

U.S. Bureau Of Reclamation  
**UPPER SNAKE RIVER RESERVOIR SYSTEM**  
 Total System Capacity 4,165,708 AF  
 Status On February 27, 1995  
 Today's Storage 2,264,907 AF  
 System Is 54% Filled  
 12/01/91 EMC, KB, DRD

JUL 27 2023  
 SCANNED

### HENRYS LAKE

Capacities:  
 1965: 10,650 AF  
 1917: 79,350 AF  
 Total: 90,000 AF

Physical Contents  
 76,950 AF (86%)

Water Right Fill  
 1965: 10,650 AF  
 1917: 23,486 AF  
 Total: 34,136 AF (38%)

### ISLAND PARK DAM

Capacities:  
 1935: 90,000 AF  
 1921: 45,000 AF  
 Total: 135,000 AF

Physical Contents  
 93,900 AF (70%)

Water Right Fill  
 1935: 0 AF  
 1921: 45,000 AF  
 Total: 45,000 AF (33%)

### GRASSY LAKE

Capacity: 15,204 AF

Physical Content  
 12,490 AF (82%)

Water Right Fill  
 0 AF (0%)

### JACKSON LAKE

Capacities:  
 1913: 409,190 AF  
 1910: 138,829 AF  
 1906: 298,981 AF  
 Total: 847,000 AF

Physical Contents  
 401,800 AF (47%)

Water Right Fill  
 1913: 167,042 AF  
 1910: 138,829 AF  
 1906: 196,644 AF  
 Total: 502,515 AF (59%)

### PALISADES DAM

Capacities\*:  
 LTF: 63,980 AF  
 1939: 876,420 AF  
 1921: 259,600 AF  
 PWR: 157,000 AF  
 Total: 1,357,000 AF

Physical Contents  
 475,000 AF (35%)

Water Right Fill  
 LTF: 0 AF  
 1939: 332,668 AF  
 1921: 259,600 AF  
 PWR: 0 AF  
 Total: 592,268 AF (44%)

### RIRIE DAM

Capacity: 80,500 AF

Physical Content  
 25,070 AF (31%)

Water Right Fill  
 0 AF (0%)

### AMERICAN FALLS DAM

Capacity: 1,672,590 AF

Physical Contents  
 1,297,800 AF (78%)

Water Right Fill  
 1,223,313 AF (73%)

### LAKE WALCOTT

Capacities\*:  
 1909: 95,200 AF  
 PWR: 115,000 AF  
 Total: 210,200 AF

Physical Contents  
 152,400 AF (73%)

Water Right Fill  
 1909: 95,200 AF  
 PWR: 39,868 AF  
 Total: 135,068 AF (64%)

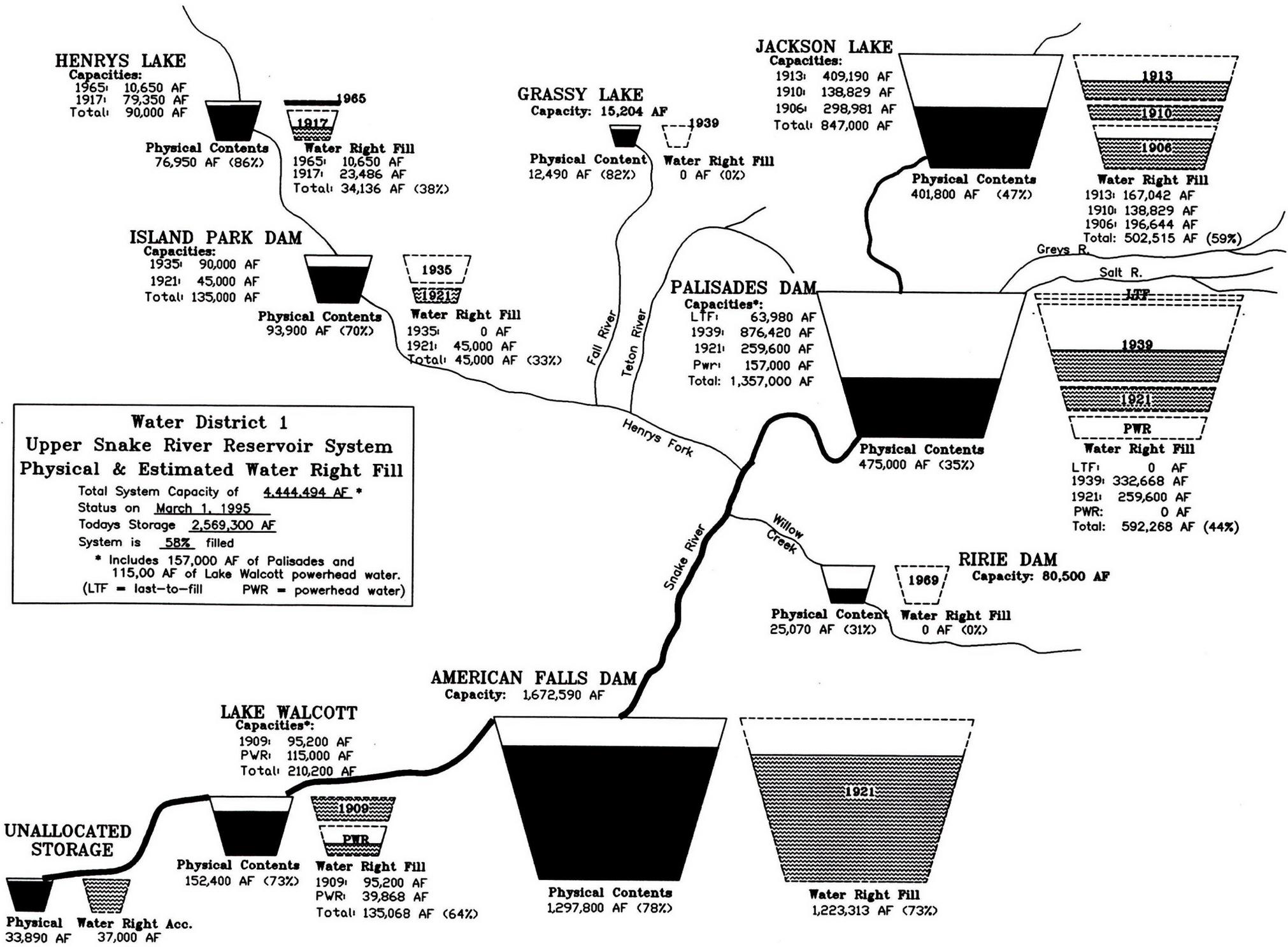
### UNALLOCATED STORAGE

Physical Water Right Acc.  
 33,890 AF 37,000 AF

## Water District 1 Upper Snake River Reservoir System Physical & Estimated Water Right Fill

Total System Capacity of **4,444,494 AF \***  
 Status on March 1, 1995  
 Today's Storage **2,569,300 AF**  
 System is **58%** filled

\* Includes 157,000 AF of Palisades and  
 115,000 AF of Lake Walcott powerhead water.  
 (LTF = last-to-fill PWR = powerhead water)



### HENRYS LAKE

Capacities:  
 1965: 10,650 AF  
 1917: 79,350 AF  
 Total: 90,000 AF

Physical Contents  
 68,300 AF (76%)

1965  
 1917  
**Water Right Fill**  
 1965: 10,650 AF  
 1917: 14,882 AF  
 Total: 25,532 AF (28%)

### GRASSY LAKE

Capacity: 15,204 AF

Physical Content  
 11,100 AF (73%)

1939  
**Water Right Fill**  
 0 AF (0%)

### JACKSON LAKE

Capacities:  
 1913: 409,190 AF  
 1910: 138,829 AF  
 1906: 298,981 AF  
 Total: 847,000 AF

Physical Contents  
 358,700 AF (42%)

1913  
 1910  
 1906  
**Water Right Fill**  
 1913: 167,042 AF  
 1910: 138,829 AF  
 1906: 111,741 AF  
 Total: 417,612 AF (49%)

### ISLAND PARK DAM

Capacities:  
 1935: 90,000 AF  
 1921: 45,000 AF  
 Total: 135,000 AF

Physical Contents  
 49,000 AF (36%)

1935  
 1921  
**Water Right Fill**  
 1935: 0 AF  
 1921: 11,380 AF  
 Total: 11,380 AF (8%)

### PALISADES DAM

Capacities\*:  
 LTF: 63,980 AF  
 1939: 876,420 AF  
 1921: 259,600 AF  
 PWR: 157,000 AF  
 Total: 1,357,000 AF

Physical Contents  
 230,400 AF (17%)

JTF  
 1939  
 1921  
**Water Right Fill**  
 LTF: 0 AF  
 1939: 332,668 AF  
 1921: 69,451 AF  
 PWR: 0 AF  
 Total: 402,119 AF (30%)

## Water District 1 Upper Snake River Reservoir System Physical and Water Right Fill

Total System Capacity of **4,444,494 AF \***  
 Status on October 31, 1994  
 Today's Storage 1,146,199 AF  
 System is 26% filled

\* Includes 157,000 AF of Palisades and  
 115,000 AF of Lake Walcott powerhead water.  
 (LTF = last-to-fill PWR = powerhead water)

### AMERICAN FALLS DAM

Capacity: 1,672,590 AF

### LAKE WALCOTT

Capacities\*:  
 1909: 95,200 AF  
 PWR: 115,000 AF  
 Total: 210,200 AF

Physical Contents  
 152,000 AF (72%)

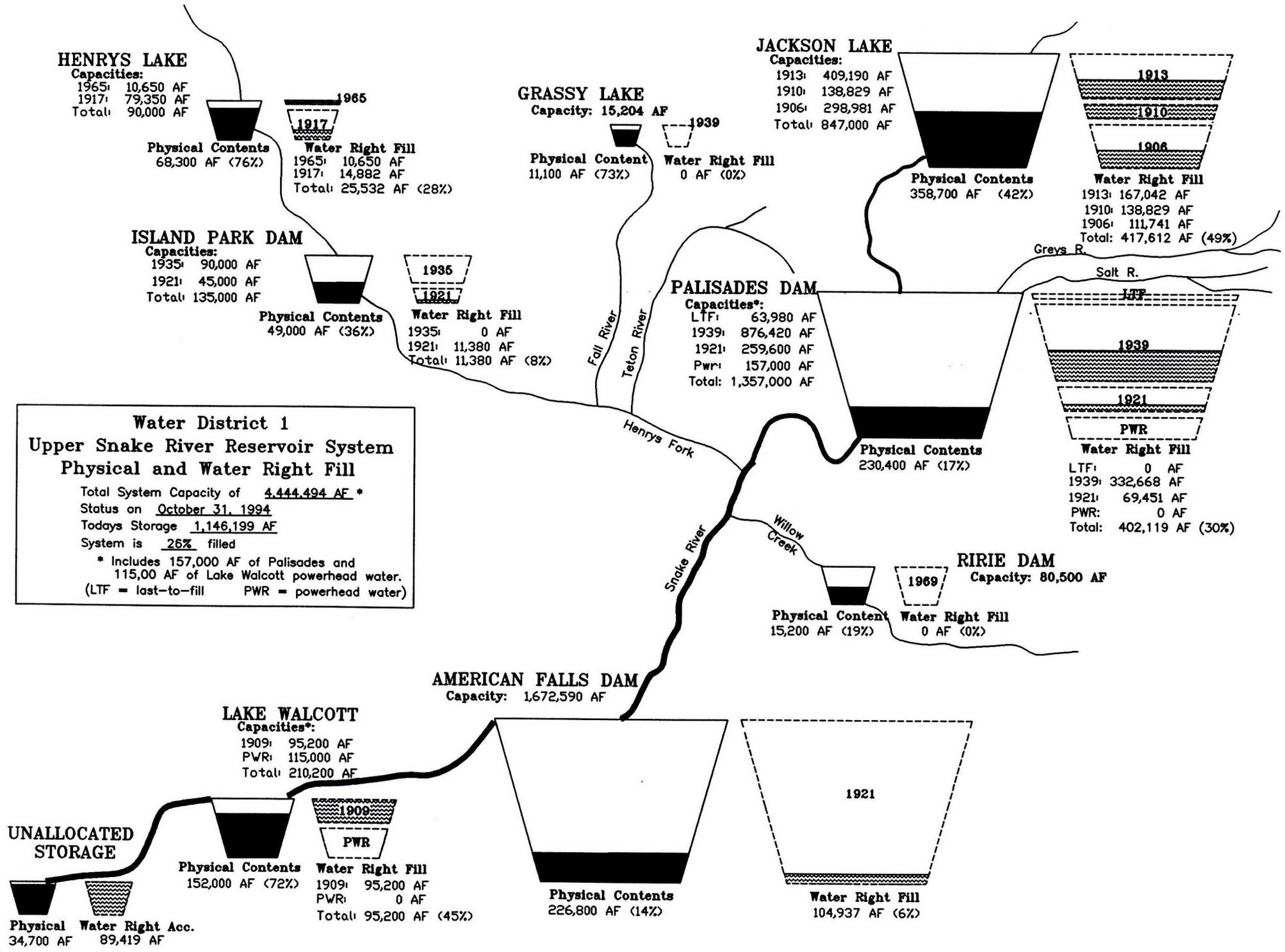
1909  
**Water Right Fill**  
 1909: 95,200 AF  
 PWR: 0 AF  
 Total: 95,200 AF (45%)

Physical Contents  
 226,800 AF (14%)

Water Right Fill  
 104,937 AF (6%)

### UNALLOCATED STORAGE

Physical Water Right Acc.  
 34,700 AF 89,419 AF



PHILIP E. BATT  
GOVERNOR  
MIKE FIELD  
COUNCIL MEMBER  
TODD MADDOCK  
COUNCIL MEMBER



P.O. BOX 83720  
450 WEST STATE STREET  
BOISE, ID 83720-0062

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## NORTHWEST POWER PLANNING COUNCIL - IDAHO

February 25, 1995

Dear Concerned Stakeholder:

Governor Phil Batt has charged us with making every effort to find out what Idahoans want and need from the Northwest Power Planning Council's fish and wildlife plans. We need you to tell us what your concerns are about the fish and wildlife plan amendments adopted in December, 1994, and the scientific information and assumptions that underlie them.

