

RECEIVED

DEC 31

RECEIVED

DEC 24 2018

Department of Water Resources

DEPARTMENT OF
WATER RESOURCES

WATERMASTER'S REPORT

From April 13th, 2018 To December 24, 2018Water District No. 29-D
Name of Watermaster Harold (Hal) Armstrong
Mailing Address 2771 Bannock Hwy., Pocatello, ID 83204

AFFIDAVIT OF WATERMASTER

STATE OF IDAHO)
COUNTY OF Bannock) ss.Harold Armstrong, being first duly sworn, deposes and says that he/she is Watermaster of Water District 29-D, having been lawfully appointed by Gary Spackman, Director, Idaho Department of Water Resources, and that the volumes of water, as stated in this report and prorated by him/her to the water right holders of the district are correct.Harold Armstrong
(Deputy) Watermaster District No. _____

Subscribed and sworn to before me, this _____ day of _____, 20____

Notary Public

(SEAL)

My Commission expires _____

Boise, Idaho December 24, 2018I HEREBY CERTIFY, that Harold (Hal) Armstrong was lawfully appointed by me as Watermaster of Water District No. 29 D, and that the information contained in this report, as herein sworn to, is, to the best of my knowledge and belief, correct.GARY SPACKMAN

Director, Department of Water Resources

By Steven Visosky
Steven Visosky

SCANNED

DEC 24 2018



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 31, 2018

Harold (Hal) Armstrong
2771 Bannock Hwy
Pocatello ID 83204

WATER DISTRICT #29D

Dear Watermaster:

Enclosed herewith is a copy of the Watermaster's Annual Report for the past season.

The same has been prepared by the watermaster and approved by this Department in conformity with Sections 42-610, 42-614 and 42-615, Idaho Code.

During the 1993 legislative session, the legislature enacted a new law which amends Section 42-619(9), Idaho Code and removes the independent financial audit requirement for most state water districts. The new law, referenced by Section 67-450B, Idaho Code (copy enclosed) identifies minimum audit requirements for all local government entities. Under the new statute, the governing body of any local government entity (i.e.; water district) whose annual budget does not exceed one hundred thousand dollars (\$100,000) has no minimum audit requirements under this section. This means that any district which handles its own money and whose budget is one hundred thousand dollars (\$100,000) or less does not have to have an independent public account firm conduct a financial audit every few years as previously required by Section 42-619(9).

Please note that only the statutory requirement regarding the independent financial audit has been changed. Districts handling their own fund (i.e.; districts who collect and / or disburse their own funds) must still submit their own statement of the water district's financial affairs at the end of each fiscal year. As recommended in the Department's February 16, 1993 letter and the 1993 Watermaster Handbook, a copy of the financial statement may be submitted either with the annual water masters report or with the minutes of the annual meeting for the ensuing year. An example of an annual financial statement may be found in Appendix C of the 1993 Watermaster Handbook.

SCANNED

JAN 02 2019

The purpose of this letter is to remind all water districts that workers compensation insurance is required for all water district employees. This requirement applies to all water districts in Idaho, regardless of annual budget. Insurance should be applicable at least to all paid water district staff, including the water master as well as watermaster assistants, advisory committee, secretary and treasurer. The costs associated with workers compensation insurance is paid directly by the water district and should be considered an expense of the district. For information about obtaining insurance costs etc., please contact the Idaho State Insurance Fund. The State Insurance Fund has offices in Boise, Coeur d'Alene, Idaho Falls, Pocatello and Twin Falls. Water Districts are also reminded that all paid water district staff may be subject to state and federal taxes. These tax requirements will vary depending on salaries and total income of each watermaster or employee. In many water districts, particularly smaller districts with part-time staff, payment of watermaster or each employee. Districts may wish to contact the State Tax Commission or the Internal Revenue Service for information about state and federal withholding taxes.

Sincerely,

A handwritten signature in blue ink that reads "Sharla Cox". The signature is fluid and cursive, with the first name "Sharla" and last name "Cox" clearly distinguishable.

Sharla Cox
Administrative Assistant

Enclosure

SCANNED
JAN 02 2019



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 31, 2018

Water District 29D - Secretary / Treasurer
Joyce Rendace
PO Box 354
Inkom ID 83245-0354

WATER DISTRICT #29D

Dear Secretary:

Enclosed herewith is a copy of the Watermaster's Annual Report for the past season.

The same has been prepared by the watermaster and approved by this Department in conformity with Sections 42-610, 42-614 and 42-615, Idaho Code.

During the 1993 legislative session, the legislature enacted a new law which amends Section 42-619(9), Idaho Code and removes the independent financial audit requirement for most state water districts. The new law, referenced by Section 67-450B, Idaho Code (copy enclosed) identifies minimum audit requirements for all local government entities. Under the new statute, the governing body of any local government entity (i.e.; water district) whose annual budget does not exceed one hundred thousand dollars (\$100,000) has no minimum audit requirements under this section. This means that any district which handles its own money and whose budget is one hundred thousand dollars (\$100,000) or less does not have to have an independent public account firm conduct a financial audit every few years as previously required by Section 42-619(9).

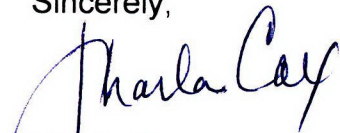
Please note that only the statutory requirement regarding the independent financial audit has been changed. Districts handling their own fund (i.e.; districts who collect and/or disburse their own funds) must still submit their own statement of the water district's financial affairs at the end of each fiscal year. As recommended in the Department's February 16, 1993 letter and the 1993 Watermaster Handbook, a copy of the financial statement may be submitted either with the annual water masters report or with the minutes of the annual meeting for the ensuing year. An example of an annual financial statement may be found in Appendix C of the 1993 Watermaster Handbook.

SCANNED
JAN 02 2019

The purpose of this letter is to remind all water districts that workers compensation insurance is required for all water district employees. This requirement applies to all water districts in Idaho, regardless of annual budget. Insurance should be applicable at least to all paid water district staff, including the watermaster as well as watermaster assistants, advisory committee, secretary and treasurer. The costs associated with workers compensation insurance is paid directly by the water district and should be considered an expense of the district. For information about obtaining insurance costs etc., please contact the Idaho State Insurance Fund. The State Insurance Fund has offices in Boise, Coeur d'Alene, Idaho Falls, Pocatello and Twin Falls.

Water Districts are also reminded that all paid water district staff may be subject to state and federal taxes. These tax requirements will vary depending on salaries and total income of each watermaster or employee. In many water districts, particularly smaller districts with part-time staff, payment of watermaster or each employee. Districts may wish to contact the State Tax Commission or the Internal Revenue Service for information about state and federal withholding taxes.

Sincerely,

A handwritten signature in blue ink that reads "Sharla Cox". The signature is fluid and cursive, with the first name "Sharla" being more prominent than the last name "Cox".

Sharla Cox
Administrative Assistant

Enclosures

SCANNED
JAN 02 2019



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 • PO BOX 83720 • BOISE ID 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: idwr.idaho.gov

RECEIVED
JUL 02 2018

Department of Water Resources
Eastern Region

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 28, 2018

Re: Preliminary Order Requiring Controlling Works and Measuring Devices in Water District No. 29-D

Dear Water User,

The Idaho Department of Water Resources ("Department") has issued the enclosed Preliminary Order ("Order") requiring installation of controlling works and measuring devices for certain surface water diversions in Water District 29-D ("WD 29-D"), Lower Portneuf River and tributaries. Pursuant to Idaho Code § 42-1701A(3), any person aggrieved by the Order may, within fifteen days after receipt of written notice of the Order or receipt of actual notice, file with the Director of the Department a written petition stating the grounds for contesting the Order and requesting a hearing.

The Order excludes diversions for irrigation uses less than or equal to 5 acres and non-irrigation uses with a total rate of diversion less than or equal to 0.24 cfs (approximately 108 gallons per minute). A common or shared point of diversion serving multiple water rights must be measured if the sum of the total irrigated acres exceeds 5 acres or the total diversion rate of non-irrigation use is greater than 0.24 cfs.

Please note that irrigation diversions must be controlled and measured by the start of the 2021 irrigation season and non-irrigation diversions by January 1, 2021.

Enclosed is the Department's "Minimum Acceptable Standards and Requirements for Open Channel and Closed Conduit Measuring Devices" qualifying types of measuring devices acceptable to the Department. This document and related information about acceptable measuring devices is available on the Department's Internet site at the following address: <https://idwr.idaho.gov/water-data/water-measurement/>

Users are encouraged to attend a water measurement workshop to be held by the Department on **Monday August 13, 2018, 6 pm, at the City of Pocatello Council Chambers**. The workshop will provide additional information on requirements for controlling works and measuring devices.

If you have questions concerning this order, please contact IDWR State Office (208-287-4800) or WD 29-D watermaster, Hal Armstrong (208-233-4346).

Respectfully,

Tim Luke
Chief, Water Compliance Bureau

Enclosures: *Preliminary Order Requiring Controlling Works and Measuring Devices in Water District 29-D, Dated June 28, 2018 (6 pages)*
IDWR Minimum Acceptable Standards and Requirements for Open Channel and Closed Conduit Measuring Devices (2 pages)

SCANNED

JUN 28 2018

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF REQUIRING)	
LOCKABLE HEADGATES,)	
CONTROLLING WORKS AND)	
MEASURING DEVICES ON DIVERSIONS)	PRELIMINARY ORDER REQUIRING
IN WATER DISTRICT NO. 29-D (LOWER)	CONTROLLING WORKS AND
PORTNEUF RIVER AND TRIBUTARIES))	MEASURING DEVICES
_____)	

The Director ("Director") of the Idaho Department of Water Resources ("IDWR" or "Department") finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On June 22, 2009, the Department issued a *Preliminary Order Creating A Water District For The Lower Portneuf River And Tributaries, And Combining Water Districts 29-C, 29-F, And 29-U With The New District; And Expanding Water District No. 29, Portneuf River And Tributaries*. Water District No. 29-D ("WD 29-D") was created for the administration of surface water rights from the Lower Portneuf River and tributaries between the confluence of Harkness Creek and the Portneuf River near McCammon, Idaho, downstream to the Fort Hall Reservation boundary near Chubbuck, Idaho, including Indian Creek near Inkom, Idaho, excluding Marsh Creek and its tributaries, excluding Pocatello Creek and tributaries, and excluding the Fort Hall Reservation and water sources within the Reservation that are administered by the Shoshone-Bannock Tribes pursuant to the "1990 Fort Hall Indian Water Right Agreement".

2. At the WD 29-D annual meeting on March 12, 2018, Department representatives announced they would issue an order mandating measurement of diversions within WD 29-D in the summer of 2018. The WD 29-D watermaster and some water users supported the proposal to require measurement because of the resulting benefit to proper delivery and recordkeeping.

3. The Department met with the WD 29-D advisory committee and the watermaster on May 30, 2018, to discuss details associated with the proposed order requiring the installation of measuring devices on diversions in the water district. The advisory committee recommended a three year period of time to install measuring devices, with the final deadline to install measuring devices for irrigation occurring at the start of the 2021 irrigation season. The advisory committee also recommended exempting surface water diversions used to irrigate 5 acres or less, and exempting non-irrigation diversions where the diversion rate is less than or equal to 0.24 cubic feet per second ("cfs").

LEGAL PROVISIONS

1. Section 42-701, Idaho Code, provides in pertinent part:

42-701 INSTALLATION AND MAINTENANCE OF CONTROLLING WORKS AND MEASURING DEVICES BY WATER APPROPRIATORS – PROCEDURE UPON FAILURE TO INSTALL AND MAINTAIN – MEASURING AND REPORTING OF DIVERSIONS – PENALTY FOR FAILURE TO COMPLY – REPORT FILING FEE.

- (1) The appropriators or users of any public waters of the state of Idaho shall maintain to the satisfaction of the director of the department of water resources suitable headgates and controlling works at the point where the water is diverted. Each device shall be of such construction that it can be locked and kept closed by the watermaster or other officer in charge, and shall also be of such construction as to regulate the flow of water at the diversion point. Each such appropriator shall construct and maintain, when required by the director of the department of water resources, a rating flume or other measuring device at such point as is most practical in such canal, ditch, wellhead or pipeline for the purpose of assisting the watermaster or department in determining the amount of water that may be diverted into said canal, ditch, wellhead or pipeline from the stream, well or other source of public water. Plans for such headgates, rating flumes or other measuring devices shall be approved by the department of water resources.*

...

- (3) Any appropriator or user of the public waters of the state of Idaho that neglects or refuses to construct or maintain such headgates, controlling works, or measuring devices..., upon receiving ten (10) days' notice from the director of the department of water resources within which to begin and diligently pursue to completion the construction or installation of the required device or devices or to begin and diligently pursue to completion a remedy to such defects as exist in accordance with said notice, then the director of the department of water resources may order the duly qualified and acting watermaster of the water district to shut off and refuse to deliver at the point of diversion, the water owned by such appropriator or user until the user does construct and maintain such headgates, controlling works or measuring devices or remedy the defects which exist or the director may take action pursuant to section 42-1701B, Idaho Code, to enforce the requirement to construct, install or maintain such devices.*
- (4) The appropriators or users of the public waters of the state of Idaho shall be given a reasonable time within which to complete construction of such headgates, controlling works or measuring devices, depending upon the size and extent thereof, when due diligence has been used in the prosecution of such work.*

CONCLUSIONS OF LAW

1. Pursuant to Section 42-701(1), Idaho Code, the Director is authorized to require installation and maintenance of suitable, lockable headgates and controlling works and measuring

devices at the point where the water is diverted.

2. The Director of IDWR has a “clear legal duty to distribute water” according to the partial decrees issued by the Snake River Basin Adjudication (“SRBA”) District Court. *City of Blackfoot v. Spackman*, 162 Idaho 302, 309 (2017). The SRBA was completed on August 26, 2014, through issuance of the *Final Unified Decree* by the SRBA District Court. *See Final Unified Decree, In re SRBA, Case No. 39576* (Fifth Jud. Dist. Ct. Aug. 26, 2014). The *Final Unified Decree* included general provisions applicable to Basin 29. *See Partial Decree Pursuant to I.R.C.P 54(b) for General Provisions in Basin 29* (Feb. 6, 2014). Since the Basin 29 general provisions do not list any Basin 29 water rights as being administered separately from all other water rights in the Snake River Basin, all water rights within Basin 29 “will be administered as connected sources of water in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.” *Id.* Idaho law is clear that hydrologically connected surface and ground water sources must be managed conjunctively. *Clear Springs Foods, Inc. v. Spackman*, 150 Idaho 790, 808 (2011).

