

WATERMASTER'S REPORT

From April 1, 2019 To October 31, 2019

Water District No. 29-B
Name of Watermaster J. Wendell Marley
Mailing Address 12839 South Thacker Road, Arimo, ID 83214

AFFIDAVIT OF WATERMASTER

STATE OF IDAHO)
COUNTY OF Bannock) ss.

J. Wendell Marley, being first duly sworn, deposes and says that he/she is Watermaster of Water District 29-B, having been lawfully appointed by State of Idaho, Director, Idaho Department of Water Resources, and that the volumes of water, as stated in this report and prorated by him/her to the water right holders of the district are correct.



(SEAL)

J. Wendell Marley
(Deputy) Watermaster District No. 29-B

Subscribed and sworn to before me, this 26th day of November, 2019

Marcia Nielsen
Notary Public
My Commission expires 9-27/2025

Boise, Idaho _____, 20____

I HEREBY CERTIFY, that _____ was lawfully appointed by me as Watermaster of Water District No. _____, and that the information contained in this report, as herein sworn to, is, to the best of my knowledge and belief, correct.

Director, Department of Water Resources

By _____

	WATER RIGHT OWNER	IDWR WATER RIGHT NO.	DIVERSION NAME/REMARKS
1	Kevin Peck	369, 370, 385	Central 39 streams
2		386, 412, 413	
3	Sheldon Hatley	403, 404, 405	North 11 streams
4		406, 419, 420	
5	The M Hanging Doublet, LLC	376, 377, 389	Central, Main 65 streams
6		390, 4079, 4080	
7	Elaine Christensen	417C, 418C	Central 19 streams
8			
9	Emory Nestor	407, 408	North 29 streams
10			
11	Morgan Ercanbeck	414, 415, 416	South 3 streams
12			
13	Wendell Marley	365, 366	Main 4 streams
14			
15	Doug Armstrong	367A, 421,	Main 6 streams
16		11415	
17	Brent Bishard	Old Ditch	Central 2 streams
18			
19	Becky Johnson	417D, 418D	Central 3 streams
20			
21			
22			
23			181 streams
24			
25			
26			
27			
28			
29			
30			

Stream		2		3		4		5			
	Total Delivery in 24-Hour Sec. Feet	Total Cost		Adopted Budget		Credits		Debits		Cost Per 24-Hr. See Ft Stream	
		\$	cts.	\$	cts.	\$	cts.	\$	cts.	\$	
1	39	312		312						Total No. Days of Watermaster Stream	181
2										181 days at \$ 7 /day	\$ 1267
3	11	88		88						Total No. Days of Asst. Watermaster	0
4										days at \$ /day	\$ 0
5	65	520		520						Other expenses charged pro rata Worker Comp	\$ 300
6										TOTAL COST	\$ 1567
7	19	152		152						Total No. 24-Hour Sec. Feet Delivered	
8										Cost per 24-Hour Sect. Feet Delivered	\$
9	29	232		232							
10											
11	3	24		24							
12											
13	4	32		32							
14											
15	6	48		48							
16											
17	2	16		16							
18											
19	3	24		24							
20											
21											
22	181	1448	00	1448							
23											
24											
25											
26											
27											
28											
29											
30											

Note:

Usage is billed to the authorized users at the rate of \$8/stream/day for the streams they actually use. The watermaster is paid to manage those streams at the rate of \$7/stream/day. Deliveries are made on a rotational basis, or as called for if the water flow is sufficient. Once the flow of water in the main channel falls below 4cfs, usage reverts exclusively to the Garden Creek Irrigation Company and the watermaster is no longer needed.

All potential users share the Worker's Comp expense at a flat rate of \$11/user.



State of Idaho

DEPARTMENT OF WATER RESOURCES

EASTERN REGION • 900 N SKYLINE DR STE A • IDAHO FALLS ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Website: idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 30, 2020

J. WENDELL MARLEY
12839 S THACKER RD
ARIMO, ID 83214

RE: Watermaster's Report; WD 29B

Dear J. Wendell,

The Idaho Department of Water Resources has received your 2019 Watermaster's Report.

It is available for viewing and printing on our website at <https://idwr.idaho.gov/water-rights/water-districts/active.html> under "Documents" to the far right of your listed district.

If you require assistance locating your documents online, please contact Cher Ramos at 208-497-3779.

