

**Water District 120
Advisory Meeting
"Final" Minutes
November 10, 2003**

Tim Deeg called a meeting of Water District 120 advisors & East ESPA Water Measurement District Advisors to order at 1:06 p.m. Members from Water District 120 in attendance were Scott Clawson, Tim Deeg, Craig Evans, Kevin Michaelson, Stephanie Mickelsen, Neal Powell, Bill Taylor, and Dane Watkins. East Water Measurement District Advisors in attendance were Linden Butikofer and Ed Conn. Others in attendance were Lewis Rounds and Tim Luke of IDWR, Brian Higgs, Terry Klipfel, and Lynn Tominaga by conference call.

Stephanie Mickelsen made a motion to accept minutes from the last meeting as written. Dane Watkins seconded the motion. It passed by acclamation.

Lewis began by telling the advisors that the director of IDWR had informed him that Water District 120 and the East Measurement District could not merge due in large part to the fact that adjudication of some water rights in the East Water Measurement District had not yet been completed, as well as concerns on the part of the Attorney General's office.

There was a lengthy discussion about the possibility of still influencing the director about where Water District 120 boundaries would be and Lewis said that letters from each of the ground water districts could be beneficial if they want the director to take note before final boundaries are drawn.

Lewis said although we are unable to merge, we can combine and further explained that the East Measurement District is important to Water District 120 because it will eventually be a part of Water District 120. Also, it now measures diversions that are already in Water District 120, and by pooling resources the East Water Measurement District and Water District 120 can operate more efficiently. Lewis said that without the merger, separate budgets were required. He further explained the budget changes that would need to take place for both Water District 120 and the East ESPA Water Measurement District to operate. Last years proposed budget for Water District 120 was for \$118,000, and the East ESPA Water Measurement District's budget was for \$82,550. With no merger, Lewis proposed a budget for Water District 120 of \$87,000, and \$40,000 for the East Water Measurement District, explaining that he left \$9,000 in the Water District 120 Measurement program because Water District 120 will have to pay the East ESPA Water Measurement District for some measurement. Lewis said the East Measurement District might have to raise its per diversion charge to \$50.00 in order to continue operation because approximately 1/3 of all diversions and 2/3 of the CFS had gone to the Bonneville Jefferson GWD.

Water District 120 advisors discussed when assessments should be mailed, as well as what kind of payment process they wanted to have. Tim Deeg reminded advisors that IDWR was paying expenses for Water District 120 through the next annual meeting. Therefore, a motion was made by Dane Watkins for ground water districts within Water District 120 to begin making quarterly

payments with the first payment due just after the annual meeting. The motion was seconded by Stephanie Mickelsen and passed by acclamation.

Lewis next explained where IDWR is in the Basin 29 adjudication process, informing advisors that the deadline for objections is November 14. He said all water right holders in Basin 29 had been notified that they will become part of Water District 120.

Discussion turned to measurement audits. Lewis said it was important for audits to occur within the same year as measurements were done. Some expressed reasons why this is difficult. Lewis said that waiting for another year causes difficulty because farmers rotate crops and conditions change. This causes accuracy problems. Advisors asked about the results of the audits. Lewis explained that most fell within 10% of the original measurements. He said variations were due to the fact that audits were generally done at the end of the year and conditions were hard to duplicate, or the water situation had changed. There was some discussion about problems with the data collection processes within the districts that needed to be remedied.

Annual Meetings were the next item on the agenda. Lewis said that the Water District 120 Annual meeting was scheduled for Monday, February 9th at 2:00 p.m., at the Riverside Inn in Blackfoot. He proposed scheduling the East ESPA Water Measurement District Annual Meeting to be held at the same place at 1:00 p.m., suggesting the advisors from the East Measurement District and Water District 120 attend each others meetings. He also proposed advisory meetings on January 26. The purpose of these meetings would be to finalize budgets and vote on resolutions prior to the annual meetings. The meeting for the East Advisors would be at 10:00 a.m. in the large DEQ conference room in Idaho Falls, and 1:00 p.m. for Water District 120 advisors in the same place.

Lewis explained the water situation showing the reservoir chart. As of now, we are at 12% of capacity. If things stay the same, we will only be at 35% capacity as of April 1st. Lewis said the precipitation outlook was normal, but that would not be enough because soils are so depleted of moisture. The U.S. Drought Monitor shows us in the area where drought conditions are the worst. Lewis said that water carryover reached its lowest point ever at 385,000 acre-feet as of October 10th. We are now at approximately 500,000 acre-feet with approximately 8500 acre-feet per day accumulation.

Tim Deeg gave a brief overview of the replacement water situation. Last year, Tim said, water was purchased and all water for the stipulated agreement had been provided. He said he was not sure where we are for next year, but there would most likely be no carryover and they would be starting from scratch to meet obligations of approximately 28,500 acre-feet. Tim explained the agreement had not been signed for this year because they were looking for some municipal users to participate in making changes.

There was a brief discussion of the Global Rental Pool. Lewis said that there had been 385,000 acre-feet of carryover, and that all those wanting water had received it. Tim Deeg reminded advisors that operation of the Global Rental Pool was for 1 year only. Continuation was dependent upon canal companies and their willingness to participate should the drought

continue. Tim suggested the water district may want to re- consider what they are willing to pay for water.

Tim Luke discussed measurement data, saying he had provided Lewis a spread sheet with a four year average. Lewis said he had included these figures in his proportionate share figures.

There was some discussion on those users not yet assessed who had smaller non-domestic diversions. Tim Luke suggested we consider a resolution for a minimum charge, though we may not necessarily be measuring these diversions. Lewis said that last year they had set the minimum assessment at \$30.00.

Stephanie Mickelsen asked a question about progress in Lan-Sat observations of illegal diversions. Lewis said there were 640 inconclusive acres in all of Water District 120, but after talking with a small number of folks, nothing official had to take place this year. Lewis said there were problems with the satellite they'd been using and the replacement satellite's pictures offered poor resolution. Tim Deeg said they are working on legislation that would allow the ground water district to lease acreages with water rights and distribute them over the district to help folks cover these overages that their rights do not cover.

Lynn Tominaga briefed advisors on challenges within Water District 130. Most of these included possible calls on water by 3 entities. If these should go to litigation, the biggest issue that Water District 120 could face is the determination of material injury as decided by the court. It was agreed that negotiation was preferable to going to the legislature or the courts.

At this time, Tim asked if there was any old business. There was not. When asked if there was new business, Lewis said that if anyone had anything that needed to be part of the resolutions, or if they had other issues that need to be considered, to please contact him as soon as possible.

Dane Watkins moved that the meeting be adjourned. Kevin Michaelson seconded the motion and the meeting adjourned at 3:50 p.m.

Water District 120
Advisory Committee Meeting Minutes
August 11, 2003

Tim Deeg called the meeting to order at 1:15 p.m. Other advisors in attendees were Neal Powell, Stephanie Micklesen, Scott Clawson, Craig Evans, Jenny Ruff, and Dane Watkins. Other attendees were Ron Carlson, Lewis Rounds, Lynn Tominaga, and Terry Klipfel.

Tim Deeg asked if the committee wanted the minutes read from the last meeting. Neal Powell moved to accept the minutes as written and Dane Watkins seconded the motion. The motion carried.

Lewis talked briefly about the drought declarations in 19 Idaho counties. He then proceeded to discussion of the Water District 120 budget, explaining the current employee situation. He then went on to explain the Water District 120 budget was based on estimates from East Water Measurement District operations. Lewis gave a break down to clarify individual items. He then gave a break down of fiscal responsibility by water district, stating that each would be responsible for a percentage as follows:

AAFGWD 30.7%
BGWD 41.2 %
BJGWD 10.21 %
EWMD 17.9 %

These projections are based on the number of diversions in each water district. There was some discussion about the measurement of diversions on the reservation. Lewis said the that they do their own measuring. Members expressed the need to have access to reservation data. Tim Deeg said there are others who are not members of a water district such as Falls Irrigation. Lewis said there were some in Basin 29 that are subdivisions, or commercial plants in the Chubbuck area. He said there would always be a measurement program in Water District 120 for those diversions not part of another district. Lewis told advisors that he has asked for a report from IDWR in order to finalize percentages on the ground water district responsibilities listed above. Lewis said as soon as he got the data from IDWR he would re-evaluate and send numbers to each of the water districts. Tim Deeg asked how monies left from the East Water Measurement District would be handled. Lewis explained that the district passed Resolution 10 that allows the district to split assets and turn them over to the entity/s continuing measurement for the small number of diversions remaining in the East Water Measurement District.

Tim Deeg asked about financial accountability. Ron told Tim that there was a mandate by the state that requires an annual audit. Tim asked if the person who prepares the bills and checks also signs the checks. Ron said, "No". Tim asked who would set up the water district account and where. Ron said it was the responsibility of the board to decide.

Lewis gave a brief overview of the Lan-Sat photos explaining it didn't appear as if they found any new water right violations. There are, however, approximately 690 acres within the boundaries of Water District 120 that need investigation.

Lewis explained to advisors the status of adjudication for Basin 29, stating that to bring Basin 29 into Water District 120 before they are partially decreed would require an order from the director.

Lewis briefed members on Water District 120 audits, saying he had collected 18 files from Bingham Ground Water District and is hoping to get 10 to 15 of those measured. He is unable to get all of them, because some are in grain and won't be turned on again. He also got 20 files from Aberdeen American Falls Ground Water District, and is hoping to get 10-15 measurements/audits from those. There will not be as many audits done as in a normal year because we are short on personnel at this time.

Ron spoke briefly about the water situation, stating it should be looked at in the context of the Global Rental Pool. He said the rental pool had solved a lot of problems and made things much less complicated. They are anticipating a carry over of 400,000 to 500,000 acre-feet of water at the end of this year which would be used to cover rentals. Ron said there was less than 100% access this year because people were not sure how the rental pool would work. The Rental Pool Committee met and talked status, deciding not to rent anymore water this year. Some requests did not get filled. Of those who paid for rental water and did not receive it, only about 10,000 acre-feet did not get filled. The price for an acre-foot of water this year was \$6.00. Ron said the kind of year we had this year was an example of a "worse case scenario". Should we have another year like it, ground water districts should plan on rental pool water being at least \$9.00 per acre-foot, realistically.

Tim Deeg talked briefly about the status of the replacement water situation. He said the ground water district needed 15,000 acre-feet to provide for mitigation, referring members to meeting minutes from May for specific numbers.

Lynn Tominaga gave members and update on a call by Clear Lake's Trout because it could affect the water district. Lynn said the call would most likely occur after the first of the year (after stipulated agreement runs out), and would most likely affect those water users junior to 1967. Ron said that depending on what the director's definition of "material injury" was, would determine potential impact on the water district.

Tim Deeg asked if there was any old or new business. There was none. Dane Watkins made a motion to adjourn the meeting. Neal Powell seconded the motion. The vote was unanimous and the meeting adjourned at 2:50 p.m.