3. The control and measurement of diversions is necessary in WD 29-D for the Director to comply with his “clear legal duty to distribute water” according to decreed water rights and to be able to conjunctively administer Basin 29 water rights with the rest of the water rights in the basin, including the mainstem of the Snake River. Adequate control and measurement of surface water diversions ensures:

- i. The regulation of diversions within the water district consistent with the legal requirements of prior appropriation doctrine, thereby protecting senior priority rights during times of regularly occurring water scarcity;
- ii. That the diversion of water associated with a decreed water right does not exceed the legal limits of the decree; and
- iii. That the assessments of individual water users within the water district occur based upon “actual deliveries” consistent with I.C. §§42-612(3) and 42-615.

4. The Director should require the installation of suitable, lockable headgates and controlling works and measuring devices within WD 29-D.

ORDER

IT IS HEREBY ORDERED AS FOLLOWS:

1. The holders of surface water rights in WD 29-D, except those water rights, uses and diversions identified in item 2 below, shall install and maintain on each point of diversion lockable headgates and controlling works and measuring devices of a type acceptable to the Department. **Owners of irrigation diversions shall comply with this order by the start of the 2021 irrigation season and owners of non-irrigation diversions shall comply with this order by January 1, 2021.**

2. The installation of lockable headgates and controlling works and measuring devices required by this order is waived until further notification by the Department for the following water uses and diversions:

- a. Domestic and stockwater uses as defined by Idaho Code §§ 42-111 and 42-1401A(11);
- b. Surface water diversions irrigating less than or equal to five acres¹; and
- c. Surface water diversions for any purpose other than irrigation that divert less than or equal to 0.24 cfs (approximately 108 gallons per minute)².

3. Lockable headgates and controlling works and measuring devices shall be installed and maintained sufficiently for the watermaster to control, measure and report the amount of water delivered at each diversion.

4. Measuring devices acceptable to the Department for diversions requiring measurement, shall be devices identified in the Department's *Minimum Acceptable Standards and Requirements for Open Channel and Closed Conduit Measuring Devices* ("Minimum Acceptable Standards" enclosed).

5. The Department will consider a request for variance from the requirement to install measuring devices listed in the *Department's Minimum Acceptable Standards* upon submittal of a written request to the watermaster. Variance requests must include sufficient information for the watermaster and the Department to determine whether a variance is acceptable. Acceptable variances may include the following methods or devices:

- Use of an hour meter (time clock) for qualifying diversions only, usually in-stream electric pumps that operate at a consistent rate of flow; or
- Use of an acceptable non-standard closed conduit flow meter, for flow meters installed on diversions prior to this order.

6. Requests for variance from the measuring device requirement must be received by the watermaster by July 1, 2019. The watermaster and the Department will consider requests on a case-by-case basis. Variance requests proposing use of an existing flow meter will be denied unless the existing meter is tested and meets the Department's established standards for accuracy and the manufacturer installation specifications. Existing meters not meeting the established standard for accuracy or manufacturer specifications must be replaced with a flow meter from the Department's *List of Approved Closed Conduit Flow Meters (most current version)*, which is available for download at the Department's webpage at the following URL: <https://idwr.idaho.gov/files/water-measurement/approved-flow-meter-list.pdf>.

7. The Department may exempt a diversion from the requirements of this order or may allow deferred compliance for a diversion. To be considered, the watermaster must receive requests for exemption or deferral by July 1, 2019. The watermaster and the Department will consider requests for exemption or deferral on a case-by-case basis. Conditions that may result in exemption or deferral include, but are not limited to, the following:

¹ A common point of diversion used for multiple irrigation rights where each individual right is five (5) acres or less must be measured and controlled if the sum of the irrigated acres under the rights exceeds five (5) acres.

² A common point of diversion serving multiple non-irrigation uses must be measured if the total diversion rate is greater than 0.24 cfs.

- Abandonment, non-use, or consolidation that results in a diversion being unused, or reduces the total diversion rate to 0.24 cfs or less or results in the irrigation of five (5) acres or less; or
- Delays caused by requirements of other government entities.

8. If a user cannot comply with the deadlines in item 1 of this order, the Department may grant an extension of time. To be considered, the watermaster must receive requests for an extension of time July 1, 2019. The watermaster and the Department will consider requests for extensions on a case-by-case basis.

9. This order is effective immediately for any new diversion(s) authorized after the date of this order, except water right diversions described in items 2(a) through 2(c) of this order.

10. The WD 29-D watermaster will shut off and refuse to deliver water to any diversion subject to this order, if the user fails to comply with the requirements to install and maintain suitable and acceptable headgates, controlling works, and measuring devices, after the start of the 2021 irrigation season (irrigation diversions) or after January 1, 2021 (non-irrigation diversions), unless an extension or exemption has been granted by the Department.

11. Pursuant to Section 42-1701A(3), Idaho Code, any person aggrieved by this order may, within fifteen days after receipt of written notice of the order or receipt of actual notice, file with the Director a written petition stating the grounds for contesting the order and requesting a hearing.

Dated this 28 day of June 2018.

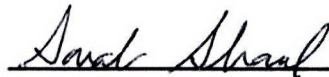


MAT WEAVER
Deputy Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of June 2018, the above and foregoing document was served on each individual or entity on the service list for this matter on file at the Idaho Department of Water Resources, 322 East Front Street, Boise, Idaho and www.idwr.idaho.gov. Each individual or entity on the service list was served by placing a copy of the above and foregoing document in the United States mail, postage prepaid and properly addressed.

Documents served: **Preliminary Order Requiring Controlling Work and Measuring Devices in Water District No. 29-D**



Sarah Shaul
Technical Records Specialist
Idaho Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES (IDWR)

MINIMUM ACCEPTABLE STANDARDS AND REQUIREMENTS
FOR OPEN CHANNEL AND CLOSED CONDUIT
MEASURING DEVICES

The water source, diversion structure and conveyance system must be adequately evaluated prior to selection of a measuring device. Surface water sources such as streams, springs and drains are commonly diverted into open channels, ditches or canals. Closed conduits such as pipes or culverts are also used to convey surface water. Ground water is more commonly diverted into pipes (closed conduits) which convey water from the well to system discharge points such as irrigation sprinkler systems. Ground water may also discharge from a well through a short section of pipe to open channels, ditches or ponds. When required by IDWR, measuring devices must be installed at or very near the point of diversion to ensure the watermaster can accurately determine the amount of water diverted from the public water source. The standards below are intended to qualify measuring devices that are "acceptable to the Department", and to assist water users and watermasters in the proper selection and installation of such devices when required pursuant to Section 42-701, Idaho Code.

I. MEASUREMENT IN OPEN CHANNELS

The following requirements are applicable to diversions from surface water sources. Measurement of a ground water diversion with an open channel measuring device must be specifically approved by IDWR.

A. Industry Standard Open Channel Measuring Devices

All open channel surface water diversions must be measured using one of the following industry standard (standard) open channel flow measuring devices:

- **Weirs:** contracted or suppressed rectangular weirs, Cipolletti weir, 90 degree V-notch weir
- **Flumes:** Parshall flume, trapezoidal flume, ramped flume (ramped, broad-crested weir)
- **Submerged Orifices:** submerged rectangular orifice, constant head orifice
- **Current Meter/Acoustic Profiler:** acoustic Doppler flow meter (ADFM), acoustic Doppler current profiler

Construction, installation and operation of these devices must be consistent with water measurement guidelines, published by the United States Bureau of Reclamation¹ or the United States Geological Survey². Measuring devices, associated rating tables and specifications contained in these publications are considered by IDWR to be industry standard.

B. Non-Standard Open Channel Devices Including Rated Structures or Rated Sections

Any weir, flume or other measuring device that has not been constructed, installed or maintained to measure flow consistent with industry standard rating tables or curves shall be considered non-standard. IDWR may authorize the use of non-standard devices or rated channel sections on a case by case basis, upon the submittal and approval of a measurement plan. A measurement plan must contain an acceptable proposal, using industry standard procedures for developing a rating curve, or document that a rating curve has been fully developed for the device or section. Proposed rating plans must include provisions for periodic re-measurement and maintenance of the rating. The established rating must achieve the desired accuracy standard of plus or minus ten percent ($\pm 10\%$), the equivalent accuracy of a standard open channel device. All rating measurements must be conducted by a qualified individual (eg. engineer, hydrologist, certified examiner), using a standard portable open channel measuring device. If a measurement plan is not approved by IDWR, a standard device must be installed and maintained.

¹ The BOR guidelines can be found at: <https://idwr.idaho.gov/files/water-measurement/2001-Bureau-of-Reclamation-Water-Measurement-Manual.pdf>

² The USGS guidelines can be found at: <https://pubs.er.usgs.gov/>

SCANNED
JUN 28 2018

II. CLOSED CONDUIT MEASURING DEVICES

The following requirements are applicable to measurement of diversions from any water source that conveys water through a full pipe or conduit. Full pipe means that water within the pipe is under at least some positive pressure and contains insignificant amounts of air or gas.

A. Standard Closed Conduit Measuring Devices

Standard closed conduit measuring devices are flow meters that have been approved for use by IDWR based on independent third party testing. IDWR has developed and published a list of meters that have been tested and approved for use³. Tests were conducted for both accuracy and repeatability on all submitted models. The lab tested accuracy standard for flow rate is plus or minus two percent ($\pm 2\%$). The *IDWR List of Approved Closed Conduit Flow Meters* (approved list) may be found at: <https://idwr.idaho.gov/files/water-measurement/approved-flow-meter-list.pdf>

Approved full profile magnetic flow meters and spooled ultrasonic flow meters must be installed with a minimum straight pipe length equivalent of three (3) pipe diameters upstream and two (2) pipe diameters downstream measured from the center of the meter spool. Approved clamp-on and wetted ultrasonic flow meter transducers must be located with a minimum straight pipe equivalent of ten (10) pipe diameters upstream and five (5) pipe diameters downstream of the nearest transducer. All other manufacturer installation specifications (excepting up and down spacing) must be met. *Installation of an approved meter inconsistent with the requirements noted above, may be cause for IDWR to require reinstallation of the meter.*

B. Requests for Variance to Use Power Consumption, Hour Meter or Existing Meter

Requests for variance will be considered for qualifying diversions on a case by case basis only upon submittal of the appropriate "Request for Variance" form. If a water user can demonstrate that an existing flow meter or other method of measurement meets an equal standard of accuracy when compared to meters on the approved list, a variance may be granted. If a variance request is not granted, an approved meter will be required.

The following alternate measurement methods may be considered:

- Development of a Power Consumption Coefficient (PCC), which is a ratio of power usage to water withdrawal,
- Use of an hour meter (time clock), or
- Use of a flow meter that was *installed prior* to the date a measurement order was issued and *is not* on the IDWR approved list.

Any alternate measurement method will require field testing using a portable ultrasonic flow meter or other meter tested and accepted by IDWR (testing meter). Field testing may be performed by any of the following:

- IDWR staff,
- a water district watermaster,
- a ground water district hydrographer,
- an irrigation district hydrographer,
- a certified field examiner, or
- as otherwise approved by IDWR

Existing flow meters must be operational and installed consistent with applicable specifications. If the testing margin of error of an installed meter when compared to the testing meter exceeds plus or minus ten percent ($\pm 10\%$) for mechanical type meters, or plus or minus five percent ($\pm 5\%$) for magnetic or ultrasonic type meters, the installed meter must be replaced with a new meter from the approved list. The owner or operator of any diversion system which requires a field measurement must provide a testing section of unobstructed straight pipe 15 pipe diameters in length.

³ Testing was conducted at the Utah Water Research Laboratory (UWRL), a National Institute of Standards and Technology (NIST) traceable lab in Logan, Utah.

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF REQUIRING)	
LOCKABLE HEADGATES,)	
CONTROLLING WORKS AND)	PRELIMINARY ORDER REQUIRING
MEASURING DEVICES ON DIVERSIONS)	CONTROLLING WORKS AND
IN WATER DISTRICT NO. 29-D (LOWER)	MEASURING DEVICES
PORTNEUF RIVER AND TRIBUTARIES))	
_____)	

The Director (“Director”) of the Idaho Department of Water Resources (“IDWR” or “Department”) finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On June 22, 2009, the Department issued a *Preliminary Order Creating A Water District For The Lower Portneuf River And Tributaries, And Combining Water Districts 29-C, 29-F, And 29-U With The New District; And Expanding Water District No. 29, Portneuf River And Tributaries*. Water District No. 29-D (“WD 29-D”) was created for the administration of surface water rights from the Lower Portneuf River and tributaries between the confluence of Harkness Creek and the Portneuf River near McCammon, Idaho, downstream to the Fort Hall Reservation boundary near Chubbuck, Idaho, including Indian Creek near Inkom, Idaho, excluding Marsh Creek and its tributaries, excluding Pocatello Creek and tributaries, and excluding the Fort Hall Reservation and water sources within the Reservation that are administered by the Shoshone-Bannock Tribes pursuant to the “1990 Fort Hall Indian Water Right Agreement”.
2. At the WD 29-D annual meeting on March 12, 2018, Department representatives announced they would issue an order mandating measurement of diversions within WD 29-D in the summer of 2018. The WD 29-D watermaster and some water users supported the proposal to require measurement because of the resulting benefit to proper delivery and recordkeeping.
3. The Department met with the WD 29-D advisory committee and the watermaster on May 30, 2018, to discuss details associated with the proposed order requiring the installation of measuring devices on diversions in the water district. The advisory committee recommended a three year period of time to install measuring devices, with the final deadline to install measuring devices for irrigation occurring at the start of the 2021 irrigation season. The advisory committee also recommended exempting surface water diversions used to irrigate 5 acres or less, and exempting non-irrigation diversions where the diversion rate is less than or equal to 0.24 cubic feet per second (“cfs”).

LEGAL PROVISIONS

1. Section 42-701, Idaho Code, provides in pertinent part:

42-701 INSTALLATION AND MAINTENANCE OF CONTROLLING WORKS AND MEASURING DEVICES BY WATER APPROPRIATORS – PROCEDURE UPON FAILURE TO INSTALL AND MAINTAIN – MEASURING AND REPORTING OF DIVERSIONS – PENALTY FOR FAILURE TO COMPLY – REPORT FILING FEE.

- (1) The appropriators or users of any public waters of the state of Idaho shall maintain to the satisfaction of the director of the department of water resources suitable headgates and controlling works at the point where the water is diverted. Each device shall be of such construction that it can be locked and kept closed by the watermaster or other officer in charge, and shall also be of such construction as to regulate the flow of water at the diversion point. Each such appropriator shall construct and maintain, when required by the director of the department of water resources, a rating flume or other measuring device at such point as is most practical in such canal, ditch, wellhead or pipeline for the purpose of assisting the watermaster or department in determining the amount of water that may be diverted into said canal, ditch, wellhead or pipeline from the stream, well or other source of public water. Plans for such headgates, rating flumes or other measuring devices shall be approved by the department of water resources.*

...