Virtually every aspect of our region's effort to restore salmon runs in the Columbia Basin is controversial. That is why every member of the Council voted recently to develop a process and timetable for reviewing the science underlying the Dec., 1994, amendments to the Columbia River Basin Fish and Wildlife Plan.

Our scientific review of the flow augmentation strategies passed in December is designed to help foster a consensus on the actions needed to protect salmon and our economy. It will also ensure that newer Council members, who have not had the chance to review the science thoroughly understand all the costs and benefits of flow augmentation, drawdowns, fish transportation, and increased spill in the Fish and Wildlife Program.

Please contact us before our March 16 meeting in Polson, MT, and let us know what questions you would like to see addressed. Tell us about the format that you believe will help the Council get to the facts about flow strategies and whether they will promote fish survival. We apologize for the short timetable, but the Council is scheduled to formulate and adopt a process and a timeline for the scientific review at the Polson meeting.

No single step can save the salmon. Some suggested solutions could have serious negative economic consequences. Everyone who is connected to the Columbia River and its tributaries must contribute to the solution if we are to be successful.

Thank you in advance for your assistance.

Sincerely,

Mike Field  
Member

Todd Maddock  
Member

# ANNUAL SPACEHOLDER'S BRIEFING

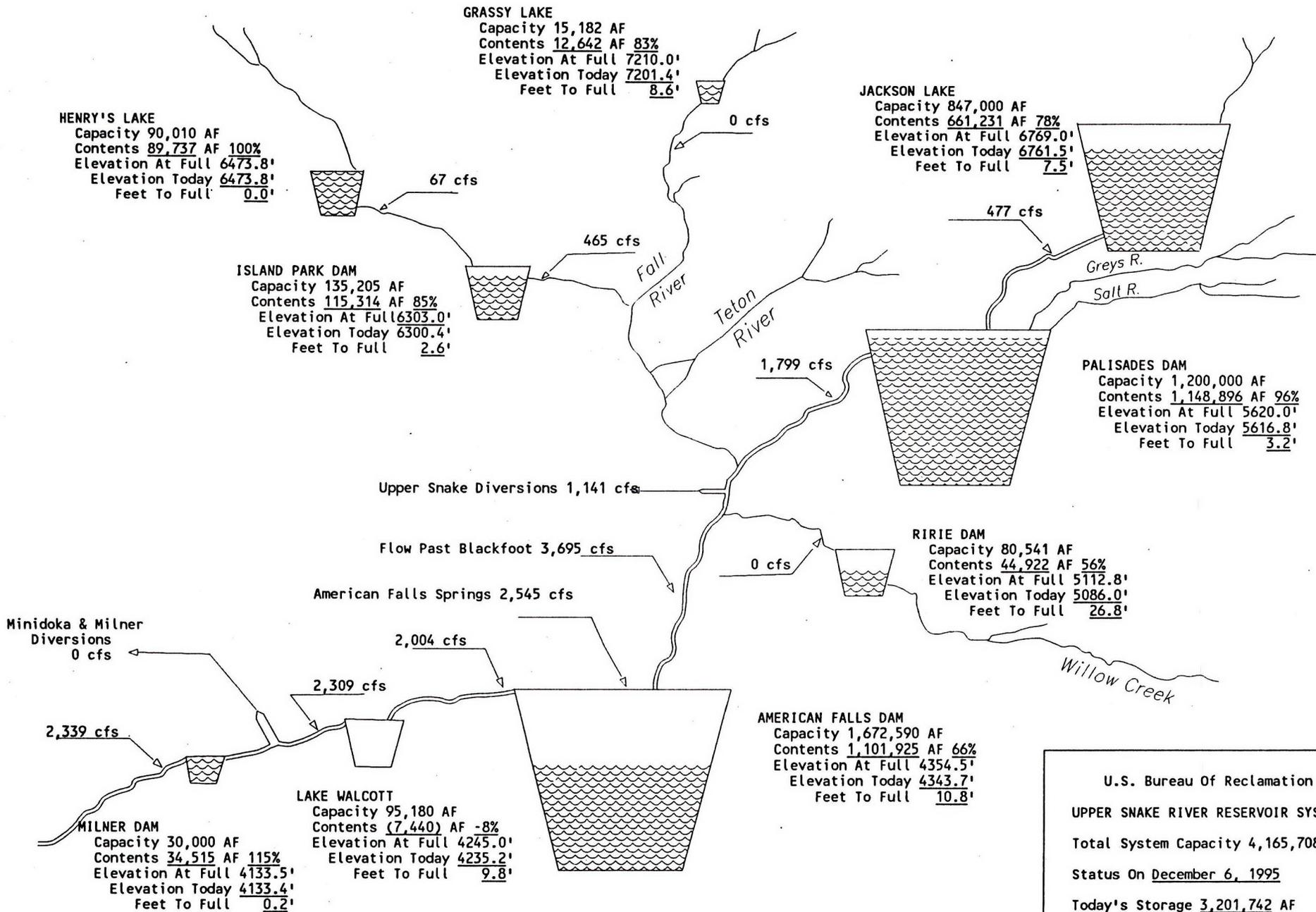
Bureau of Reclamation  
Snake River Area Office East

December 7, 1995 - 9:30 a.m.  
Burley Inn, Burley Idaho

## AGENDA

Introduction .....	Jerry Gregg
Power Loss Report .....	Jami Anderson
Watermaster's Report .....	Ron Carlson Water District 01
Water Supply Outlook & Reservoir Operations .....	Mike Beus
Snake River Resource Review Update .....	Eileen Salenik
Operations and Maintenance .....	Al Inman
Minidoka Powerplant Construction Update .....	George Pethtel
1995 Spaceholder O&M Costs .....	Al Inman
1996 Spaceholder O&M Estimates	

Committee of Nine Meeting will be held at 2:00 pm  
Burley City Hall, Council Chambers



U.S. Bureau Of Reclamation  
 UPPER SNAKE RIVER RESERVOIR SYSTEM  
 Total System Capacity 4,165,708 AF  
 Status On December 6, 1995  
 Today's Storage 3,201,742 AF  
 System Is 77% Filled  
 12/01/91 EMC, KB, DRD

**MINUTES OF COMMITTEE MEETING  
HELD TO  
DETERMINE AND APPROVE THE NET POWER PRODUCTION LOSSES  
AT THIS  
MINIDOKA POWERPLANT DURING 1994**

The Power Loss Committee met at the Bureau of Reclamation Office, Burley, Idaho, at 8:30 a.m., Dec. 7, 1995. The power loss assessment for water year 1994 was \$74,835. There was no net power loss for water year 1994. The 20-year average, used for the basis of the assessment, was 7,040,000 kilowatt-hours. The power replacement costs for the past ten years is summarized below:

Year	kWh		Mills/kWh	
1994	7,040,000	x	10.63	\$74,835
1993	7,040,000	x	10.63	\$74,835
1992	6,078,000	x	10.63	\$64,609
1991	5,630,000	x	10.63	\$59,847
1990	4,794,000	x	7.74	\$37,106
1989	4,575,650	x	7.74	\$35,216
1988	3,543,050	x	7.74	\$27,423
1987	2,861,450	x	7.74	\$22,148
1986	3,883,700	x	5.10	\$19,807
1985	3,883,700	x	5.10	\$19,807

The mill rate set by the Commissioner in the PN-P10 used in 1994 was 10.63 mills per kilowatt-hour.

The distribution to the reservoirs of the \$74,835 for 1994, in accordance with contract provisions, was as follows:

Island Park	12% =	\$ 8,980
Palisades	10% =	\$ 7,484
American Falls	78% =	\$58,371
Total		\$74,371

The following were in attendance:

Berwyn Museman	North Side Canal Company
Joe Cooper	North Side Pump Company
Albert Lockwood	North Side Canal Company
Mike Beus	Bureau of Reclamation
Wes Goff	Minidoka Irrigation District
Jeff Sigmon	Minidoka Irrigation District
Kent Fletcher	Minidoka Irrigation District
Earl Corless	Bureau of Reclamation
Al Inman	Bureau of Reclamation

The committee reviewed the computation methods for arriving at the annual power loss. After these calculations were discussed, a motion was made that the report be accepted and the data be presented at the Spaceholders briefing scheduled this date. The motion was approved.

  
Allen E. Inman  
Secretary Pro Tem



State of Idaho

*Water District 1*

900 N. Skyline Dr.

Idaho Falls, Idaho 83402-1718

RONALD CARLSON  
WATERMASTER

(208) 525-7172

Fax (208) 525-7177

*Norm*

March 15, 1995

IDWR DIRECTOR  
KEITH HIGGINSON

COMMITTEE OF NINE

CHAIRMAN  
Claude Storer

VICE CHAIRMAN  
Don Kramer

James Siddoway  
Teton

Paul Berggren  
Blackfoot

Dale Rockwood  
Idaho Falls

Claude Lilya  
Blackfoot

Stan Clark  
Ashton

DeWitt Moss  
Jerome

Leonard Beck  
Burley

R. Keith Higgenson, Director  
Department of Water Resources  
1301 North Orchard St.  
Boise, ID 83706-2237

Dear Keith:

Please find enclosed the resolutions that were adopted by the Snake River water users on March 7, 1995. They have asked that copies of the resolutions be forwarded to you.

Very truly yours,

  
RONALD D. CARLSON  
Watermaster

RDC:wjm

enclosure

RECEIVED

MAR 17 1995

Department of Water Resources

ITCH STUDIES

WHEREAS, existing diversion moratoriums need to be continued until such time as ongoing studies are completed and the determination is made that additional water is available for appropriation, before the same is appropriated; and

WHEREAS, the State Legislature is a vital partner in funding said studies;

NOW, THEREFORE, BE IT RESOLVED by the users of Water District 01, meeting in regular annual session this 7th day of March, 1995, in Idaho Falls, Idaho, that Water District 01 support continued funding.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, the Chairman of the House and Senate Resources Committees of the Idaho State Legislature, the Idaho Water Users Association, officials of the Idaho Department of Water Resources, the officers of organized groundwater organizations, and the directors of the Twin Falls and North Side Canal Companies.

Signed this 7th day of March, 1995, in Idaho Falls, Idaho.

  
\_\_\_\_\_  
CLAUDE STORER, Chairman

WHEREAS, the Idaho Department of Water Resources is an essential part of irrigated agriculture in the State of Idaho; and

WHEREAS, R. Keith Higgenson has served as Director of the Department for many years; and

WHEREAS, his efforts to manage this Department during times of great trial and tribulation has been far beyond what would normally be required for the Director; and

WHEREAS, water users of Water District 01 have been the beneficiaries of Mr. Higgenson's efforts to protect our water rights.

NOW, THEREFORE, we the water users of Water District No. 1, in meeting this 7th day of March, 1995, extend our heartfelt thanks and appreciation for all of the many years of service of R. Keith Higgenson to the water users of the state, and to the State of Idaho.

Signed this 7th day of March, 1995, in Idaho Falls, Idaho.

  
\_\_\_\_\_  
CLAUDE STORER, Chairman

**RESOLUTION  
WATER DISTRICT 1 POLICY POSITION**

WHEREAS, there are currently many issues that potentially can change water distribution patterns and water supplies in Idaho and,

WHEREAS, water users are now being asked to fund experts and attorneys in preparation for negotiations and/or litigation and;

WHEREAS, the water users of Water District No. 1 and their representatives, the Committee of Nine, wish to have a clear representation of the position of Snake River irrigators, and establish the following as the guiding principles in any and all negotiations and litigation:

1. Administration of water rights in SRBA must recognize traditional distribution and water management.
2. The zero flow at Milner standard, as established in the State Water Plan be recognized as the State's position, and that there can be no call for deliveries below Milner by downstream interests.
3. Releases past Milner must be consistent with State law and limited to annual arrangements approved by the Committee of Nine.
4. Any changes in upstream water rights that would allow water to be moved below Milner through provisions of State or Federal law will be vigorously opposed by Snake River water users and the Committee of Nine.

