

Water District 71

2019

### WATERMASTER REQUIREMENT SHEET

Date of Meeting: Jan 22 Time of Meeting: \_\_\_\_\_

Place of Meeting: Custer Courthouse

IDWR Employee(s) in attendance at Annual Meeting: Cindy Yenter

Chairman: Jim Hawkins  
(Name) (Address) (Phone)

Watermaster:

Cindy Yenter

Assistant Watermaster:

Sec/Treasurer:

Budget for the year: \$37,014<sup>00</sup>, (if over \$3000.00 need oath from Sec/Treas and do certificate

Comments: \_\_\_\_\_

#### Appointment Requirements:

Copy of annual meeting minutes received: 2/1/19

Adopted Budget received: 2/1/19

Certificate of Appointment to Watermaster/Assistant sent: 2/1/19

(\_\_\_\_\_ daily record books & instruction to watermaster sent)

Certificate of Appointment to Secretary/Treasurer sent: \_\_\_\_\_

#### Water District Information:

Watermaster Report received: 2/5/20

Daily records book received: 2/5/20



# Annual Water District Meeting Checklist

Items to include in Minutes if applicable:

- **Water District Number and Name**
- **Meeting Date**
- **Chairman**
- **Watermaster**
- **Assistant Watermaster(s)**
- **Secretary**
- **Treasurer**
- **Advisory Committee**
- **Approved adopted budget**
- **Date, Time and Location of next annual meeting**

Please submit to Nathan Erickson, Idaho Department of Water Resources, 650 Addison Ave E Ste 500, Twin Falls ID 83301, Phone (208)736-3033, Fax (208)736-3037 the following items:

1. **Annual meeting Minutes (including all details listed above)**
2. **Adopted budgets, including a list of assessed users, amount each user is being assessed, and how assessment is being calculated.**
3. **Resolutions**
4. **Meeting sign-ins**



State of Idaho  
Department of Water Resources

322 East Front St, PO Box 83720, Boise, ID 83720-0098 • 208-287-4800 • [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

# *Certificate of Appointment*

This is to certify that I have appointed Cindy Yenter as *Watermaster* of *Water District* 170, from this day until the 2020 annual meeting or until his/her successor is appointed and qualified under the provisions of Idaho Code Section 42-605, at such rate of compensation as established by applicable law.



This certificate has been issued and the seal of the Director fixed at Boise, Idaho, this day, February 1, 2019.

Gary Spackman  
IDWR Director

SCANNED  
FEB 05 2019

Water District 170  
2018 Watermaster Presentation  
Annual Meeting January 22, 2019

RETURN SERVICE REQUESTED

RECEIVED

FEB 01 2019

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Notable activities and accomplishments in 2018:

- 597.5 hours worked Approximate value to District \$37, 014
- February 18, 2018 Public Hearing to expand WD170 to include the Lemhi Basin. Order was issued April 2018, adding 11 subdistricts plus ground water rights to WD170.
- Compliance letters sent in Feb/March to about 24 additional water users (28 diversions) in subdistricts 71 and 72D, all for measurement and control issues. Two pending curtailment notices were sent in April. As of November 2018, compliance at 8 diversions complete, 6 diversions complete pending inspection, remaining water users have not responded or still working on compliance.
- Lemhi Basin 74 Measurement Order was issued and sent in late September 2018, with compliance deadline by start of irrigation season 2019 for irrigation. Spent considerable time with some Lemhi subdistrict watermasters and determined that existing compliance with measurement requirements is nearly 100% on main stem Lemhi, very high for major tributary diversions but lower for high-elevation tributary diversions. Have collected requests for variance and extension of time to comply with measurement requirement.
- Field inventory and evaluation of non-subdistrict diversions reporting directly to WD170 to determine compliance and reporting needs.
- Watermaster training in Salmon, May 2018

Goals for 2019:

- Implementation of measurement order in Lemhi. Anticipate needing to issue some blanket extensions of time on diversions from waste water and spring sources to make sure these are administered consistently with diversions from similar sources in the rest of WD170. Will be attending the WD74 Advisory Board meeting on Feb 25.
- Begin inventory of B75 diversions and form a steering committee to discuss creation of sub-districts and to expand WD170 to include this final basin.
- Test and determine the feasibility of using electronic data collection tools in the Upper Salmon. Survey 1,2,3 has been used very extensively and successfully in the Eastern Snake Plain for both diversion inventories and collection of annual ground water flow meters readings. This application may run on a smart phone or tablet, and will upload collected data, including gis coordinates and photos, to the "cloud" for later retrieval but is reliant on cell phone service. The application can be used in non-service areas and will upload when the device regains service, although features such as maps are not available without cell service. We are not sure how practical this will be for diversion inventory but it can likely be used for diversion data collection once the diversion record has been set up.