- (3) Any appropriator or user of the public waters of the state of Idaho that neglects or refuses to construct or maintain such headgates, controlling works, or measuring devices..., upon receiving ten (10) days' notice from the director of the department of water resources within which to begin and diligently pursue to completion the construction or installation of the required device or devices or to begin and diligently pursue to completion a remedy to such defects as exist in accordance with said notice, then the director of the department of water resources may order the duly qualified and acting watermaster of the water district to shut off and refuse to deliver at the point of diversion, the water owned by such appropriator or user until the user does construct and maintain such headgates, controlling works or measuring devices or remedy the defects which exist or the director may take action pursuant to section 42-1701B, Idaho Code, to enforce the requirement to construct, install or maintain such devices.*
- (4) The appropriators or users of the public waters of the state of Idaho shall be given a reasonable time within which to complete construction of such headgates, controlling works or measuring devices, depending upon the size and extent thereof, when due diligence has been used in the prosecution of such work.*

CONCLUSIONS OF LAW

1. Pursuant to Section 42-701(1), Idaho Code, the Director is authorized to require installation and maintenance of suitable, lockable headgates and controlling works and measuring

devices at the point where the water is diverted.

2. The Director of IDWR has a “clear legal duty to distribute water” according to the partial decrees issued by the Snake River Basin Adjudication (“SRBA”) District Court. *City of Blackfoot v. Spackman*, 162 Idaho 302, 309 (2017). The SRBA was completed on August 26, 2014, through issuance of the *Final Unified Decree* by the SRBA District Court. *See Final Unified Decree, In re SRBA, Case No. 39576* (Fifth Jud. Dist. Ct. Aug. 26, 2014). The *Final Unified Decree* included general provisions applicable to Basin 29. *See Partial Decree Pursuant to I.R.C.P 54(b) for General Provisions in Basin 29* (Feb. 6, 2014). Since the Basin 29 general provisions do not list any Basin 29 water rights as being administered separately from all other water rights in the Snake River Basin, all water rights within Basin 29 “will be administered as connected sources of water in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.” *Id.* Idaho law is clear that hydrologically connected surface and ground water sources must be managed conjunctively. *Clear Springs Foods, Inc. v. Spackman*, 150 Idaho 790, 808 (2011).

3. The control and measurement of diversions is necessary in WD 29-D for the Director to comply with his “clear legal duty to distribute water” according to decreed water rights and to be able to conjunctively administer Basin 29 water rights with the rest of the water rights in the basin, including the mainstem of the Snake River. Adequate control and measurement of surface water diversions ensures:

- i. The regulation of diversions within the water district consistent with the legal requirements of prior appropriation doctrine, thereby protecting senior priority rights during times of regularly occurring water scarcity;
- ii. That the diversion of water associated with a decreed water right does not exceed the legal limits of the decree; and
- iii. That the assessments of individual water users within the water district occur based upon “actual deliveries” consistent with I.C. §§42-612(3) and 42-615.

4. The Director should require the installation of suitable, lockable headgates and controlling works and measuring devices within WD 29-D.

ORDER

IT IS HEREBY ORDERED AS FOLLOWS:

1. The holders of surface water rights in WD 29-D, except those water rights, uses and diversions identified in item 2 below, shall install and maintain on each point of diversion lockable headgates and controlling works and measuring devices of a type acceptable to the Department. **Owners of irrigation diversions shall comply with this order by the start of the 2021 irrigation season and owners of non-irrigation diversions shall comply with this order by January 1, 2021.**

2. The installation of lockable headgates and controlling works and measuring devices required by this order is waived until further notification by the Department for the following water uses and diversions:

- a. Domestic and stockwater uses as defined by Idaho Code §§ 42-111 and 42-1401A(11);
 - b. Surface water diversions irrigating less than or equal to five acres¹; and
 - c. Surface water diversions for any purpose other than irrigation that divert less than or equal to 0.24 cfs (approximately 108 gallons per minute)².
3. Lockable headgates and controlling works and measuring devices shall be installed and maintained sufficiently for the watermaster to control, measure and report the amount of water delivered at each diversion.
4. Measuring devices acceptable to the Department for diversions requiring measurement, shall be devices identified in the Department's *Minimum Acceptable Standards and Requirements for Open Channel and Closed Conduit Measuring Devices* ("Minimum Acceptable Standards" enclosed).
5. The Department will consider a request for variance from the requirement to install measuring devices listed in the *Department's Minimum Acceptable Standards* upon submittal of a written request to the watermaster. Variance requests must include sufficient information for the watermaster and the Department to determine whether a variance is acceptable. Acceptable variances may include the following methods or devices:
- Use of an hour meter (time clock) for qualifying diversions only, usually in-stream electric pumps that operate at a consistent rate of flow; or
 - Use of an acceptable non-standard closed conduit flow meter, for flow meters installed on diversions prior to this order.
6. Requests for variance from the measuring device requirement must be received by the watermaster by July 1, 2019. The watermaster and the Department will consider requests on a case-by-case basis. Variance requests proposing use of an existing flow meter will be denied unless the existing meter is tested and meets the Department's established standards for accuracy and the manufacturer installation specifications. Existing meters not meeting the established standard for accuracy or manufacturer specifications must be replaced with a flow meter from the Department's *List of Approved Closed Conduit Flow Meters (most current version)*, which is available for download at the Department's webpage at the following URL: <https://idwr.idaho.gov/files/water-measurement/approved-flow-meter-list.pdf>.
7. The Department may exempt a diversion from the requirements of this order or may allow deferred compliance for a diversion. To be considered, the watermaster must receive requests for exemption or deferral by July 1, 2019. The watermaster and the Department will consider requests for exemption or deferral on a case-by-case basis. Conditions that may result in exemption or deferral include, but are not limited to, the following:

¹ A common point of diversion used for multiple irrigation rights where each individual right is five (5) acres or less must be measured and controlled if the sum of the irrigated acres under the rights exceeds five (5) acres.

² A common point of diversion serving multiple non-irrigation uses must be measured if the total diversion rate is greater than 0.24 cfs.

- Abandonment, non-use, or consolidation that results in a diversion being unused, or reduces the total diversion rate to 0.24 cfs or less or results in the irrigation of five (5) acres or less; or
- Delays caused by requirements of other government entities.

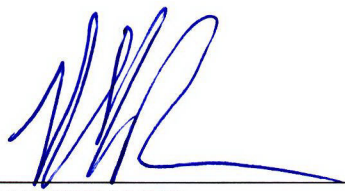
8. If a user cannot comply with the deadlines in item 1 of this order, the Department may grant an extension of time. To be considered, the watermaster must receive requests for an extension of time July 1, 2019. The watermaster and the Department will consider requests for extensions on a case-by-case basis.

9. This order is effective immediately for any new diversion(s) authorized after the date of this order, except water right diversions described in items 2(a) through 2(c) of this order.

10. The WD 29-D watermaster will shut off and refuse to deliver water to any diversion subject to this order, if the user fails to comply with the requirements to install and maintain suitable and acceptable headgates, controlling works, and measuring devices, after the start of the 2021 irrigation season (irrigation diversions) or after January 1, 2021 (non-irrigation diversions), unless an extension or exemption has been granted by the Department.

11. Pursuant to Section 42-1701A(3), Idaho Code, any person aggrieved by this order may, within fifteen days after receipt of written notice of the order or receipt of actual notice, file with the Director a written petition stating the grounds for contesting the order and requesting a hearing.

Dated this 28 day of June 2018.

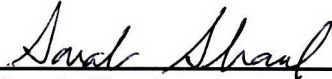


MAT WEAVER
Deputy Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of June 2018, the above and foregoing document was served on each individual or entity on the service list for this matter on file at the Idaho Department of Water Resources, 322 East Front Street, Boise, Idaho and www.idwr.idaho.gov. Each individual or entity on the service list was served by placing a copy of the above and foregoing document in the United States mail, postage prepaid and properly addressed.

Documents served: **Preliminary Order Requiring Controlling Work and Measuring Devices in Water District No. 29-D**



Sarah Shaul
Technical Records Specialist
Idaho Department of Water Resources

State of Idaho
Department of Water Resources
Certificate of Appointment

SCANNED

APR 13 2018

*This is to certify that I have on this day appointed Harold Armstrong as
Watermaster of Water District 29D from this day until the 2019 annual
meeting or until his/her successor is appointed and qualified under the provisions of Idaho Code Section
42-607, at such rate of compensation as established by applicable law.*



*This certificate has been issued and the seal of the
Director fixed at Boise, Idaho, this 13th
day of April, 2018.*

Gary Spackman

Director - IDWR

PETITION FOR WATERMASTER'S SERVICES

Pocatello, Idaho
April 12, 2018

RE: Water District No. 29d
Stream: Portneuf

TO: IDAHO DEPARTMENT OF WATER RESOURCES

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

NAME OF WATERMASTER: Harold (Hal) Armstrong

ADDRESS OF WATERMASTER: 2771 Bannock Hwy.,
Pocatello, Idaho 83204

PHONE NUMBER: (208) 233-4346 & cell (801) 580-3071

Date watermaster is to start: April 10, 2018

If known, the date services of watermaster are to terminate: _____

Harold (Hal) Armstrong, 2771 Bannock Hwy., Pocatello, ID 83204 (208) 233-4346
signature address telephone

W A R N I N G: Watermaster cannot begin services until ALL conditions of appointment have been fulfilled.

SCANNED

APR 18 2018

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

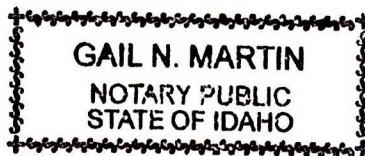
State of Idaho)
County of Bannock) ss

Official Oath

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

Harold (Hal) Armstrong
Watermaster

SUBSCRIBED AND SWORN TO before me this 9th day of April, 2018.



SEAL

Gail N. Martin
Notary Public
Residing At Burley, Idaho
Commission Expires 5/1/2018

State of Idaho
Department of Water Resources
Certificate of Appointment

SCANNED

APR 13 2018

This is to certify that I have on this day appointed Joyce Rendace *as*
Treasurer *of Water District* 29D *from this day until the 2019 annual*
meeting or until his/her successor is appointed and qualified under the provisions of Idaho Code Section
42-619, at such rate of compensation as established by applicable law.



This certificate has been issued and the seal of the
Director fixed at Boise, Idaho, this 13th *—*
day of April *, 2018.*

Gary Spackman

Director - IDWR



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

April 13, 2018

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Harold Armstrong
2771 Bannock Highway
Pocatello ID 83204

RE: WATER DISTRICT #29D

Dear Watermaster:

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

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

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Sharla Cox', is written over a circular blue ink stamp.

Sharla Cox
Administrative Assistant

Enclosure

SCANNED

APR 13 2018

WATER DISTRICT INFORMATION SHEET

2018
Year

29-D Lower Portneuf & Tributaries
Water District # / Stream Name

Harold (Hal) Armstrong
Watermaster Name

2711 Bennett Highway, Portello ID 83204
Address

(208) 233-4346 / (208) (801) 580-3011 harm@gnail.com
Phone Number, Home / Cell E-Mail Address

Assistant Watermaster Name

Address

Phone Number, Home / Cell

E-Mail Address

Paul Martin
Meeting Secretary Name

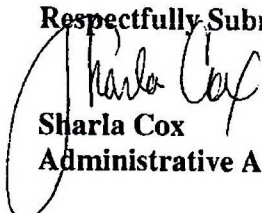
PO Box 306 Fort Hall, ID 83203
Address

(208) 224-4583
Phone Number, Home / Cell

pmartin@stark.com
E-Mail Address

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

Respectfully Submitted,


Sharla Cox
Administrative Assistant

SCANNED

APR 13 2018

DEPARTMENT OF
WATER RESOURCES
If you are not listed

[illegible]

SCANNED

APR 30 2018

DEPARTMENT OF
WATER RESOURCES

APRIL 9, 2018 - POCA TELLO CITY HALL

ROSTER OF ATTENDANCE 2018 WATER DISTRICT 29H ANNUAL MEETING

NAME	ADDRESS	PHONE (Best contact for watermaster, i.e. cell phone)	EMAIL	REPRESENTING (if you are not listed as the the water right owner)
Craig Criddle	P.O. Box 61	208-317-2115	sagebrush@gobigwest.com	DAKA Farms Inc.
Morgan Evans	26704 Red Rock Rd. Arimo	208-705-7973	Red Rock E70465.com	Red Rock Ranch
Dave & Kathy Bissell	P.O. Box 324 Inkam Id 83245	208-775-4595		
Kathy Sprigg	9866 S Marsh Creek Rd 83245	208-221-7173	spickath@isu.edu	Self & Donald Worthy lake
Deana Dunn	P.O. Box 10 Inkam, Id 83245	208-240-7292	scideanaDunn113@gmail.com	Curtis & Jo Deana Dunn
Bill Egan	1451 W Hawke Rd Arimo	208-897-5521		
Dale Lison	15254 S. Marsh Valley Rd, Arimo ID	208-244-0130	ndale.154@gmail.com	Marsh Ctr Farms / Marsh Csh
Maxlyn Capell	PO Box 146, ARIMO, ID 83214	208-380-6647	Capemaxi@gmail.com	
Tony & Rhonda Anthony	2299 S Marsh Cr Macomber	208-251-4727	rhondaLanthony@yahoo.com	
Eastside Dixie	" " "	" " "	" " "	
Jim Bastian	16580 S. Marsh Valley Rd Arimo	208-251-3143		
Bret Downs	P.O. Box 275 Downey	208-317-5592		Downata Hot Springs LLC
Randy & Sharon Betagel	2864 E. Bowman Rd. Downey ID	208-540-1979	rlb@ida.net	

WATER DISTRICT 29D
Lower Portneuf River & Tributaries
ANNUAL MEETING CONTINUATION*

Monday April 9, 2018 – 6:30PM
Pocatello City Hall

**This meeting is a continuation of the annual meeting that was held on Monday March 12, 2018*

- | | |
|--|--|
| 1. Call to Order | Norman Hill (<i>Meeting Chairman
from 3/12/2018</i>) |
| 2. Watermaster Election | Meeting Chairman |
| 3. Present Proposed Resolutions for Adoption | Meeting Chairman |
| 4. Other Items of Business | |
| 5. Acknowledge 2019 Meeting Date
Monday March 11, 2019
Pocatello City Hall @ 6:30 PM | Meeting Chairman |
| 6. Adjournment of Meeting | Meeting Chairman |

SCANNED
APR 13 2018

Water District 29-D

Meeting Minutes

March 12 & April 9, 2018

Meeting Time: 6:30 P.M., Pocatello City Hall, March 12, 2018

Continuation of Meeting: 6:30 P.M., Pocatello City Hall, April 9, 2018

1. Call To Order

Norman Hill called Water District 29-D to order at 6:30 P.M.

2. Introduction of Idaho Department of Water Resources Representative

Norman Hill introduced the Idaho Department of Water Resources Representatives: Steve Visosky and Tim Luke.

