that this is a right and wrong issue and that EID has the right to be protected from the harm to their senior rights and that this harm must be solved.

Chairman Haws said we need a plan that is in compliance with the law, a plan that will keep the water district out of litigation. Chairman Haws said no one wants litigation, or threats of litigation either.

Chairman Haws stated that it is going to take some resources to accomplish this expansion and if possible we should come up with resources that do not increase our costs.
Nick Miller (IDWR) said that the important thing it to have a plan, with action items and achievable items. Miller said the watermaster cannot accomplish this amount of work by himself, and that he will need additional help.

Chairman Haws said the deputy attorney general is also involved in this and that there needs to be a formal plan in place before any curtailment can happen.

Steve Visosky said that the purpose of this plan is to get a handle on the water supply and the water demand in the entire basin.

Watermaster Shippy said to complete all phases at the same time would require a large staff of people for the over 1500 water rights that are not currently being administered.
Watermaster Shippy said the District has to start in one area and work through it before starting on the next area to avoid the cost a large staff would incur.

Doyle Fackler asked is one new person going to be enough or would the watermaster need deputy and a secretary. Water Master Shippy said he could use one person and start with an audit of the areas currently being administered. Then the extra person could start helping with the area in the phase #4 expansion.

Doyle Fackler moved, John Hartman seconded, to hire a deputy watermaster in the 2024 budget year, and through the annual meeting process, put a committee together to get everything together to hire in 2024. Stewart Russell said his understanding that Water Master Shippy would hire his own deputy. **Motion Failed**.

Chad Henggeler asked for clarity of a water call. He asked if there is there a difference between physically shutting people off or is it accomplished in the accounting. Steve Visosky says that if EID makes the call, then the watermaster will have to shut off as many diversion as it takes to make EID whole, starting with the most junior rights first.

Nick Miller said there is always an opportunity to mitigate, if EID makes a water call there would be an opportunity to either shut off people or to make them whole as a group.

Ken Roberts told Stewart Russell said he understands the problems that EID is facing and said he is not opposed to administration but he didn't think they should be curtailed until all the juniors were curtailed first.

Phil Davis explained that they were looking into forming a district or association to acquire storage space in a reservoir.

John Hartman said he is in favor of the plan but wants to know when this person would be hired. Nick Miller said, under chapter 6 of section 42 hiring a deputy must be approved by the water users at an annual meeting. He said cleanest way would be to bring it up at the annual meeting. He said the watermaster can do emergency hire, but the department is willing to help this year with measuring.

Watermaster Shippy said we want to avoid a Delivery Call because the cost would be very high to hire a staff to help with the curtailment that would have to happen.

Stewart Russell said they will not make a water call if things are completed based on the timetable of their letter.
Stewart Russell acknowledged that a water call does not solve the problem; it creates one.

Casey Odette asked Nick Miller if they were demanding this be done right now. Nick said that IDWR is not demanding anything of the district currently, but ultimately this is where the District needs to be. He said again that the state is not pushing this, but the need is rising.
Chairman Haws said the state statue and the water running down the river that must be accounted for is the reason for the expansion.

Kevin Border asked why we can't just hire assistants instead of a deputy watermaster. **Kevin Border moved, Casey Odette seconded, to hire an assistant to help for the summer**. Opened for discussion,
Nick Miller is offering department staff to go up and measure. Having an appointed watermaster or Department personnel gives them the protection of the state surety bond and the permission to go onto properties. Chairman Haws asked Nick Miller what the state could commit to. Nick Miller said he would need to know how many diversions in each one, but one or two people every couple of weeks and that they would be paid by the state. Dick Fisher said the state offered to help and we need to take that very seriously and push back the hiring of personnel.
Motion Failed.

Chairman Haws noted that IDWR offered assisted this year buy it was not a commitment on into the future.

Ron Mio stated that he didn't have a problem with the plan with the exception of the resources needed; he felt it was the responsibility of the Budget and Nomination Committee to work on this.

Ron Mio moved to approve the plan as presented after removing resources needed for phase #4, comments, and possible funding sources, with the exception of purchase of modern day equipment which was moved to timeline for phase #4. Todd Shigeta seconded. Motion carried. (Approved copy attached).

The committee left the issue of budget and personnel needed to be resolved by the Budget and Nomination Committee.

Adjournment: **Dick Fisher moved, Carl Hayes seconded, to adjourn. Motion Carried.**

Respectfully Submitted,

Chairman, Marc Haws

Recording Secretary, Crystal Russell

Water District 65 Expansion Plan

Phase 1. 1989, Organize Water District 65. All water rights within the Payette drainage were to be included except for water rights within previously organized districts and any separate stream-administered rights. The administration was limited to water rights from Black Canyon Dam down to the mouth of the Snake River. The practice was to only administer water rights sourced from the river but was not specified in the Declaration of Intent. Mostly completed, needs to be audited.

Phase 2. 1992, Declaration of Intent amended to include water rights in the reaches of the Payette River downstream from Cascade and Deadwood Reservoirs. Mostly completed, needs to be audited.