Water District 120 Advisory Meeting

Monday, May 12, 2003

A meeting of Water District 120 advisors was called to order at 1:10 p.m. Advisory members in attendance were Tim Deeg, Jenny Rough, Neal Powell, Scott Clawson, Dane Watkins, Ray Duffin, and Stephanie Micklesen. Others in attendance were Lewis Rounds, Ron Carlson, and Terry Klipfel. Lynn Tominaga and Tim Luke attended by conference call.

Tim Deeg asked if everyone had a chance to look over minutes from the annual meeting, asking if there were any changes or corrections. There were none. Tim reminded members the minutes would be approved at the next annual meeting. Tim asked Lewis to give a brief report about the drought situation. There was some discussion about counties that have declared drought emergencies and an overview of the process for obtaining emergency transfers. In doing so, Lewis referred to Idaho Code 42-222A, saying the user would assume risk of injury. Temporary transfers are only to provide replacement water for those who would normally have a full supply and who have legal water rights. Those not receiving emergency transfers could be shut off. Tim Deeg said there should be some provision or emergency pool of rights that could cover these, but Ron said the water district could see opposition in changing the statute to allow for this.

Lynn Tominaga talked briefly about the Water District 130 meeting and their plan provide some funds for advisors to attend seminars or workshops, suggesting this might be a good option for Water District 120 as well. Neal Powell asked how much money would be needed and Lynn said it depended on how many advisors would want to participate. Lynn suggested \$1000 to pick up registration costs, but not travel or hotel.

Lewis gave an overview of the employee situation for the district, stating that Michael Holliday has taken a job as an adjudication agent. Lewis said he would most likely hire a temporary person who could do measurements for the water district. With Michael leaving, the district no longer has a trained agent. Lewis said another option was to ask Idaho Power to do some audits. By the next meeting, Lewis encouraged advisors to have an idea as to which direction to take. Tim Deeg asked what the number or percentage of audits had to be done. Lewis said a minimum of 10 audits per district should be done. If personnel are available, a minimum of 30 audits per G.W.D. should be performed. Tim Luke said the goal was about %10. Lewis said one option was to utilize employees from the ground water districts for a week or two to do audits. Ron Carlson asked how many diversions there are in Water District 120. Lewis said there were almost 3000. Ron suggested a full-time employee would be a good idea.

Lewis discussed the Lan-Sat Photos saying the next round would cause people to apply for emergency transfers. They will be done the first week in July. Lewis said the next round would include those rights underneath canal companies' places of use. He said the director's report was scheduled to go out around July 1st, stating it would take 2-3 months for folks in Basin 29 to go to Water District 120.

There was some discussion of providing WMIS to water districts. Water District 130 was experimenting with a high-speed internet connection to utilize WMIS. Tim Luke

said it was working pretty well, but some maintenance or improvements were necessary. Tim Deeg said they would be looking into the high-speed connections after getting their new office relocated.

Lewis gave an overview of the water situation and what the reservoirs look like, referring to information obtained from the NRCS Website. Ron said he was predicting the water outlook to be slightly better than last year. Though it looks like there will be significant shortages, Ron said this is the best year since 2000, stating that much depends on spring and summer precipitation levels. He also said he was more optimistic than NRCS' predictions.

Next, Tim Deeg discussed the replacement water situation, stating the carry over is approximately 6,142 acre-feet. Verification from Karl Dreyer is pending. He also said that 23,762 acre-feet of the 25,500 acre-feet obligation for 2003 has been filled with 3,000 acre-feet from Falls Irrigation District, 6,820 from FMC, 5000 from Magic Valley GWD (if acceptable from Mitigation Inc.), and 300 from ASCC (Aberdeen City). Ron stated there could be a problem using the Aberdeen canal shares.

Tim asked Ron to give an update on the Global Rental Pool. He said there were initially 3 tables, but there is only one now. Ron said letters requesting participants for the pool have been sent. He also said there would be a Committee of Nine meeting in June where members would discuss what kind of changes need to be made in the rental process, and if the committee was willing to agree to the changes. Advisors wanted to know if most thought the pool a good deal. Ron said most board members and water users did, but others were nervous about giving up control. He said there were still issues to talk through. He said there would be adjustments annually for some time. Ron said the Global Rental Pool solves some major problems we face and he hopes to encourage space holders to participate.

Lynn Tominaga gave a brief summary of various court cases that could have an effect on water issues. There was one major case that could involve a call affecting Water District 130. It has to do with an A & B enlargement claim.

Tim Deeg asked if there was any old business. Tim Luke asked Lewis if he was going to prepare a budget based on the proposed budget or CFS charges. He asked when actual numbers need to be determined. Tim Deeg and Jenny Ruff indicated that their budget needs to be ready by the end of October or November 1st. The next advisory meeting was scheduled for Monday, August 11th at 1:00 p.m.

When asked if there was any new business, Tim Luke said that two "Notices of Violation" had been sent to Ward and Soderquist, stating they will need to seek a compliance conference. The names were noted.

Tim Deeg moved to adjourn the meeting. Dane Watkins seconded the motion and the meeting ended at 3:00 p.m.

Water District 120
Advisory Meeting Minutes
February 10, 2003
Draft Copy

Tim Deeg called the meeting to order at 1:15 pm. Tim told advisors that Lewis Rounds had some changes to resolutions that needed to be discussed before the annual meeting. The changes were:

- To reduce the budget by 20,000 because the Bonneville Jefferson GWD will be doing their own measuring, thus paying for it.
- Resolution 4, part B (changes allow the advisory committee to appoint a treasurer for fiscal year 2004 during a regular or special meeting before assessments are sent).

Tim Luke expressed some concern over not having a treasurer in place should the district plan on sending assessments before the 2004 meeting.

Tim said the only other change to the resolutions was on resolution 9. It stated previously that the fiscal year would start on December 1 and end on November 31. There are only 30 days in November. The date was changed to fiscal year ending November 30th.

Bill Taylor wanted to know why the fiscal year was set to end before the annual meeting. Tim Deeg explained it had been set up that way because of the timing of ground water district meetings and assessments mailings.

There was some brief discussion about setting a budget. Lewis explained that resolution #3 sets the 2003 budget at zero. IDWR is paying for District 120 until the beginning of fiscal year 2004. Lewis said there was no danger of over lap because members will be collecting for the 2004 budget now.

Discussion on the proposed resolutions commenced. Dane Watkins made a motion to change resolution #9. His proposal requested removal of the last line of the resolution.

“The first budget fiscal year for Water District 120 will be for the period following the annual meeting and extending to November 30, 2002.”

The motion was seconded by Kevin Michaelson and passed without dissent. Bill Taylor made a motion change to resolution #10, requesting that the dates for the fiscal year be added for clarity (Dec. 1, 2003-Nov. 3, 2004). Dane Watkins seconded the motion and it passed unanimously. Neal Powell suggested adding the specific date anywhere “fiscal year” is mentioned. Members decided this was unnecessary because resolution #9 covers the definition.

Lewis talked briefly about changes that didn't get made to the budget chart. Changes were noted with the total budget being set at \$118,000.

Tim Luke expressed concern over not setting criteria for an assessment due date in the resolutions, stating that Idaho Code 42-13 requires one. Tim Deeg suggested making assessments payable by January 31st. Members decided to add a paragraph under the budget graph of resolution #10. It would read "Also be it resolved that assessments for Water District 120 will be payable and due by January 31, 2004. Dane Watkins made a motion to add the paragraph as presented with a second from Kevin Michaelson. The motion passed without dissent.

Lewis explained this was the sum of changes since the last advisory committee meeting. Neal Powell made a motion to accept the motions with indicated changes to present at the annual meeting. Ray Duffin seconded the motion and it passed without dissent.

Tim Deeg asked if there was any old or new business. There was none and the meeting adjourned at approximately 2:10 p.m.

2003 Advisory meeting
1:00 p.m.

Advisors

- ① Neal Power
- ② Kevin Michaelson
- ③ Walter Gac
- ④ ~~Stephanie Michels~~
- ⑤ Ray Duffin
- ⑥ Dane Watkins
- ⑦ Craig Evans
- ⑧ Scott Clawson
- ⑨ Wayne Kendall
- ⑩ Jenny Ruff
- ⑪ Tim Luke, IDWR
- ⑫ ~~Stephanie Michels~~
- ⑬ ~~Stephanie Michels~~
- ⑭ Bill Taylor -

**Water District 120
Annual Meeting Minutes**

Riverside Inn-Blackfoot

Feb. 10, 2003

The annual meeting of Water District 120 commenced at 2:15 p.m. Lewis Rounds opened the meeting asking for nominations for a temporary chairman and secretary. Neal Powell moved that the district elect Tim Deeg as temporary chairman and Terry Klipfel as secretary. Kevin Michaelson moved that nominations cease. Dane Watkins seconded the motion and a unanimous ballot was cast.

Tim Deeg told members that meeting notice was given to all water right holders as required by Idaho Code. He further explained the purpose of the meeting and gave a brief overview of the voting process, stating the district generally votes one man, one vote unless objections are filed. Tim also gave a brief definition of a Water District.

Tim Deeg asked Terry Klipfel to read the minutes from the last annual meeting. Dane Watkins made a motion to accept the minutes as read. Neal Powell seconded the motion. The motion passed without dissent.

Tim Deeg opened a discussion on proposed resolutions. Lewis said resolutions were basically the same as last year with changes noted by italics or underlines. After reading the resolutions, Lewis explained changes. Resolution #4, b allows for the appointment of a treasurer. Stephanie Mickelson moved to change the word "bills" in resolution 4b to read "assessments". Kevin Michaelson seconded the motion and a unanimous ballot was cast.

Ron Carlson expressed some concern over the order of the resolutions saying it presupposes some items. After discussion, members decided to proceed leaving the order the same. Advisors will address the issue at a later date should they deem it necessary.

Lewis talked about resolution 8, explaining the need for additional advisors with the inclusion of basins 25, 27, and 29 in the near future. He said the resolution also provides criteria for the make-up of the committee. Neal Powell said the assembly should note that advisors discussed the need for a representative from municipal or industrial use. Stephanie Mickelson moved to have the word "may" in resolution 8 changed to "shall". Neal Powell seconded the motion and it passed without dissent.

Discussion returned to resolution #4, f. Todd Lowder made a motion to change the word "after" to "on". Neal Powell seconded the motion and it passed unanimously. Ray Duffin moved to add the specific date (second Monday of February, 2004) to #4, f. Stephanie Mickelson seconded the motion and it passed unanimously.

Lewis told members that resolution #10 is new. He suggested the need for an additional paragraph stating "Also be it resolved that fiscal year 2004 assessments for WD120 will be payable and due by January 31, 2004 (per Tim Luke's earlier request). Dane Watkins

made a motion to specify the actual fiscal year beginning and end in paragraph 5 of resolution #10. Gaylen Van Orden seconded the motion and it passed without dissent. Resolutions 11-14 are the same as last year.