SCANNED  
FEB 05 2019



BASIC FORMULA for computing Water District Reimbursement to IDWR

Base = rate X hours

Benefits = (Base X 0.21) + insurance\*

Indirect = (Base+Benefits) X 0.403

Leave Allocation = 1.15 X (base + benefits + Indirect)

*Employer paid Insurance, annual*

*\$10,700*

**Administrative Charges**

**Watermaster Salary**

**29% FTE**

|                   |                 |                                      |
|-------------------|-----------------|--------------------------------------|
| Base pay          | \$19,263        |                                      |
| Benefits          | \$7,118.99      |                                      |
| Indirect expenses | <u>\$10,632</u> | (equipment and office expenses, etc) |
|                   | \$37,014        |                                      |

SCANNED  
FEB 05 2019

**AGENDA  
WATER DISTRICT 170  
2019 ANNUAL MEETING  
Tuesday, January 22, 2:00 pm  
Custer County Courtroom  
Challis ID**

Call Meeting to Order

Selection of Meeting Chairman and  
Secretary

Read and Approve 2018 Minutes

Watermaster Presentation  
-2018 Activities  
-2019 Goals and Objectives

Presentation of 2019 Proposed Resolutions and Budget

Election of Watermaster  
Revision and/or Adoption of Budget and Resolutions,

Other Items of Business

Set Time and Place of Next Annual Meeting

Adjournment of Meeting

SCANNED  
FEB 05 2019



# **WATER DISTRICT 170 UPPER SALMON RIVER**

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**PREVIOUSLY ADOPTED RESOLUTIONS WILL REMAIN IN EFFECT UNTIL CHANGED BY  
SUBSEQUENT RESOLUTION OR OTHERWISE ALTERED BY MAJORITY VOTE OF THE  
WATER RIGHT OWNERS IN THEIR ANNUAL MEETING OR SPECIAL MEETING CALLED  
FOR SUCH PURPOSE**

## **DISTRICT BYLAWS**

**Adopted 2007**

The Idaho Department of Water Resources (IDWR) Watermaster Handbook and related Idaho Statutes (both as may be duly amended from time to time) and Resolutions as duly approved by the water right owners of the District shall serve as the Upper Salmon Water District No. 170 (WD170) Bylaws.

## **WATERMASTER TERM OF SERVICE**

**Adopted 2008**

Until changed by subsequent Resolution or otherwise altered by majority vote of the water right owners in their Annual Meeting or special meeting called for such purpose, it is herewith resolved that the WD170 Watermaster's term of service shall begin upon annual meeting election and continue until the next annual meeting.

## **ELECTION OF OFFICERS**

**Adopted 2007**

Until changed by subsequent Resolution or otherwise altered by majority vote of the water right owners in their Annual Meeting or special meeting called for such purpose, it is herewith resolved that District Officers shall be elected at the end of each Annual Meeting allowing incumbents to conduct the entire meeting and Agenda business prior to any potential change(s).

## **OFFICER AUTHORITY**

**Adopted 2007**

Upon being duly elected by water right owner majority vote at their Annual Meeting the Secretary/ Treasurer shall, until replaced by subsequent majority vote of the water right owners in their Annual Meeting or special meeting called for such purpose, have full authority to sign on behalf of the District including, but not limited to, the District bank account(s). The Chairman and Watermaster shall also have alternate signature authority for the District bank account(s).

## **WATER RIGHT OWNERSHIP BY MULTIPLE PARTIES**

**Adopted 2007**

Any water right(s) owned by more than one individual (or married couple) shall declare a single individual (or married couple) who shall represent all other owner's interests and be the primary contact with the District on relevant District issues.

## **WATERMASTER ACCESS**

**Adopted 2009**

Until changed by subsequent Resolution or otherwise altered by majority vote of the water right owners in their Annual Meeting or special meeting called for such purpose, it is herewith resolved that all users shall provide for watermaster access to control structures and measuring devices. If the access is through a locked gate, the user shall, upon request by the watermaster, provide to the watermaster or deputy watermaster a key or combination to such locks.