NOW THEREFORE, BE IT RESOLVED by the water users of Water District No. 1, that the Committee of Nine is authorized to allocate sufficient funds to protect and defend these principles in negotiations with the federal government and Indian tribes and in challenging and defending claims in the Snake River Basin Adjudication or other necessary litigation.

Signed this 7th day of March, 1995, in Idaho Falls, Idaho.



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CLAUDE STORER, Chairman

**WATER DISTRICT 01 ANNUAL MEETING**  
**WESTBANK INN, IDAHO FALLS**  
**MARCH 7, 1995**

- 9:00 Welcome - Committee of Nine - Claude Storer, Chairman
- 9:10 Sherl Chapman - Idaho Water Users
- 9:25 Dave Shaw - SRBA
- 9:45 THE DIRECTION, PLANS AND POLICIES OF THE BOR - John Keys
- 10:00 WATER, THE FUTURE AND IDWR - Keith Higginson
- 10:15 WATER SUPPLY OUTLOOK FOR 1995 - Earl Corless
- 10:40 REPORT OF THE COMMITTEE OF NINE - Claude Storer
- 11:00 WATERMASTER'S REPORT - Ron Carlson
- 11:45 LUNCH
- 1:00 CALL TO ORDER
- A. ELECTION OF MEETING CHAIRMAN AND SECRETARY
  - B. ROLL CALL
  - C. Reading of the 1994 Annual Meeting Minutes
  - D. Recess for Caucuses & Selection of Committee of Nine
  - E. Reconvene Meeting:
    - 1. Report of the Credentials Committee
    - 2. Area Recommendations for 1995 Committee of Nine Members
    - 3. Election of The Committee of Nine
- 1:40 Financial Reports
- A. Water District Accounts - Del Raybould
  - B. Auditor's Report - Rudd & Company
- 2:00 Resolutions - Don Kramer
- 2:30 Old Business  
New Business
- 3:00 Adjourn Annual Meeting

Note: An organizational Meeting of the Committee of Nine will follow immediately after the annual meeting of Water District 1.

- Claude Storer - mtg chairman
- Del Johnson - mtg secretary

Water bank Report

69,000 A-F requested

15 A-F committed

\* 69,000 for cloud seeding thru 3/15/15

WATER DISTRICT 01 ANNUAL MEETING

Resolutions 1995

1. BE IT RESOLVED, that the watermaster continue to apply the best available methods and technology to assure: accurate deliveries of natural flow and stored water, consistent regulation procedures, the availability of water supply and diversion records to the water users, and that all water users are assessed for water deliveries on a timely, accurate and equitable basis, and the preparation of the annual watermaster's report required by Idaho Code §42-606.

BE IT FURTHER RESOLVED that:

2. The watermaster continue to expand and maintain automated data collection where it can effectively reduce personnel costs, travel costs, or result in cost or water savings for Snake River water users or assure better and more current data.
3. The water users of Water District 01 continue the cooperative program with the Idaho Department of Water Resources as outlined in the Memorandum of Understanding dated March 2, 1993, previously approved by the Committee of Nine and IDWR, and signed by the Chairman of the Committee of Nine and the Director of the Department of Water Resources, a copy of which agreement is attached hereto as Exhibit A and made a part hereof as if set out at length herein.
4. Ronald D. Carlson be re-elected watermaster for the ensuing year, and be authorized to hire a full-time staff of a deputy, two assistants, a secretary, a data specialist, and such other assistants as provided by the adopted budget. The watermaster may hire additional assistants as authorized in Idaho Code § 42-609 in an emergency.
5. Del Raybould be elected Water District Treasurer and his annual compensation set by the Committee of Nine but not to exceed the \$2,500 provided in the 1995 Water District budget.
6. The duties of the watermaster and treasurer shall begin on this date and continue for a period of one full year.
7. The Budget for Water District 01 for the 1995 year beginning November 1, 1994 be as follows:

**1995 WATER DISTRICT BUDGET**

**HYDROGRAPHERS**

Teton Basin	1,000 hrs. (+ mi.)	\$ 8,000	
Idaho Falls	800 hrs. (+ mi.)	4,500	
Lower Valley	400 hrs. (+ mi.)	6,000	
Henrys Fork	1,800 hrs. (inc. mi.)	17,000	
Teton River	520 hrs. (+ mi.)	<u>4,500</u>	\$ 40,000

**RIVER RIDERS**

Rigby & Heise Div.	1,200 hrs. (+ mi.)	\$ 6,500	
Blackfoot Division	600 hrs. (+ mi.)	3,000	
Swan Valley	480 hrs. (+ mi.)	5,500	
Upper Falls River	250 hrs. (+ mi.)	1,000	
Willow Creek	5 mth @ \$ 550 (inc. mi.)	3,200	
Idaho Falls	6 mth @ (inc. mi.)	1,000	
Milner	12 mth @ \$ 30 (inc. mi.)	<u>360</u>	\$ 20,560

**PROGRAM EXPENSES**

Automation Expansion		\$ 15,000	
Sutron		35,000	
Streamgaging		139,350	
U of I Studies		<u>4,000</u>	\$193,350

**EQUIPMENT EXPENSES**

Office Equipment		\$ 1,500	
Computer		<u>5,000</u>	
PC's		<u>3,000</u>	\$ 9,500

**PERSONNEL EXPENSES**

Retirement		\$ 5,000	
Social Security		5,000	
Mileage		21,000	
State Insurance Fund		3,500	
Employment Insurance		500	
Part-time Help		4,900	
Miscellaneous Hydrographer Expenses		500	
Treasurer		<u>2,500</u>	\$ 42,900

**MISCELLANEOUS EXPENSES**

IWUA		\$ 1,000	
Otto Otter		500	
Supplies, phone, copying		2,000	
Audit		5,000	
Meetings		2,000	
Legal Fees		10,500	
Committee of Nine		10,000	
BOR Last to Fill Contingency		<u>57,000</u>	\$ 88,000

**WATERMASTER**

IDWR Contract		\$280,000	
Report		3,000	
Travel		<u>4,500</u>	\$287,500

Total 1995 Distribution Budget \$681,810

W.D. Consultants & Attorneys - Resolution 14 200,000  
Excess Storage Use - Resolution 16 100,000  
ESA Contingency Fund 50,000

**UPPER VALLEY**

Consultants & Atty. - Resolution 20 \$100,000

8. BE IT RESOLVED that the watermaster is hereby authorized to acquire, hold and dispose of such real and personal property, equipment and facilities in the name of the water district as necessary for the proper distribution of water and shall provide that all such real and personal property shall remain in the custody of the watermaster and the watermaster's successor.

9. WHEREAS, it is the watermaster's responsibility to assure the proper delivery of both natural flow and storage supplies to all water users, and;

WHEREAS, the normal district cost of delivering water to many water users is greater than their normal assessments would be based upon their total season use of water;

NOW, THEREFORE, BE IT RESOLVED that the watermaster of Water District 01 is hereby authorized to assess a \$20.00 minimum charge for every diversion within his jurisdiction.

10. WHEREAS, the water users of Water District 01 meeting in regular annual session find it necessary to adopt certain "on-going" resolutions to direct the watermaster and treasurer of the district in certain aspects of district operations;

NOW, THEREFORE, BE IT RESOLVED that the Water District 01 budget prepared pursuant to Idaho Code § 42-615, and adopted in Resolution No. 7 at this Water District 01 annual meeting, shall become the basis for the official billing of the amount of said budget for the succeeding year to the respective water users, using the actual deliveries for the past irrigation season or seasons, as the basis for said distribution of such billing to the individual water users, canal companies, and irrigation districts, and is hereby authorized to collect all of the amounts billed.

The treasurer shall establish and maintain a general account and shall cause to be deposited all monies received pursuant to the billing and shall make all disbursements as necessary to conduct the business of administering and delivering the waters of the district.

That no ditch, canal company, or other water users shall have the right to demand and receive water, and the watermaster shall not deliver to such person until receipt of the amount due and payable from such user.

That copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and the report prepared in accordance with Idaho Code § 42-615, shall be filed with the Director of the Department of Water Resources and with the county auditors of Bonneville, Madison, Teton, and Fremont Counties in accordance with Idaho Code § 42-617.

11. WHEREAS, it is in the best interest of the water users of Water District 01 to account for all diversion which might adversely affect any prior natural flow or storage diversions;

BE IT RESOLVED that the watermaster shall be on duty and shall collect records of water diversions during the entire year.

12. BE IT FURTHER RESOLVED that the Committee of Nine be designated the Advisory Committee under Idaho Code § 42-605 and be continued with nine regular members. The members representing the Burley and Minidoka Irrigation projects are to be alternated between the two districts as they arrange. In addition, advisory members representing the Bureau of Reclamation, Teton Basin, AFRD #2 Canal, A & B Irrigation, the Wyoming State Engineer and a member from the Burley or Minidoka District, whichever is not currently represented on the regular committee be included.

13. WHEREAS, the members of the Committee of Nine, as the Water District's Advisory Committee, are elected to represent the general interest of the water users;

NOW, THEREFORE, BE IT RESOLVED that the Committee of Nine is hereby authorized to:

- (a) Advise and consult with the watermaster and director in matters related to water resources management and water distribution.
- (b) Serve as the standing Resolutions Committee for all meetings of the Water District.
- (c) Take those actions necessary to represent and protect the interests of the water users of the District.
- (d) Employ such legal, engineering, technical and clerical services as may be deemed necessary for the Committee of Nine to fulfill its responsibilities to the water users of the District.
- (e) Make and execute such contracts and agreements as may be deemed necessary or convenient.
- (f) To do such other things as the Committee shall deem to be beneficial to the water users of the District.

BE IT FURTHER RESOLVED that the Committee of Nine is hereby ratified as the local committee for the rental of stored water under Idaho Code § 42-1765.

14. WHEREAS, the Committee of Nine as been selected by the water users of Water District 1 to represent their collective interests;

BE IT RESOLVED that the Committee of Nine be authorized to expend funds held by the District for the following purposes:

- (1) Expenses of the District.
- (2) Improvements to the District's facilities, including a reasonable reserve for future improvements.
- (3) Educational projects designed to increase public awareness in the area of water distribution, water rights and water conservation.
- (4) Other public projects designed to assist in the adjudication, conservation or more efficient distribution of water.
- (5) For involvement in legislative and agency deliberations on issues involving water quantity and quality which could affect water users of the Water District including naming Water District 01 as a petitioner in legal actions involving the ESA and the negotiation of federal claims and tribal claims filed in the SRBA.
- (6) To reimburse Advisory Committee members in accordance with the policy attached hereto as Exhibit B.
- (7) Items authorized in Resolution No. 13.

15. BE IT HEREBY RESOLVED that in accordance with the provisions of the March 2, 1993 Memorandum of Understanding with IDWR, the watermaster is hereby designated manager of the Rental Pool for the Committee of Nine.

16. WHEREAS, the watermaster from time to time finds that storage has been used in excess of entitlements; and,

WHEREAS, these "excess uses" require an allocation of Rental Pool storage and,

WHEREAS, the collection of payment for these excess storage uses can be time-consuming and can result in delays in making lease payments to the Rental Pool lessees,

NOW THEREFORE BE IT RESOLVED, that the watermaster is authorized to maintain \$100,000 of the funds generated through the administrative charge on water rentals for the purpose of paying lessees for excess uses prior to these amounts being collected.

BE IT FURTHER RESOLVED, that all monies collected for administrative rental charges, plus all appropriate interest and penalties shall be first used to replace monies spent from this account.

17. WHEREAS, the Water District's Credentials Committee has historically specified that "no person be elected to membership and service on the Committee of Nine and Credentials Committee unless he be a land owner and a water user...";

IT IS THEREFORE RESOLVED that water user and land owner shall be defined as follows:

1. One who owns an irrigated farm that is comprised of more than twenty (20) irrigated acres, that has valid surface water rights deliverable by the Water District 01 Watermaster.
2. One who has received over 50 percent of his annual income during one or more of the past ten years from farming activities.

18. WHEREAS, it is in the interest of all water users to have the water rights within Water District 01 delivered according to the priority system; and,

WHEREAS, the accounting system now used by Water District 01 requires that each diversion have assigned to it a specific list of decreed, licensed, and storage entitlement; and,

WHEREAS, those diversions which have no record of water rights on file with the Department of Water Resources or the Water District office will, necessarily be taking storage water any time a diversion takes place.

NOW, THEREFORE, BE IT RESOLVED that no diversion shall be allowed to divert water unless the proper list of rights for that diversion are found in the watermaster's records or proper arrangements have been made to procure an adequate water supply prior to the start of the irrigation season.

19. BE IT RESOLVED that the annual Water District 01 meeting shall hereafter be held on the first Tuesday of March of each year unless the director and Committee of Nine should find in necessary to change the meeting date; and

BE IT FURTHER RESOLVED that the water users of Water District 01 waive mailed notice of the annual meeting and direct publication of the meeting notice for two (2) consecutive weeks in an appropriate number of newspapers located throughout the district.