Before ending discussion on resolutions, Lewis explained that a new resolution would be necessary. This resolution 15 would read "Whereas some small diversions would have regular assessments less than amounts required by WD120 to maintain their accounts, be it resolved that WD 120 will have a minimum charge of \$30.00 on years assessments are sent. Craig Evans made a motion to add the word "when" after "on years". Scott Clawson seconded the motion and it passed unanimously.

After discussion of all resolutions, Tim Deeg asked for a motion to accept the resolutions with the noted changes. Neal Powell made a motion to accept the resolutions. It was seconded by Kevin Michaelson and passed without dissent.

Tim Deeg explained the advisory committee now allowed for eleven members. He further explained that not all would have to be added now. Tim suggested recessing for a period of 15 minutes to meet in sub groups to determine advisory committee recommendations. Dane Watkins made a motion for members to meet in subgroups. Gaylen Van Orden seconded the motion and it passed unanimously. The meeting reconvened 15 minutes later to consider recommendations. The following were recommended for the advisory committee for Aberdeen American Falls GWD: Tim Deeg, Kevin Michaelson, Ray Duffin, and Richard Meyer (municipal user). Bonneville Jefferson GWD: Bill Taylor, Stephanie Mickelson, and Dane Watkins. Bingham GWD: Walter Gay (industrial use), Craig Evans, Scott Clawson, Gaylen Van Orden, and Neal Powell as alternate. Dane Watkins made a motion to accept the advisory committee as recommended. Scott Clawson seconded the motion and it passed unanimously.

Lewis gave the Water District 120 activities report. He spoke briefly of curtailment letters and responses, expected dates of director's reports, and talked about unauthorized diversions. He discussed the measurement program. He said the department was working to provide "stand alone" copies of WMIS to ground water districts and explained results of measurements. In general, power records show a slight reduction of power and water use in the south, and a slight increase in the north. There was some discussion of ground water opt outs. Lewis said that persons having opted out of a ground water district can be reinstated, but directors can decide not to let them return.

Lewis presented slides of the Snake Plain Aquifer that demonstrate how aquifer levels have changed over the years. Lewis said that half of the depletion of the aquifer for the last 20 years took place last year during the drought. Slides were also presented showing reservoir levels, snow pack levels, and how those levels compare to average. When asked how things look compared to last year Ron Carlson said the situation is approximately the same.

Tim Deeg gave an update on replacement water. He explained they were required to provide 28,500 acre-feet of water under the stipulated agreement. This year he said they

were able to obtain water from FMC and Falls Irrigation to meet the obligation. Tim said they would need approximately 18,000 acre-feet to meet the obligation this year. Last year Mitigation Inc. said they could make up the balance of the obligation up to 20,000 acre-feet, but have been unwilling to commit this year. Tim said he has been charged to find water to meet the agreement no matter what the cost, emphasizing that expensive water hurts budgets. Tim said Ron Carlson is working on a plan that should provide water to ground water users on a consistent basis.

There was more discussion on the stipulated agreement and troubling features with the reduction plan. Ron Carlson emphasized the importance of negotiating new agreements based on new technology and new information provided by the water model. Neal Powell asked what the schedule for re-negotiation is and Tim said the plan is to have a new agreement in place before the old agreement lapses. Tim said we shouldn't be obligated for drought situations that affect their water. One member expressed concern over curtailment should it occur, asking which areas would be impacted. Tim Deeg said that coming up with 18,000 acre feet short is a worse case scenario, but the district needs to discuss and plan a strategy should it occur. Despite changes in the aquifer showed by Lewis on the slides, Steve Howser said it is important to remember that change is not entirely due to ground water users. It is important to account for input and all change not related to wells.

Tim Deeg asked Ron Carlson to give an overview of his plan. Ron gave a great deal of historical background. Under this plan, storage water would be made available to ground water users. The plan would make any carry over of storage water available for re-distribution. Distribution of the storage water and prices of that water would be determined by a formula. Ron said this plan would take care of the problem of hunting for water. He said most likely, canal managers (primarily those from Firth to Twin Falls) would serve on the Rental Pool Committee. They would look at the process, its downsides, monitor it through the summer, modify procedures to provide a Global Rental Pool, and seek approval for the plan. Ron talked about benefits of the plan to ground water users and said there was good interest in the proposal.

In closing, Ron talked about re-charge, referring to the slides of the aquifer, stating that the aquifer is really much more responsive than we have assumed in the past. If we look at the entire picture and have some good water years, you will find the aquifer is quite stable.

Tim Deeg thanked Ron for presenting his proposal. There was no old or new business. Neal Powell made a motion to adjourn and Kevin Michaelson seconded the motion. The meeting adjourned at 4:45 p.m.

Respectfully submitted,

Terry Klipfel
Temporary Secretary

**Water District 120 Annual Meeting
2003 Resolutions**

The water users of water district 120 meeting at the annual district meeting on February 10, 2003, at the Riverside Inn in Blackfoot, Idaho, HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

1. That the watermaster perform the duties as required by Chapter 6, Title 42, Idaho Code and in accordance with:
 - 1) The duties described in the Final Order Creating Water District 120, signed by the Director of the Idaho Department of Water Resources (IDWR), February 19, 2002, including:
 - a) Curtail illegal diversions;
 - b) Measure and report the diversions under water rights;
 - c) Enforce the provisions of the stipulated agreements approved by the Director, and;
 - d) Curtail out-of-priority diversions determined by the director to be causing injury to senior priority water rights if not covered by a stipulated agreement or a mitigation plan approved by the Director.
 - 2) Direction and guidance provided by the Director of IDWR pursuant to Idaho Water Law.
 - 3) The annual water district resolutions as adopted herein.
2. The Idaho Department of Water Resources be elected to provide the watermaster services for Water District 120. That the Director of IDWR appoint Lewis Rounds, an employee of IDWR, to provide watermaster services for the ensuing year.
3. As provided in Idaho Code § 42-608(4), the watermaster shall serve throughout the entire year after election at this meeting and upon appointment by the Director.
4. The water users of Water District 120 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:
 - a) Compensation of the watermaster and all related water district expenses for 2002 and 2003 shall be provided by IDWR if the district elects IDWR to provide the watermaster services and allow the Director of IDWR to appoint an employee of IDWR as watermaster.
 - b) There shall be no set budget or collection of budget for Water District 120 for the ensuing year, appointment a district treasurer for fiscal year 2004 will occur during a regular or special meeting of the advisory committee of Water District 120 before assessments from the water district are sent.

- c) The watermaster shall maintain an office for the ensuing year within the IDWR Eastern Regional Office, located in Idaho Falls, Idaho.
 - d) 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 120 any ownership interest in any IDWR office space and equipment.
 - e) IDWR's commitment is limited to providing one (1) full-time employee (FTE) for watermaster duties over the ensuing year, but the sub-districts created herein are expected to fund, at their own expense during 2002 and 2003, personnel and equipment necessary for measurement and reporting of diversions within the sub-districts.
 - f) Water District 120 will assume full responsibility for all expenses of the district starting on the second Monday of February, 2004.
5. Diversions in Water District 120 that are not already measured by one of the sub-districts created herein shall be measured directly by the water district in the ensuing year but assessed for measuring and reporting through the ESPA East Water Measurement District.
6. Water District 120 includes one or more ground water districts, irrigation districts or other geographical areas where the source of water or nature of water use is common among water right owners and users. Since ground water districts and irrigation districts may already be measuring and reporting diversions on their own, and in order to promote efficiency in the administration of water rights and water management, the Director of IDWR, working with the members of the water district through an advisory committee, may provide for sub-districts as he finds appropriate. The director therefore recognizes and provides the following sub-districts:
- 1) Aberdeen-American Falls Ground Water District
 - 2) Bingham Ground Water District
 - 3) Bonneville-Jefferson Ground Water District
 - 4) ESPA East Measurement District (see resolution no. 5 above)
7. The sub-districts designated above may have employees or agents who measure and report diversions to IDWR, and who may provide other services to the sub-district. The Director of IDWR therefore may appoint employees or agents of the sub-districts as assistant watermasters for purposes of measuring and reporting water use to the watermaster of Water District 120. The water district watermaster and the Director of IDWR will provide direction and guidance to assistant watermasters for measuring and reporting of diversions in sub-districts, including but not limited to the following:
- a) Each sub-district responsible for data collection shall provide an annual report of diversion data to the water district watermaster in accordance

with Idaho Code § 42-606, § 42-708, § 42-709, and the direction provided by the Director of IDWR.

- b) Assistant watermasters from sub-districts shall cooperate and coordinate with the water district watermaster and IDWR in sharing water use information.
- c) The regulation of diversions, including curtailment of diversions and other water right enforcement actions, shall be the primary responsibility of the water district watermaster and IDWR.
- d) Sub-districts may cooperate and participate with the water district and IDWR in resolution of unauthorized diversions or other enforcement matters.
- e) To the extent that sub-district assistant watermasters may otherwise be involved in the regulation or enforcement of diversions, such involvement will be under the instruction of the watermaster and the Director of IDWR.

8. WHEREAS, the water district meets in regular annual session, as provided by state law, and;

WHEREAS, an advisory committee shall be elected at each regular annual session to represent the interests of the water users and to provide input to the watermaster and the Director of IDWR, and;

WHEREAS Idaho Code 42-605 provides for voting by water users and election of an advisory committee, the water users of Water District 120 hereby resolve that the credentials for voting in any district meeting and for serving on the district advisory committee will be as follows:

The advisory committee shall consist of 11 members, of which no more than 3 of these shall represent non-irrigation water users. And be it further resolved that when available there shall be at least three committee members from both the Aberdeen-American Falls Ground Water District and the Bingham Ground Water District and at least two committee members from the Bonneville-Jefferson Ground Water District.

Must be a water user of the district as evidenced by a valid water right or an assessment for water delivery the previous year.

Must have paid all assessments owed to the water district.

9. BE IT RESOLVED that the Water District 120 budget will be approved for a fiscal year starting December 1 and ending November 30.

10. WHEREAS, it will be necessary for Water District 120 to be self-sufficient and responsible for all cost incurred beginning the day after the annual meeting of Water District 120 held on the second Monday of February 2004, and,

WHEREAS, The fiscal year of Water district 120 and the annual meeting date for the water district are not on the same day, and,

WHEREAS, multiple bills from both water districts, ground water districts, and water measurement districts can be confusing to some water users.

BE IT RESOLVED that the fiscal year 2003 budget for Water District 120 will be for zero (0) dollars as outlined in resolution 4, and

BE IT FURTHER RESOLVED that the budget for fiscal year 2004 (beginning December 1, 2003 and ending November 30, 2004) be set at this annual meeting as follows:

Expenses	WD 120 Admin.	WD 120 meas.	TOTAL
IDWR Contract	70,000	30,000	100,000
Report/Office Supplies/Mailings	2,000	4,000	6,000
Auto/Travel Expenses	1,000	1,000	2,000
Misc. Equipment	4,000	2,000	6,000
Meeting Expense	1,000	3,000	4,000
Totals	\$78,000	\$40,000	\$118,000

ALSO BE IT RESOLVED that fiscal year 2004 assessments for Water District 120 will be payable and due by January 31, 2004.