## **ANNUAL MEETING DATE**

**Adopted 2007**

Until changed by subsequent Resolution or otherwise altered by majority vote of the water right owners in their Annual Meeting or special meeting called for such purpose, it is herewith resolved that the WD170 Annual Meeting shall be the fourth (4th) Tuesday in January on a date, time and place to be determined at the Annual Meeting each successive year.

## **WATER DISTRICT 170 UPPER SALMON RIVER**

**PREVIOUSLY ADOPTED RESOLUTIONS WILL REMAIN IN EFFECT UNTIL CHANGED BY  
SUBSEQUENT RESOLUTION OR OTHERWISE ALTERED BY MAJORITY VOTE OF THE  
WATER RIGHT OWNERS IN THEIR ANNUAL MEETING OR SPECIAL MEETING CALLED  
FOR SUCH PURPOSE**

### **DISTRICT PAYMENT TERMS**

**Adopted 2007**

1. Annual Adopted Budget payment shall be payable on or before March 1; any other billing within thirty (30) days following such billing; the postmark date will be considered the date of payment.
2. If not paid by April 1st the water user shall be charged in accordance with Statute 42-613 which provides for a late fee of 10% of the amount due and interest of 1% per month.
3. If not paid in full (partial payments shall not be acceptable) including Late Fee by April 1st, Treasurer shall so inform the Watermaster who shall immediately terminate water delivery to the water right owner who is in payment default.
4. Treasurer must thereafter receive the original invoice amount, Late Fee(s) plus a \$25.00 Watermaster Service Fee before Treasurer shall advise the Watermaster who shall then again deliver the applicable right(s).
5. A returned or insufficient fund check shall require the Treasurer to so advise the Watermaster who shall immediately terminate the appropriate water delivery. All monies originally due plus applicable bank charges and any charges then resulting from unmet District payment terms must be paid in cash, cashier's check or money order before Treasurer shall so advise the Watermaster who shall then deliver the appropriate water right(s).
6. In the event payment in full is not received by the end of the then current irrigation season (or sooner if the Treasurer determines sale of the property and associated water right[s] is imminent), the Treasurer may, on behalf of the District, initiate legal action in Small Claims Court against the water right owner(s). Eventual recovery is to include costs incurred by such action as well as all other monies due.

Note: When a water delivery termination is imminent and there are others utilizing the same diversion that could be affected, those others affected shall, whenever possible, be advised of said delivery termination as soon as possible after the problem arises so they shall have the opportunity, if they so desire, to deal with the matter as they may deem appropriate before water delivery is reduced by the amount covered by the applicable right(s) being terminated

### **PROXY VOTING & SUBORDINATED WATER RIGHTS**

**Adopted 2007**

1. In accordance with District Bylaws, proxy votes shall not be allowed "except that in the absence of the owner a right may be voted by another person present who has the use of the right for the ensuing season, such as a tenant, lesser or contract purchaser".
2. In such case(s) or whenever a right is subordinated and/or "worked" by anyone other than the owner a form adopted and provided by the District shall be completed and returned to the Secretary/Treasurer to remain on file throughout the term stating with whom such agreement exists, whether such voting right is granted, and/or granting authority to represent the water right owner on any other water issues that may arise during the irrigation season or balance of the agreement term to be recorded by water right owner with the County Recorder of jurisdiction.



## **WATER DISTRICT 170 UPPER SALMON RIVER**

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### **ADVISORY COMMITTEE STRUCTURE**

**Adopted 2018**

A WD170 Advisory Committee shall be elected to provide input to the watermaster and the Director of IDWR. The WD170 Advisory Committee shall be comprised of 14 total seats, as follows:

Sub-district representatives (8 total): Stanley Basin (1 seat), Clayton Area (1 seat), Garden Creek (1 seat), Challis Creek (1 seat), Morgan Creek (1 seat), Pahsimeroi Basin (1 seat), Lemhi Basin (2 seats)  
Basin 72 non sub-district area irrigation (2 seats)  
Commercial/industrial/ municipal/other uses (2 seats)  
US Forest Service (1 seat)  
US Bureau of Land Management (1 seat)

Seats may be added to or subtracted from the WD170 Advisory Committee in subsequent years depending on further revisions or expansions of the district boundaries to be determined as necessary. Each group represented may also select an alternate for each seat.