Kind Regards,

A handwritten signature in black ink that reads "Cher Ramos". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Cher Ramos
Technical Records Specialist

SCANNED

FEB 19 2020

State of Idaho
Department of Water Resources
Certificate of Appointment

*This is to certify that I have on this day appointed Wendall Marley as
Watermaster of Water District 29B from this day until the 2020 annual
meeting or until his/her successor is appointed and qualified under the provisions of Idaho Code Section
42-607, at such rate of compensation as established by applicable law.*



*This certificate has been issued and the seal of the
Director fixed at Boise, Idaho, this 13th
day of March, 2019.*

Director - IDWR

PETITION FOR WATERMASTER'S SERVICES

Amimo, Idaho
8 Mar, 2019

RE: Water District No. 29-B
Stream: Garden Creek

TO: IDAHO DEPARTMENT OF WATER RESOURCES

I, the undersigned, owner or manager of ditches or person controlling ditches in Water District No. 29-B, hereby request the services of a watermaster for the reason that there is a necessity for the use and control of the waters of the District.

NAME OF WATERMASTER: Wendall Marley
ADDRESS OF WATERMASTER: 12839 South Thacker Road
PHONE NUMBER: Amimo FD 83214
208-317-5226

Date watermaster is to start: 1 Apr 19

If known, the date services of watermaster are to terminate: Jul/Aug 19

<u>Thom M. Tobe</u>	<u>1924 Donner Avenue</u>	and	<u>231 East Glover Road</u>
signature	address		telephone
Sec/Treas	Clavis CA 93611		Amimo FD 83214
Dist 29-B			

WARNING: Watermaster cannot begin services until ALL conditions of appointment have been fulfilled.

Phone: 559-906-2998

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

State of Idaho)
County of Bannock) ss

Official Oath

I do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution and laws of the State of Idaho, specifically including the provisions of Section 42-605 and 42-607, Idaho Code, and that I will faithfully discharge all the duties of the office of Watermaster of District 29B according to the best of my ability. So help me God.

Wendell Markley
Watermaster

SUBSCRIBED AND SWORN TO before me this 8th day of March, 2019.



Connie D. Johnson
Notary Public
Residing At Downey, Id 83234
Commission Expires June 24-2019

SCANNED
MAR 13 2019

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

State of Idaho)
)
County of Bannock) ss

Official Oath

I do solemnly swear or affirm that I will support the Constitution of the United States, and the Constitution and laws of the State of Idaho, specifically including the provisions of Sec. 42-619, Idaho Code, and that I will faithfully discharge all the duties of the office of treasurer of District 29-B for the calendar year of 2019 according to the best of my ability. So help me God.

Rever M. Tolson
Treasurer

SUBSCRIBED AND SWORN TO before me this 8th day of March, 2019



Connie D. Johnson
Notary Public

Residing at Downey, Id 83234

Commission Expires June 24-2019

SCANNED

MAR 13 2019



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 13, 2019

Water District #29B
Wendall Marley
12839 S Thacker Rd
Arimo Id 83214

RE: WATER DISTRICT #29B

Dear Watermaster:

Your CERTIFICATE OF APPOINTMENT is enclosed herewith. You will, therefore, take charge of the waters of such district and distribute the same in accordance with the law and the decrees of the courts to the various users in such district in accordance with the terms and conditions of their respective rights, and perform such other duties as may be required by the Department of Water Resources, under the laws of the State of Idaho. You are hereby requested to assume your duties at once and continue thereat until the necessity therefore shall cease.

Please feel free to call upon this office whenever we can be of assistance to you. We have a personal interest in the success of your year's work and desire to keep in as close touch with you as conditions will permit.

Respectfully submitted,

A handwritten signature in blue ink that reads 'Sharla Cox'. The signature is written in a cursive style with a large initial 'S'.

Sharla Cox
Administrative Assistant

Enclosure

SCANNED

MAR 13 2019

RECEIVED

MAR 12 2019

Department of Water Resources
Eastern Region

WATER DISTRICT INFORMATION SHEET

2019

Year

29-B, Garden Creek
Water District # / Stream Name

Wendall Marley
Watermaster Name

12839 South Thacker Road
Address

Armo ID 83214 208-317-5226
Phone Number, Home / Cell E-Mail Address

Assistant Watermaster Name

Address

Phone Number, Home / Cell E-Mail Address

Theron M. Toler
Secretary Name

1924 Donner Avenue and 231 East Glover Road
Address Clouis CA 93611 Armo ID 83214

559-906-2998
Phone Number, Home / Cell E-Mail Address

Please print in the blank information above and return it to the Idaho Department of Water Resources. Your cooperation on this matter would be greatly appreciated. If you have any questions, please feel free to contact me.