BE IT FURTHER RESOLVED that the advisory committee of Water District 120 has the power to reduce but not increase the amount collected and paid to the water district in the event that unforeseen circumstances dictate such an action.

11. The annual Water District 120 meeting shall hereafter be held on the second Monday of February, of each 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.
12. Copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and the report prepared in accordance with Idaho Code § 42-

615, shall be filed with the director of the Department of Water Resources in accordance with Idaho Code § 42-617.

13. The watermaster of Water District 120 shall be responsible for submitting to IDWR annual reports showing water use and such other information that may be deemed necessary by the Director of IDWR in accordance with Idaho Code § 42-606, § 42-708, and § 42-709.
14. The watermaster and assistant watermasters are authorized 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:
 - a) Monitoring diversion and measuring rate and volume of water diverted from ground water and other public water sources.
 - b) Measuring the depth to water in wells.
 - c) Monitoring the place, period, and nature of use of water to identify unauthorized diversion and use and to determine compliance with mitigation provisions required by agreement or order of IDWR.
15. WHEREAS some small diversions would have regular assessments less than the amount required by the Water District to maintain their account,

BE IT RESOLVED that Water District 120 will have a minimum charge of \$30.00 on years when assessments are sent.

Water District 120
Advisory Meeting Minutes
Feb. 3, 2003

The meeting of Water District 120 advisors was called to order at 1:05 p.m. Advisors in attendance were Gaylen Van Orden, Scott Clawson, Walter Gay, Dane Watkins, Timothy Deeg, Ray Duffin, Neal Powell, Bill Taylor & Kevin Michaelson. Others in attendance were Lewis Rounds, Jenny Ruff, and Terry Klipfel. Lynn Tominaga & Tim Luke participated by conference call.

Lynn talked with advisors about new legislation that would allow Ground Water District Board members to represent the other members of their district at the Water District meeting. After some discussion, Tim Deeg asked if the committee wanted Lynn go forward with the legislation. Neal Powell made a motion to support the proposed legislation and Dane Watkins seconded. The motion passed unanimously.

Tim Deeg asked if there were any questions or comments about minutes from the November meeting. Tim suggested a change on pg.1, paragraph 2, and also to have the name "Aberdeen Springfield" changed to "Aberdeen American Falls GWD" throughout the minutes. Terry noted the items and made the changes. Bill Taylor made a motion to accept the minutes with the changes, and Dane Watkins seconded the motion. The minutes were accepted with suggested changes.

Lewis discussed the need for a committee member to make a motion to nominate a chairman and secretary at the annual meeting.

Lewis talked about the need to consider a budget for the district, saying that last year's resolution #9 states that Water District 120 would have a budget for 2003. He said the committee could provide a new resolution if they did not want a 2003 budget, or could simply set the 2003 budget at zero. He also presented a 2004 budget proposal based on comparisons with expenditures from the East ESPA Water Measurement District. There was also discussion on ways in which the district could best handle assessments. Lewis reminded committee members that IDWR would continue to handle expenses incurred by Water District 120 until the annual meeting in 2004. Neal Powell asked if Lewis could provide a more detailed accounting of how much it would cost his ground water district. Lewis said he would be glad to provide this, but that he couldn't until the advisors voted on a budget. Neal suggested a reserve fund of \$5,000 be added to the budget in case there are expenses the district does not anticipate. Lewis said numbers in the proposal are generous and would most likely cover everything. Advisors decided not to go forward with the suggested "management reserve". Bill Taylor moved to set the 2003 budget at "zero", and to adopt the proposed 2004 budget of \$135,000 for Water District 120 as presented by Lewis. Dane Watkins seconded the motion, and the committee passed the motion by acclamation. There was some discussion about when a Water District 120 account should be established and when assessments should go out initially. Lewis suggested sending the bills in August, but making them payable just prior to the 2004 annual meeting.

Lewis gave a brief explanation of the resolutions with any proposed changes. Tim Luke had different resolutions and there was a question as to which version was accepted last year. Lewis and Tim agreed to look over the resolutions, researching last year's meeting to determine which would be the correct version to use. Advisors agreed to have another advisory meeting at 1:00 p.m. at the Riverside Inn. just prior to the Water District 120 annual meeting. At this time Lewis will present the resolutions as voted on at last year's meeting, and have committee members vote on which resolutions to present at the annual meeting.

Resolutions as presented by Lewis were as follows:

- 1) Same as last year (Water Master duties under the law)
- 2) Makes Lewis Water Master Again.
- 3) Sets water master duties between annual meetings
- 4) IDWR pays for WD 120 through fiscal 2003.
- 5) Sets fiscal year Dec. 1-Nov. 30th
- 6) Composition of the advisory committee.

Lewis suggested advisors may want to include an addition to this resolution which would allow for additional advisors. This would accommodate basins 29, 25 & 27 and provide more representation with WD 120 growth. It would also set specific criteria.

“And be it further resolved that when available there shall be at least three committee members from both the Aberdeen-American Falls GWD and the Bingham GWD and at least two committee members from the Bonneville Jefferson GWD.”

Neal Powell moved to have a resolution that would change the composition of the committee to 11 members to accommodate growth of Water District 120. Dane Watkins seconded the motion. The motion passed without dissent. Members also discussed inclusion of an amendment that would suggest membership of committee members. Neal moved to include amendment and Dane seconded the motion. The committee passed the motion by acclamation.

The only other suggested change to a resolution was to resolution #7. Lewis suggested having the committee write a letter to Karl asking that the boundaries of the East ESPA Water Measurement District be changed to those of Water District 120. This would also allow WD 120 to take over responsibilities of that water measurement district until it becomes a part of WD 110. The other option would be a new resolution. Tim Deeg said he thought a letter would be sufficient. The committee decided to table the idea for now.

Lewis said he would be talking with Lynn Tominaga and Tim Luke on Feb. 4th in order to obtain the correct copy of resolutions, stating he would email them to committee members.

Lewis talked briefly about the election of committee members, suggesting that if the committee was to remain the same, that someone make a motion from the floor at the annual meeting accordingly.

Lewis gave a brief overview of the water situation, saying that on average, this year's water situation is very similar to last. There was some discussion about the agenda for the annual meeting. There was no new or old business.

At 3:55 p.m. Dane Watkins motioned to adjourn the meeting. Neal Powell seconded and the committee voted to adjourn.

NAME

Lewis Rowles
Galen VanOrin
Scott Clawson

IDWR
Bingham Groundwater
WA 120

Walter Gay (~~Tracy R @ Nonpar~~ Nonpar / Corp)

Dona Watson

Barry Jefferson

Timothy Deeg

Ab.-AFGWD

Ray Duffin

Aberdeen

NEAL POWELL

BINGHAM GROUND

Jenny Ruff

AbAF. G.W.D.

Dell Taylor

Bent Jeff GWD

Kevin Michaelson

AbAm Falls GWD

+ Tracy R @ Nonpar . Com

* Kevin Michaelson

Michaelson 2590 dcdi.net

Jenny Ruff - secretary Ab/Am. Falls GWD

Water District 120
Advisory Meeting Nov. 12, 2002
Final Copy

A meeting of Water District 120 advisors was called to order at 1:00 p.m. Tim Deeg was acting chairman. Other advisors in attendance were Craig Evans, Gaylen Van Orden, Scott Clawson, Walter Gay, Stephanie Mickelson, Bill Taylor, Richard Meyer, Ray Duffin, and Dane Watkins. Lewis Rounds and Terry Klipfel were also in attendance. Tim Luke and Lynn Tominaga were conference call attendees.

Tim Deeg asked if anyone wanted to make changes or additions to minutes from the last meeting. With no indicated changes or additions, Bill Taylor moved to accept the minutes as presented. Dane Watkins seconded the motion and it passed by acclamation.

Tim asked Lewis to give the Water Master Report. Lewis began by discussing the letters for unauthorized diversions. Lewis said that all names for persons believed to be in violation were sent to IDWR. IDWR then determined if a letter of violation is necessary. Those receiving letters have a fourteen day grace period to respond to IDWR claims. He also said that fines would most likely be reduced. Tim Luke indicated that water users in violation would have a couple of options for correction of the violations. Lewis said that most in violation were 5-15 acres over their acre limit with five over 40 acres. He also explained that those illegally diverting within the boundaries of irrigation districts would not be receiving letters. He said it is difficult to identify those in violation in these areas because of co-mingled rights.

Tim Deeg asked if some kind of a water bank could be established within Water District 120 boundaries that would benefit members. Water rights available through the bank would then be transferable to those in violation, or those short of water as deemed necessary by the water district. Tim Luke said it might be possible, but also said it would be difficult to manage.

Lewis talked briefly about basin deadlines and the incorporation of those basins into the water district. There was also discussion about Water District 120 and current basin boundaries. Lewis explained that Water District 120 would be confined to the Snake Plain Aquifer.

Lewis talked briefly about measurement and reporting, expressing the importance of having quality inventory information about specific systems and conditions. Some advisory members expressed concern over domestic users who are over diverting, and the need to measure those users. Lewis said it would be difficult to keep tabs on domestic users who are exceeding their rights because the satellite photos don't have high enough resolution to pick up the smaller areas. Most domestic users who are over diverting would only be known if someone reported their overuse to the department. Tim Deeg said Karl Dreyer told him they don't have enough personnel to monitor domestic users. Stephanie Micklesen said that many people are unaware of the ½ acre limit on domestic wells and asked if there are ways in which this information could be communicated more

effectively. Advisors discussed the possibility of having domestic users become part of the water district. Lewis said that measuring the smaller diversions often takes more time and expense. According to Lewis, if estimates were to be used on these domestic wells, changes to the statutes to allow for estimates or non-measurement might be necessary.

Lewis showed a diagram of reservoir levels as of 11/11/02. It was determined that levels for the year were pretty similar to last year, if not slightly better.

Lewis talked about Water District 120 funding, indicating that it would take approximately \$90,000-\$120,000 a year to operate. He also said the water district would most likely need one full time employee and possibly a secretary. If the water district bills for domestic wells also, the average cost per diversion would be of \$166.00. Lewis said that in order to make certain everyone was assessed for their domestic wells, bills would have to be sent to every rural address initially. Some suggested billing through the assessor. Tim Luke said this would more than likely require a statute change. Tim Luke asked if there was going to be a proposal for a Water District 120 budget at the next meeting. Tim Deeg said that there would probably not be, but that Aberdeen American Falls GWD had some money in reserve which would most likely go toward Water District 120 funding at some point. Bill Taylor said that Bonneville Jefferson GWD was also building some reserve, but had not specifically earmarked it for the formation of the new water district. Tim Deeg asked who advisory members should talk to about contracting services for Water District 120. Tim Luke said to start with him.