3. Election of Meeting Chair

Norman Hill called for nominations for a meeting Chair. Mary Spinner made a motion to elect Norman Hill as the meeting Chair, the motion was seconded by Garry Purkey. No further nominations were made. Norman Hill was nominated as the meeting Chair by a majority vote of the District members.

4. Election of Meeting Secretary

Norman Hill called for nominations for a meeting Secretary. Garry Purkey made a motion to elect Gail Martin as the meeting Secretary, Mary Spinner seconded the motion. No further nominations were made. Gail Martin was nominated as the meeting Secretary by a majority vote of District members.

5. Appointment of Water District Advisory Board

Norman Hill called for nominations to the WD29-D Advisory Board. The following individuals received nominations to the Board: Denny Dobbins, Jeremy Stanger, Jim Guthrie, Dennis Hill, Rich Diehl, and Gail Martin. A motion was made to accept all nominees to serve on the Water District Advisory Board, with a second from the floor. A vote was taken with 14 in favor and 15 opposed, the motion failed.

Discussion ensued regarding the make-up of the Committee and that the Committee should remain at an uneven number of five members. Further discussion also included that the board should represent: large users, minimum users, and a non-irrigation user. A motion was made to keep the board to five members, representative of: large users, minimum users, and a non-irrigation user, the motion was seconded from the floor. The motion was passed by a majority vote of District members.

SCANNED
APR 13 2018

An informal selection of advisory committee members were made as follows: Denny Dobbins, minimum user; Dennis Hill, minimum user; Jeremy Stanger, large user; Jim Guthrie, large user; and Rich Diehl, non-irrigation user (municipal). A motion was made to accept the five member board of: Denny Dobbins, minimum user; Dennis Hill, minimum user; Jeremy Stanger, large user; Jim Guthrie, large user; and Rich Diehl, non-irrigation user (municipal), with a second from the floor. The motion was passed by a majority vote of District members.

6. Review and Acceptance of 2017 Meeting Minutes

After receiving copies of the 2017 Meeting Minutes, Joyce Rendace made a motion to approve the meeting minutes as written. The motion received a second from the floor. The meeting minutes were approved by a majority vote of the District members.

7. Election of District Treasurer

Norman Hill called for nomination for a District Treasurer. Mary Spinner made a motion to elect Joyce Rendace as the District's Treasurer. Clarification was made that the Bookkeeping contract will now be done by the District Treasurer. The motion was seconded by a member from the floor, and Joyce Rendace was approved as Water District 29-D Treasurer by a majority vote of District members.

8. 2018 Financial Report and Proposed Budget

Joyce Rendace went over the District's expenses for 2017, and the proposed budget for 2018. She indicated that the only change to the budget was to include a handheld device and data plan into the Watermaster's field supplies. This was an increase of \$1,000.00. Discussion ensued regarding the time spent by the Watermaster using the device. At this time, the meeting Chair asked that the Idaho Department of Water Resources to do their presentation to address the need for the additional field supplies.

Garry Purkey questioned why tax preparations were included in the treasurer's report. He believed that the bookkeeper should be doing the tax preparations. Joyce Rendace explained that it cost less for this service to be contracted out then for her to do it. If she were to do it the forms alone would cost more than the service. Mary Spinner made a motion to approve the 2019 budget, with a second from the floor. A vote was taken with 1 opposed, and a majority in favor. The motion passed.

9. Idaho Department of Water Resources (IDWR) Representatives Presentation

Steve Visosky, representative from IDWR, responded to questions regarding use of a handheld device (tablet) to collect monitoring data for IDWR. He stated that the Director of IDWR wanted to relay the message that WD29-D was going to be treated fairly as to other water districts in basin 29. He stated that the lower Portneuf water district (WD29-D) has not been singled out.

SCANNED
APR 13 2018

He further stated that they agree that notice provided by IDWR on curtailments may not have been sufficient. He stated that the district will get a reprieve on managing the district in conjunction with the call on the Snake River water rights for this year. He stated it would be only fair to bring in WD29-D and WD29-H into administrative compliance at the same time. He stated that the "2014 Snake River Basin Adjudication Decree" does not exclude any basins from administration, or any of the tributaries that are connected to Snake River.

A question was asked about the date of the Decree, Steve replied that the Final Unified Decree was dated August 24, 2014.

Some members stated that they were not aware of the adjudication. They also stated that during drought years nobody was cut off. It was stated that they were upset that they did not have a voice at the table during the mitigation discussions. It was said that pumps in Marsh Valley with date of 1967 and 1968 were not been curtailed.

Steve Visosky continued with his slide show presentation. He briefly described the prior appropriation doctrine. A question was raised as to reservoir water. Mr. Visosky stated that storage rights held in reservoirs belong to people who have storage rights to store water. Other water right holders can apply to receive water from the water bank. A WD29-D water right holder stated he did apply to the bank and his check and application were sent back unprocessed. Steve stated this was the first time the Water District 01 Water Supply Bank had seen an application from a WD29-D and were unsure with what to do with it. Mr. Visosky did apologize to the applicant and said that applications should be handled differently in the future. He further stated that the IDWR Director met with the Water District 01 Advisory Committee and informed them that there would be delegates from WD29-D making applications to the Water District 01 Water Supply Bank. He stated that every water right up to Milner, and Snake River tributaries are all playing by the same rules. There are only two water districts, WD29-D and WD29-H, who are not being administer or water rights being enforced.

Tim Luke, representative from IDWR, stated that WD29-D was created in 2010 and there have been talks about curtailing since that time. He admitted that they could have been more diligent in discussing the issue. WD29-D was originally created because of disagreements between water users. Prior to the 2014 Unified Decree WD29-D water rights were not adjudicated and could not be regulated. He recalled that curtailment was a discussion at the last annual meeting and many people will not believe it until they receive a curtailment letter. He further stated that the Director has given WD29-D a reprieve for at least year, maybe two.

Members asked for an explanation of Indian water rights pumping from the Portneuf at the Siphon onto Indian land. Gail Martin explained the Tribes utilize its reservoir storage right to satisfy the Michaud Project pumping station.

SCANNED

APR 13 2018

A member from WD29-D asked if an affidavit could be requested from the Twin Falls as to what water was put to beneficial use 1901. Tim Luke stated that water rights were adjudicated from 1986 to 2004, it established the priority system that determines what happens during a shortage. Further discussion ensued regarding establishment of water rights in the Snake River Basin Adjudication.

Steve Visosky stated that at this time he has two years of data collected up to 2018, and what he has is marginal at best. He stated that record keeping is critical. Currently, there is no record on current water use in the basin.

The question of where to buy water was raised. Steve stated that application should be made the Water District 01 Water Supply Bank. There was a question as to what do you do when someone keeps diverting your water. Steve's response was to report it to the watermaster. Someone stated that some users use their water in May, who helps with the erosion to the banks? An individual asked if a water right gets forfeited if it is put in the bank. Tim stated, "No."

Mr. Visosky stated that first the district needs to establish a record of what the water needs are in the basin, and then look for alternative water sources.

Someone asked how did a water lease work, and how does it get rented to another? And also who administers it. Tim Luke answered that it all happens with a lease application with the Water District 01 Water Supply Bank. He explained water users in this district can put their water in the bank as well, and someone from this basin could lease it.

There was a question on who finances the reservoir storage rights. Tim Luke stated that it is a Bureau of Reclamation Project which is re-paid by irrigation districts who have contract storage rights.

Tim Luke state that all other water districts have measuring devices. The order for measuring devices excludes five acres and less. There are guidelines for the measuring devices, and prices vary with each device. He further stated that Water District 39-B, Camas Prairie, has a measurement device on every diversion that serves over three acres. He further stated that they are working toward getting all the ground water rights into a district, but they are unsure on how that will all work itself out. They plan on beginning that process in the fall. They will either be in their own district or be placed in an established district. He asked that district members be prepared to have water rights administered in conjunction with the Snake River, to expect a measurement order, and administration of their water right.

10. Watermaster Report

Randy Smith, WD29-D Watermaster stated that as of this date there is 143% of water supply in

SCANNED
APR 13 2018

the Portneuf basin. He stated at the start of the year, it is more about flood control than water supply in the basin. He said that when he asked people about when they generally started to irrigate they told him late June through July. IDWR has told him that curtailments would begin in July. He was told to watch the projected priority dates but was unsure about the water call. He did not understand the call because of the conjunctive management between surface and groundwater users. He said he did tell people to shut off their water, but other statements made were not appropriate according to IDWR. He saw WD29-D having to curtail water uses, but WD29-H water users were not being curtailed. He talked to the surface water coalition and they did not know that they were shutting off WD29-D, and he wondered if WD29-D was included in any mitigation plan. He thought maybe WD29-D monies could be used to hire an attorney, but was informed by IDWR that water district funds could not be used for attorneys.

Tim Luke stated that if the district allocates it in their budget, and everyone is in agreement, they can use funds to hire legal counsel.

Mr. Smith announced that he would be stepping down as the Water District 29-D Watermaster. And that he would like to form a group that would hire an attorney to work with the surface water coalition on a mitigation plan. He thanked the people in the district for their cooperation.

11. Election of Water District 29-D Water Master

A motion was made by Mary Spinner to advertise the position of Water District 29-D Watermaster, and that a selection of an individual would be held at a later date. The motion was seconded from the floor, and a vote was taken. A vote was held with 14 in favor and 16 opposed, the motion was defeated.

Discussion ensued as to duties of the Watermaster. Joyce Rendace stated that the Advisory Committee was recommending advertisement of the position because the last Watermaster had stated that he was unaware of specific duties that the Watermaster position was charged with, particularly in the area of enforcement. She stated that the committee believed that if the position was advertised that the candidates would be able to review a job description and be made aware of all the duties including enforcement and monitoring. Other discussion included the pros and cons of the watermaster being a member in the district, or not.

Perry Knowles stated that he had heard the water district was seeking a watermaster and offered his services.

A motion was made to appoint Hal Armstrong as WD29-D's Watermaster. The motion died due to the lack of a second.

A motion was made to reconsider the original motion. Mary Spinner restated the original motion that the position of Water District 29-D Watermaster be advertised, and a selection of

SCANNED

APR 13 2018

an individual to be held at a later date. A second was received from the floor. A vote was held with 18 in favor and 10 opposed, the motion passed.

12. Continuance of Water District 29-D Annual Meeting

A motion was made to continue Water District 29-D's Annual Meeting to April 9, 2018, at 6:30 p.m., at the City of Pocatello City Hall, City Council Chambers. At that time the district will vote on the selection of a Watermaster for Water District 29-D. A second was received from the floor. A vote was held with 20 approved and 1 opposed. The motion passed.

Continuation of Annual Meeting Minutes, April 9, 2018 @ 6:30 P.M.

1. Call to Order

Norman Hill called the continuation of WD29-D's Annual Meeting at 6:46 p.m. Mr. Hill announced that the purpose of the meeting was to elect a Watermaster. It was announced that each applicant would be allowed to give a three to five minute presentation of why they want to be WD29-D's Watermaster.

Candidate Perry Knowles stated that he downloaded the Watermaster handbook and believes that his skill set would be beneficial to WD29-D. Mr. Knowles has managed, worked in logistics and statistics; and has had experience in forecasting needs for supplies. He managed Shakey's Pizza for a number of years; and has experience in collecting data on an iPad. Has been able to work in tense situations and has been able to de-escalate tense situations. He is mechanically inclined and believes he can learn how to work with weirs. He is efficiency driven and constantly strives to improve. He is independent, self-motivated, has worked with his current company for the past five years, and is now working at Wal-Mart in management. He has reliable transportation and rarely uses sick leave. He has been a resident of Pocatello since 1978, but has not been a member of the district. Mr. Knowles stated that he is detailed oriented and is fair, he listens to both sides of a story before he makes a decision. His job history shows longevity at each position. He anticipates that he would be in this position even after retirement.

Candidate Harold Armstrong, (Hal), stated that he has lived on and off in Pocatello for all his life, his ancestors settled in Marsh Valley. Has been involved in irrigation since he was a child, and is familiar with irrigation. He is adept at computer usage, management, and his resume is extensive. He currently works for the federal government. He spent fourteen years as an assistant Watermaster, and as Watermaster, for the Clearfield Pipeline at Hill Air Force base. Mr. Armstrong spoke to the irrigation of the Clearfield system, with each users having a diversion pipe that required maintenance. In the Watermaster position he worked with Weber

SCANNED

APR 13 2018

Irrigation, the City of Clearfield, and its water department. He has coordinated the clean-up of a reservoir system in Clearfield. He wants to be considered for Watermaster because he has a vested interest in WD29-D's water rights. By having this special interest, in water, you can better represent the users. He stated he will represent the users, short of breaking the law. He envisions being a Watermaster for than just a couple of years.

Candidate Edmund Drew stated that he does not have vested water right. However, he is a hardworking guy. He has used a home computer and sees himself in the Watermaster position for more than a few years.

2. Watermaster Election

The Watermaster election was done by secret ballot. Steve Visosky, representing the IDWR, tallied the results. The results were as follows:

Candidate Name	Vote(s)
Perry Knowles	2 votes
Harold Armstrong	A majority of the remaining ballots were in favor of Mr. Armstrong
Edmund Drew	2 votes

Harold (Hal) Armstong was elected as WD29-D's Watermaster by secret ballot, as tallied above.

3. Present Proposed Resolutions for Adoption

Norman Hill announced that revisions made to update the resolutions were indicated in red. The revisions were accepted as presented, by a unanimous vote, from the WD29-D members.

4. Other Items of Business

No new business.

5. Acknowledge 2019 Meeting Date, March 11, 2019, Pocatello City Hall @ 6:30 P.M.

It was announced that notices will be sent out the spring stating the time, date, and location of the WD29-D's Annual Meeting.

Denny Dobbins asked to make an announcement. He stated he is upset with the water right process of how it all happened, and he believes that the government came in and took over the water rights. Mr. Dobbins introduced Jim Guthrie and Dennis Hill. He stated that Dennis Hill looked at state law statutes and he looked at the SRBA case. After their review they concluded that WD29-D water users are going to be governed. He stated the adjudication started in 1987 for the fair and efficient administration of water supplies for surface, ground and storage water. He stated he doesn't know how it works on storage. He further stated that IDWR has been

SCANNED
APR 13 2018

helpful to him, he has gone in and completed name changes, etc. IDWR is just trying to get through all the rules that they have to administer. Last Wednesday, he listened to a talk from Justice Jim Jones regarding the SRBA. Mr. Jones said the adjudication was about putting money in lawyer's pockets, up to 97 million; and that people bigger than the WD29-D water users were moving the adjudication along. He stated that the state had to get control of what water was being used and what was going on. He sees that one day everyone, even WD29-D users, can push a button and see everyone who has water rights. You will be able to see if they are using it or not using it. All this information will all be available through monitoring. He stated that Justice Jones says the adjudication was about big money and the two phrases that came from it were: "first in time, first in right," and the term "beneficial use." If you aren't using your water right, you will lose it. He doesn't know what will happen to a water right when it is lost. He stated that, "our day in court is over." He stated that the State did not have to personally serve anyone, they just sent a letter, posted notice in the post office, at the courts, in the newspapers, and the adjudication was on its way. He said one little bone the users get, is to choose their own Watermaster, and to pay them amount they want. If the elected Watermaster doesn't comply with the monitoring scheme and checking meters; IDWR will hire someone, and it will cost three to four times more. He encouraged everyone to work with Hal, the new Watermaster, when he comes out. Next they will monitoring groundwater. He found out water rights are a very specialized part of the law. He stated he does not like government and wants to be left alone, but that is not going to happen. He again, encouraged the users to work with the new Watermaster.