Respectfully Submitted,

Sharla Cox
Administrative Assistant

SCANNED

MAR 13 2019

Garden Creek Water District, District 29-B
Minutes of the Annual Meeting

7 March 2019

Call to Order: Vice President Wendall Marley called the meeting to order at 7:02 PM. He asked that Theron (Sec/Treas) conduct the meeting.

Members Present: Wendall Marley, Theron Toler, Doug Armstrong, Price Armstrong, Kyle Wheatley, Cory Losee, Missy Losee, Scott Geraughty, Stephanie Geraughty, Bruce Edwards, and Tyson Schwartz.

Last Year's Minutes: Theron read the minutes from last year's meeting. There were no suggested changes. Wendall made the motion that the minutes be accepted as read. Missy seconded. Motion carried.

Old and New Legislation: None.

Financial Report: Theron presented the attached financial report for the year 2018 and explained it. Wendall made a motion to accept the financial report. Kyle seconded. Motion carried.

Pool and Rotate: There is never enough water in Garden Creek for all users to use it at once, or to just use it arbitrarily. It was suggested that as in years past the water be pooled at rotated on turns or as directed by the Water Master. This method seems to provide the most beneficial use of the water. Wendall made a motion to "pool and rotate" as in years past. Doug seconded. Motion carried.

Water Master's Compensation, Adopt Budget, and Collect Revenue: Theron reviewed the historical rates and methods used. The district's main expenses are the Water Master's compensation and Worker's Compensation insurance. We have been paying the Water Master \$7/stream/day and charging the users \$8/stream/day. While this covers the Water Master's compensation and the small administrative expense, the insurance premium is not covered. It was agreed that the Water Master's compensation would be left at \$7/stream/day with a user's fee of \$8/stream/day. This allows a margin of \$1/stream/day for miscellaneous administrative expenses. The Worker's Compensation premium would be collected by spreading the cost equally among the listed authorized users of the irrigation system. This would normally amount to a flat fee of \$10.75 per user, however, some users don't pay so this causes a small deficit. So, it was decided to raise the insurance premium allocation to \$11.00 per user. Collection of these monies would be through the use of a consolidated invoice sent to all users. Theron presented and explained an example of the invoice that was used last year and suggested it be used again. Missy made a motion to accept these budget amounts and collection process. Wendall seconded. Motion carried.

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MAR 13 2019

Old Business: A question had arisen during the year concerning last year's billing process. All water right holders are billed an assessment per water right which goes to the Old Ditch Company for maintenance of the laterals. This assessment is set by the Old Ditch Company and is \$25 per right. Historically, this assessment had been prorated in some way to provide a "break" for the real small rights. Last year this was not done. There was a discussion on whether this proration should be reinstated. It was decided to proceed with assessing each water right the full \$25.

Election of Officers: Current officers are: Sheldon Hatley, President; Wendall Marley, Vice President; and, Theron Toler, Secretary/Treasurer. Doug made the motion to keep the officers the same. Kyle seconded. Motion carried.

Advisory Committee: The current advisory committee consists of the elected officers plus the water master, which in our case is also one of the officers. Doug made the motion to leave the advisory committee the same. Kyle seconded. Motion carried.

Election of Water Master: Doug made the motion to re-elect Wendall as the Water Master. Kyle seconded. Wendall was asked if he would accept and he said he would. Motion carried.

Call for New Business: There was none.

Adjournment: At 8:10 PM Doug made the motion to adjourn. Missy seconded. Motion carried.

Attest:

THERON M. TOLER
Secretary/Treasurer

SCANNED
MAR 13 2019

GARDEN CREEK WATER DISTRICT, District 29-B
Treasurer's Report for 2018

Description		District
Balance, 1 January 2018		3408.15
Deposits (reconciled before 2017, all of 2018)		+3586.44
Bank Charges		0
Withdrawals via checks		
1057 to City of Arimo for use of City Hall		-15.00
1058 to Theron M. Toler for admin expense		-44.51
1059 to State of Idaho for Worker's Comp		-300.00
1100 transfer funds to The Company		-2000.00
1101 Wendall Marley for 2018 Watermaster		-924.00
1102 transfer funds to The Company		-1726.00
Balance, 31 December 2018		1985.08

Notes:

1. Theron and Sheldon are authorized signers for the District's account.
2. All transfers from The District to the The Company are current. The first transfer of \$2000 was to reconcile years 2017 and before. The second transfer of \$1726 was what was actually collected during 2018.