Lynn Tominaga gave a brief summary of Farm Bill 2002 (Environmental Quality Incentives Program), stating that 7-8 additional dollars would be available to fund AG projects. The money would be divided equally among 5 categories. An entity or individual can apply for up to \$450,000 over the life of the bill. Lynn said that a proposed project fitting multiple issues is more likely to get funding. Projects likely to get funding include those that take some of the following into consideration: soil conservation, water conservation, water quality, erosion, wild life habitat, endangered species, etc. Anything pertaining to conjunctive management, whether by group or individual might also be eligible for funding. The cut off date is the end of February.

At this time, Lynn Tominaga discussed new issues. The first was in regard to a new water transfer policy. He said there would be a new credit system set up in different river regions. It would be mitigated according to impact. For transfers from west to east there would be negative impact, and a positive impact east to west. Karl would like to see a state water bank. Willing buyers/sellers would be recruited. Positive credits could come about by transfers.

Lynn also asked if there were any amongst Water District 120 advisors willing to meet with people in Elmore County who would like information on establishing a water district. Tim Deeg said that possibly he, Craig Evans, or Bill Taylor would be willing to meet with them.

Tim Deeg asked if there was any old or new business. There was no old business, but Lewis asked if advisors wanted to have another meeting before the annual meeting. Advisors agreed to meet again February 3rd at 1:00 p.m. in the DEQ conference room. Lewis also asked advisors to agree on a location for the annual meeting to be held on Feb.10, 2002 (the second Monday of February). Tim Deeg suggested Blackfoot because it is a central location. Dane Watkins made a motion to have the annual meeting in Blackfoot and Craig Evans seconded the motion. The motion passed by acclamation. No specific location in Blackfoot was pinpointed, but would be determined according to availability.

Tim Deeg made a motion to adjourn the meeting. Craig Evans seconded the motion and the meeting was adjourned at 3:00 p.m.

AGENDA
WATER DISTRICT 120 ADVISORY COMMITTEE
November 12, 2002 1:00 pm

I) Introductions

- a) Reading of August 12, 2002 meeting minutes

II) Water Master Report

Lewis Rounds

- a) Letters for unauthorized diversions - sent to idwr - to see if notice of violation necessary.
b) Basin 29
c) Measurement program
d) Current reservoir levels
e) WD 120 funding

Lewis said letters are nasty.

14 day grace period to talk w

Tim Luke
most likely reduced

III) Funding Available for AG

Lynn Tominaga

5-15 acre expansions on illegal diversions

IV) Old Business

V) New Business

5 over 40 acres are

VI) Adjournment

None done inside irrigation districts because of co-minded sources

Questions and Answers

October 2002

Environmental Quality Incentives Program

Q. What is the Environmental Quality Incentives Program (EQIP)?

A. The Environmental Quality Incentives Program (EQIP), reauthorized in the Farm Security and Rural Investment Act of 2002 (Farm Bill), is a voluntary USDA conservation program for farmers and ranchers to treat identified soil, water, and related natural resource concerns on eligible land. It provides technical and financial assistance to eligible producers.

Q. What are the primary changes to EQIP in the 2002 Farm Bill?

A. The primary changes are:

- Producers can receive payments in the same year the contract is approved.
- Applications will be evaluated for funding based on a state and locally developed procedure to optimize environmental benefits.
- The “bid-down” provision (competitive cost-share reduction among program participants) has been eliminated.
- The minimum length of an EQIP contract has been reduced to one year after the implementation of all practices.
- The maximum length remains the same at 10 years.
- Although the maximum cost-share rate remains at 75 percent, limited resource producers and beginning farmers and ranchers may be eligible for up to 90 percent cost-share.
- Livestock operations are eligible to receive cost-share payments for waste storage facilities. Contracts for confined livestock feeding operations must include the

development and implementation of a comprehensive nutrient management plan (CNMP).

- Conservation Priority Areas are no longer required.
- Total cost-share and incentive payments have been increased to \$450,000 per individual or entity over the life of the 2002 Farm Bill, regardless of the number of farms or contracts.
- Starting in fiscal year 2003, no individual or entity may receive EQIP payments in any crop year in which the individual or entity’s average adjusted gross income for the preceding three years exceeds \$2.5 million, unless 75 percent of the income is derived from farming, ranching, or forestry interests.
- At least 60 percent of the funds for EQIP shall be targeted to livestock production practices, including grazing.
- Incentive payments are available for developing a CNMP and its component elements.

Q. Where is EQIP available?

A. The program is available in every State, Puerto Rico, the Virgin Islands, and the Pacific Basin territories of Guam, the Northern Mariana Islands, and American Samoa.

Q. Does EQIP target financial resources to Conservation Priority Areas?

A. No. EQIP is used to address natural resource concerns in areas associated with agricultural production. The legislative requirement for Conservation Priority Areas has been removed.

Q. Are large confined livestock operations eligible for financial assistance?

- A. Yes. The 1996 Farm Bill restriction making large confined livestock operations ineligible for financial assistance for waste storage facilities has been removed by the 2002 Farm Bill. Contracts for confined livestock feeding operations require development and implementation of a CNMP.

Q. Who is eligible for the EQIP?

- A. Tribes and other producers who are engaged in crop or livestock production on eligible land may participate in the program. Eligible land includes cropland, rangeland, pasture, private non-industrial forestland, and other farm or ranch lands, as determined by the Secretary of Agriculture.

Q. What level of cost-sharing is available?

- A. Through EQIP, producers may receive cost-share payments for up to 75 percent of the cost of structural conservation practices. They also may receive incentive payments for land management conservation practices important to improving and maintaining the health of natural resources in the area or for developing CNMPs. Limited resource producers and beginning farmers and ranchers may be eligible for up to 90 percent cost-sharing. Actual cost-share rates and incentive payments will be determined at the State and local level.

Q. Who are limited resource producers?

- A. The basic criteria are under development for consistency with other USDA programs. More information will become available as a result of final rule making.

Q. Who are beginning farmers and ranchers?

- A. The basic criterion for a beginning farmer or rancher is an individual or entity that has operated a farm or ranch for not more than ten years. Contact your local USDA Service Center for additional information.

Q. What are incentive payments?

- A. Incentive payments provide financial assistance to encourage producers to adopt land management practices, such as nutrient management, manure management, integrated pest management, irrigation water management, and wildlife habitat enhancement, and to develop CNMPs and CNMP components.

Q. What conservation practices are eligible for financial assistance?

- A. The State Conservationist, with advice of the State Technical Advisory Committee, identifies which conservation practices are eligible. Local work groups assist in identifying practices to treat the locally identified resource concerns. All practices must be implemented in conformance to Natural Resources Conservation Service (NRCS) standards and specifications.

Q. Do producers have a better chance of being funded by accepting a lower cost-share rate?

- A. No. There is no preference for being willing to receive a lower rate.

Q. What kind of plan does a producer need for EQIP?

- A. All EQIP activities must be carried out according to an EQIP plan of operations. These plans are site-specific for each farm or ranch and may be developed by producers or with help from NRCS or other certified providers. EQIP plans of operation are developed in conjunction with the producer and address the producer's objectives and the identified natural resource concerns. All plans are subject to NRCS technical standards adapted for local conditions and are approved by the conservation district.

Q. What is the length of an EQIP contract?

- A. The 2002 Farm Bill establishes that EQIP contracts will be for a maximum of 10 years and a minimum that ends one year after the practices have been implemented.

Q. What are cost-share limitations to producers?

- A. Total cost-share and incentive payments have been increased to \$450,000 per individual or entity over the life of the 2002 Farm Bill, regardless of the number of farms or contracts. Starting in fiscal year 2003, no individual or entity may receive EQIP payments in any crop year in which the individual or entity's average adjusted gross income for the preceding three years exceeds \$2.5 million, unless 75 percent of that income is from farming, ranching, or forestry interests.

Q. What is the State Technical Advisory Committee?

- A. The State Technical Advisory Committee is an entity authorized under law to provide advice to the NRCS State Conservationist on implementation of conservation programs. The membership of the State Technical Advisory Committee includes representatives of Federal, State and local governmental agencies; Tribes; non-government organizations; conservation districts; business; agricultural producers; and individuals interested in natural resource conservation with expertise in soil, water, wetland, and wildlife management.

Q. Who serves on the local work groups?

- A. Local work groups, convened by the conservation district, include representatives from the conservation district board; NRCS; Farm Service Agency (FSA) county committees and staff; Cooperative State Research, Education and Extension Service; other Federal, State, and local agencies; and Tribes. Members have an interest in natural resource conservation and expertise in soil, water, wetland, and wildlife management.

Q. Are lands under a Conservation Reserve Program (CRP) contract eligible for EQIP funding?

- A. They are not eligible during the term of the CRP contract.

Q. How do producers apply for the program?

- A. Producers may obtain EQIP applications at any USDA Service Center or through USDA's e-gov Internet site at: www.sc.egov.usda.gov. Applications will be accepted throughout the year. Applications for EQIP funding will be evaluated periodically.

Q. How is EQIP funded?

- A. Funding comes from the Commodity Credit Corporation (CCC). EQIP's authorized budget of \$6.1 billion over 6 years starts with \$400 million in fiscal year 2002 and increases to \$1.3 billion in fiscal year 2006.

Q. Does EQIP contain any other new provisions?

- A. Yes. The 2002 Farm Bill added two aspects to EQIP, Conservation Innovation Grants and Ground and Surface Water Conservation.

Q. What are Conservation Innovation Grants?

- A. Competitive Conservation Innovation Grants may be used to leverage federal investment, stimulate innovative approaches, and accelerate technology transfer. These grants cannot exceed 50 percent of the cost of the project. The grant program will be initiated after the rule making process is complete, probably in 2003.

Q. What is the Ground and Surface Water Conservation provision?

- A. Ground and Surface Water Conservation provides cost-share and incentive payments to producers where the assistance will result in a net savings in ground or surface water resources in the agricultural operation of the producer.

Q. Is there funding targeted for the Klamath Basin?

- A. Yes, \$50 million has been targeted for the Klamath Basin in California and Oregon.

Q. How was the purpose of EQIP changed in the 2002 Farm Bill?

A. The purpose “optimize environmental benefits” replaces “maximize environmental benefits per dollar expended.”

Q. When is an EQIP contract approved?

A. An EQIP application becomes an approved contract and funds are obligated to the contract when the contract is signed on behalf of the CCC.

Q. What is the status of FY-2001 and earlier contracts?

A. FY-2001 and earlier contracts are valid and should be carried to term under the rules that were in effect when they were approved by the FSA County Committee.

Q. Some producers may want to start implementing conservation practices before contract approval. Is the EQIP waiver policy in the Conservation Manual (440-V-CPM, First Edition, Amend. 1; 515.81 L) still valid?

A. Producers who have signed up and want to implement the practice may be granted waivers by the State Conservationist, allowing them to start a practice before contract approval. This waiver, however, is no guarantee that the contract will be approved or that cost-share assistance will be available.