20. WHEREAS, the water users located above Blackfoot, excluding Aberdeen Springfield Canal Company, (Upper Valley) have chosen to collectively retain legal counsel; and,

WHEREAS, it is their desire to have the watermaster assess the Upper Valley water users for these legal services in proportion to their water use;

NOW, THEREFORE, BE IT RESOLVED this seventh day of March 1995, that the watermaster hereby be authorized to assess canals located above Blackfoot (excluding Aberdeen Springfield Canal Company) for legal fees and other appropriate expenses associated with representing the collective interest of the Upper Valley.

BE IT FURTHER RESOLVED that such charges may not exceed the amount budgeted during the current year.

BE IT FURTHER RESOLVED that the District treasurer shall maintain said amounts in a separate account and that payment therefrom shall ONLY be made when authorized by the Upper Valley Committee of Nine Representatives.

21. BE IT RESOLVED that the amendment to 8.2 of Water District 01 Rental Pool Rules and Regulations be approved as hereafter set out and transmitted to the Idaho Water Resource Board for approval.

- 8.2. A. The rental price for 1995 shall be \$2.95 per acre foot, including the District administrative charge of \$0.75 per acre foot and the Water Board surcharge of \$0.20 per acre foot, for water diverted for uses above Milner Dam.
- B. The 1995 rental price for water delivered below Milner Dam shall be \$6.25 per acre foot, which includes the District administrative charge of \$0.75 per acre foot and the Board surcharge of \$0.50 per acre foot. An additional \$2.20 shall be deposited by lessee, which shall be retained by the District for distribution the following year of \$2.00 to lessor and \$0.20 to the Board per acre foot of space rented for uses below Milner the previous year that does not fill. The balance of the deposit, if any, shall be returned to the lessee. No interest will accrue to the lessor or lessee on the deposit held by the District prior to distribution.
- C. Any storage space holder who puts water in the rental pool for lease and then subsequently removes all or part of the water from the rental pool shall be charged a \$0.75 per acre foot administrative charge by the District for the water withdrawn.

BOOKMAN-EDMONSTON REPORT

WHEREAS, the Bonneville Power Administration contracted for and received a water management opportunities report for the Snake River Basin as prepared by Bookman-Edmonston Engineering, Inc. in July of 1994; and

WHEREAS, said report identifies alternatives to make water available for the benefit of Snake River endangered salmon which are in some instances based upon false assumptions; and

WHEREAS, it may be necessary for Snake River Basin water users in Idaho to confront the conclusions of said study in their effort to resist flush and drawdown proposals included in the 1995 Biological Opinion and Recovery Plan for endangered salmon;

NOW, THEREFORE, BE IT RESOLVED by the water users of Water District 01, meeting in annual session this 7th day of March, 1995, that the Legislature of the State of Idaho be encouraged to appropriate adequate funds for the preparation of a comparable report which refutes some of the Bookman-Edmonston conclusions which will be used as assumptions in an attempt by governmental agencies to secure water supplies from the Upper Snake Basin for drawdown and/or flush in the Lower Snake and Columbia.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, members of the Idaho Congressional Delegation, the Pacific Northwest Power Planning Council, and the Resource and Appropriations Committees of the Idaho Legislature.

ENDANGERED SPECIES ACT

WHEREAS, the water users of Water District 01, through the Committee of Nine, are members of an Endangered Species Act Coalition involving all Idaho irrigation water users; and

WHEREAS, said Coalition has been monitoring the germane court proceedings and the redraft of the Biological Opinions concerning endangered salmon in the Snake and Columbia River Basins; and

WHEREAS, it appears that the Biological Opinion issued March 1, 1995, in response to Federal Judge Marsh's orders, is deficient in substantial respects and would mandate the use of Idaho waters in an effort to flush smolts downstream; and

WHEREAS, said Opinion requires that the United States Bureau of Reclamation acquire 427,000 acre feet for such purpose during 1995-1998, with possible increases after 1998; and

WHEREAS, the drawdown proposals included in said Biological Opinion would also require Idaho water for refill; and

WHEREAS, no scientific data obtained to date supports the theory that smolts are in fact flushed downstream when flows are increased or that the use of Idaho water is necessary to increase flow velocities and are therefore an integral requirement for the recovery of salmon listed as endangered;

NOW, THEREFORE, BE IT RESOLVED by the users of Water District 01 meeting in regular annual session this 7th day of March, 1995, that the Committee of Nine be authorized to file a 60 day notice of intent to sue the germane Federal agencies in regard to said Biological Opinion.

BE IT FURTHER RESOLVED that the representatives of the Committee of Nine who participate in the Idaho Coalition on the Endangered Species Act encourage the filing of a similar notice by the Idaho Coalition.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, members of the Idaho Congressional Delegation, the Pacific Northwest Power Planning Council, and the Resource and Appropriations Committees of the Idaho Legislature.

POWERHEAD WATER

WHEREAS, the United States Bureau of Reclamation removed "powerhead" water from Palisades and Minidoka Reservoirs in 1994 in an effort to obtain increased flow velocities in an attempt to flush salmon smolts downstream as recommended by the National Marine Fisheries Service; and

WHEREAS, no state water right exists for the use of said powerhead water for such purposes; and

WHEREAS, unless the emptied reservoir space refills prior to the 1995 irrigation season, the water users owning the space in said reservoirs could be damaged; and

WHEREAS, the water users required to pay for power loss at Minidoka Dam and water users who are preference customers for Bureau of Reclamation power might also be injured by reason of said procedures;

NOW, THEREFORE, BE IT RESOLVED by the users of the Water District 01, meeting in regular annual session this 7th day of March, 1995, that the Bureau of Reclamation be required to henceforth proceed in accordance with state law prior to the release of any powerhead water for any purpose.

BE IT FURTHER RESOLVED that the water users of Water District 01 who are required to pay power loss at Minidoka Dam and water users who are preference users of Bureau of Reclamation power from these facilities be indemnified and held harmless by the United States Bureau of Reclamation by reason of any use of powerhead or other water of the Minidoka Project for such downstream purposes.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, members of the Idaho Congressional Delegation, the Pacific Northwest Power Planning Council, and the Resource and Appropriations Committees of the Idaho Legislature.

LEASE FOR RECHARGE

WHEREAS, Water District 01 cooperated with the United States Bureau of Reclamation in regard to the lease of water from the City of Pocatello by the United States Bureau of Reclamation for downstream fishery purposes in 1994; and

WHEREAS, the Committee of Nine has agreed to pay \$2.75 per acre foot for any of the 45,000 acre feet that are not diverted to recharge purposes prior to April 15, 1995, as a part of this joint venture;

NOW, THEREFORE, BE IT RESOLVED by the Water District users meeting in regular annual session this 7th day of March, 1995, that the Committee of Nine be authorized to pay \$2.75 per acre foot for those acre feet not diverted to recharge or not refilled to the City of Pocatello in keeping with the Committee of Nine's agreement with the United States Bureau of Reclamation.

ITCH STUDIES

WHEREAS, existing diversion moratoriums need to be continued until such time as ongoing studies are completed and the determination is made that additional water is available for appropriation, before the same is appropriated; and

WHEREAS, the State Legislature is a vital partner in funding said studies;

NOW, THEREFORE, BE IT RESOLVED by the users of Water District 01, meeting in regular annual session this 7th day of March, 1995, in Idaho Falls, Idaho, that Water District 01 support continued funding.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, the Chairman of the House and Senate Resources Committees of the Idaho State Legislature, the Idaho Water Users Association, officials of the Idaho Department of Water Resources, the officers of organized groundwater organizations, and the directors of the Twin Falls and North Side Canal Companies.

WATER CONSERVATION CRITERIA

WHEREAS, the United States Bureau of Reclamation is in the process of promulgating water conservation criteria in accordance with the mandate of the Reclamation Reform Act of 1982; and

WHEREAS, preliminary drafts of said criteria indicate that water user organizations will be required to finance any environmental costs associated with the development of said conservation criteria; and

WHEREAS, said environmental requirements are result of Federal law and require compliance by Federal agencies;

NOW, THEREFORE, BE IT RESOLVED by the users of Water District 01, meeting in regular annual session this 7th day of March, 1995, in Idaho Falls, Idaho, that the United States Bureau of Reclamation be encouraged to redraft their conservation criteria to delete all requirements that water user organizations finance compliance with Federal environmental laws which have heretofore been the requirement of only Federal agencies.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, members of the Idaho Congressional Delegation, the Pacific Northwest Power Planning Council, and the Resource and Appropriations Committees of the Idaho Legislature.

NEZ PERCE AND FEDERAL SNAKE RIVER BASIN ADJUDICATION CLAIMS

WHEREAS, the users of Water District 01 have been represented by the Committee of Nine to work with certain Boise Valley water organizations in an attempt to settle the substantial claims filed by the Nez Perce Indian Tribes and United States Agencies in the Snake River Basin Adjudication for substantial and sometimes exorbitant amounts of water in the Lower Snake River; and

WHEREAS, it is necessary that the representatives of Water District 01 and other irrigation entities proceed to develop studies and data to substantiate objections to said claims on behalf of said users; and

WHEREAS, the State of Idaho is also involved in said negotiations on behalf of its citizens;

NOW, THEREFORE, BE IT RESOLVED that the State Attorney General and the Committee of Nine, as the representative of water users of Water District 01, be encouraged to continue to participate in the negotiations for settlement of the Nez Perce and Federal claims on the Lower Snake River in Idaho;

AND BE IT FURTHER RESOLVED that the Committee of Nine be authorized to take such actions as are necessary to prepare for filing objections to said claims in the Snake River Basin Adjudication or the eventual litigation thereof if said negotiation should fail.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, the Idaho State Attorney General, the Idaho Water Resource Board, the Boise Board of Control, the Idaho Water Users Association, and the Pacific Northwest Power Planning Council.

SHELLEY FEDERAL ENERGY REGULATORY COMMISSION PROJECT

WHEREAS, the City of Idaho Falls has filed an Application with the Federal Energy Regulatory Commission to license the Shelley Power Project near Shelley, Idaho; and

WHEREAS, Water District 01 has intervened in said proceeding through the Committee of Nine to resist the project proposal that would inundate the District's natural weir in Snake River near Shelley, Idaho; and

WHEREAS, to date the City of Idaho Falls has not seen fit to negotiate a replacement for said weir with Water District 01;

NOW, THEREFORE, BE IT RESOLVED by the users of Water District 01, meeting in regular annual session this 7th day of March, 1995, in Idaho Falls, Idaho, that the District continue to oppose the construction of the Shelley Project until a substitute or replacement weir has been proposed and approved by Water District 01.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, members of the Idaho Congressional Delegation, the Pacific Northwest Power Planning Council, and the Resource and Appropriations Committees of the Idaho Legislature.

WATER MEASUREMENT

WHEREAS, the 1994 Legislature adopted a water measurement law in Chapter 7 of Title 42; and

WHEREAS, Idaho Department of Water Resources has developed a test basin for implementation of the measurement law; and

WHEREAS, water diversion and supply data is needed to assess present uses and diversions from existing and average annual supplies;

NOW, THEREFORE, BE IT RESOLVED by the users of Water District 01, meeting in regular annual session this 7th day of March, 1995, in Idaho Falls, Idaho, that the Water District 01 encourage the full implementation of the water measurement law in the State of Idaho to obtain the data necessary to complete studies as to Idaho's dependable supplies of water.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, members of the Idaho Congressional Delegation, the Pacific Northwest Power Planning Council, and the Resource and Appropriations Committees of the Idaho Legislature.

**RESOLUTION**  
INTERIM BUDGET

WHEREAS, Water District 1 changed its fiscal year to begin November 1 and end October 31 of each year, and

WHEREAS, the annual meeting of Water District 1 at which the annual budget is adopted is the first Tuesday in March leaving the water district to operate for four months without a budget.

NOW THEREFORE, BE IT RESOLVED by Water District 1 meeting in regular annual session, that the Committee of Nine be authorized to adopt a continuing budget for the district to operate under between November and the annual meeting.

BE IT FURTHER RESOLVED, that the continuing budget approved by the Committee of Nine shall reasonably represent the budget resolution the Committee of Nine will propose to the water users at the next annual meeting.

**RESOLUTION  
WATER DISTRICT 1 POLICY POSITION**

WHEREAS, there are currently many issues that potentially can change water distribution patterns and water supplies in Idaho and,

WHEREAS, water users are now being asked to fund experts and attorneys in preparation for negotiations and/or litigation and;

WHEREAS, the water users of Water District No. 1 and their representatives, the Committee of Nine, wish to have a clear representation of the position of Snake River irrigators, and establish the following as the guiding principles in any and all negotiations and litigation:

1. Administration of water rights in SRBA must recognize traditional distribution and water management.

2. The zero flow at Milner standard, as established in the State Water Plan be recognized as the State's position, and that there can be no call for deliveries below Milner by downstream interests.

3. Releases past Milner must be consistent with State law and limited to annual arrangements approved by the Committee of Nine.

4. Any changes in upstream water rights that would allow water to be moved below Milner through provisions of State or Federal law will be vigorously opposed by Snake River water users and the Committee of Nine.

NOW THEREFORE, BE IT RESOLVED by the water users of Water District No. 1, that the Committee of Nine is authorized to allocate sufficient funds to protect and defend these principles in negotiations with the federal government and Indian tribes and in challenging and defending claims in the Snake River Basin Adjudication or other necessary litigation.