Dennis Hill said, not this year, but for next year, he encouraged users to spend some time and look at the water rental site and consider renting water from the Water District 01 water pool, in case curtailment happens. You can purchase water out of Palisades for the remaining season if you are curtailed. Make yourself familiar with how to apply. It is an option that Water District 01 will be providing to WD29-D.

There was a question of what is happening to early season water that could be used now?

Tim Luke stated that he might consider coming back to look at options and meet with advisory committee look at water supply bank. He stated to explore options for getting a block of water, for the district, to satisfy everyone's needs. He does not think it will be a lot. He is willing to meet a couple times year to look at options for the future. He further stated that a lot of groundwater users are scrambling to find water. He stated that the information that the Watermaster collects this year, and next year, to quantify the district's water needs will be helpful.

Jim Guthrie asked if WD29-D users will have a warning. Tim Luke stated that you need to plan in advance and look at private leases and that it might be easier to pool resources. Mr. Guthrie asked, if you rent it in May and don't use it do you still pay for it? Tim Luke stated, "I think you

SCANNED

APR 13 2018

pay for it up front.” Dennis Hill stated that you pay for the year. Mr. Luke stated that the water rights would have to be 1880 water rights and sooner, and if someone locally, who has right, could rent out the right, but those rights may be limited. He further stated that you would have to rent from within the tributary for private leases, and it will be competitive in dry years.

Jeremy Stanger asked if anyone can rent from the water pool, even people without water rights. Tim Luke stated it is a willing selling, and willing buyer. Mr. Stanger asked how many of these water rights are out there that are on the Snake River that are post 1900. Tim Luke stated that the Twin Falls have a 300 cfs water right and they don't get their full water right. He said there are a lot of water rights from the 1870's to the 1900's. He stated that on the lower end of the river there is only 3000 cfs of flow available. Mr. Stanger stated he believes that IDWR is trying to sell the water users a pink elephant. Tim Luke stated that the court proceedings sorted out all the priority dates; and in some cases there was a prior decree. Mr. Luke stated that the adjudicators used what information was available at the time. He stated that the department made recommendations, and anyone could raise objections and receive a hearing. Tim Luke invited people to come to his office in Boise, to look at the history of their water right. He stated to call a head so he could pull the necessary paperwork.

A question was asked about risks of not using all of their water right. Could they lose their water right if they did not use all of it? Tim Luke continued to discuss how water rights were established in the SRBA. He stated true forfeiture can only be done by an action of a court; and that IDWR does not have statutory authority to forfeit water.

A question was asked, if we don't use our water, can we use the water we didn't use during the end of the season? Tim Luke stated, if you have evidence of how much was not used, and what it went into groundwater. It was asked if it went to ground water why it could not be used out of Palisades. Mr. Luke stated that you would have to have the ability to store water to be able to do that; other than that no, you would not be able to use it later in the season.

Mr. Stanger stated that nobody turns their water on until after July. He lost \$85,000 worth of crop lost last year. He has never been shut off, until now. He further stated that last year was one of the wettest winters on record and he got shut off.

Denny Dobbins stated that WD29-D would have to first get an attorney to represent them, and then go into the SRBA to address their issues. People would need to find an attorney to fight for their rights.

A question was asked about the money paid into the District. Could that money be used to hire an attorney? Mr. Dobbins stated that the money that district members put up, is just for the Watermaster. If district members want to hire an attorney, users have to put up a minimum of \$5,000 each.

SCANNED
APR 13 2018

Water District 29-D

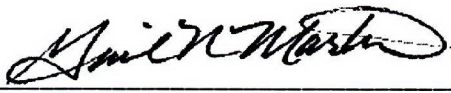
Meeting Minutes: March 12 & April 9, 2018

Page 10 of 10

Garry Purkey stated that he believes that this meeting has turned into a disaster. He stated that IDWR had black balled the Water District's last Watermaster. And this year they are offering computer programs to help with monitoring. He further stated that IDWR has volunteered to meet with the WD29-D Advisory Committee this year, and that they never offered additional meetings with past boards.

6. Adjournment of Meeting

Meeting adjourned 7:45p.

Signed: 

Dated: April 10, 2018

SCANNED

APR 13 2018

WATER DISTRICT 29D
Lower Portneuf River & Tributaries

ANNUAL MEETING

Date: Monday, March 12, 2018

Time: 6:30 P.M.

Location: Pocatello City Hall

AGENDA

- | | |
|--|---------------------------------------|
| 1. Call to Order | Norman Hill, Advisory Committee Chair |
| 2. Introduction of IDWR Representatives & Advisory Committee | Norman Hill |
| 3. Nomination & Election of Water District 29-D Chairman | Water Users |
| 4. Nomination & Election of District Secretary | Water Users |
| 5. Review of 2017 Meeting Minutes & Acceptance | Water Users |
| 6. Nomination of Election of District Treasurer | Water Users |
| 7. Nomination of Election of Advisory Committee Members | Water Users |
| 8. 2018 Financial Report & Budget Adoption | Joyce Rendace |
| 9. Water Master Report | Randy Smith |
| 10. IDWR Updates | IDWR Reps: Tim Luke & Steve Visosky |
| a. Administration within WD29D | |
| 11. Present Proposed Resolutions for Adoption | Chairman |
| 12. Election of Water Master | Water Users |
| 13. Access to Control Structures and Measuring Devices | Water Master |
| 14. Entry on Lands by Water Master | Water Master |
| 15. Other Items of Business | |
| 16. Acknowledge 2019 Meeting Date | Meeting Chairman |
| a. March 11, 2019 | |
| Pocatello City Hall @ 6:30 P.M. | |
| 17. Adjournment of Meeting | Meeting Chairman |

SCANNED

APR 13 2018

WATER DISTRICT NO. 29-D LOWER PORTNEUF & TRIBUTARIES 2018 PROPOSED RESOLUTIONS

The water users of Water District No. 29-D, as part of the annual district meeting held on March 12, 2018, at the City of Pocatello Council Chambers in Pocatello, Idaho, HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

1) MEETING CHAIR

2) ELECTION OF A DISTRICT ADVISORY COMMITTEE CHAIR

It is herewith resolved that _____ be elected as the Chairman of the Advisory Committee for Water District No. 29-D, until a successor is elected and appointed. The duties of the Chairman will be to preside over Water District No. 29-D District meetings and Advisory Committee meetings. In addition to other duties that naturally fall into the office of Chair, be signatory to all expenditures over \$500.00 from Water District No. 29-D's budget.

3) ELECTION OF DISTRICT SECRETARY

It is herewith resolved that _____ be elected as Secretary for Water District No. 29-D until a successor is elected. The duties of the Secretary are to record the Minutes of the Annual Water District No. 29-D meeting, and minutes of the Advisory Committee meetings, and to send certified copy of the required documents to the Department of Water Resources, within five (5) days, to document resolutions and policies adopted by the district. To prepare and file a certified copy of the Adopted Budget and Resolutions pertaining to its collection with the Department of Water Resources and with the County Auditor of the county within which the district is located.

4) APPROVAL OF 2017 WATER DISTRICT NO. 29-D MINUTES

It is herewith resolved that the Water District No. 29-D minutes from the 2017 Annual Meeting are approved.

5) ELECTION OF A DISTRICT TREASURER

The duties of the treasurer will be to approve expenses and disburse water district funds, and to prepare or authorize a review of financial affairs of the district at the end of each fiscal year, in accordance with Idaho Code § 42-619. The District Treasurer will be paid a set fee as outlined in Water District 29-D's budget.

6) SELECTION OF ADVISORY COMMITTEE

It is herewith resolved that an advisory committee shall be selected to provide input to the Watermaster and the Director of IDWR. The Advisory Committee will meet as often as needed to address the structure, governance and operation of the district. Five water users shall comprise the advisory committee, which shall include two irrigation right holders that pay a regular assessment (i.e., assessed more than the minimum charge); two irrigation right holders who pay a minimum assessment; and one non-irrigation right holder who pays a regular assessment. The advisory committee members for the ensuing year shall be the following (to be selected at the meeting):

Member #1	<u>Rich Diehl</u>	Member #2	<u>Garry Purkey</u>
✓Member #3	<u>Gail Martin</u>	✓Member #4	<u>Norman Hill</u>
Member #5	<u>Mary Spinner</u>		

SCANNED

APR 13 2018

7) **2018 FINANCIAL REPORT & BUDGET ADOPTION**

a) **2018 BUDGET**

It is herewith resolved that the 2018 operating budget for Water District No. 29-D shall be \$ __, _____.00 as shown in the attached itemized budget sheet.

b) **ASSESSMENTS**

It is herewith resolved that the adopted budget for Water District No. 29-D be collected from the water users by the Water District No. 29-D Watermaster as provided by Idaho Code § 42-618. The Watermaster will make an assessment to each water right holder, except those holders of water rights meeting the criteria in item iii below, in pro-rata amounts. All funds shall be deposited in a bank account maintained by the Water District. The Watermaster shall prepare annual assessments after the water users present at annual meeting have formally adopted the budget.

Whereas Idaho Code Sections 42-612 and 42-615 require that proposed water district budgets and annual assessments to individual right holders be prorated based upon the amount of water delivered or used by individual right holders during the past season or seasons (not to exceed five seasons) and, whereas no accurate records of water delivery currently exist in the newly created Water District 29-D; it is therefore resolved that Water District 29-D will estimate annual water use for all irrigation rights using the following formula:

- i) Estimated seasonal use (total 24 hr-cfs) = Total authorized water right diversion rate (cfs) multiplied by 85 days per season
- ii) Estimated annual water use for municipal and other non-irrigation consumptive use water rights shall be based on actual records of water use maintained by the right holders, subject to approval by the Watermaster and IDWR. In the event that water measurement records do not exist for such uses, water use shall then be estimated using the same formula above except that the number of days per season shall be 180 days (approximately six months of continuous use at the full authorized diversion rate), or the number of days authorized by the water right season of use if the season of use is less than 180 days.
- iii) Surface water rights that are used solely for domestic and stock water purposes or other small uses that are consistent with the use limits defined by Idaho Code Section 42-111 shall be exempt from any water district assessments. **Except that any use of water for irrigation regardless of size shall be subject to the minimum assessment.**

c) **MINIMUM USER ASSESSMENTS**

- i) It is herewith resolved that a minimum charge of up to **\$35.00** per water right owner shall be assessed and shall be assessed a . _____ user assessment in excess of 0.25 cubic feet per second (cfs). Whenever the prorated charge to a user is less than **\$35.00**, that user will be assessed the minimum charge.
- ii) It is further resolved that holders of non-consumptive water rights in excess of 0.25 cubic feet per second (cfs), including but not limited to water rights used for hydropower or fish propagation purposes, shall be subject to a minimum assessment of **\$35.00**.

d) **FINAL ASSESSMENT DETERMINATION**

- i) It is herewith resolved that, in accordance with Idaho Code § 42-612 (5), the assessment amount for each user as shown in the 2018 adopted budget shall constitute a final determination of the amount due for 2018.

SCANNED

e) **DISTRICT PAYMENT TERMS**

It is herewith resolved that the following payment terms be put into effect:

- i) Assessments shall be payable within thirty (30) days of the billing date. The postmark date will be considered the date of payment. Accounts not paid within thirty (30) days shall be charged in accordance with Idaho Code § 42-613 which provides for a late fee of 10% of the amount due and interest of 1% per month.
- ii) The Watermaster is authorized pursuant to Idaho Code Section 42-618, to withhold or suspend deliveries of water to any water user who has not paid their assessment charges within 60 days of the billing date.
- iii) The holder of any water right(s) who acquired the right(s) at any time between the last annual meeting date and the end of the last irrigation season (or December 31 for non-irrigation use rights) shall be responsible for payment of the assessment and all late charges from the prior year, but shall not be responsible for payment of unpaid assessments from prior years under a different owner or owners.

8) ELECTION OF WATERMASTER AND TERM OF SERVICE

It is herewith resolved that Randy Smith be elected as Watermaster for Water District No.29-D for the ensuing year. As provided in Idaho Code § 42-608(4), the Water District 29-D Watermaster's term of service shall begin upon appointment by the Director of IDWR immediately following the annual meeting election and continue until the next annual meeting, or until a successor is appointed and qualified under the provision of Section 42-604, Idaho Code.

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

- a) Direction and guidance provided by the Director of IDWR;
- b) The annual water district resolutions adopted herein.
- c) Annual Meeting Minutes and Reports of the Water Master and Water District. Copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and any report prepared in accordance with Idaho Code § 42-615, shall be filed with the director of the Department of Water Resources immediately after the annual meeting in accordance with Idaho Code § 42-617. The Watermaster of Water District 29-D shall be responsible for submitting to IDWR annual reports 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.

9) WATERMASTER ACCESS TO CONTROL STRUCTURES AND MEASURING DEVICES

Whereas, the Watermaster's access to control structures and measuring devices is essential for providing Watermaster services and limiting expense, it is herewith resolved that all users shall provide for Watermaster access where access to control structures and measuring devices is through a locked gate and other reasonable means of access are not available. The user shall, upon request by the Watermaster, provide to the Watermaster a key or combination to any such locks.

10) ENTRY ON LANDS BY WATERMASTER

It is herewith resolved that the Watermaster and any Watermaster assistants are authorized as employees of IDWR 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) Inventory of diversions in the district, including inspection of conveyance infrastructure and place of use of water.

SCANNED

APR 13 2018

- b) Measuring and recording rates of diversions, and regulating diversions as necessary from the surface water sources within the district.
- c) Monitoring the place, period, and nature of use of water to identify unauthorized diversion and use and/or to determine compliance required by any agreement or order of IDWR.

11) ANNUAL MEETING DATE

It is herewith resolved that the Annual Meeting for Water District 29-D shall be held on the Second (2nd) Monday of March of each year at a time and place to be determined each successive 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. The next Annual Meeting will be held on March 11, 2019.

12) ADJOURNMENT

**Water District 29D
Lower Portneuf River & Tributaries
2017 Annual Meeting Minutes
Monday, March 13, 2017, 7:00 PM
City of Pocatello Council Chambers**

CALL MEETING TO ORDER & WELCOME

Norman Hill, WD29D Advisory Committee member opened the meeting and introduced Idaho Department of Water Resources representatives, Tim Luke and Steve Visosky.