Projected Collections in 2019

Usage from 2018 Watermaster's report for 132 streams	\$1056.00
Assessment based on valid water rights	\$1987.50
Set by and goes to The Garden Creek Irrigation Company for ditch maintenance as they own the ditch system	
Assessment for Worker's Comp Insurance	\$300.00
Delinquent from prior years	\$600.00

SCANNED
MAR 13 2019

ADOPTED BUDGET AND RESOLUTIONS
PERTAINING TO THE COLLECTION THEREOF
FOR 20 19

WATER DISTRICT NO. 29-B
STREAM Garden Creek
COUNTY Bannock
NAME OF SECRETARY Theron M. Toler
ADDRESS OF SECRETARY 1924 Donner Avenue and 231 East Glover Road
Clou's CA 95611 Arimo ID 83214

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.)

Arimo, Bannock, Idaho, 8 Mar, 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. 29-B, held at Arimo, Idaho
on the 7 day of March, 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.

Theron M. Toler
Secretary, Water District No. 29-B

SCANNED

MAR 13 2019

WATER DISTRICT No. 29-B

Estimated Amount for Watermaster's Salary\$ 903.00

Estimated Amount for Assistant Watermaster and other Water District Officials\$ 0

Estimated Amount for Other Expenses \$ 350.00

TOTAL ESTIMATED EXPENSES FOR 20 19 \$ 1253.00

DISTRIBUTION OF THE BUDGET AMONG USERS

[illegible]

RESOLUTIONS PERTAINING TO THE TIME AND MANNER OF COLLECTING THE BUDGET AS
ADOPTED AT THE ANNUAL MEETING OF THE USERS OF

WATER DISTRICT No. 29-B

It was agreed at the user's meeting that the same consolidated invoice that was used last year would be used again. It will be sent to all users and water right holders with an explanation of the charges. The collection would be based on:

1. All water right holders would be assessed a \$25 fee per right to cover expenses of maintaining the system. This fee is set by and goes to The Garden Creek Irrigation Company, Inc.
2. All users will be billed \$8/stream/day for their use. This pays the Watermaster and admin costs. Billing for 2019 is based on 2018 usage.
3. The \$300 Worker's Comp premium would be billed equally to all water right holders. This calculates to \$11.00 per each.

SCANNED

MAR 13 2019

Annual Water District Meeting Checklist

Per Idaho Code Title 42 Chapter 6 (Distribution of Water Among Appropriators), annual water district meetings must include (at a minimum) the actions listed below.

IDWR wants to ensure each water district is meeting these minimum standards. **Please return this completed checklist to the appropriate IDWR regional office with the annual meeting minutes (this list does not replace meeting minutes) and ensure that all of these actions are clearly addressed in the meeting minutes.**

Water District Number and Name: 29-B, Garden Creek

Meeting Date: 7 March 2019

- ☒ Election of meeting chairman
- ☒ Election of water district watermaster (and assistant watermaster (optional))
- ☒ Election of water district secretary and / or treasurer
- ☒ Approval of adopted budget
- ☒ Minutes, make sure date, time, place and roster of attendees are included in minutes.
- ☒ Make sure the secretary or authorized person sign the Minutes.
- ☒ Next year's meeting date, location, and time

5 Mar 20, 7 PM, Arimo City Hall
Meeting Date, Time of Meeting and Location (next year)

Preparation Checklist after Annual Meeting

- ☒ Idaho Statutes 42-605 states, "Within five (5) days after meeting...the meeting secretary shall forward a certified copy of the minutes to the department. Along with the Minutes, the Adopted Budget, Oath, Petition of Watermaster and Information sheet should be submitted to IDWR before the irrigation season starts. IDWR needs to send the "Certificate of Appointment" of Watermaster and Treasurer prior to irrigation season.
- ☒ Idaho Statutes 42-606 states, "All watermasters shall make an annual report to the department" This report should be submitted to the Department by December 31 of each year.

By signing below I verify that all required actions have been addressed at the water district annual meeting

Completed by:

Theron M. Yoda, Sec/Treas

Water District Representative

SCANNED

MAR 13 2019



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 13, 2019

Water District #29B
Theron M Toler
1924 Donner Ave
Clovis CA 93611

Theron M Toler
231 E Glover Rd
Arimo Id 83214

RE: WATER DISTRICT #29B

Dear Secretary / Treasurer:

We acknowledge receipt of the Minutes of the Annual Watermaster's Election Meeting held in your district. The Watermaster Certificate will be sent under separate cover.

Thank you.

Sincerely,

Sharla Cox
Administrative Assistant

SCANNED

MAR 13 2019