Phase 3. 1995, Administration was extended above Cascade Reservoir to include the North Fork and water right sourced from Payette Lake. Mostly completed, needs to be audited.

Phase 4. 2023, Extend administration to include Gold Fork River, Mud Creek, Clear Creek, and their tributaries. Started.

Timeline for Phase #4:

1. 2022 Send annual meeting invitations to the water right holders in phase #4 area. Completed
2. 2023 Purchase modern stream measuring equipment. Completed
3. 2023 Assessment and start measuring diversions. Started
4. 2024 Customers start installing measuring devices, and lockable headworks where needed.
5. 2024 Enter diversions into the accounting system.
6. 2025 Install automated measuring sites on the larger diversions.

Phase 5. 2026, Extend administration to include Big, Beaver, Fawn Creeks, and any remaining tributaries, springs, etc. in the area from below Cascade Reservoir down to Banks where the South Fork meets the North Fork also known as accounting reach #6.

Timeline for Phase #5:

1. 2025 Send annual meeting invitations to the water right holders in phase #5 area.
2. 2026 Assessment and start measuring diversions.
3. 2027 Customers start installing measuring devices, and lockable headworks where needed.

4. 2027 Enter diversions into the accounting system.
5. 2028 Install automated measuring sites on the larger diversions.

Phase 6. 2029, Extend administration to include Duffner, Flat, Poison Creeks, and any remaining tributaries, springs, etc. in the area from above Big Payette Lake down to and Including Cascade Reservoir also known as accounting reaches #4 and #5.

Timeline for Phase #6:

1. 2028 Send annual meeting invitations to the water right holders in phase #6 area.
2. 2029 Assessment and start measuring diversions.
3. 2030 Customers start installing measuring devices, and lockable headworks where needed.
4. 2030 Enter diversions into the accounting system.
5. 2031 Install automated measuring sites on the larger diversions.

Phase 7. 2032. Extend administration to include all of the tributaries of the South Fork, Middle Fork, and Deadwood River also known as accounting reaches #1, #2, and #3

Timeline for Phase #7:

1. 2031 Send annual meeting invitations to the water right holders in phase #7 area.
2. 2032 Assessment and start measuring diversions.
3. 2033 Customers start installing measuring devices, and lockable headworks where needed.
4. 2033 Enter diversions into the accounting system.
5. 2034 Install automated measuring sites on the larger diversions.

Phase 8. 2035. Extend administration to include all of the tributaries of the Main Payette River from Banks down to just below the Seven Mile Slough also known as accounting reaches #7, #8, #9, #12, and #13.

Timeline for Phase #8:

1. 2034 Send annual meeting invitations to the water right holders in phase #8 area.
2. 2035 Assessment and start measuring diversions.
3. 2036 Customers start installing measuring devices, and lockable headworks where needed.
4. 2036 Enter diversions into the accounting system.
5. 2037 Install automated measuring sites on the larger diversions.

Phase 9. 2038. Extend administration to include all of the tributaries from below the Seven Mile Slough on the Main Payette, down to the mouth of the Snake River also known as accounting reach #10.

Timeline for Phase #9:

1. 2036 Send annual meeting invitations to the water right holders in phase #9 area.
2. 2037 Assessment and start measuring diversions.
3. 2038 Customers start installing measuring devices, and lockable headworks where needed.
4. 2038 Enter diversions into the accounting system.
5. 2039 Install automated measuring sites on the larger diversions.

Comments:

1. An annual review will be necessary to determine resources needed to complete each phase, and adjust the timeline as needed.