REVIEW OF 2016 ANNUAL MEETING MINUTES & ACCEPTANCE

The meeting minutes of the 2016 Annual Meeting minutes was provided to participants. Mary Spinner motioned to approve the minutes with the correction of assessment from .96 to .93 per cfs for large users. Mathew Rendace seconded the motion. The minutes were approved by a majority in favor. See Attachment A.

IDWR UPDATES

Tim Luke, IDWR representative gave an update on the potential for regulation of the water rights, by priority in Water District 29D, with respect to the Snake River. Many water rights in the Portneuf and Marsh Creek are junior to Snake River senior rights. IDWR will be reviewing water rights in tributaries to Snake River. The first time the Portneuf River has ever been adjudicated is within the Snake River Basin Adjudication. A final unified decree was issued in August of 2014, which allows for the regulation of the tributary drainages. The Twin Falls Canal Company has a 1900 priority right on the Snake River which is senior to many of the Portneuf river diversions. The Idaho Department of Water Resources will need to ensure that the 1900 Snake River priority right is satisfied. There are concerns that tributary rights are diverting out of priority. There are 200 water rights on Marsh creek that are in need of regulation. Both Marsh Creek and Water District 29D are areas of concern. This will change the Watermaster's duties in the future, as there will be a potential of curtailing junior water rights. This will be the first year they will be looking at potential curtailments. Water users can contact Steve Visosky at IDWR's Boise office for more information.

Randy Smith asked what happens if the tributaries do not go all the way to the river. Tim stated that if the tributary does not go all the way to the river then it would be determined to be futile call. The Watermaster needs to keep a log of used and unused rights. The IDWR will be looking to meet with the Advisory Committee before requiring measurement devices are required in Water District 29D. Discussions would include implementation of measurement devices, additional assessments for measuring actual use of larger diversions, and the threshold of number of acres that would require a measuring device.

MEETING CHAIRMAN SELECTION

Nominations were opened for Meeting Chairman. Randy Smith nominated Norman Hill, with a second by Matt Rendace. A no other nominations were received. Norman Hill was voted as Chairman by a majority vote.

WATERMASTER REPORT

Randy Smith presented his Watermaster report. Watermaster Smith indicated that there were not many problems last year, and the problems he did run into were resolved. Some minor incidents of vandalism occurred this past year. The Watermaster indicated that the Lower Rock Creek flows in April, and stops in June, and that most of the flow does not make it to the river. Water supplies upstream were not bad, but downstream water supplies are bad.

Tim Luke, IDWR, requested that the Watermaster provide a record of use to determine who is exercising their water right. Along with the record of use, a description of diversion, pump size, and irrigation system, in lieu of measurement devices. He stated that the Watermaster can indicate whether there is water available to fill the right, or not, in the comment section of the record.

The Watermaster indicated that Upper Black Rock Creek runs once every fifteen years, and he had issues with a new owner, but their communication issue has been resolved. He also determined that there was no water theft on Indian Creek, but a blockage in the culvert.

Tim Luke, IDWR, stated that the Watermaster is expected to visit all water users to document the exercise of their water right. The Watermaster needs to coordinate his visits to all water users for the inventory.

Steve Visosky, IDWR, indicated that the Watermaster needs to indicate, on the sheets provide, if it appears that water is being diverted.

Tim Luke indicated that for their purposes forfeiture can only be decided by a Court. The only way IDWR can effectuate any forfeiture is through water right transfers. If someone assigns their unused water right to the water supply bank, it may not be accepted if it wasn't used. Currently, the Watermaster only documents the point of division.

Water users expressed their concern of increased costs for the Watermaster for additional documentation.

2016 FINANCIAL REPORT

The 2016 financial report was presented by bookkeeper, Joyce Rendace. Joyce presented the balance sheet itemizing the bank account balance, accounts receivable, office supplies and checks not cleared for a total assets and liabilities of \$14,432.01, and current assets at 14,609.34, see Attachment B.

Joyce presented the water district's income statement, Attachment C. Water Assessments were received in the amount of \$11,597.23. Operating expenses were itemized for the Watermaster for a total of \$7,768.10 for 2016. The operating expenses for the employer payroll taxes included Idaho Unemployment tax, FICA, and Medicare for a total of \$408.80 in 2016. Joyce went on to explain the Analysis & Tax Prep fee of \$50.00 indicating that it is cheaper to have Engelson Accountants take care of this task rather than the district.

Joyce Rendace stated that there is one family with two assessments that have not pay into the district. They also do not receive water. A water users asked if lien could be put on the property. Tim Luke stated that the water district does not have the authority to put a liens on property.

It was also reported that certified letters were sent to fourteen individuals for non-payment. Certified fees are approximately \$8 each, but have been effective. Four of the fourteen still have not paid. Tim Luke, IDWR, stated that if people do not pay then the Watermaster can shut them off, and the district can take them to court for non-payment. He also stated that their office can draft letters on behalf of the district.

Harold Armstrong made a motion to accept the 2016 Financial Report, the motion was seconded, and was passed by a majority vote.

ELECTION OF WATERMASTER

The advisory board recommended that Randy Smith be retained as the 2016 Watermaster. No nominations for new candidates were made. A motion was made by Gary Purkey to retain Randy Smith as Watermaster, the motion was seconded by Harold Armstrong. Randy Smith was elected as Watermaster by a majority vote.

ADVISORY COMMITTEE SELECTION

Norman Hill introduced the 2016 advisory board members: Matt Rendace, Mary Spinner, Rich Diehl, representing Dean Tranmer, Norman Hill, Gail Martin, and bookkeeper Joyce Rendace.

Randy Smith nominated Norman Hill as Advisory Committee Chairman, the motion was seconded by Matthew Rendace. Norman Hill was elected as Advisory Committee Chairman by a majority vote.

Nominations were opened for Secretary/Treasurer. A motion to nominate Gail Martin was made by Mary Spinner, with a second by Matt Rendace. A motion was made to nominate Garry Purkey as Secretary Treasurer by Harold Armstrong, and was seconded. A vote was taken with Gail Martin receiving 9 votes, and Garry Purkey receiving 5 votes. Gail Martin remains Secretary/Treasurer for the water district.

Matt Rendace nominated Gary Purkey to the Advisory Committee, to replace his position on the Advisory board, the motion was seconded. Garry Purkey was elected to the Advisory Committee by a majority vote.

Discussion ensued regarding Dean Tranmer's upcoming retirement in June. Rich Diehl agreed to replace Dean Tranmer on the Advisory Board.

The Advisory Board members are as follows: Garry Purkey and Norman Hill representing the minimum users; Mary Spinner, Rich Diehl, and Gail Martin representing the large users. The Advisory Board members were affirmed by a majority vote.

BOOKKEEPER CONTRACT

Discussion ensued regarding the bookkeeping contract with Willows West. Mary Spinner motioned that the Advisory Board Chairman enter into a contact with Willows West, for a bookkeeper contract, with Matt Rendace seconded the motion. Willows West was retained by a majority vote.

2017 PROPOSED BUDGET

Joyce Rendace presented the proposed 2017 budget and how it compared from previous budgets, see Attachment D. Joyce also presented proposals for the water district assessment fees to meet the 2017 budget. Three scenarios were presented for discussion: a \$35 minimum fee with a \$1.34 per cfs charge for large users; a \$35 minimum fee with a \$1.01 cfs charge for larger users; or a \$35 minimum fee with a \$.90 cfs charge for large users.

Joyce indicated that last year the district made a decision that it did not want to hold a large reserve in the bank. Therefore, in order to reduce the bank reserve but retain enough funds for operations, the Committee is recommending the option of using \$2,000 of carry-over funds for a \$35 minimum fee with a .90 cfs charge for large users. A motion was made to accept a \$35 per minimum user with a .90 cfs charge for larger users. The motion was seconded. The motion passed.

OTHER ITEMS OF BUSINESS

The chairman asked for any other items of business or comments? None new business was raised.

ADJOURNMENT OF MEETING

Harold Armstrong motioned for adjournment of meeting at 8:23 pm, with Matt Rendace seconding the motion. The motion passed by a majority vote favor.

Signed _____

Date _____

Annual Water District Meeting Checklist

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

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

Water District Number and Name:

29D - Lower Portneuf River & Tributaries

Meeting Date:

March 12 & April 9, 2018

- ☒ Election of meeting chairman and secretary
- ☒ Election of water district watermaster
- ☐ Election of water district assistant watermaster(s) (optional)
- ☒ Election of water district secretary/treasurer (optional)
- ☒ Approval of adopted budget
- ☒ Next year's meeting date, location, and time

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

Completed by:



Meeting Secretary

Water District Representative

SCANNED

APR 13 2018



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

April 13, 2018

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Gail Martin
PO Box 306
Fort Hall ID 83203

RE: WATER DISTRICT #29D

Dear Secretary / Treasurer:

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

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Sharla Cox". The signature is fluid and cursive, with the first name "Sharla" and last name "Cox" clearly distinguishable.

Sharla Cox
Administrative Assistant

SCANNED

APR 13 2018

**WATER DISTRICT NO. 29-D
LOWER PORTNEUF & TRIBUTARIES
2016-2018 PROPOSED RESOLUTIONS**

The water users of Water District No. 29-D, as part of the annual district meeting held on ~~March 14, 2016~~ **March 12, 2018** and continued on **April 9, 2018**, at the City of Pocatello Council Chambers in Pocatello, Idaho, HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

1. DISTRICT CREATION AND BOUNDARIES

Water District 29-D, Lower Portneuf River and Tributaries, consists of the area and water rights as defined by the *Preliminary Order Creating a Water District for the Lower Portneuf River and Tributaries, and Combining Water Districts 29-C, 29-F, and 29-U, in the New District*, signed by the Director of the Idaho Department of Water Resources (IDWR) on June 22, 2009.

2. WATERMASTER DUTIES

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

- a. Direction and guidance provided by the Director of IDWR;
- b. The annual water district resolutions adopted herein.

3. ELECTION OF WATERMASTER

It is herewith resolved that **Randy Smith** be elected as watermaster for Water District No.29-D for the ensuing year.

4. RESOLUTION REGARDING WATERMASTER TERM OF SERVICE

As provided in Idaho Code § 42-608(4), the Water District 29-D watermaster's term of service shall begin upon appointment by the Director of IDWR immediately following the annual meeting election and continue until the next annual meeting, or until a successor is appointed and qualified under the provision of Section 42-604, Idaho Code.

5. BUDGET MATTERS

5a. 2016 2018 BUDGET

It is herewith resolved that the ~~2016~~ **2018** operating budget for Water District No. 29-D shall be **\$14,846.25** as shown in the attached itemized budget sheet.

5b. ASSESSMENTS

It is herewith resolved that the adopted budget for Water District No. 29-D be collected from the water users by the Water District No. 29-D Watermaster as provided by Idaho Code § 42-618. The Watermaster will make an assessment to each water right holder, except those holders of water rights meeting the criteria in item 3 below, in pro-rata amounts. All funds shall be deposited in a bank account maintained by the Water District. The Watermaster shall prepare annual assessments after the water users present at annual meeting have formally adopted the budget.

1. Whereas Idaho Code Sections 42-612 and 42-615 require that proposed water district budgets and annual assessments to individual right holders be prorated based upon the amount of water delivered or used by individual right holders during the past season or seasons (not to exceed five seasons) and, whereas no records of water delivery currently exist in the newly

SCANNED

APR 13 2018

created Water District 29-D; it is therefore resolved that Water District 29-D will estimate annual water use for all irrigation rights using the following formula:

Estimated seasonal use (total 24 hr-cfs) = Total authorized water right diversion rate (cfs) multiplied by 85 days per season

Estimated annual water use for municipal and other non-irrigation consumptive use water rights shall be based on actual records of water use maintained by the right holders, subject to approval by the watermaster and IDWR. In the event that water measurement records do not exist for such uses, water use shall then be estimated using the same formula above except that the number of days per season shall be 180 days (approximately six months of continuous use at the full authorized diversion rate), or the number of days authorized by the water right season of use if the season of use is less than 180 days.

2. Surface water rights that are used solely for domestic and stock water purposes or other small uses that are consistent with the use limits defined by Idaho Code Section 42-111 shall be exempt from any water district assessments. Except that any use of water for irrigation regardless of size shall be subject to the minimum assessment.

5c. MINIMUM USER ASSESSMENTS

It is herewith resolved that a minimum charge of up to **\$35.00** per water right owner shall be assessed. Whenever the prorated charge to a user is less than **\$35.00**, that user will be assessed the minimum charge.

It is further resolved that holders of non-consumptive water rights in excess of 0.25 cubic feet per second (cfs), including but not limited to water rights used for hydropower or fish propagation purposes, shall be subject to a minimum assessment of **\$35.00**.

5d. FINAL ASSESSMENT DETERMINATION

It is herewith resolved that, in accordance with Idaho Code § 42-612 (5), the assessment amount for each user as shown in the 2015 adopted budget shall constitute a final determination of the amount due for ~~2015~~ 2018.

5e. DISTRICT PAYMENT TERMS

It is herewith resolved that the following payment terms be put into effect:

1. Assessments shall be payable within thirty (30) days of the billing date. The postmark date will be considered the date of payment. Accounts not paid within thirty (30) days shall be charged in accordance with Idaho Code § 42-613 which provides for a late fee of 10% of the amount due and interest of 1% per month.
2. The Watermaster is authorized pursuant to Idaho Code Section 42-618, to withhold or suspend deliveries of water to any water user who has not paid their assessment charges within 60 days of the billing date.
3. The holder of any water right(s) who acquired the right(s) at any time between the last annual meeting date and the end of the last irrigation season (or December 31 for non-irrigation use rights) shall be responsible for payment of the assessment and all late charges from the prior year, but shall not be responsible for payment of unpaid assessments from prior years under a different owner or owners.

6. ELECTION OF A DISTRICT SECRETARY/TREASURER

It is herewith resolved that Joyce Rendace be appointed as Secretary/Treasurer for Water District No. 29-D until a successor is elected and appointed. The duties of the treasurer will be to approve expenses and disburse water district funds, and to prepare or authorize a review of financial affairs of the district at the end of each fiscal year, in accordance with Idaho Code § 42-619.