Q. Does the 2002 Farm Bill affect the availability of funds made available in the FY-2001 Labor Health and Human Services (LHHS) appropriations language?

A. No. LHHS funds remain available until expended, and if de-obligated may be re-obligated to another contract.

Q. Are payments for FY-2001 and earlier contracts affected by the new payment limitations?

A. No.

Q. Can there be more than one farm number per contract?

A. Yes. Software released in late summer 2002 allows more than one farm number to be entered.

Q. Can there be more than one contract per tract?

A. Only one contract per tract is allowed until the new EQIP rule is published. The new rule will allow more than one contract per tract.

For More Information

If you need more information about EQIP, please contact your local USDA Service Center, listed in the telephone book under U.S. Department of Agriculture, or your local conservation district. Information also is available on the World Wide Web at:
<http://www.nrcs.usda.gov/programs/farmbill/2002/>



Visit USDA on the Web at:
<http://www.usda.gov/farmbill>

NRCS Q&A Legal Disclaimer: These questions and answers are not intended to be definitive interpretations of farm legislation. Rather, they are preliminary and may change as USDA develops implementing policies and procedures. Please check back for updates.

Water District 120

Water Master Report For November 12, 2002

IIa

Unauthorized Diversions

- 20 unauthorized diversions identified
- Some letters already sent.
- IDWR will determine need for NOV.
- Most are small expansions of 5 to 15 acres.
- Five include expansions of over 40 acres.
- Wells inside of Irrigation District not checked. YET!

Tim Deery
how dept - going
to handle (NOB)
Those over diverted
Tim Luke; - irrigated
verify hasn't irrigated
NOB cases than right
may still send transfer +
but still know he can't
irrigate.
NOB on average only
over irrigate amount.

Options
not irrigate
+ find another
14 acres not
to irrigate
or pay
1/2 penalty =
\$1500 per
acre
Total acres
for entire
water district
approx. 120
illegal acres

Tim Deery
could use
lease a
water
right for
use
any
where in
district
to
cover
averages
at some
cost back
to
GWD?
Tim said have
to do by
transfer
Tim said just
get acres
covered.

IIb

Basin 29

- The basin 29 directors report may not come in until the middle of the year 2003.
- This means that WD 120 may have the task of incorporating Basins 29, 27, and 25 after the directors agreement to help fund the district for two years.
- What does that mean? Possibly more cost to WD 120 in 2004.

29 + 27 Basins Summer + fall 2004

25 + 27 done same time.

completed 2003
in spring 2003
but may be
expedited.

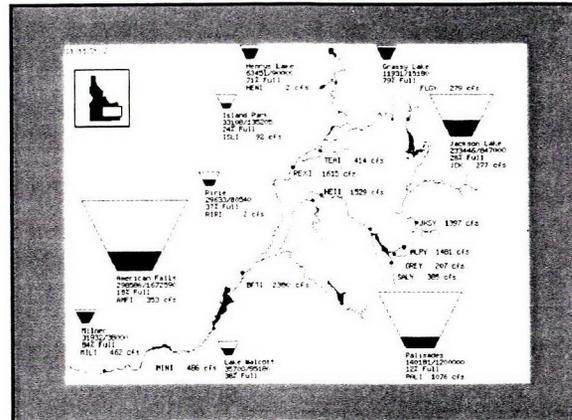
II 2

Measurement Program

- All wells must be measured once every third year and reported every year.
- Inventory of diversion is necessary for accurate reporting.
- Measurement can be billed separately from WD or GWD.
- * Measurement of domestic wells requires flow meter or change in statute to allow estimates.

II d

TITLE 42 IRRIGATION AND DRAINAGE - WATER RIGHTS AND RECLAMATION CHAPTER 6 DISTRIBUTION OF WATER AMONG APPROPRIATORS 42-606. REPORTS OF WATERMASTERS. All watermasters shall make an annual report to the department of water resources prior to the expiration of the watermaster's appointment for the current year. This report shall show the total amount of water delivered by the watermaster during the preceding year, the amount delivered to each water user, the total expense of delivery and the apportionment of expenses among users and all debits and credits to be carried over to the following year. Such report shall also include records of stream flow the watermaster used or made in the process of distributing water supplies. The director may ask for other information deemed necessary in assuring proper distribution of water supplies within the district. The reports of watermasters to the department of water resources shall be filed and kept in the office of the department.



Possibly
but
difficult
to
manage.
To benefit
members.
investigation
115 partials
in wd 130.
pretty
similar to
our area.
Will we look
at diversion
rules
later
Tim
T. Luke said
probably
by
rules

TITLE 42 IRRIGATION AND DRAINAGE – WATER RIGHTS AND RECLAMATION CHAPTER 52 GROUND WATER DISTRICTS 42-5214. GROUND WATER USERS INCLUDED WITHIN THE DISTRICT. (1) All ground water irrigators within the boundaries of the district are members of the district and subject to assessments, rights and responsibilities established by the district as set forth in this chapter, notwithstanding any change in the ownership or control of the property of the water user, whether by way of transfer, exchange, conveyance, assignment, lease, or otherwise, to which the water right or rights used to determine assessments are appurtenant, unless excluded from the district pursuant to sections 42-5251 through 42-5257, Idaho Code.

(2) All nonirrigators within the boundaries of the district who voted according to notice as provided in section 42-5210(3), Idaho Code, are members of the district as specified in such notice.

Budget Considerations

- Should the GWD budget for WD 120 for the next two years.
- Expected budget for WD 120 would be between \$90,000 and \$130,000 depending on situation (provided no major changes to membership)
- Budget could even be higher if initial expenditures are required.
- A per diversion charge of between \$25 and \$30 dollars would provide \$50,000 per year.

What if Domestics were included

- Measurement program would have to be established for domestic wells. Flow meters require more time to measure and calibrate than PCC.
- By the end of the year, the average cost to measure a well is \$166
- The maximum-minimum charge is \$50

What if we did not measure domestic wells?

- All domestics would have to be located.
- Not all domestics have a claimed water right.
- Each and every diversion would have to have at least one site visit for inventory.
- Through the process of billing, tracking ownership, and collecting payment the average cost to the water district for each diversion will exceed at least \$22.

Does WD 120 require a full time person?

- YES!
- The present condition of the WD requires at least one full time person.
- Depending on how the accounting and billing for the WD is done, it may require one full time person and a secretary.

Farm Bill 2002

Environmental Quality Incentives Program.

Old Business?

New Business?

Thank You for Coming!

Water District 120

Advisory Meeting

Monday, August 12

A meeting of Water District 120 advisory members was called to order at 1:10 p.m. by Tim Deeg. Others in attendance were Lewis Rounds, Lynn Tominaga, Neil Powell, Richard Mayer, Craig Evans, Scott Clawson, Bill Taylor, and Terry Klipfel. Advisors chose to dispense with the reading of the minutes. Tim Deeg asked if there were any corrections to the previous meeting's minutes. It was noted that Tim Deeg's name was incorrectly listed as "Teeg" throughout the June 17 minutes. A note was also made to correct "wed page" to "web page" on page 2.

Tim asked Lewis to discuss the curtailment letters. Lewis said seven letters had been mailed, and one individual had been contacted in person. Of the eight, six have joined water districts and two (City of Aberdeen & General Mills) were working on it. Lewis needs copies of petitions for anyone who originally opted out of GW districts to be mailed to Water District #120.

There was some discussion about the Director's report for basins 29, 25 & 27. Lewis said the report for basin 29 is expected the middle of spring 2003, and early spring 2004 for basins 25 & 27.

Tim Deeg asked about the management of private rights located on the reservation. Tim said that Aberdeen American Falls GWD thinks these need to be administrated and wants to talk to the director. Lewis said he talked with Norm and Tim and said that there would be court involvement. There have been problems because the folks on the reservation do not want IDWR coming onto the reservation to do measurements. Lewis said he had been allowed on to the reservation to show individuals how measurement was done, but he was not allowed to record any information while there. The purpose of this is to allow for uniform measurement. Lewis also said some of the diversions located on the reservation that are in the East ESPA should not be a problem to measure.

Discussion turned to water district opt outs. Lewis said there were no official opt outs for BGW. Bill Taylor did not think there were for Bonneville Jefferson, but was going to check at the next meeting. Seven owners with 33 water rights and 21 diversions opted out of Aberdeen American Falls GWD. Water District 120 sent letters informing these individuals of measurement requirements, participation in Water District 120, and the potential for bills from the East ESPA Water Measurement District. Lewis said the letters do not include them in any mitigation agreement, but that nothing would happen to them this year. Lewis has only heard from one individual. Those who failed to respond to the letters will receive bills from the East ESPA Water Measurement District this week. The measurement district is basically billing for the water district. Field agents will measure the diversions soon. There was some concern over people getting a free ride. Lewis explained they would not be protected should the impact area boundaries change. He also explained that persons wanting back into BGW are required to pay assessments back through 1997, so essentially they are not getting a "free ride".

Lewis demonstrated the satellite imaging system, explaining it would allow irrigated lands seeming to not be covered by a water right to be investigated. One of the committee asked if the satellite image maps would be available on the internet. Lewis said that may be a possibility in the future. There was some discussion about helping those who were found to be exceeding their water rights, or unable to obtain transfers in drought conditions obtaining help from the various water districts. Lewis explained there would have to be water banks of some sort established to do this.

Lewis talked about measurement for Water District 120. He said all diversions down to .10 cfs would need to be measured once every three years. He stated the importance of keeping up with measurement, indicating that BGW is behind on measurement. He said it is important to have up-to-date credible data should mitigation occur sometime in the future. He also stated that IDWR was trying to help the various districts standardize data by making WMIS available to them. After data entry is done, copies will be sent to IDWR for copying. Lewis then discussed WMIS, the various forms, and how it works.

Budget considerations for Water District 120 were addressed. Some of the items discussed were:

- Should GWD budget for the next 2 years.
- The expected budget will most likely be between 90,000 to 130,000 dollars.

Designated budget would depend on a number of issues including salaries of field agents, water master, vehicles, computers, office space, equipment, etc. A minimum charge to get Water District 120 on its feet for the first couple of years was discussed. With a little over 2000 wells in the district, a per diversion charge of 25-30 dollars would provide approximately 50,000 a year. Lewis explained that the operation of Water District 120 was essentially free until 2004, but the advisory members should begin considering how they are going to begin building a budget base for operation in 2004. Lewis talked about the possibility of an initial charge. Then the committee could decide how they would bill in the future to obtain the remainder of the monies needed to meet the budget. There was some discussion about each ground water district billing additional for Water District 120, or simply having water district 120 send out separate bills. Lewis said there were still many unanswered questions.

Tim Deeg asked if there was any old business. There was discussion about follow-up letters to the curtailment letters Lewis mailed to the individuals not in the ground water districts. It was determined that this letter was not necessary.