## MEMORANDUM OF UNDERSTANDING

This memorandum of understanding is entered into by and between the Director of the Department of Water Resources, (hereinafter called the Director) and the water users of Water District No. 1, Upper Snake River, (hereinafter called Water District No. 1) acting through the Water District advisory committee known as the Committee of Nine.

WHEREAS, the statutes of the State of Idaho provide for the Director to have direction and control of the distribution of the waters of the state to those holding valid rights to the use thereto; and

WHEREAS, the Water District No. 1 authorized the Committee of Nine, as advisors to, and elected representatives of the water district, by resolution duly adopted at the March 2, 1993, annual meeting of the water users of the district to enter this memorandum of understanding continuing a cooperative program with the Director to provide watermaster services for Water District No. 1 and

WHEREAS, the Committee of Nine will, among other things, serve as advisors to the Director and the watermaster in matters relating to the distribution of the natural flow and stored water within the district:

NOW, THEREFORE, the Director agrees to provide the following services to Water District No. 1, effective upon the execution of this memorandum of understanding and to continue to provide the services from year-to-year as herein provided upon election of the regional manager of the Department as watermaster and the adoption of a budget by the water users at the annual water district meeting authorizing expenditures in accordance with the purposes of this memorandum of understanding:

- 1) To provide watermaster services to Water District No. 1 for the period from the effective date of this memorandum until the end of any subsequent water district year as agreed to by the water users of Water District No. 1 at their annual meeting and the director of the Department. Such watermaster services will be provided under the direction of the regional manager of the Department's Eastern Region consistent with the provisions of Title 42, Idaho Code.

- 2) To provide the equivalent of 2/3 of a person year of the Regional manager as watermaster throughout the Water District year and to provide any additional part time

or full time employees as necessary for the water distribution operations of Water District No. 1 in accordance with its adopted budget.

3) To provide office space as necessary for operation of Water District No. 1 and to provide Department vehicles for use by full-time employees of the Department, to conduct Water District business, and to share the use of other Department equipment and facilities as are necessary to equitably distribute the waters to the users within Water District No. 1.

WATER DISTRICT NO. 1 agrees as follows:

1) To pay the Department, on an advance basis, sufficient funds to cover the costs of operations incurred in providing watermaster services to Water District No. 1 provided, however, that reimbursement for the watermaster shall not exceed 2/3 of the personnel costs of the regional manager and provided further that all other costs incurred in conducting Water District No. 1 business will be paid in full. Indirect costs will be paid at the rate approved by the Department of the Interior Inspector General and current at the time of the water district annual meeting. The approved indirect rate shall be reduced in recognition of the Department's statutory responsibility to supervise water distribution by subtracting in the indirect calculation any personnel costs included for the Director and the Administrator of the Water Management Division.

Mileage and per diem costs will be based upon the rate provided by state law for state employees.

The Department will credit the District for a portion of the District's expenditures to the U.S. Geological Survey for the cooperative streamgaging program. The amount credited each year will be one-half (1/2) the amount the district pays for that year to the U.S. Geological Survey for operation of certain streamgages the Director determines are needed for data collection purposes needed by the Department other than and in addition to the District's water distribution data needs.

THE PARTIES mutually agree that:

1) The regional manager and any other persons directly employed by the Department as classified state employees, performing duties on behalf of Water District No. 1 under this memorandum will only perform duties necessary to:

a) Deliver and account for distribution of natural flow and stored water within the District,

b) Provide assistance to the Committee of Nine in operating the local rental pool. This assistance will include accepting applications to put water into the pool and to rent water from the pool, receipting and depositing funds associated with the bank, providing information on the water in the bank and rentals therefrom. The Committee of Nine, or its designated subcommittee will determine the water leases and rentals and approve all disbursements of rental pool money.

c) Prepare reports and proposed budgets as required by Title 42, Idaho Code.

d) Provide technical assistance and information to the Committee of Nine and the Department relative to the water distribution and water banking duties of the watermaster.

The Committee of Nine will make other arrangements for representation and management of any other interests of the water users within the Water District as directed at the annual meeting.

2) The director of the Department and the chairman of the Committee of Nine shall consult annually prior to the end of the water district's fiscal year concerning the continuation of this memorandum and any need for modification of it.

3) This memorandum of understanding will continue from year to year and can be amended or terminated at any time by agreement of the director of the Department and Water District No. 1, on the recommendation of the Committee of Nine.

4) This memorandum of understanding supersedes and replaces the memorandum of understanding dated March 3-4, 1979.

5) Nothing in this agreement will act to change, modify, or release either party of any obligation or responsibility otherwise provided by contract or by law.

  
R. KEITH HIGGINSON

Director  
Department of Water Resources

Date: 3/04/93



DEWITT MOSS  
Chairman  
Committee of Nine/Water District No. 1

Date: 3/10/93

March 1, 1995

PROPOSED

COMMITTEE OF NINE

MEETING REIMBURSEMENT RULES

1. All Committee of Nine expenses must be approved by Chairman.
2. All requests for reimbursement must be on an approved form with copies of receipts attached.
3. Reimbursement is intended only for official Committee of Nine and Sub-committee meetings called by Chairman or Vice-Chairman, or other meetings approved in advance by Committee of Nine.
4. Reimbursement shall include per diem (\$50/day), mileage (0.28¢/mi.), meals, travel, and room (if necessary).

Because of extra duties outside scheduled meetings the Chairman shall receive an additional \$25/day for each meeting.

5. Reimbursement is intended for Committee of Nine members and appointed officers who contribute their time. If the Committee of Nine approves per diem and reimbursement for a member who is being paid for his time from a different source, reimbursement shall be made to the employer.
6. Advisors and/or Alternates to regular Committee of Nine meetings shall not be authorized per diem and reimbursement for regular Committee of Nine meetings but shall be reimbursed if they serve on a special Committee of Nine Subcommittee, or attend other meetings approved by the Committee of Nine.

COMMITTEE OF NINE

MEETING REIMBURSEMENT

DATE AND PLACE OF MEETING: \_\_\_\_\_

PURPOSE OF MEETING: \_\_\_\_\_

OFFICIAL POSITION: \_\_\_\_\_

PER DIEM ..# OF MTGS \_\_\_\_\_ X \$50.00 .....\$ \_\_\_\_\_

PERSONAL CAR USAGE \_\_\_\_\_ MILES .....\$ \_\_\_\_\_  
(at 28 cents per mile)

MEALS .....\$ \_\_\_\_\_

LODGING .....\$ \_\_\_\_\_

AIR FARE .....\$ \_\_\_\_\_

OTHER TRAVEL FARE .....\$ \_\_\_\_\_

MISCELLANEOUS .....\$ \_\_\_\_\_  
(parking, tips, cab, etc.)

TOTAL .....\$ \_\_\_\_\_  
(Attach all available receipts)

\_\_\_\_\_  
Committee Member (Signature)

APPROVED:

\_\_\_\_\_  
Chairman, Committee of Nine

AMOUNT REIMBURSED .....\$ \_\_\_\_\_

Date \_\_\_\_\_ Bookkeeper's Initials \_\_\_\_\_ Check # \_\_\_\_\_

	1994 <u>Budgeted</u>	<i>to 10/31/94</i> 1994 <u>Actual</u>	<i>to 10/31/95</i> 1995 <u>Budgeted</u>
<b><u>HYDROGRAPHERS</u></b>			
Teton Basin	\$ 8,000	6,426	\$ 8,000
Idaho Falls	4,500	2,258	4,500
Lower Valley	7,000	1,939	6,000
Henry's Fork	16,000	15,498	17,000
Teton River	<u>4,500</u>	<u>4,407</u>	<u>4,500</u>
	\$ 40,000	30,528	\$ 40,000
<b><u>RIVER RIDERS</u></b>			
Rigby & Heise Div.	\$ 6,500	6,580	\$ 6,500
Blackfoot Division	3,000	2,300	3,000
Swan Valley	5,500	5,400	5,500
Upper Falls River	1,000	989	1,000
Idaho Falls	1,000	531	1,000
Willow Creek	3,000	3,085	3,200
Milner	<u>360</u>	<u>360</u>	<u>360</u>
	\$ 20,360	19,245	\$ 20,560
<b><u>PROGRAM EXPENSES</u></b>			
Automation	\$ 15,000	3,500	\$ 15,000
Sutron	52,000	42,555	35,000
Streamgaging	108,410	138,737	139,350
U of I Studies	<u>4,000</u>	<u>0</u>	<u>4,000</u>
	\$179,410	184,792	\$193,350
<b><u>EQUIPMENT EXPENSES</u></b>			
Office Equipment	\$ 1,000	370	\$ 1,500
Computer	6,500	8,407	5,000
PC's	<u>3,000</u>	<u>0</u>	<u>3,000</u>
	\$ 10,500	8,777	\$ 9,500
<b><u>PERSONNEL EXPENSES</u></b>			
Retirement	\$ 5,000	3,999	\$ 5,000
Social Security	5,000	4,168	5,000
Mileage	21,000	21,215	21,000
State Insurance Fund	3,500	3,503	3,500
Employment Insurance	500	274	500
Part-time help (F-Mad)	4,900	4,800	4,900
Misc. Hydrographer Exp.	500	293	500
Treasurer	<u>7,500</u>	<u>1,091</u>	<u>2,500</u>
	\$ 47,900	39,343	\$ 42,900
<b><u>MISCELLANEOUS EXPENSES</u></b>			
Otto Otter	\$ 1,000	356	\$ 1,000
IWUA	500	500	500
Postage	2,500	2,150	0
Supplies, Copying, Phone	2,000	679	2,000
Audit	5,500	4,585	5,000
Meetings	1,200	2,116	2,000
Legal Fees	10,500	1,605	10,500
Committee of Nine	10,000	9,401	10,000
BOR Last to Fill Contingency	<u>          </u>	<u>          </u>	<u>57,000</u>
	\$ 33,200	21,392	\$ 88,000
<b><u>WATERMASTER</u></b>			
IDWR Contract	\$254,330	245,000	\$280,000
Report	4,500	2,835	3,000
Travel	<u>3,500</u>	<u>5,250</u>	<u>4,500</u>
	\$262,330	253,085	\$287,500
<b>Total</b>	<b><u>\$593,700</u></b>	<b><u>557,162</u></b>	<b><u>\$681,810</u></b>
<b><u>COMMITTEE OF NINE</u></b>			
#14-Consult. & Attn.	\$ 200,000	32,769	200,000
#16-Excess Use	100,000	0	100,000
ESA Contingency Fund	<u>          </u>	<u>          </u>	<u>50,000</u>
<b>Total</b>	<b><u>\$893,700</u></b>	<b><u>589,931</u></b>	<b><u>\$1,031,810</u></b>
<b><u>UPPER VALLEY ADD ON</u></b>			
#20-Legal	65,000	38,396	100,000
<b>Total</b>	<b><u>\$958,700</u></b>	<b><u>628,327</u></b>	<b><u>\$1,131,810</u></b>

*Handwritten initials/signature*

RECEIVED

FEB 17 1995

Department of Water Resources

IDAHO WATER DISTRICT 67  
RESOLUTION 1  
FEBRUARY 6, 1995

This measure would declare that Idaho Water District 67 respectively requests the First Session of the Fifty-Third Idaho Legislature to declare an emergency and repeal Idaho Code 42-1763A which allows Idaho water to be sent outside the borders of Idaho to be effective immediately.