APR 13 2018

7. ADVISORY COMMITTEE

It is herewith resolved that an advisory committee shall be selected to provide input to the watermaster and the Director of IDWR. The advisory committee will meet as often as needed to address the structure, governance and operation of the district. Five water users shall comprise the advisory committee, which shall include two irrigation right holders that pay a regular assessment (i.e., assessed more than the minimum charge); two irrigation right holders who pay a minimum assessment; and one non-irrigation right holder who pays a regular assessment. The advisory committee members for the ensuing year shall be the following (to be selected at the meeting):

Member #1	<u>Denny Dobbins</u>	Member #2	<u>Jeromey Stanger</u>
Member #3	<u>Rich Diehl</u>	Member #4	<u>Dennis Hill</u>
Member #5	<u>Jim Guthrie</u>		

8. VOTING BY ALTERNATIVE METHOD

It is herewith resolved that in the event that a vote by the alternative method (as described in Idaho Code § 42-605(4)) is requested during any annual meeting, a credentials committee will be assembled to determine the number of votes cast by individual water users. The credentials committee shall be composed of the following parties:

- the current Water District No. 29-D Watermaster
- the current Water District No 29-D Secretary/Treasurer
- one member of the Water District No. 29-D Advisory Committee appointed by the meeting chairman

If either or both the watermaster or secretary/treasurer are not present, the meeting chairman may appoint a replacement from either the advisory committee or from the water users present at the meeting.

9. ANNUAL MEETING DATE

It is herewith resolved that the Annual Meeting for Water District 29-D shall be held on the Second (2nd) Monday of March of each year at a time and place to be determined each successive 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. The next Annual Meeting will be held on ~~March 13, 2017~~ **March 11, 2019**.

10. ANNUAL MEETING MINUTES AND REPORTS OF THE WATERMASTER AND WATER DISTRICT

- Copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and any report prepared in accordance with Idaho Code § 42-615, shall be filed with the director of the Department of Water Resources immediately after the annual meeting in accordance with Idaho Code § 42-617.
- The watermaster of Water District 29-D shall be responsible for submitting to IDWR annual reports 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.

11. WATERMASTER ACCESS TO CONTROL STRUCTURES AND MEASURING DEVICES

Whereas watermaster access to control structures and measuring devices is essential for providing watermaster services and limiting expense, it is herewith resolved that all users shall provide for watermaster access where access to control structures and measuring devices is through a locked gate

and other reasonable means of access are not available. The user shall, upon request by the watermaster, provide to the watermaster a key or combination to any such locks.

12. ENTRY ON LANDS BY WATERMASTER

It is herewith resolved that the watermaster and any watermaster assistants are authorized as employees of IDWR 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. Inventory of diversions in the district, including inspection of conveyance infrastructure and place of use of water.
- b. Measuring and recording rates of diversions, and regulating diversions as necessary from the surface water sources within the district.
- c. Monitoring the place, period, and nature of use of water to identify unauthorized diversion and use and/or to determine compliance required by any agreement or order of IDWR.

SCANNED

APR 13 2018

ADOPTED BUDGET AND RESOLUTIONS
PERTAINING TO THE COLLECTION THEREOF
FOR 20 18

WATER DISTRICT NO. 2A-D
STREAM Lower Portneuf River & Tributaries
COUNTY Barnicle
NAME OF SECRETARY Edil Martin
ADDRESS OF SECRETARY PO Box 206, Fort Hall, ID 83203

COLLECTION AND HOLDING OF WATER DISTRICT FUNDS

Please check the appropriate box regarding the collection and holding of Water District funds.

- ☒ The Water District collects and holds its own funds.
- ☐ _____ County collects and holds funds for the Water District.
(county name)
- ☐ _____ County collects the Water District's funds and deposits the funds in an account
(county name) held by the Water District.

(This report must be certified and made in duplicate, one copy to be forwarded to the appropriate regional office of the Idaho Department of Water Resources., and one copy to the Secretary of the Annual Water User's Meeting of the Water District. If a designated county collects funds for the water, then a third copy must be sent to the auditor of the designated county.)

Pocahontas, Idaho, April 10, 20 18

I HEREBY CERTIFY that the within is true and correct copy of the budget as adopted at the annual Water User's Meeting of Water District No. 2A-D, held at Pocahontas City Hall on the 12th day of March, 20 18 and all resolutions adopted at said meeting pertaining to the time and the manner of collecting the amounts provided for in the said budget.


Meeting Secretary, Water District No. 2A-D

SCANNED
APR 13 2018

PROPOSED BUDGET

WATER DISTRICT No. 29D

SECTION 42-615, IDAHO CODE

PROPOSED BUDGET FOR SUCCEEDING YEAR. Each watermaster shall, at least thirty (30) days prior to the annual meeting of the water users of the water district, also prepare and file with the department of water resources a proposed budget for the succeeding year, together with a distribution of the amount of said budget to the respective water users, using the actual deliveries for the past irrigation season or seasons, as the basis for said distribution as hereinabove provided, which said proposed budget and distribution shall be submitted to the water users for consideration and approval at the next annual water meeting

In conformity with the above statute, I hereby submit a proposed budget for 2018.

Watermaster, District No. 29D

Proposed Budget for 2018 :

Watermaster Wages	\$ 6,500.00
Secretary/Treasurer Wages	\$ 3,500.00
FICA/Medicare/Workers Comp	\$ 700.00
Vehicle Mileage (est. <u>3,700</u> miles @ <u>\$0.54</u> /mi.)	\$ 1,998.00
Supplies/misc	\$ 1,750.00
Idaho Insurance Fund	\$ 400.00
Total	\$ 14,848.00
* Budget line item totals shown are estimates; actual line item costs may vary, but the total expense for the district cannot exceed the total shown prior to the next annual meeting.	

PROPOSED BUDGET

Proposed apportionment of 2018 budget:

Total Proposed Budget	\$ 14,848.00
Carryover	\$ 3,000.00
Total to Collect	\$ 11,848.00
Cost Factor	\$ 0.887
Minimum Charge	\$ 35.00
Total Delivery (24-hr cfs)	6,251.39

SCANNED
APR 13 2018

Water District 29D Budget History & Proposal for 2018

	Proposed Budget for 2018	Actual Costs for 2017	Actual Costs for 2016	Actual Costs for 2015		
Watermaster Expenses						
Watermaster Hours (\$18.00/hr)	\$ 6,500.00	\$ 5,715.00	\$ 5,823.00	\$ 5,839.50		
Watermaster Mileage (\$.54/mile)	\$ 2,000.00	\$ 1,857.06	\$ 1,536.30	\$ 1,079.68		
Field Supplies (\$500 Tablet & \$500 Data Plan)	\$ 1,100.00	\$ -	\$ 57.66	\$ -		
Total Watermaster Expenses	\$ 9,600.00	\$ 7,572.06	\$ 7,416.96	\$ 6,919.18		
Employer Payroll Expenses						
Idaho State Unemployment	\$ 200.00	\$ 22.80	\$ 80.33	\$ 67.62		
FICA (Employer Share)	\$ 403.00	\$ 354.33	\$ 361.03	\$ 362.05		
Medicare (Employer Share)	\$ 94.25	\$ 82.87	\$ 84.44	\$ 59.04		
Idaho State Insurance Fund	\$ 400.00	\$ 279.00	\$ (117.00)	\$ 891.00		
Total Employer Payroll Expenses	\$ 1,097.25	\$ 739.00	\$ 408.80	\$ 1,379.71		
Office Expenses						
Envelopes/Paper/Toner Etc.	\$ 250.00	\$ 199.68	\$ 124.83	\$ 209.66		
Postage	\$ 275.00	\$ 248.72	\$ 263.17	\$ 196.00		
PO Box Rent	\$ 54.00	\$ 52.00	\$ 50.00	\$ 50.00		
Account Analysis & Tax Prep	\$ 70.00	\$ 50.00	\$ 50.00	\$ 50.00		
Bank Service Charge			\$ 6.60			
Total Office Expenses	\$ 649.00	\$ 550.40	\$ 494.60	\$ 505.66		
	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00		
Total Operating Expenses	\$ 14,846.25	\$ 12,361.46	\$ 11,820.36	\$ 12,304.55	Year 2014	Year 2013
Total Revenues		\$ 11,959.42	\$ 11,597.23	\$ 11,959.42	\$ 11,068.42	\$ 14,378.67
Revenues in Excess of Expenses		\$ (402.04)	\$ (223.13)	\$ (402.04)	\$ (1,652.48)	#VALUE!
Bank Balance at End of Year				\$ 13,852.69	\$ 14,768.78	\$ 16,649.17
Water Costs Minimum Users	# 35	\$ 35.00	\$ 35.00	\$ 35.00	\$35.00	\$35.00
Water Costs per CFS for Larger Users	.887	\$ 0.8730	\$ 0.8820	\$ 0.8730	0.7300	\$1.47

Prepared by Willows West LLC on March 5, 2018- jr

Notes:

SCANNED
APR 13 2018

Water District 29D		
Balance Sheet		
Monday, March 5, 2018		
Current Assets		
Bank Account Balance	\$	13,852.69
Accounts Recievable	\$	251.13
Office Supplies	\$	75.00
Undeposited Checks	\$	-
Total Current Assets	\$	14,178.82
Current Liabilities		
State & Federal Payroll Taxes (Due April 10)	\$	(116.36)
Idaho Unemployment Tax	\$	(3.38)
Checks not cleared	\$	(285.43)
Total Current Liabilities	\$	(405.17)
Total Assets and Liabilities	\$	13,773.65

Prepared by Willows West, LLC March 5, 2018 jr

Notes: Last year our Total Assets & Liabilities were: \$14,432.01

Water District29D Profit and Loss Statement

January 1, 2017 through December 31, 2018

With Previous Years Comparisons

	2017	2016 Comparison	2015 Comparison	2014 Comparison
Ordinary Income/Expense				
Income				
Water Right	\$ 11,712.25	\$ 11,597.23	\$ 11,068.42	\$ 14,378.67
Finance Charges	\$ 247.17			
Total Income	\$ 11,959.42	\$ 11,597.23	\$ 11,068.42	\$ 14,378.67
Gross Revenues	\$ 11,959.42	\$ 11,597.23	\$ 11,068.42	\$ 14,378.67
Operating Expense				
OFFICE EXPENSES				
Bank Service Charges		\$ 6.60	\$ 2.20	
Contract Bookkeeping Services	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,000.00
Envelopes, paper Etc	\$ 199.68	\$ 124.83	\$ 97.41	\$ 209.66
Postage	\$ 248.72	\$ 263.17	\$ 196.00	\$ 196.00
PO Box Rent	\$ 52.00	\$ 50.00	\$ 48.00	\$ 48.00
Account Analysis & Tax Prep	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Total OFFICE EXPENSES	\$ 4,050.40	\$ 3,994.60	\$ 3,893.61	\$ 3,503.66
Payroll Expenses				
Watermaster Wages	\$ 5,715.00	\$ 5,823.00	\$ 5,839.50	\$ 4,071.50
Watermaster Mileage	\$ 1,857.06	\$ 1,536.30	\$ 1,608.08	\$ 1,079.68
FICA Employee's Share	\$ 354.33	\$ 361.03	\$ 362.05	\$ 251.43
Medicare Employer's Share	\$ 82.87	\$ 84.44	\$ 59.04	\$ 59.40
Idaho State Insurance Fund	\$ 279.00	\$ (117.00)	\$ 891.00	\$ 583.00
Idaho State Unemployment Insurance	\$ 22.80	\$ 80.33	\$ 67.62	\$ 52.76
Total Payroll Expenses	\$ 8,311.06	\$ 7,768.10	\$ 8,827.29	\$ 6,097.77
Field Supplies		\$ 57.66		\$ 71.00
Total Expense	\$ 12,361.46	\$ 11,820.36	\$ 12,723.10	\$ 9,601.43
Net Income	\$ (402.04)	\$ (223.13)	\$ (1,654.68)	\$ 4,777.24

Prepared March 9, 2016 by Willows West, LLC

SCANNED
APR 13 2018

Water District 29-D Payroll Expense FY 2017

for Randy Smith, Sole Employee

	Hours Worked x \$18.00	Gross Pay	Medicare Withholding	FICA Withholding	Employer FICA	Federal Tax	Idaho Tax	Net Pay	Mileage = Miles x \$.575	Other Expences	Amount of Check	Miles traveled	Date Paid	Check Number
January	4.5	\$ 81.00	\$ 1.17	\$ 5.02	\$ 5.02	\$ 10.00	\$ 10.00	\$ 54.81	\$ 3.24		\$ 58.05	6	2/15/2017	331
February	9	\$ 162.00	\$ 2.35	\$ 10.04	\$ 10.04	\$ 10.00	\$ 10.00	\$ 129.61	\$ 36.72	\$ -	\$ 166.33	68	3/8/2017	333
March	38.5	\$ 693.00	\$ 10.05	\$ 42.97	\$ 42.97	\$ 60.10	\$ 28.00	\$ 551.88	\$ 224.64	\$ -	\$ 776.52	416	4/3/2017	OnlineBank
1st Qtr Total	52	\$ 936.00	\$ 13.57	\$ 58.03	\$ 58.03	\$ 80.10	\$ 48.00	\$ 736.30	\$ 264.60	\$ -	1000.9	490		
April	29.5	\$ 531.00	\$ 7.70	\$ 32.92	\$ 32.92	\$ 10.00	\$ 10.00	\$ 470.38	\$ 181.44	\$ -	\$ 651.82	336	5/4/2017	Online Bank
May	27	\$ 486.00	\$ 7.05	\$ 30.13	\$ 30.13	\$ 39.40	\$ 18.00	\$ 391.42	\$ 197.10		\$ 588.52	365	6/5/2017	Online Bank
June	31	\$ 558.00	\$ 8.09	\$ 34.60	\$ 34.60	\$ 46.60	\$ 21.00	\$ 447.71	\$ 206.28		\$ 653.99	382	7/3/2017	Online Bank
2nd Qtr Total	87.5	\$ 1,575.00	\$ 22.84	\$ 97.65	\$ 97.65	\$ 96.00	\$ 49.00	\$ 1,309.51	\$ 584.82	\$ -	\$ 1,894.33	1083		
July	50	\$ 900.00	\$ 13.05	\$ 55.80	\$ 55.80	\$ 80.80	\$ 42.00	\$ 708.35	\$ 303.48		\$ 1,011.83	562	8/2/2017	Online Bank
August	52.5	\$ 945.00	\$ 13.70	\$ 58.59	\$ 58.59	\$ 85.30	\$ 45.00	\$ 742.41	\$ 254.88		\$ 997.29	472	9/6/2017	Online Bank
September	28.5	\$ 513.00	\$ 7.44	\$ 31.81	\$ 31.81	\$ 42.10	\$ 19.00	\$ 412.65	\$ 150.12		\$ 562.77	278	10/4/2017	Online Bank
3rd Qtr Total	131	\$ 2,358.00	\$ 34.19	\$ 146.20	\$ 146.20	\$ 208.20	\$ 106.00	\$ 1,863.41	\$ 708.48	\$ -	\$ 2,571.89	1312		
October	35.5	\$ 639.00	\$ 9.27	\$ 39.62	\$ 39.62	\$ 54.70	\$ 25.00	\$ 510.41	\$ 260.82		\$ 771.23	483	11/2/2017	Online Bank
November	11.5	\$ 207.00	\$ 3.00	\$ 12.83	\$ 12.83	\$ 11.50	\$ 10.00	\$ 169.67	\$ 38.34		\$ 208.01	71	12/5/2017	Online Bank
December	0	\$ -						\$ -	\$ -		\$ -	0		Online Bank
4th Qtr Total	47	\$ 846.00	\$ 12.27	\$ 52.45	\$ 52.45	\$ 66.20	\$ 35.00	\$ 680.08	\$ 299.16	\$ -	\$ 979.24	554		
2015 Total	317.50	\$ 5,715.00	\$ 82.87	\$ 354.33	\$ 354.33	\$ 450.50	\$ 238.00	\$ 4,589.30	\$ 1,857.06	\$ -	\$ 6,446.36	3439		

Prepared by Willows West LLC, Signed: Joyce Rendace 208-241-5922

SCANNED
APR 13 2018

Visosky, Steven

From: Edmund Drew <edmund_drew@yahoo.com>
Sent: Sunday, March 25, 2018 6:35 PM
To: Visosky, Steven
Subject: Resume for Employment Opportunities

Edmund Drew, Journeyman Carpenter, Warehouse Supervisor, Fuel Pump House Operator ----- Cell (208)-317-9909 ----- 950 N. Hayes, Pocatello, ID, 83204 edmund_drew@yahoo.com Professional Summary, Journeyman Carpenter with over 15 years of experience. ---I can also furnish photos of my work and of course I have all of my own tools. -----

- Design and Layout.
- An energetic self-starter who is creative and can work independently or with a team. I'm enthusiastic when it comes to work and can maintain a positive attitude under changing work circumstances. Possesses good work ethics that make long-term relationships with customers possible.