Representatives for sub-district areas will be selected during that sub-district's annual meeting. The sub-district will notify the WD170 watermaster of the representative(s) selected following the sub-district annual meeting. Representatives for the non-sub-district groups will be selected at the WD170 annual meeting. The WD170 Advisory Committee will meet as often as needed to address the structure, governance and operation of the district.

### **CURRENT YEAR ADVISORY COMMITTEE MEMBERS**

**Adopted 2019**

Basin 72 non sub-district area irrigation (2 seats) – Gary Chamberlain, Mitch Wilson  
Basin 71 & 72 commercial/industrial/ municipal/other uses (2 seats) –  
City of Challis:  
Thompson Creek Mine: Richard Giampedraglia  
US Forest Service –  
US Bureau of Land Management -  
Sub-district representatives – To be selected by each entity

### **WATERMASTER SERVICES**

**Adopted 2018**

Watermaster services for WD170 shall be provided by IDWR and the Director shall name or appoint a Department employee to serve as the WD170 Watermaster for the ensuing year.

**WATER DISTRICT 170  
UPPER SALMON RIVER**

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WATER RIGHT OWNERS IN THEIR ANNUAL MEETING OR SPECIAL MEETING CALLED  
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**BUDGET RESOLUTION**

**Adopted 2018**

Recognizing that IDWR will appoint a watermaster for WD170 with the understanding that water users in areas organized as sub-districts within WD170 will each elect and fund a sub-district watermaster to perform the day to day duties within their sub-district, it is resolved that,

- 1) The existing sub-districts will each adopt a budget to be collected from the users within the respective sub-districts only, and that users not within that sub-district will not be responsible for any portion of that sub-district budget.
- 2) A sub-district that adequately measures, records, reports and controls diversions will not be subject to assessments from WD170.

For the current year, the Budget for WD170 shall be \$0.00.

**SCANNED**

**FEB 05 2019**



**ANNUAL MEETING MINUTES**  
**WATER DISTRICT 170 – UPPER SALMON RIVER**  
**Tuesday, January 22, 2019**  
**General Meeting - 2:00 pm**  
**Custer County Commissioners Meeting Room, Challis ID**

Due to the government shutdown, the meeting could not be held at the USFS Challis Ranger Station. Attendees were redirected to the Custer Courthouse and the meeting was held in the commissioner's room. Approximately 15 people were in attendance. The Advisory Committee did not meet.

Jim Hawkins called the meeting to order at approximately 2:00 and announced election of officers. George Miller made a motion that the existing meeting officers be retained. Mike Cutler seconded, passed on voice vote. Jim Hawkins was elected meeting chair and Cindy Yenter took notes and recorded the meeting.

The 2018 minutes were read and reviewed. Robert Boren moved that the minutes be accepted. George Miller seconded, passed on voice vote.

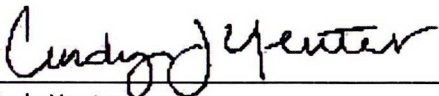
Chairman Hawkins asked for the Watermaster report and presentation of budget and resolutions. Cindy Yenter gave a presentation (attached) on 2018 activities and goals for 2019. The Watermaster also gave an overview of water rights which are not within any subdistrict and which are subject to administration directly by WD170, and discussed various means of providing watermaster services to those areas. Since this action won't be implemented this year, no assessment is required and the budget will be submitted as zero. No substantive changes were made to the resolutions. The decision was made to leave the seats for BLM and Forest Service on the Advisory Committee, but the record should show that these are non-voting seats. Mitch Wilson will replace Charlie Boge in the Gini Canal's AC seat. The City of Challis did not have a representative at the meeting and will need to name a replacement for Corey Rice. All other subdistricts must contact the WD170 watermaster after their annual meetings to name representatives to WD170.

George Miller moved that the 2019 resolutions be adopted, to include the zero budget and election of IDWR to provide watermaster services. Mike Cutler seconded passed on a voice vote.

The 2020 meeting will be held on the fourth Tuesday of January, in Challis, at a time and place to be determined.

There being no other business brought forth, Chairman Hawkins adjourned the meeting at 2:26 pm.