WHEREAS, water is the lifeblood of the state of Idaho, to her people in their inherent rights to life, liberty, and the pursuit of happiness guaranteed to them under both the United States & Idaho Constitutions; and,

WHEREAS, the use of Idaho water for over 100 years has allowed Idaho to become a great state; and

WHEREAS, water flowing within the boundaries of the state of Idaho belongs to the state of Idaho; and

WHEREAS, this state-owned water is under the direction of the Idaho Department of Water Resources to be used by the citizens of Idaho through water rights based on beneficial use; and

WHEREAS, according to the Idaho Constitution Article XV, Section 3 the use of said water shall have a priority of the following order of domestic, agricultural, manufacturing, mining if outside a mining district; and,

WHEREAS, according to the Idaho Constitution Article XV, Section 1 the use of all waters now appropriated, or that may hereafter be appropriated for sale, rental, or distribution, is subject to the regulations and control of the state in the manner prescribed by law; and,

RECEIVED

FEB 13 1999

Department of Water Resources

## IDAHO WATER DISTRICT 67 RESOLUTION 1 - PAGE 2

WHEREAS, water applied to the land for agricultural use has been declared a beneficial use the Idaho Department of Water Resources; and,

WHEREAS, Agriculture makes up a substantial portion of Idaho's economy and Idaho leads the United States in the production of potatoes and trout, second in sugarbeets, plums and prunes, third in hops, mint, barley, and onions all of which require a steady reliably supply of water; and

WHEREAS, Idaho Code 42-1763A was only designed as interim authority for experimental study purposes to augment lower Snake River flows during the migration of Snake River Salmon; and

WHEREAS; science has not proved conclusively that these augmental flows have helped the Snake River Salmon; and,

WHEREAS; Idaho has done its part in providing water for this experiment for the past three (3) years; and

WHEREAS, allowing Idaho water to be taken beyond Idaho's borders for five (5) consecutive years could constitute "implied consent;" and,

WHEREAS, a case could be made that rental rights of water sold to the federal government could become permanent federal rights; and

WHEREAS, there are now federal agencies who threatened that water supply both for agriculture and domestic use which will negatively affect the Idaho economy and Idahoans well-being; and

WHEREAS, the drawing down and flushing of Idaho water has harmed the Idaho economy and her people, and with the threat of "implied consent" by allowing this action to continue; now, therefore, be it

**IDAHO WATER DISTRICT 67 RESOLUTION 1 - PAGE 3**

**RESOLVED BY IDAHO WATER DISTRICT 67, respectively request that the First Session of the Fifty-Third Legislature of the State of Idaho declare an emergency and nullify immediately Idaho Code 42-1763A which allows Idaho water to be taken out of Idaho's borders.**

**RESOLVED, copies of the above Resolution be transmitted to the Speaker of the Idaho House of Representatives, President pro Tempore of the Idaho Senate, Governor of the State of Idaho, Idaho Attorney General, Idaho Secretary of State, Idaho members of the Northwest Power Planning Council, Idaho Department of Water Resources, Idaho Board of Water Resources, members of the House and Senate Resource Committees, members of the House and Senate Agriculture Committees, members of the House and Senate State Affairs Committees, and members of the Idaho Congressional Delegation, and all other Idaho Water Districts.**



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098  
Phone: (208) 327-7900 FAX: (208) 327-7866

*PH*  
*Volmer*

PHILIP E. BATT  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

February 23, 1995

~~Rudd & Company/Chartered  
725 South Woodruff Avenue  
P.O. Box 1895  
Idaho Falls, ID 83403-1895~~

Dear Sir or Madam:

In conjunction with your examination of the fiscal operations of Water District 01 as of October 31, 1994 and for the year then ended, your office has requested that I identify and explain any pending or threatened material litigation, claims or assessments existing as of October 31, 1994, and through the date of this letter. The request asks for an estimate, if possible, of the amount or range of potential loss, or a statement of my unawareness of any such matters involving the district.

Pending or Threatened Litigation

There is presently pending one legal action involving a material claim for money damages against the Idaho Department of Water Resources and Water District 01. Any material unfavorable monetary outcome against Water District 01 in this pending action is unlikely, and in any event is fully insured through the State of Idaho Bureau of Risk Management. I am not aware of any further threatened litigation.

The pending action is *Wadsworth v. IDWR*, No. 13118 (7th Jud. Dist., Bingham Co., Idaho). The plaintiff seeks damages in the amount of \$15,177 under theories of tort for structural damage to a bridge allegedly caused by an agent of Water District 01 taking a bulldozer across the bridge for the purpose of removing a water diversion on the plaintiff's land. The amended complaint was filed on January 28, 1987. Little progress has been made on the case to date. The State on behalf of itself and the district has contested the case and does not intend to pursue an out-of-court settlement. The likelihood of an unfavorable outcome is remote. In the event of an unfavorable outcome the potential loss should not exceed the \$15,177 prayed for in the complaint plus costs. It is expected that any potential loss would be fully paid by the State of Idaho Bureau of Risk Management.

Unasserted Claims and Assessments

In my capacity as Deputy Attorney General for the Idaho Department of Water Resources, I am not aware of any unasserted possible claims or assessments relating to Water District 01 that are probable of assertion and must be disclosed in accordance with

Rudd & Company/Chartered  
February 23, 1995  
Page 2

Statement of Financial Accounting Standards No. 5. To the limited extent that I provide legal services to Water District 01, I acknowledge a professional responsibility to advise the district concerning the disclosure of matters recognized to involve unasserted possible claims or assessments that call for financial statement disclosure in accordance with Statement of Financial Accounting Standards No. 5. I understand that Water District 01 also uses private legal counsel to advise the district in the course of its normal activities.

To my knowledge, Water District 01 is not separately indebted to the State of Idaho for any legal services which may have been provided as of October 31, 1994, or from that date to the date of this letter.

Sincerely,



PHILLIP J. RASSIER  
Deputy Attorney General  
Department of Water Resources

cc: ✓ R. Keith Higginson  
Ronald D. Carlson

WATER DISTRICT 01 ANNUAL MEETING

Resolutions 1995

1. BE IT RESOLVED, that the watermaster continue to apply the best available methods and technology to assure: accurate deliveries of natural flow and stored water, consistent regulation procedures, the availability of water supply and diversion records to the water users, and that all water users are assessed for water deliveries on a timely, accurate and equitable basis, and the preparation of the annual watermaster's report required by Idaho Code §42-606.

BE IT FURTHER RESOLVED that:

2. The watermaster continue to expand and maintain automated data collection where it can effectively reduce personnel costs, travel costs, or result in cost or water savings for Snake River water users or assure better and more current data.
3. The water users of Water District 01 continue the cooperative program with the Idaho Department of Water Resources as outlined in the Memorandum of Understanding dated March 2, 1993, previously approved by the Committee of Nine and IDWR, and signed by the Chairman of the Committee of Nine and the Director of the Department of Water Resources, a copy of which agreement is attached hereto as Exhibit A and made a part hereof as if set out at length herein.
4. Ronald D. Carlson be re-elected watermaster for the ensuing year, and be authorized to hire a full-time staff of a deputy, two assistants, a secretary, a data specialist, and such other assistants as provided by the adopted budget. The watermaster may hire additional assistants as authorized in Idaho Code § 42-609 in an emergency.
5. Del Raybould be elected Water District Treasurer and his annual compensation set by the Committee of Nine but not to exceed the \$2,500 provided in the 1995 Water District budget.
6. The duties of the watermaster and treasurer shall begin on this date and continue for a period of one full year.
7. The Budget for Water District 01 for the 1995 year beginning November 1, 1994 be as follows:

~~Keith~~ Keith  
Norm Norm  
Vault  
WD 01 f.k.

**1995 WATER DISTRICT BUDGET**

**HYDROGRAPHERS**

Teton Basin	1,000 hrs. (+ mi.)	\$ 8,000
Idaho Falls	800 hrs. (+ mi.)	4,500
Lower Valley	400 hrs. (+ mi.)	6,000
Henrys Fork	1,800 hrs. (inc. mi.)	17,000
Teton River	520 hrs. (+ mi.)	<u>4,500</u>

\$ 40,000

**RIVER RIDERS**

Rigby & Heise Div.	1,200 hrs. (+ mi.)	\$ 6,500
Blackfoot Division	600 hrs. (+ mi.)	3,000
Swan Valley	480 hrs. (+ mi.)	5,500
Upper Falls River	250 hrs. (+ mi.)	1,000
Willow Creek	5 mth @ \$ 550 (inc. mi.)	3,200
Idaho Falls	6 mth @ (inc. mi.)	1,000
Milner	12 mth @ \$ 30 (inc. mi.)	<u>360</u>

\$ 20,560

**PROGRAM EXPENSES**

Automation Expansion	\$ 15,000
Sutron	35,000
Streamgaging	139,350
U of I Studies	<u>4,000</u>

\$193,350

**EQUIPMENT EXPENSES**

Office Equipment	\$ 5,000
Computer	1,500
PC's	<u>3,000</u>

\$ 9,500

**PERSONNEL EXPENSE**

Retirement	\$ 5,000
Social Security	5,000
Mileage	21,000
State Insurance Fund	3,500
Employment Insurance	500
Part-time Help	4,900
Miscellaneous Hydrographer Expense	500
Treasurer	<u>2,500</u>

\$ 42,900

**MISCELLANEOUS EXPENSE**

IWUA	\$ 1,000
Otto Otter	500
Supplies, phone, copying	2,000
Audit	5,000
Meetings	2,000
Legal Fees	10,500
Committee of Nine	<u>10,000</u>

\$ 31,000

**WATERMASTER**

IDWR Contract	\$280,000
Report	3,000
Travel	<u>4,500</u>

\$287,500

Total 1995 Distribution Budget

\$624,010

W.D. Consultants & Attorneys - Resolution 14	200,000
Excess Storage Use - Resolution 16	100,000

**UPPER VALLEY**

Consultants & Atty. - Resolution 20	\$ 65,000
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8. BE IT RESOLVED that the watermaster is hereby authorized to acquire, hold and dispose of such real and personal property, equipment and facilities in the name of the water district as necessary for the proper distribution of water and shall provide that all such real and personal property shall remain in the custody of the watermaster and the watermaster's successor.

9. WHEREAS, it is the watermaster's responsibility to assure the proper delivery of both natural flow and storage supplies to all water users, and;

WHEREAS, the normal district cost of delivering water to many water users is greater than their normal assessments would be based upon their total season use of water;

NOW, THEREFORE, BE IT RESOLVED that the watermaster of Water District 01 is hereby authorized to assess a \$20.00 minimum charge for every diversion within his jurisdiction.

10. WHEREAS, the water users of Water District 01 meeting in regular annual session find it necessary to adopt certain "on-going" resolutions to direct the watermaster and treasurer of the district in certain aspects of district operations;

NOW, THEREFORE, BE IT RESOLVED that the Water District 01 budget prepared pursuant to Idaho Code § 42-615, and adopted in Resolution No. 7 at this Water District 01 annual meeting, shall become the basis for the official billing of the amount of said budget for the succeeding year to the respective water users, using the actual deliveries for the past irrigation season or seasons, as the basis for said distribution of such billing to the individual water users, canal companies, and irrigation districts, and is hereby authorized to collect all of the amounts billed.

The treasurer shall establish and maintain a general account and shall cause to be deposited all monies received pursuant to the billing and shall make all disbursements as necessary to conduct the business of administering and delivering the waters of the district.

That no ditch, canal company, or other water users shall have the right to demand and receive water, and the watermaster shall not deliver to such person until receipt of the amount due and payable from such user.

That copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and the report prepared in accordance with Idaho Code § 42-615, shall be filed with the Director of the Department of Water Resources and with the county auditors of Bonneville, Madison, Teton, and Fremont Counties in accordance with Idaho Code § 42-617.

11. WHEREAS, it is in the best interest of the water users of Water District 01 to account for all diversion which might adversely affect any prior natural flow or storage diversions;

BE IT RESOLVED that the watermaster shall <sup>be on duty and shall</sup> collect records of water diversions during the entire year.

12. BE IT FURTHER RESOLVED that the Committee of Nine be designated the Advisory Committee under Idaho Code § 42-605 and be continued with nine regular members. The members representing the Burley and Minidoka Irrigation projects are to be alternated between the two districts as they arrange. In addition, advisory members representing the Bureau of Reclamation, Teton Basin, AFRD #2 Canal, A & B Irrigation, the Wyoming State Engineer and a member from the Burley or Minidoka District, whichever is not currently represented on the regular committee be included.

13. WHEREAS, the members of the Committee of Nine, as the Water District's Advisory Committee, are elected to represent the general interest of the water users;

NOW, THEREFORE, BE IT RESOLVED that the Committee of Nine is hereby authorized to:

- (a) Advise and consult with the watermaster and director in matters related to water resources management and water distribution.
- (b) Serve as the standing Resolutions Committee for all meetings of the Water District.
- (c) Take those actions necessary to represent and protect the interests of the water users of the District.
- (d) Employ such legal, engineering, technical and clerical services as may be deemed necessary for the Committee of Nine to fulfill its responsibilities to the water users of the District.
- (e) Make and execute such contracts and agreements as may be deemed necessary or convenient.
- (f) To do such other things as the Committee shall deem to be beneficial to the water users of the District.

BE IT FURTHER RESOLVED that the Committee of Nine is hereby ratified as the local committee for the rental of stored water under Idaho Code § 42-1765.

14. WHEREAS, the Committee of Nine <sup>has</sup> been selected by the water users of Water District 1 to represent their collective interests;

BE IT RESOLVED that the Committee of Nine be authorized to expend funds held by the District for the following purposes:

- (1) Expenses of the District.
- (2) Improvements to the District's facilities, including a reasonable reserve for future improvements.
- (3) Educational projects designed to increase public awareness in the area of water distribution, water rights and water conservation.
- (4) Other public projects designed to assist in the adjudication, conservation or more efficient distribution of water.
- (5) For involvement in legislative and agency deliberations on issues involving water quantity and quality which could effect water users of the Water District including naming Water District 01 as a petitioner in legal actions involving the ESA and the negotiation of federal claims and tribal claims filed in the SRBA.
- (6) To reimburse Advisory Committee members in accordance with the policy attached hereto as Exhibit B.
- (7) Items authorized in Resolution No. 13.

15. BE IT HEREBY RESOLVED that in accordance with the provisions of the March 2, 1993 Memorandum of Understanding with IDWR, the watermaster is hereby designated manager of the Rental Pool for the Committee of Nine.