-----WORK HISTORY-----

-----DREW Carpentry And Construction ----- 335 E. Harmon #96 Las Vegas, NV. 89169 February 2010 to December 2015

- Operated woodworking power tools such as saws, drills and cutting torches.
- Repaired and installed new windows and doors.
- Installed molding, trim work, cabinets, etc.
- Installed drop ceiling tiles and vinyl tile flooring.
- Assisted in loading and unloading building materials from delivery trucks via warehouse and all terrain forklifts.
- Discharged construction materials from trucks at the work site.
- Maintained cleanliness of work areas.
- Transferred equipment from one job site to another.
- Interpreted construction documents and blueprints to determine the scope and directives of the project.
- Poured and finished concrete foundations.
- Skilled at framing, drywall and insulation.
- Proficient in stain grade trim work, drilling and setting door hardware.
- Vinyl Siding Installation to include drip edge and "J" channel.
- Renovated kitchens and bathrooms.

-----SAFETY CARPENTER FOREMAN-----Palazzo Casino Resort
Taylor Int. General Contractors - Las Vegas, Nv. 89165 April 2007 to February 2010

- Performed all assigned work, adhering to safety procedures and safety regulations.
- Assembled equipment for the project and employed appropriate workers.
- Put safety provisions in place, including railings, fall protection and scaffolding.
- Used appropriate tools and materials to complete projects with optimum efficiency.
- Inspected tools and equipment to ascertain condition and arrange for repairs if necessary.
- Proficient in using fasteners including pneumatic nailing systems, framing connectors, nails and screws.

-----APPRENTICE CARPENTER-----

HARPER BROS. Construction - 9666 Rockcastle Rd. Cadiz, Ky. 42211 February 2003 to December 2006

-----USAF Security Police Officer-----5/96 to 10/98 MARCH AFB, Ca. -- Air Base Ground Defense, Base Perimeter, flight line area and ALERT AIRCRAFT. Monitor entry control points and base access gates.

-----Firing Range Instructor-----

-6/96 to 5/97 USAF Camp Bullis, Tx. -- Oversaw the training and qualifications of Security Forces Personnel in maintaining required military force readiness.

-----Warehouse Supervisor-----

9/88 to 10/89 Calif. ANG Base, Van Nuys Ca. Supervised all supply materials being transferred to the new Channel Islands ANG Base.

-----N.C.O.I.C. of the Base Fuels Lab-----

2/88 to 8/91 Proper testing of all military aircraft and equipment. Maintained the Base Fuels Lab in a safe environment. Instructed other lab personnel in the proper use of lab equipment.

-----Fuel System Operator-----

9/79 to 3/96 Issued, received, stored, transferred, refueled, defueled all types of military aircraft and equipment. Operation of Panero and Pritchard Hydrant Fuel Systems. Operation of Refuel/Defuel vehicles. R-5, R-9, R-11, R-14, A-2 and C-300.

-----Skills-----

- Excellent verbal communication skills
- Attention to detail
- Good written communication skills
- Operational planning

-----Additional Information-----

• Self-starter with a congenial attitude. Dependable, motivated, quick learner, loyal and a team player. Expertise and various experience in administrative management. I have worked on custom homes, log cabins and sky scrapers. I have my OSHA 10, OSHA 30, warehouse forklift, all terrain forklift and overhead crane certifications.

-----REFERENCES-----

Paula Jones.....Ron Albo.....Tim Veik.....Jaycie McKinlay....
(951) 318-2683...(702) 249-2667...(951) 242-2634...(208) 317-9802.....

Please keep in mind that I am also capable of doing many other jobs such as machine operator and or quality control just to name two. Any consideration is appreciated, thank you. Ed Drew

-----REFERENCE LETTERS-----

-----February 8, 2013

-----Have you seen Ed's work? If you have then you know he is the right Carpenter for the job, if you haven't then you are missing out! His attention to detail is automatic, all I can say is " he get's it ". Work like his should be on T V, its that good. If you have a doubt , call me ...Tim at 951-242-2634.

-----January 26, 2013

-----If you need a dependable carpenter then there is only one choice, Ed Drew of Drew Carpentry and Construction. He will be the first to arrive and the last to leave, he is a congenial guy with a positive attitude. If you describe to Ed what you are looking to achieve he can envision it and draw it on paper. He is also a draftsman, so he was able to see and completely understand my vision. He works at a fever pitch all while multi-tasking every other facet of the job. His men and crew respect him and that speaks volumes. He built me the most beautiful deck that extends through the trees and is between 9ft and 30ft off the ground all level and starts at my master bedroom and reaches 65ft away from the house. All designed by Ed. In a word...AWESOME!!! Call me, Paula Jones at 951-318-2683.

-----August 22, 2012

-----I know of DREW Carpentry to be very reliable and always in tune with their customer's need's want's and idea's. I would recommend Ed Drew for any and all type's of design, building or repair. He is what you would call!.....reliable, to a fault. And a all around good guy. It has been my pleasure to have him work on my house. Jaycie O'Hare (208) 317-9802

Perry Knowles

532 N Hayes Ave • Pocatello, ID 83204
Mobile: (208) 221-1341
perryknowles@gmail.com

MARCH 31, 2018

IDAHO DEPARTMENT OF WATER RESOURCES
PO BOX 83720
BOISE ID 83720-0098

Dear Steven Visosky/IDWR Advisory Board,

I have carefully reviewed the outline of the 2018 Water-master duties for water district 29-D.

I would like to be considered for the position referenced above, my core skill set that I have developed over 40 years in my six different career path's since 1978, one not listed on my resume, is that I managed Shakey's Pizza on East Alameda (Now Café Rio) here in Pocatello from 1978 until 1988, when the new owner decided to manage the restaurant.

I realize that this is a temporary position from April to October which will complement my current part-time employment listed first on my resume, from which I will have Six years this May of data capturing, recording and input on my company issued iPad. Thus I am fully experienced in being able to view, generate, distribute and present statistical reports capturing a variety of measures in my sales merchandising position.

My Personal work place qualities/skill set/ethics, include the below in reference to the outline of water master duties:

- Prioritizing/Time management/manage own work schedule and routing.
- Attention to detail/efficiencies, enabling me to Deliver @ 120.4% of 2016 objectives.
- Customer service skills in areas up to and including, de-escalation of confrontation.

Thank you for your time and consideration for this opportunity.

Sincerely, Perry Knowles

SCANNED

APR 13 2018

Perry Knowles

532 N Hayes Ave • Pocatello, ID 83204

Mobile: (208) 221-1341

perryknowles@gmail.com

Professional Profile

Results-driven with an extensive background in route sales, that provides exceptional service to clients and customers. As an experienced sales rep, I've capitalized on sales growth opportunities, and increased profitability.

I'm a lead by example associate and trainer that communicates regularly with counter-parts to assist in their developmental process as well as my own. Core skills include:

- customer relations, reporting, sales, merchandising, and in addition, employee training/management.
- Self-motivated with strong time management skills, focusing on organization/efficiency.
- Recognized as an approachable, dependable, trustworthy leader, and loyal employee.

Business Experience

Advantage Solutions (MARS SF DRT) – Certified Peer Trainer/FT Sales Rep – 2013 to Present

- Responsible for representation of MARS Chocolate NA, managing Convenience Store service in SE/SW Idaho and N Utah. As well as building rapport with owners/managers, while discerning and achieving their goals.
- Responsible for assisting in the development of peers, while also ensuring success in assigned territory.
- Top level RSR – Delivered 120.4% of 2016 objectives through end of year, and ranked #1 in mountain west.
- Work closely with HQ CDM's and assist during tradeshow events.

Domino's Pizza – Sales Associate – 2009 to 2013

- Responsible for operation of store equipment, stocking, ordering and managing of inventory.
- Responsible for order processing and product preparation.
- Responsible for maintaining equipment and facility cleanliness.
- Responsible for outbound deliveries with an emphasis on freshness and timeliness.

Quality Carriers/SKT – Terminal Manager - 2006 to 2011

- Managed Bulk Haz-Mat Liquids' Transportation, Matching Qualified Drivers and Correct Equipment
- Responsible for research and acquisition of new business, inquiring of understanding customer needs, and implementation of strategy to grow profit.
- Responsible for Auditing Drivers Hours of Service/logging records, per DOT HOS regulations

Midwest Health Insurance – Licensed Agent - 2005 to 2006

- Health and Life Insurance specialist.

Meadow Gold Dairies – Manager – Shipping/Receiving/Delivery - 1988 to 2005

- Secured customer contracts, ordered/manage inventory, introduce new items, and grow sales.
- Maintained an extensive inventory of "Just in Time" highly perishable dairy products.
- Responsible for recruiting, training, developing, and coaching personnel.

SCANNED

APR 13 2018

Harold (Hal) Armstrong

(208) 233-4346 or Cell (801) 580-3071 | halarm@gmail.com | 2771 Bannock Hwy., Pocatello, ID 83204

23 March 2018

Steve Visosky

Water Resources Agent, IDWR

322 East Front St.

Boise, ID 83720

Dear Steve:

Thanks for the opportunity to apply for the position of District 29-D Watermaster. Having a vested interest due to holding surface water rights to the Portneuf River and previous experience with a watermaster position qualifies me for the position. I was a Management Analyst for the Department of Air Force when I retired from Hill Air Force Base as a civil service employee 31 December 2012. While living in Clearfield, UT adjacent to the Base, I was elected as the watermaster for the Clearfield pipeline Company which has shares of Weber Basin Water Conservancy water rights which include storage in the reservoirs of East Canyon, Echo, Rockport, Pine View, Causey and of course the Weber River and Ogden River with all of its tributaries. This water is used in the greater Ogden/Bountiful and West areas of Weber, Davis and Box Elder counties as well as in the upper portions of the rivers in Weber County, Morgan County, and Wasatch County with the excess flowing into Willard Bay and finally the Great Salt Lake. We received our water from a canal adjacent to the freeway in Clearfield to fill our reservoir. Depending on a dry year, the water coming into our reservoir was metered to what was allocated to our shares of Weber Basin Water. In addition to responsibilities of filling up the reservoir and annual cleanup of it, I regulated usage between shareholders in an equitable process along with many other duties. The gravity fed pipeline from the reservoir started out very large finally reducing to a 4 inch pipeline running up and down State Street in Clearfield. Collaboration between the Weber Basin Water Conservancy, Weber Canal Co. as well as Clearfield City was part of my duties. I served as the assistant watermaster for several years and finally as watermaster totaling at least 12 years relinquishing the position in 2014 after I retired and moved away.

Currently, I decided to come out of retirement and act as a part time real estate agent. Over the past 2 months, I took the required 90 hours of class time and passed the National and State exam first time through. Since my time is my own, there is no conflict of interest between being a watermaster and a part time real estate agent.

Sincerely,


Harold (Hal) Armstrong

SCANNED

APR 13 2018

Harold (Hal) Armstrong

(208) 233-4346 or Cell (801) 580-3071 | halarm@gmail.com | 2771 Bannock Hwy., Pocatello, ID 83204

Summary

I worked for the Federal Government for 26 years finally retiring at the end of 2012 as a Management Analyst for the Department of Air Force which included Web Site creation, Microsoft Access database creation with exportation to Microsoft Excel spreadsheets from my website for logistic functional reports. My particular webpage at the time was voted the best on Hill AFB - 2009 to 2010 timeframe. Previous positions included being a Program Analyst at Dugway Proving Grounds, Utah as well as other civil service positions at the Federal Building in SLC, UT, Fort Douglas, SLC, UT and the VA Hospital Engineering Dept, SLC, UT. Previous to the 26 years of federal service, I worked for the Union Pacific Fruit Express (part of the Union Pacific Railroad) as a clerk for 15 years in Pocatello, Idaho. During the time between March 2001 to April 2014, I was involved with watermaster duties for the Clearfield Pipeline Company (non-profit company with water shares of the Weber Basin Water Conservancy District) the majority of that time acting as the Watermaster. These duties included investigation, use, maintenance and curtailment of pipeline diversion points, regulating water usage between users in an equitable manner, maintaining records, resolving inequities, hiring contractors for pipeline repairs as well as doing repairs on my own. Also, I collaborated between the water district and affiliates as well as Clearfield City, insuring water delivery at all times during the season to water users and resolving inequities, monitoring and metering the source of our water and maintaining a weir at the main diversion point for our reservoir from a Weber Basin Canal. I also was the key person of contact and involved with meetings, interaction and discussions with affiliates and users, presentations and reports in annual meetings of the Clearfield Pipeline Company as well as the annual clean-up of the reservoir, ditches, and several miles of pipeline through the city.

Credentials

Idaho Real Estate License

2018

Water Rights Holder of the Portneuf River - .08 CFS

1919 Water Right Date

Experience

Assistant to Watermaster, Clearfield Pipeline Company, Clearfield, UT

2001—2004

Watermaster, Clearfield Pipeline Company, Clearfield, UT

2004—2014

Education

Bachelor of Business Administration, ISU, Pocatello, Idaho

Graduated 1985

SCANNED

APR 13 2018

References

Justin Clark, Watermaster, Clearfield Pipeline Co., (801) 603-6170

2014 - present

Donetta McNeill, Sec./Treasurer, Clearfield Pipeline Co., (801) 458-2469

2010 - Present

I will provide addresses for referencees upon request and/or additional references from affiliates in regards to the Clearfield Pipeline Co. and/or my previous positions, education and creditals.