Respectfully submitted,



Cindy Yenter  
102 S Warpath  
Salmon ID 83467

SCANNED

FEB 05 2019

**WATER DISTRICT 170  
ADOPTED BUDGET 2019**

Date: January 22, 2019

***Administrative Charge***

|                      |     |
|----------------------|-----|
| Watermaster Services | \$0 |
|----------------------|-----|

|                  |     |
|------------------|-----|
| Financial Review | \$0 |
|------------------|-----|

|                                |           |
|--------------------------------|-----------|
| <i>Administrative Subtotal</i> | <hr/> \$0 |
|--------------------------------|-----------|

|                          |     |
|--------------------------|-----|
| Estimated 2018 Carryover | \$0 |
|--------------------------|-----|

|  |            |
|--|------------|
| <b>Recommended Administrative Assessment</b> | <b>\$0</b> |
|--|------------|

***Measuring and Reporting Charges-for non-subdistrict diversions***

|                        |     |
|------------------------|-----|
| Watermaster Assistants | \$0 |
|------------------------|-----|

|                |     |
|----------------|-----|
| Clerical Staff | \$0 |
|----------------|-----|

|   |           |
|---|-----------|
| <i>Measuring and Reporting Subtotal</i> | <hr/> \$0 |
|---|-----------|

|                          |     |
|--------------------------|-----|
| Estimated 2018 Carryover | \$0 |
|--------------------------|-----|

|   |            |
|---|------------|
| <b>Recommended M &amp; R Assessment</b> | <b>\$0</b> |
|---|------------|

|                          |            |
|--------------------------|------------|
| <b>Total 2019 Budget</b> | <b>\$0</b> |
|--------------------------|------------|

|                              |   |
|------------------------------|---|
| <b>Total 2019 Assessment</b> | <div style="border: 1px solid black; padding: 2px; display: inline-block;"><b>\$0</b></div> |
|------------------------------|---|

SCANNED  
FEB 05 2019



SCANNED  
FEB 05 2019

Challis ID

[illegible]



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858  
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

December 26, 2018

>

Dear Water User,

Notice is hereby given, that pursuant to law, the regular **annual meeting** for adoption of a budget and election of a water master for **Water District 170 – Upper Salmon River Basin** is scheduled for the time and location listed below.

**Day & Date: Tuesday, January 22, 2019**

**Time: 2:00 p.m.**

**Location: USFS Challis Ranger District  
Large Conference Room  
311 N US Hwy 93  
Challis ID 83226**

For more information regarding water rights and water districts, including forms and records, visit the Idaho Department of Water Resources (IDWR) website, [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

If you have questions regarding this notice, please contact the IDWR Southern Region Office in Twin Falls at 208-736-3033.

Sincerely,

A handwritten signature in black ink that reads "Gary Spackman". The signature is written in a cursive, flowing style.

Gary Spackman  
Director



RECEIVED  
DEC 10 2018  
DEPT OF WATER RESOURCES  
SOUTHERN REGION



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5851

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

To: **WD 170 Upper Salmon River Basin**  
From: IDWR Water Distribution Section  
Date: November 21, 2018  
Re: Annual Water District Meeting Information Form

Please **complete this annual water district meeting information form and return it to IDWR** (contact information below). Upon receipt of the completed form, IDWR sends meeting notice to each water user and interested party in the district. The meeting notice must be mailed no later than three weeks prior to the meeting. Therefore, to provide IDWR adequate time to create and mail the notice, please **return the completed form to IDWR as soon as possible or no later than four weeks before the meeting.**

### Meeting Location

Facility

Name \_\_\_\_\_

Room Name/Number

USFS Challis Ranger District - Large Conference

Street Address

311 N US Highway 93

Room

City

Challis ID 83226

ph. 879-4100

### Meeting Time/Day

Date

Jan 22,

(month,

2019

day,

Tuesday

year) \_\_\_\_\_

Day of

Week \_\_\_\_\_

Time

2:00 pm

C. Yenter  
Signature, Water District Representative

Watermaster  
Title

208. 742.0655  
Representative Phone Number

Cindy.yenter@idwr.idaho.gov  
Representative Email Address

Return this form via mail, fax, or email, attention: Nathan Erickson

### Mail

650 Addison Ave W Ste 500  
Twin Falls, ID 83301

### Fax

(208)736-3037

### Email

Nathan.Erickson@idwr.idaho.gov