Tim asked if there was any new business. There was none. Neal Powell made a motion to adjourn. Craig Evans seconded the motion. The meeting adjourned at 3:20 p.m.

Water District 120 Contact information
 (Please indicate what your preferred method of contact is)

Name	Address	Phone number	Cell Phone	Fax Number	E-mail
Lynn Tommacy		381-0294	890-4014		lynn_tommacy@hotmail.com
Scott Clawson					
RICHARD MAYER	P.O. BOX 190 ABERDEEN, IDAHO 83210	399-4161	681-6975	399-7037	NONE
NEAL POWELL					
CRAIG EVANS					
Tim Deeg	2957 Deeg Rd. Am. Falls, ID 83211	226-5588	220-5588	226-	
Bruce Taylor		529-8554	317-7400	522-7470	
TERRY					
LEWIS					

Water Dist 120

Aug 12 (mon) 1:00p.m

Tim D called meeting to order 1:10 a.m. (minutes distribute with meeting notice.)

Corrections Motion Tim

Neil moved to accept
Craig Evans second to accept
minutes with corrections.

Lewis - Water master report

Curialment letters . 7 sent. ~~(Additional distribution)~~

8 people contacted (1 before) letter

6 (quadratics) have joined

2 - working on it (cities) more red tape
(City of Aberdeen, General Mills) - Blackfoot.

~~Copies of petition~~ Lewis needs copies of ^(to opt out?) petitions to join 6WD
have to be submitted to WD 120.

- Directors report for basin 29 expected middle of spring 2003.
basins 27 & 25 director reports early spring 2004.

When happens new petition will flood in.

(Do partial as are done (talk to Lew)) Tim Deeg.

~~Tim Deeg~~ Tim Deeg - Administering private rights on reservation

Ab/Am Falls 6WD - think needs (wants these be administered
want us to talk to director. Lew talked to Norm + Tim -
said will be court involvement, etc. Reservations doesn't
an idur on reservation. Neil Powell thought that
was contrary to what he had heard. Need a negotiating
posture or reservation will win. for Lew have
started meas. program. Lew has helped him know what
and how to measure. They don't want idur employees
to do. Some decisions in East ESPA that shouldn't be
a problem.

~~Tim Deeg~~

Agenda b) GWD opt outs

- No official BGW opt outs
- Bonn/Jeff opt outs ?? Bill Taylor doesn't think so.
- 33 water rights for 21 div. and Towns opted out of AB/Am Falls gwd.
- w District 120 sent 6 letters to owners of opted out diversions on 7/12/02 informing them of meas. requirements, participation in water district 120 and bills from the East ESPA meas. dist.

Law has only heard from one so this week were sending bills out and people to measure those.

~~Bill~~ Bills from meas. district for the water district.

Craig asked if letters talked about mitigation. Lewis said yes.

Lewis discussed letter contents does it include ~~mitigation~~ them in any mitigation agreement. This year nothing would happen to them unless impact area expanded.

Neil Powell said they have free ride, but Law explained they won't be protected if impact area expanded; by default in meas. dist.

~~Neil Powell said this~~

(Bing → to 97) to get back in they had to pay

\$D Code 42-5258

Tim Luce + Law noticed gwd to refuse people who opted can't be back in. might mention to people as a deterrent to opting out.

390-8522

Satellite Images - explained to Lewis.

Allow irrigated lands seeming to not be covered by a wr to be investigated.

Some day satellite maps may be available on internet.

~~(an GWD get involved)~~ There was discussion of gwdistrict helping those possibly exceeding rights, or needing transfers to enable to attain them during drought. Lewis explained that need a water bank of some kind. Lewis explained the complications.

Craig Evans wants to know if these images would be available to gwdistricts.

Current reservoir levels - Lewis explained and showed comparisons to last yr.

Meas. for WD 120

All need to be measured - Once become part of Water District, measure to ~ 10 cfs. Once every 3 yrs - meas.

Bingham falling behind,

Important because is we rely on meas for mitigation must keep up to have credible data.

Copy of our data base to Jenny at Bingham, working on ~~one~~ one for Carol ~~ASK~~ Lewis - This is

Wm's explanation.

attempting to standardize them. We get in to from Jenny, etc and we will transfer into to ours. 2001 data (Bingham) doesn't have

from power etc

Lewis explained Wm's (the various forms (PCC data, etc.))

~~from Tom's data base~~ also explained PCC meas, what it is, what affects it, etc.

34
84

Budget consideration?

- should GWDBudget for WD120 for next 2 yrs?
- Expected budget for WD120 would be between 90-130,000 dollars. (higher is purchase office + equipment) - ^{probably} won't get cheaper than East ESPA at 67,000.00.
- ^(at least 2) Field personnel, watermaster, vehicle, computers, office space
- A per ^(minimum charge) ^(divestion charge) of between 25-30 would provide 50,000 a year (little over 2000 wells in district)
- ~~How things going to happen, depends on~~ How ~~do we make up difference.~~

2002-2003 free

2004 need ~~budget~~ ^{money}

~~_____~~

~~_____~~

Possible initial charge to get you through next year. Once you take over water district then you will need to charge more or in other ways to make up budget. Raise revenue for budget for what you are anticipating in 2004.

Bills and form, type, how done discussed.

Many unanswered questions now-said lents.

If WD 120 sent bill to BGD, that bill would include a list of every water right they are billing for.

Tim Deeg- If water district bill unpaid can turn off water. what if he pays only a portion.

Copies of power point requested from Craig Evans & Neal Powell.

Old business? Tim Deeg asked.

letter suggested second paragraph of Evans, per Craig Evans, deemed necessary?

New business? ~~Meeting in Park (Neal Powell)~~

~~Sept. 18th meeting together discussion of~~
Do you want more than one notices? Include minutes of previous meeting adjourned; 3:20 p.m motion to adjourn by

Neal Powell
& Craig Evans
Adjourned

Tues 12th
~~Nov~~
Next meeting
2nd November
1:00 P.M. Tuesday

because of Veterans day on 11th

notice and good

AGENDA
WATER DISTRICT 120 ADVISORY COMMITTEE
AUGUST 12, 2002

- I) Introductions
 - a) Reading of June 17, 2002 meeting minutes

- II) Water Master Report Lewis Rounds
 - a) Curtailment Letters
 - b) GWD Opt. outs
 - c) Idaho Code 42-5258
 - d) Satellite Images
 - e) Current reservoir levels

- III) Measurement for WD 120:
 - a) WMIS Lewis Rounds
 - b) PCC, What is it?
 - c) Budget considerations.

- IV) Old Business

- V) New Business

- VI) Adjournment

**Draft Minutes
Advisory Meeting
Water District #120
June 17, 2002**

Neal Powell, acting as chairman of the Water District #120 advisory meeting, called the meeting to order at 10:15 a.m. Other advisors in attendance were: Scott Clawson, Richard Mayer, Bill Taylor, Gaylen VanOrden, Walter Gay, Dane Watkins, Craig Evans, and Timothy Deeg. Ron Carlson, Tim Luke, Lynn Tominaga, Donald Vogler, Lewis Rounds and Terry Klipfel were also in attendance.

Committee members chose to dispense with the reading of the minutes, and discussion turned to the issue of curtailment letters. Lewis said they were going over the list of those who are to receive letters to see if curtailment could be avoided. Getting people into a ground water district might do this. There was some discussion about how to handle those who wanted to join that had not paid assessments in past years. It was decided that these cases should be handled on an individual basis. Tim Luke explained that there are not many people that will be receiving the letters. District advisors were of the opinion that some follow-up work, such as letter, newsletter, etc., should follow the curtailment letters. Many in attendance felt this might help them convince more water users not to "opt" out of their respective ground water districts. Members decided to wait until curtailment letters go out to decide what action would be taken next. Bill Taylor moved to put discussion of an information letter to follow the curtailment letter on the agenda of the next meeting. It was seconded by Tim Deeg and passed by acclamation.

Neal Powell asked Lewis about Water Master instructions. Lewis said that, for now, there have been no specific instructions calling for action by the Water Master but he expected there would be some shortly after the curtailment letters are sent. Tim Luke explained that they are looking at a general set of operating instructions that were shown to advisors during the annual meeting. Lewis said if changes were made to these, copies could be provided to the advisory members. Someone asked how a water master should handle illegal diversions if they find any. Tim Luke said that normally they would be sent a notice of violation that gave them an opportunity to prove their right in case something has been overlooked by the district. Tim Deeg asked if districts would be informed of anyone receiving these violation notices. Tim Luke said they could cc the water district when a notice of violation goes to a water user, and send email attachments. There was some discussion about excessive diversions. Tim Luke explained they are difficult to monitor because of ongoing transfers. In general, he is not sure we are enforcing diversion rate violations until management rules are adopted.

Neal Powell asked Lynn Tominaga to talk a little about Water District #120 developing a web page. Lynn explained that the committee would have to decide what kind of information they wanted on a page, how often they wanted to update it, etc. Lewis said if all committee members wanted was a map and list of contacts, it would be better for the district to see if IDWR would host their page. Otherwise he said the district would pay

about \$400.00 a year for web server space and hosting. Lewis further explained the need to have someone who would keep information updated on the page. Tim Deeg said the district would want to provide information pertinent to where we are with mitigation. It was suggested that contact names be provided, as well as the times at which persons may be contacted.

Web post instead of web page

Lewis talked a bit about measurement. He said Bingham Ground Water District will do its own measuring. Idaho Power will continue to measure diversions for Aberdeen American Falls, but the ground water district will generate their own reports. He said the East Water Measurement District does measurements for Bonneville Jefferson Ground Water District. Lewis talked a little about WMIS and providing copies to ground water districts that wanted to use the database. Software compatibility was also discussed. Lewis said one problem districts may face by using copies of WMIS is finding a current owner if a change of ownership has been done. Tim Luke said he would begin sending lists of ownership changes for each month to the various districts.

Discussion of future meetings, frequency and times commenced. Dane Watkins made a motion to hold quarterly meetings. Gaylen VanOrden seconded the motion and the committee passed the motion by acclamation. Committee members decided that the second Monday in February, May, August, and November at 1:00 p.m. would be a good meeting time. Bill Taylor moved to set the quarterly meetings at 1:00 p.m. on the second Monday of the months discussed. Gaylen VanOrden seconded the motion and the committee passed the motion unanimously. Future advisory meetings would continue to be held in the Idaho Falls office of IDWR.

There was no old or new business. Bill Taylor made a motion to adjourn the meeting. Dane Watkins seconded it, and the committee voted to adjourn at 12:40 p.m.

**Advisory Meeting Minutes
Water District #120
June 17, 2002**

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There was no old or new business. Bill Taylor made a motion to adjourn the meeting. Dane Watkins seconded it, and the committee voted to adjourn at 12:40 p.m.