16. WHEREAS, the watermaster from time to time finds that storage has been used in excess of entitlements; and,

WHEREAS, these "excess uses" require an allocation of Rental Pool storage and,

WHEREAS, the collection of payment for these excess storage uses can be time-consuming and can result in delays in making lease payments to the Rental Pool lessees,

NOW THEREFORE BE IT RESOLVED, that the watermaster is authorized to maintain \$100,000 of the funds generated through the administrative charge on water rentals for the purpose of paying lessees for excess uses prior to these amounts being collected.

BE IT FURTHER RESOLVED, that all monies collected for administrative rental charges, plus all appropriate interest and penalties shall be first used to replace monies spent from this account.

17. WHEREAS, the Water District's Credentials Committee has historically specified that "no person be elected to membership and service on the Committee of Nine and Credentials Committee unless he be a land owner and a water user...";

IT IS THEREFORE RESOLVED that water user and land owner shall be defined as follows:

1. One who owns an irrigated farm that is comprised of more than twenty (20) irrigated acres, that has valid surface water rights deliverable by the Water District 01 Watermaster.
  2. One who has received over 50 percent of his annual income during one or more of the past ten years from farming activities.
18. WHEREAS, it is in the interest of all water users to have the water rights within Water District 01 delivered according to the priority system; and,

WHEREAS, the accounting system now used by Water District 01 requires that each diversion have assigned to it a specific list of decreed, licensed, and storage entitlement; and,

WHEREAS, those diversions which have no record of water rights on file with the Department of Water Resources or the Water District office will, necessarily be taking storage water any time a diversion takes place.

NOW, THEREFORE, BE IT RESOLVED that no diversion shall be allowed to divert water unless the proper list of rights for that diversion are found in the watermaster's records or proper arrangements have been made to procure an adequate water supply prior to the start of the irrigation season.

19. BE IT RESOLVED that the annual Water District 01 meeting shall hereafter be held on the first Tuesday of March of each year unless the director and Committee of Nine should find in necessary to change the meeting date; and

BE IT FURTHER RESOLVED that the water users of Water District 01 waive mailed notice of the annual meeting and direct publication of the meeting notice for two (2) consecutive weeks in an appropriate number of newspapers located throughout the district.

20. WHEREAS, the water users located above Blackfoot, excluding Aberdeen Springfield Canal Company, (Upper Valley) have chosen to collectively retain legal counsel; and,

WHEREAS, it is their desire to have the watermaster assess the Upper Valley water users for these legal services in proportion to their water use;

NOW, THEREFORE, BE IT RESOLVED this seventh day of March 1995, that the watermaster hereby be authorized to assess canals located above Blackfoot (excluding Aberdeen Springfield Canal Company) for legal fees and other appropriate expenses associated with representing the collective interest of the Upper Valley.

BE IT FURTHER RESOLVED that such charges may not exceed the amount budgeted during the current year.

BE IT FURTHER RESOLVED that the District treasurer shall maintain said amounts in a separate account and that payment therefrom shall ONLY be made when authorized by the Upper Valley Committee of Nine Representatives.

21. BE IT RESOLVED that the amendment to 8.2 of Water District 01 Rental Pool Rules and Regulations be approved as hereafter set out and transmitted to the Idaho Water Resource Board for approval.

- 8.2. A. The rental price for 1995 shall be \$2.95 per acre foot, including the District administrative charge of \$0.75 per acre foot and the Water Board surcharge of \$0.20 per acre foot, for water diverted for uses above Milner Dam.
- B. The 1995 rental price for water delivered below Milner Dam shall be \$6.25 per acre foot, which includes the District administrative charge of \$0.75 per acre foot and the Board surcharge of \$0.50 per acre foot. An additional \$2.00 shall be deposited by lessee, which shall be retained by the District for distribution to the appropriate lessors should the lessor(s)' space not fill the following year. The balance of the deposit, if any, shall be returned to the lessee should the space fill or partially fill the following year. No interest will accrue to the lessor or lessee on the deposit held by the District prior to distribution, and no administrative charges will be made by the water district or the Board.
- C. Any storage space holder who puts water in the rental pool for lease and then subsequently removes all or part of the water from the rental pool shall be charged a \$0.75 per acre foot administrative charge by the District for the water withdrawn.

	1994 <u>Budgeted</u>	1994 <u>Actual</u>	1995 <u>Budgeted</u>
<b><u>HYDROGRAPHERS</u></b>			
Teton Basin	\$ 8,000	6,426	\$ 8,000
Idaho Falls	4,500	2,258	4,500
Lower Valley	7,000	1,939	6,000
Henrys Fork	16,000	15,498	17,000
Teton River	4,500	4,407	4,500
	<u>\$ 40,000</u>	<u>30,528</u>	<u>\$ 40,000</u>
<b><u>RIVER RIDERS</u></b>			
Rigby & Heise Div.	\$ 6,500	6,580	\$ 6,500
Blackfoot Division	3,000	2,300	3,000
Swan Valley	5,500	5,400	5,500
Upper Falls River	1,000	989	1,000
Idaho Falls	1,000	531	3,200
Willow Creek	3,000	3,085	1,000
Milner	360	360	360
	<u>\$ 20,360</u>	<u>19,245</u>	<u>\$ 20,560</u>
<b><u>PROGRAM EXPENSES</u></b>			
Automation	\$ 15,000	3,500	\$ 15,000
Sutron	52,000	42,555	35,000
Streamgaging	108,410	138,737	139,350
U of I Studies	4,000	0	4,000
	<u>\$179,410</u>	<u>184,792</u>	<u>\$193,350</u>
<b><u>EQUIPMENT EXPENSES</u></b>			
Office Equipment	\$ 1,000	370	\$ 5,000
Computer	6,500	8,407	1,500
PC's	3,000	0	3,000
	<u>\$ 10,500</u>	<u>8,777</u>	<u>\$ 9,500</u>
<b><u>PERSONNEL EXPENSES</u></b>			
Retirement	\$ 5,000	3,999	\$ 5,000
Social Security	5,000	4,168	5,000
Mileage	21,000	21,215	21,000
State Insurance Fund	3,500	3,503	3,500
Employment Insurance	500	274	500
Part-time help (F-Mad)	4,900	4,800	4,900
Misc. Hydrographer Exp.	500	293	500
Treasurer	7,500	1,091	2,500
	<u>\$ 47,900</u>	<u>39,343</u>	<u>\$ 42,900</u>
<b><u>MISCELLANEOUS EXPENSE</u></b>			
Otto Otter	\$ 1,000	356	\$ 1,000
IWUA	500	500	500
Postage	2,500	2,150	0
Supplies, Copying, Phone	2,000	679	2,000
Audit	5,500	4,585	5,000
Meetings	1,200	2,116	2,000
Legal Fees	10,500	1,605	10,500
Committee of Nine	10,000	9,401	10,000
	<u>\$ 33,200</u>	<u>21,392</u>	<u>\$ 31,000</u>
<b><u>WATERMASTER</u></b>			
IDWR Contract	\$254,330	260,000	\$280,000
Report	4,500	2,835	3,000
Travel	3,500	5,250	4,500
	<u>\$262,330</u>	<u>268,085</u>	<u>\$287,500</u>
<b>Total</b>	<b><u>\$593,700</u></b>	<b><u>572,162</u></b>	<b><u>\$624,010</u></b>
<b><u>COMMITTEE OF NINE</u></b>			
#14-Consult. & Attn.	\$ 200,000	32,769	200,000
#16-Excess Use	100,000	0	100,000
<b>Total</b>	<b><u>\$893,700</u></b>	<b><u>604,931</u></b>	<b><u>\$924,010</u></b>
<b><u>UPPER VALLEY ADD ON</u></b>			
#20-Legal	65,000	38,396	65,000
<b>Total</b>	<b><u>\$958,700</u></b>	<b><u>643,327</u></b>	<b><u>\$989,010</u></b>

## RESOLUTION

**WHEREAS**, in 1994 an agreement was reached between the State of Idaho and the Bureau of Reclamation (BOR) that allowed the B.O. R. to exchange 45,000 acre-feet of natural flow, to be diverted for recharge through Northside Canal, for 45,000 acre-feet of storage to be released past Milner for flushing salmon smolts, and;

**WHEREAS**, only about one-half of the 45,000 acre-feet of water has been recharged, leaving a potential charge of \$5.50 per acre foot for the unexchanged storage released past Milner last year, and;

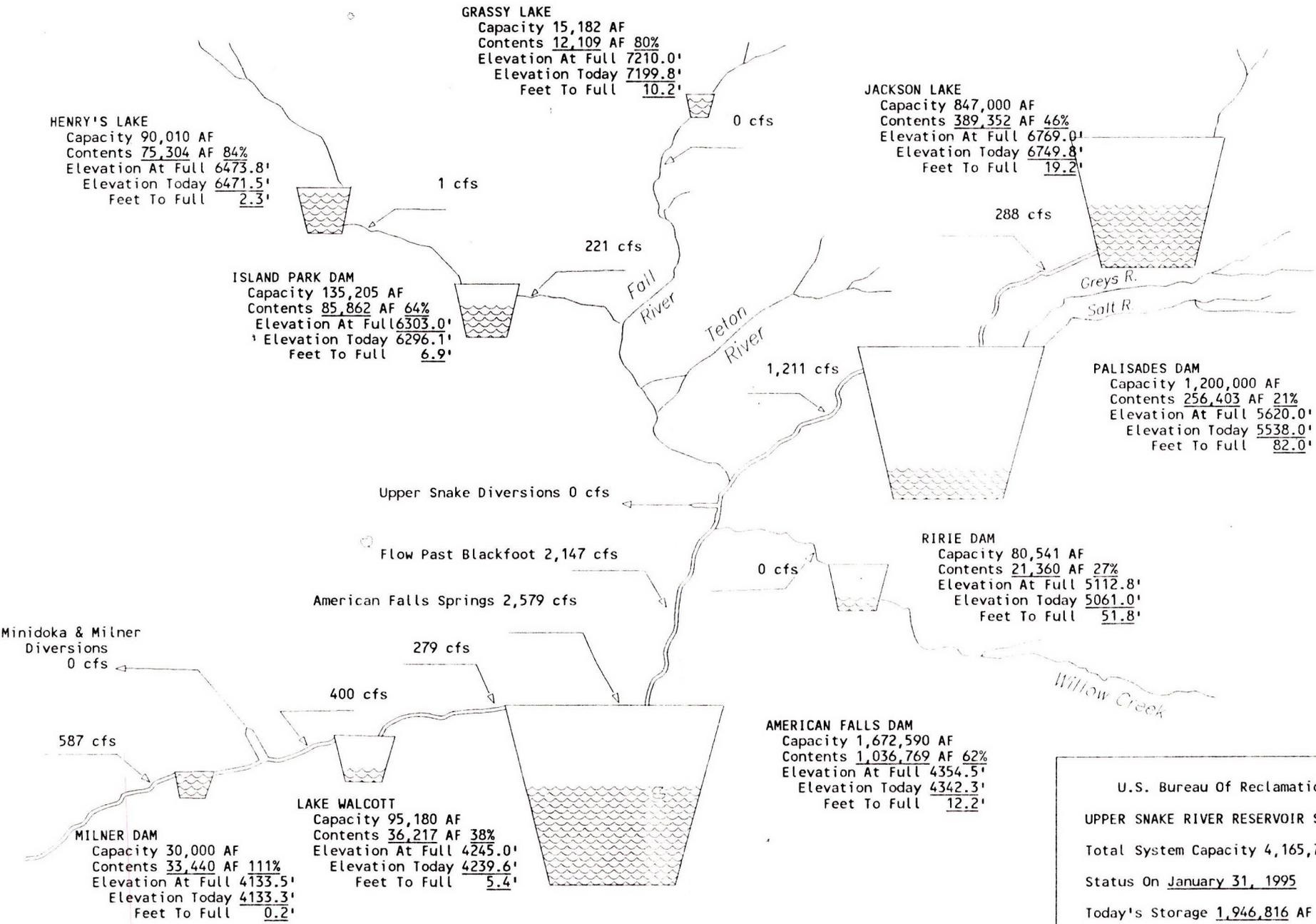
**WHEREAS**, the Committee of Nine agreed to split with the B.O.R. the obligation resulting from any water released past Milner under this agreement that was not offset by a like amount of recharge, and;

**WHEREAS**, the remaining recharge obligation exists until all of the Upper Snake reservoirs are again filled or the remaining amount of water has been recharged;

**NOW THEREFORE BE IT RESOLVED** by the waterusers of Water District 1 meeting in regular annual session this 7th day of March, that the watermaster be directed to take a proportional amount of water from the accrual in all of the reservoirs to make up, in the 1995 fill of the 45,000 acre-feet of Palisades space held by the city of Pocatello, to cover any remaining obligation the district may have for the unexchanged portion of the water released past Milner in 1994.

**BE IT FURTHER RESOLVED** the district will use its best efforts to assist and encourage Northside Canal Company to divert and recharge any water needed to fulfill the recharge requirements of the agreement in the spring of 1995.