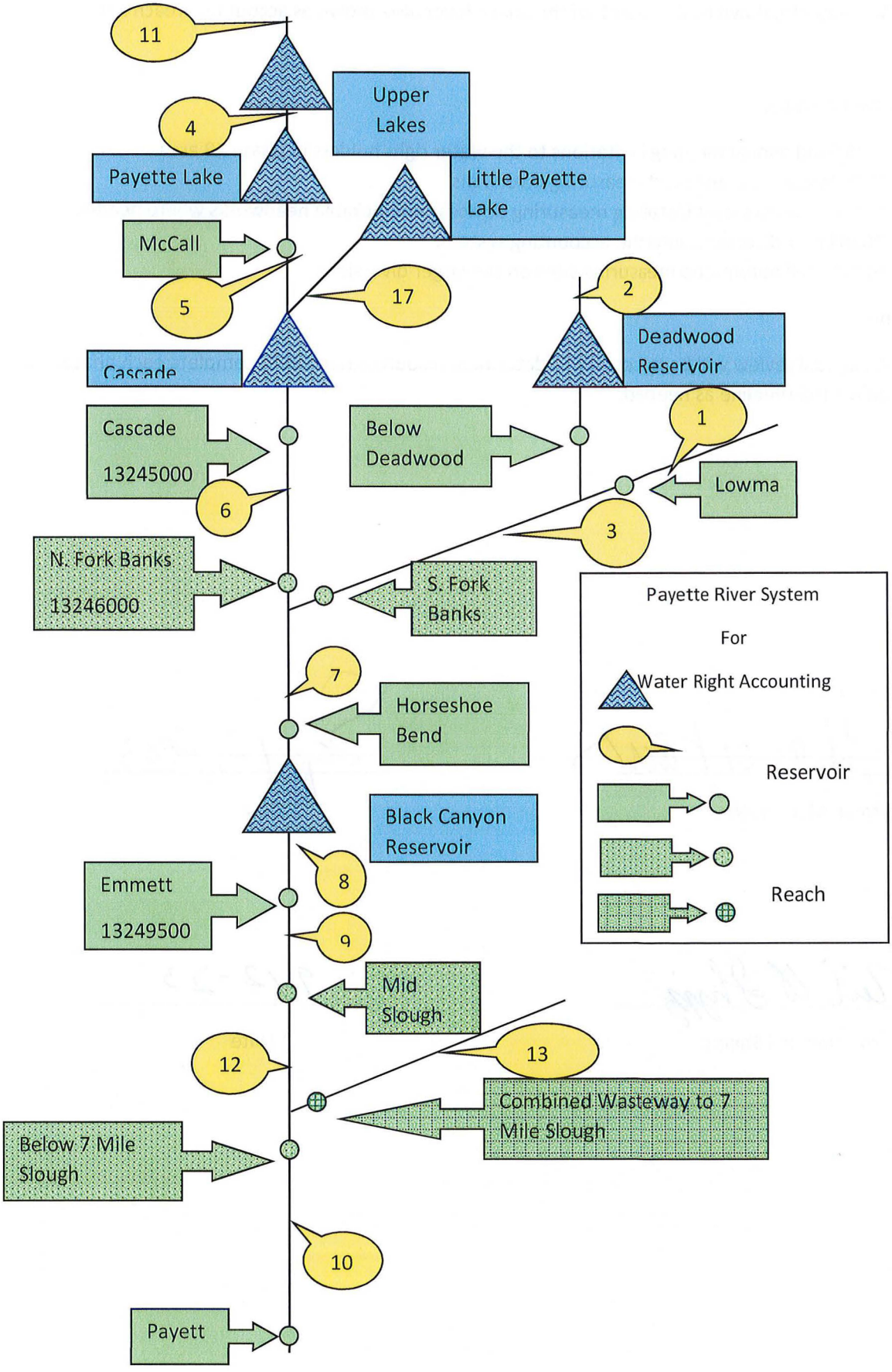
Marc Haws — Sept 12, 2023

Chairman Marc Haws — Date

Neil B Shippy — 9-12-23

Watermaster Neil Shippy — Date

Note: Approved at a special meeting of the Water District 65 Advisory Board on June 7th 2023



	Water District 65 & Rental Pool 06/07/23			Signature
1	Brown	Jason	Butler/Banes Ditch, Gill Slough	
2	Coburn	Fred	Stewart Ditch	
3	Davis	Phil	At-large	
4	Elliot	Korth	Emmett Irrigation District	
5	Fackler	Doyle	Last Chance Ditch Co.	
6	Ferguson	Kara	IDWR	
7	Fisher	Dick	Farmers Co-op Irrigation Co.	
8	Hartman	John	Black Canyon Irr. District	
9	Haws	Marc	Letha Irrigation & Water Co.	
10	Hayes	Carl	Black Canyon Irr. District	
11	Hedrick	Ryan	USBR	
12	Henggeler	Chad	Farmers Co-op Irrigation Co.	
13	Housley	Matt	Bilbrey Ditch Co.	
14	Howell	Joan	Letha Irrigation & Water Co.	
15	Mio	Ron	Noble Ditch Co.	
16	Nagasaka	Dyke	Lower Payette Ditch Co.	
17	Nichols	Lee	At-large	
18	Odette	Casey	Lower Payette Ditch Co.	
19	Potter	Michelle	Enterprise Ditch / Reed Ditch	
20	Russell	Stewart	Emmett Irrigation District	
21	Sams	Susan	Washoe Irr. & Water Power	
22	Shigeta	Todd	Noble Ditch Co.	
23	Shippy	Michael	Enterprise Ditch / Reed Ditch	
24	Standley	Jim	Emmett Irrigation District	
25	Standley	Jim	Butler/Banes Ditch, Gill Slough	
26	Surmeier	Dan	Black Canyon Irr. District	
27	Telles	Paul	Washoe Irr. & Water Power	
28	Tilson	Dan	Farmers Co-op Irrigation Co.	
29	Walton	Dan	Emmett Irrigation District	
30	Wanders	Derek	Lower Payette Ditch Co.	
31	PLATT	Ron	MUD Creek	
32	Collinsworth	Norm	Farmer's & Noble	
33	Border	Kevin	FARMERS	
34	Fenolio	Joel	USBR	
35	Miller	Nick	IDWR	
36	Visosky	Steve	IDWR	
37				
38				
39				
40				
41				
42				
43				
44				
45				