AGENDA
WATER DISTRICT 120 STEERING COMMITTEE
JUNE 17, 2002

- I) Introductions
 - a) Reading of Annual meeting minutes

- II) Water Master Report
 - a) Curtailment Letters Lewis Rounds
 - b) Water Master Instructions Tim Luke
 - c) What information is on the WEB? Tim Luke
 - Lynn Tominaga

- III) Measurement for WD 120:
 - a) Who? Lewis Rounds
 - b) Reporting, WMIS Tim Luke/Lewis Rounds

- IV) Future Meeting Dates
 - a) How often?
 - b) What time?
 - c) Where?

- V) Old Business

- VI) New Business

- VII) Adjournment

Water District 120 Contact information
(Please indicate what your preferred method of contact is)

Name	Address	Phone number	Cell Phone	Fax Number	E-mail
LEWIS ROUNDS	900 N SKYLINE DR. IDAHO FALLS, IDAHO 83402	208 525-7161	208 390-8524	208 525-7177	L.Rounds@idwr.state.id.us
Scott Clawson	2754 W 3000 N REXBURG, ID 83440	208 662-5751	208 716-1002	208 662-5485	gateway@DLDI.NET
RICHARD MAYER	P.O. BOX 190 ABERDEEN, ID 83210	208 397-4161	681-6975	208 397-7037	NONE
DONALD E Vogler	12 SOUTH 690 WEST BLACKFOOT IDAHO 83221	681-9634			
NEAL POWELL	252 EAST 100 NORTH BLACKFOOT, ID 83221	(208) 785-4404	?	—	nkpowell@ velocitous.net
Bill Taylor	4535 W, 81 st N Idaho Falls 83402	529-8550 317-7400	317-7400	522-7470	
Craylen VANDen	6825. 1400 W Piquee Idaho 83262	684-5372 684-5372	681-4907		Farmingman 860 Hotmail Hotmail.com
Walter Gage	180 N 400 West Blackfoot Id	785 5457	681 1472		
DANE WATKINS	Box J. JEFFERSON	513-5800	681, 5780	513-5801	WATKINS Co, ID. COMM
Tim Luke	IDWR - Boise				

June 17, 2002 WD #120

~~A~~

Meeting commenced 10:15 am.

Acting chairman Neal Powell. No motion to approve or disprove reading minutes.

Lew - explained what he is doing - going over lists of curtailment letters & to see if curtailment could be avoided by possibly getting them in a (district).

Born/Jeff - if want to join can start paying assessments now? ^{Lewis asked}
allows for this, ^(in code) but have to pay back assessments. Lewis asked if back pay would be back 2 or all 5 yrs, or look at on (individual basis) → Individual basis probable per Don Vogler.

~~Board Report~~ - Policy 120 - refer to proper district - deal with case by case basis.

Lew will refer to proper district and they'll deal with you - Nothing turned off yet per Lew.

Lew → Tim Luke 6w impact areas - what rights not covered, etc. Initial list - shrinking. Drafted letters. Karl Dryer finalizing. Ready any day. This area maybe a dozen rights (4-5 users) to get letters. Some in Bingham we were not aware of. Some Ab/ Springfield. List short in our area, 18 we and 10 users in other districts. #

Discussion of names on curtailment list #15 in each district

~~AG~~ AG - Springfield - discussion about them not paying shares.

Curtailment letters (Neal) - somehow state could see need letter if can't prove membership in another district.

letters to - those within curtailment zone, other
letters will go out to make sure everyone is in a district ^(outside curtailment zones) (Tim Luke)
Will have to participate in mitigation. Curtailment in
impact area only for now. (Immediate injury or not).
Concern about mitigation cost with all those now outside district
boundaries and not part of district. ~~in state~~

2 - at end of table - people in his district vocal + angry
Hawaii shirts about those not participating. If something not done
be (?) will have a difficult annual meeting.
Near. talked some about (City Exclusions) and cheap
exclusions. ^{ask Tim Luke}

Dept ^{Lynn Tommaso} doing a letter saying - over next 2 yrs
with info coming out - will prob. be some
mitigation required after two year agreement.
Help avoid ^{or water district} ~~district~~ problems.

Folks thinking of opting out will know - after 2003
dept. will look at mitigation for water right holders
to the senior holders. (All ~~prop~~ water users within 120.

Deane Dept. hopes you would choose to participate in
a ground water district. ~~_____~~

Lewis - If opt out of gwd they are automatically
in meas. district. Doesn't pay mitigation, but
pay measurement.

Ron Carlson - message high cost with opting out.

Swan Falls agreement because people opted out in the
past. Now have 2 yrs. Opting out big cost end
up with defaults.

Neal Powell - would like to come up with specific words that will have a real impact.

~~Process for recovery of ground water~~

Policy 50-100 yrs that will make sense - Ron Carlson. ~~ground water~~ Ron's point is opting out costly because there will be ~~an~~ an agreement that water users will have to ~~live~~ live with.

Tim Luke - said he could talk to Karl about letters with language about mitigation. ~~these~~

Lynn Tamargo - information piece for newsletters from ~~ways to present letter, its content, format, etc.~~ ~~was discussed.~~ ~~was discussed.~~ were discussed.

Lewis - wif advisors would like water districts to send ~~letter~~ info, could send info. on ~~an~~ opting out in newsletters that go out a couple times a year. Lynn doesn't want water districts to sound self serving.

~~Don't work on this~~ • Done favors letter from Karl because carries more weight. ~~Impact of problem~~ mitigation/agreements message - 1 1/2 years to rally forces to impact policy by not opting out (Ron Carlson)

In process of establishing water policy → move forward ^{work} together.

~~Basic~~ Conjunctive management as ~~an~~ alternative

Bill Taylor asked Ron to explain differences between

(Conjunctive management) (Conjunctive Admin.)

↓
principles that say:
~~we~~ have manage ground surface water - address air issues and fully develop resource.

↓
got agreement
got curtailment
haven't complied.
What does that have to do with management of resource.
↓ get a fract for co-~~herent~~ ^{herent} policy.

- Press release could go out with letters for Tim Luke.

~~Letters~~ letters could go out shortly per Tim Luke.

~~Neal~~ Neal wants to know if district letters should follow ~~(the letter)~~ Karl's letter etc.

water district can do. Talk to Karl about (general info) letter besides curtailment letters.

~~good~~ If districts want to send letter up to us.

~~Neal wants~~ Curtail 3 letters
op. out not curtailed
general letter -

} Also press release

Figure this out at next meeting.

→ news letter to water district members instead of letter-ess threatening -

~~advisory~~
~~meeting~~
~~need to be considered~~

Need another meeting within ~~two~~ a few weeks.

wait for letters (curtailment go out) guy in Hawaiian shirt (Tim Luke) can evaluate ~~how need~~ after that if water districts

Bill Taylor moves to put discussion of info. letter from district on next agenda.

2nd by Hawaiian shirt.

vote: passes

Tomanaga - will work with Lew for potential newsletter
So have something to look at at the next meeting.

Water Master Instructions

~~No~~ No specific instructions. (Lewis said) Instructions will come out after curtailment letters per Lewis (3000).

Tim Luke looking at general set of operating instructions (from Ken) + showed advisors during annual meeting.
See if need any changes, etc.

(if changes made can have copies at next meeting.)

Activities addressed

1) ~~Satellite image overlay with maps, etc.~~

2) Migrating rights, basic clean up, water rights not claimed SRBA.

~~Neal asked about data clitches~~

~~Tim explained they are working to clean-up data, etc. Programatic type thing that generates~~

- hooking for illegal diversions - if found - how do we know if we should get involved? What is procedure? Tim Luke said probably start notice of violation process. Will district be notified of process asked Tim Teag? Tim Luke said good idea.

Tim said normal process is → send letter of potential unauthorized use. Opportunity to show where overlooked something. If not need to cease activity.

Tim said CC letters to gw district - Tim needs clear indication of contact where CC letters can go.

~~could~~ could also send email attachment as well as CC.

mail address.
Bingham GWD
P.O. Box 42
Pinegrove, ID
83262

Bonn/JeFF
PO Box
51121
1-F 83405

~~III~~
~~for GWD 130~~

Jim Luke excessive diversions - hard time ^{keeping up because of} _{transfers}
In general - not certain were enforcing until management rules adopted.

Web info for water district. Lynn didn't know he was on agenda.

Lynn Tomiwaaga -

Discussion of web page. Talked about what other sites offered.

Neel suggested - as minimum get web addresses of web pages, etc.

- Lewis gave web address of Idwr web page.

- Share information - by dept. creating web page about measurements, etc.

- Lynn said they would talk Wednesday ^(Wed) about water district asking department if they could provide this - keeping info on it that is pertinent + current is difficult.

Someone needs to oversee it keep info. up-to-date. Also discussion of bulletin board.

~~Topic discussion on water~~

~~Could talk about options to coordinate with~~

Could put links to maps, etc. Like maps shown under water districts on Idwr web site. Could include list of contacts for each district.

Lew said if want a page - if Idwr will host decide what you want, Lew can keep updated. If not will have to buy web space at about \$400.00 per year.

What would page do - Provide info relative to where we are mitigation wise. Don't want to send letters everytime update. (per Tim Teag). Useful stuff. Contact times, employees on vacation, etc.

If not much info. may want to convince department to sponsor you. If need a lot, need own.

Needs more review by each ~~district~~.

Measurement

Lewis - who BGW = own meas.

AB Am Falls = ID power doing measuring they generate report.

Do reports through WmIS (leastest way)

Lewis discuss what softwares compatible with WmIS

problem - database resides in Boise. Need fast computer. Provide copy to Jenny for data entry send and we will update.

Bonn Deff - still meas. by water meas. district.

minimum requirements (Office + Windows 2000)

Need to get copies of WmIS to proper people for data entry.

Should be simple switch to XP.

Ultimate goal - live connection through the internet.

What may want to do in future:

Lewis talked about options ^{who you have} ~~to have people~~ measure. Costs, etc. ~~with water meas. district~~

Up to you how you do - If all done from ~~water~~ water district

~~Meeting dates~~ Tim Teag - said AB Am falls prob have ID

power continue if remains viable of time frame met.

Audits done to see if meas. is being done?

Lew said state does some of that. Water District has not done it. Probably should per Tim Baker

Yes - Lewis we will do auditing.

~~do~~ ~~(Craig Evans)~~ said they need copy of WmIS a sep.

More WmIS discussion, specifically people using copies of WmIS having problems if ownership changes

done. Tim Luke said we will send reports of

ownership changes that have taken place

~~(change of ownership)~~

Future Meeting Dates

2nd Monday February - annual meeting
First meeting May

a) How often - Lew suggest quarterly unless need for special meeting

Motion to meet quarterly by Dane Watkins seconded by Gaylen Van Orden passed.

* next meeting -

Moved Bill Taylor
2nd Gaylen passed

Monday of each month
1:00 p.m.

Moved
2nd Craig Evans
Passed

Meetings in Idaho Falls

2nd Monday 1:00 p.m. in Feb, Mar, Aug, November

Old business no, new business no, falls.

Motion to adjourn
Bill Taylor
Dane Watkins
passed