*Not acted on. 2/3/95*



**HENRY'S LAKE**  
 Capacity 90,010 AF  
 Contents 75,304 AF 84%  
 Elevation At Full 6473.8'  
 Elevation Today 6471.5'  
 Feet To Full 2.3'

**GRASSY LAKE**  
 Capacity 15,182 AF  
 Contents 12,109 AF 80%  
 Elevation At Full 7210.0'  
 Elevation Today 7199.8'  
 Feet To Full 10.2'

**JACKSON LAKE**  
 Capacity 847,000 AF  
 Contents 389,352 AF 46%  
 Elevation At Full 6769.0'  
 Elevation Today 6749.8'  
 Feet To Full 19.2'

**ISLAND PARK DAM**  
 Capacity 135,205 AF  
 Contents 85,862 AF 64%  
 Elevation At Full 6303.0'  
 Elevation Today 6296.1'  
 Feet To Full 6.9'

**PALISADES DAM**  
 Capacity 1,200,000 AF  
 Contents 256,403 AF 21%  
 Elevation At Full 5620.0'  
 Elevation Today 5538.0'  
 Feet To Full 82.0'

**RIRIE DAM**  
 Capacity 80,541 AF  
 Contents 21,360 AF 27%  
 Elevation At Full 5112.8'  
 Elevation Today 5061.0'  
 Feet To Full 51.8'

**AMERICAN FALLS DAM**  
 Capacity 1,672,590 AF  
 Contents 1,036,769 AF 62%  
 Elevation At Full 4354.5'  
 Elevation Today 4342.3'  
 Feet To Full 12.2'

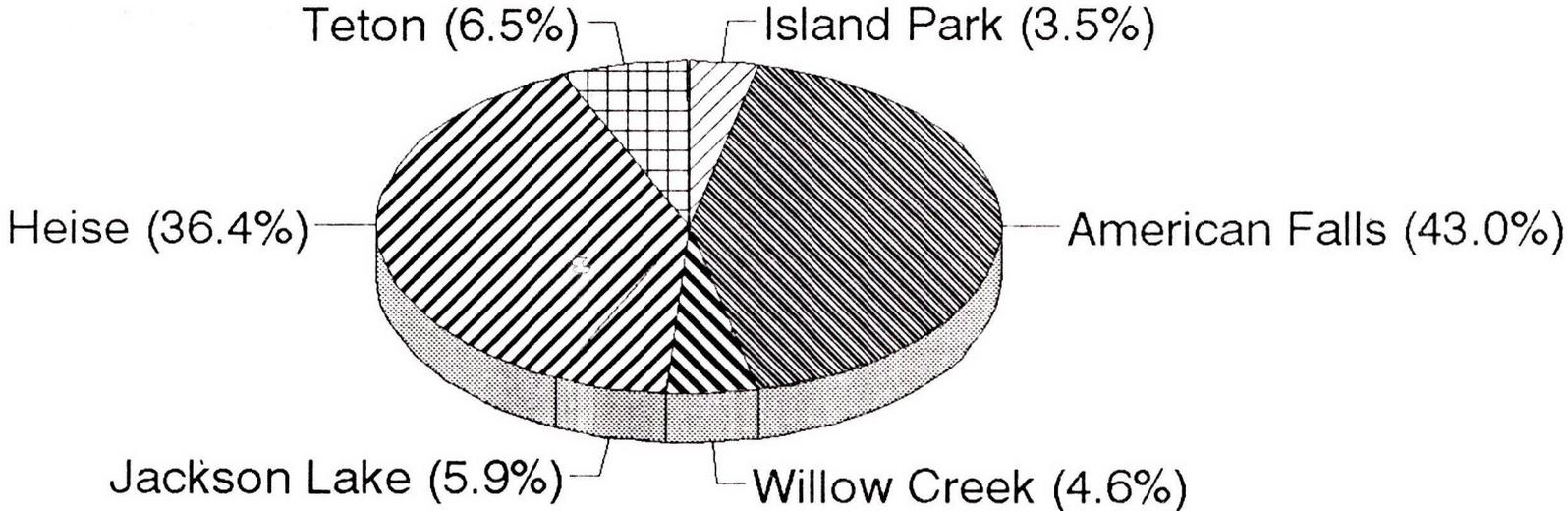
**LAKE WALCOTT**  
 Capacity 95,180 AF  
 Contents 36,217 AF 38%  
 Elevation At Full 4245.0'  
 Elevation Today 4239.6'  
 Feet To Full 5.4'

**MILNER DAM**  
 Capacity 30,000 AF  
 Contents 33,440 AF 111%  
 Elevation At Full 4133.5'  
 Elevation Today 4133.3'  
 Feet To Full 0.2'

U.S. Bureau Of Reclamation  
 UPPER SNAKE RIVER RESERVOIR SYSTEM  
 Total System Capacity 4,165,708 AF  
 Status On January 31, 1995  
 Today's Storage 1,946,816 AF  
 System Is 47% Filled  
 12/01/91 EMC, KB, DRD

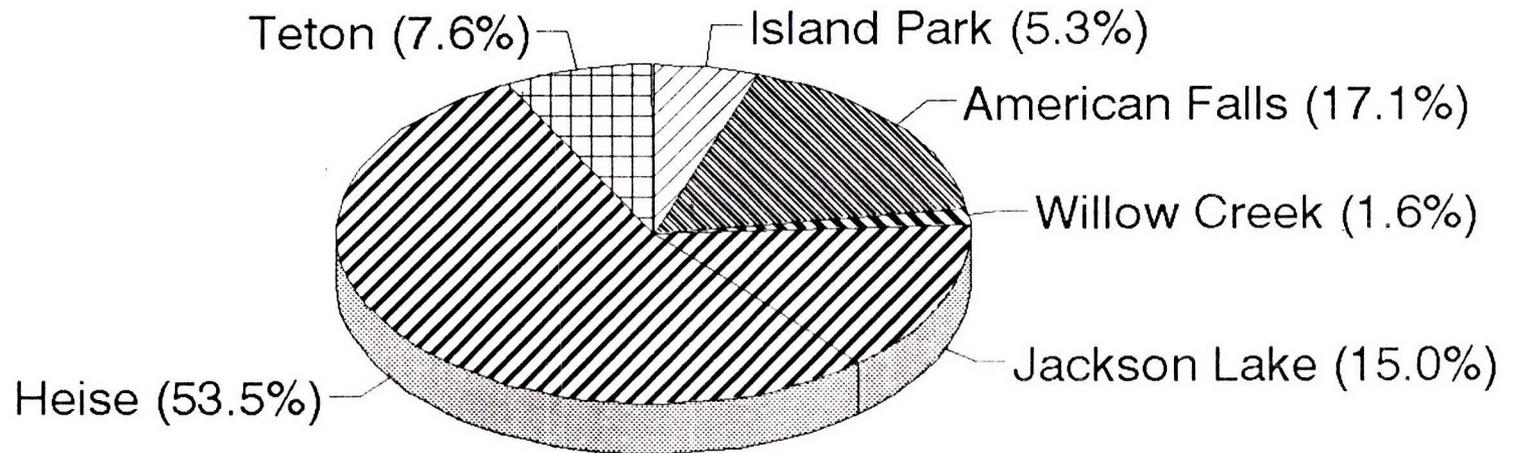
# Watershed Area

## Upper Snake River

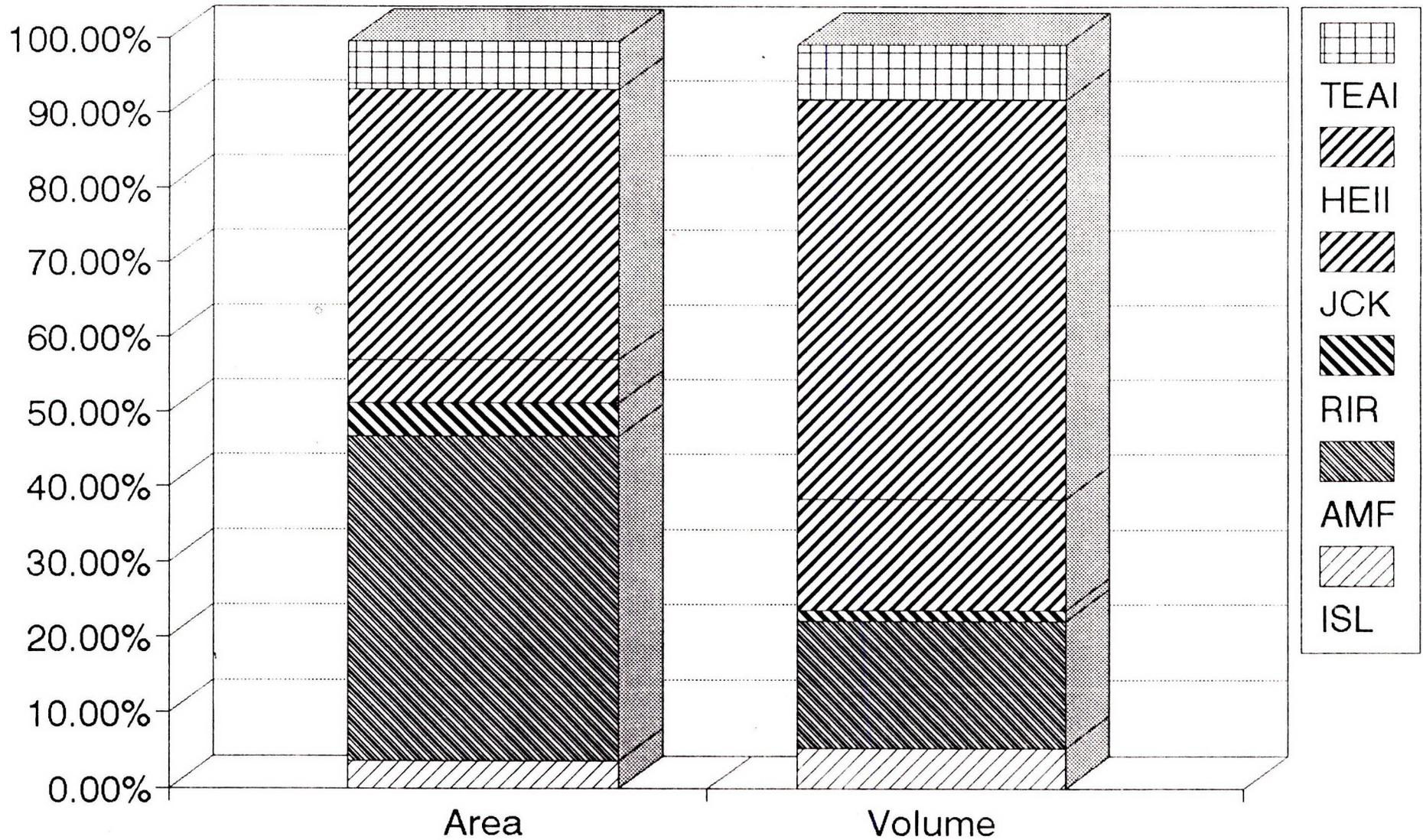


# Average Runoff

## Upper Snake River



# Snake River Watersheds



RECEIVED

CA

FEB 0 1 1995

REVISED AGENDA

Department of Water Resources

Committee of Nine Meeting-10:00 a.m. Rental Pool Committee-9:00 a.m.  
February 3, 1995 - Pocatello Airport Conference Room

Call to Order:	Claude Storer
Minutes of Last Meeting:	Dale Swensen
Financial Report:	Dell Raybould
Nez Perce Financial Report:	DeWitt Moss
Water Bank Report:	Dale Rockwood
Reservoir Report and Snow Pack:	BOR
A & B Call on Water: (update)	Roger Ling
Recharge Report:	John Rosholt
Status Report on the Nez Perce:	John Rosholt and/or Stan Clark
Cloud Seeding Report:	Dale Rockwood
Status Report on SRBA:	Dave Shaw
Approval of Net Power Loss:	BOR
Approval of Reservoir O & M:	BOR
Summary of NMF Biological Opinion:	IDWR
BOR report on NMF opinion and where they will get water:	John Keys
New Business:	
Proposed resolutions for annual meeting:	

*(YOU SHOULD HAVE RECEIVED THE NEW NATIONAL MARINE FISHERIES  
BIOLOGICAL OPINION. PLEASE REVIEW IT AND BE PREPARED TO  
COMMENT.)*

Wayne ~~AS~~  
Dave Shaw  
RECEIVED NY

M E M O R A N D U M

JAN 30 1995

Department of Water Resources

TO: Committee of Nine  
FROM: Claude Storer  
DATE: January 26, 1995  
RE: COMMITTEE OF NINE MEETING, 10:00 A.M. FEBRUARY 3, 1995,  
AIRPORT CONFERENCE ROOM, POCATELLO AIRPORT

The Committee of Nine meeting has been scheduled for February 3, 1995. The rental pool committee will meet at 9:00 a.m. and the regular meeting will begin at 10:00 a.m.

Enclosed is a copy of the following:

Proposed agenda  
Minutes of the last meeting  
Complete set of the October 13, 1994, minutes  
Minutes of committee mtg. on net power production loss

**AGENDA**

Committee of Nine Meeting  
February 3, 1995  
Pocatello Airport Conference Room

RECEIVED  
JAN 30 1995  
Department of Water Resources

Call to Order:	Claude Storer
Minutes of Last Meeting:	Dale Swensen
Financial Report:	Dell Raybould
Nez Perce Financial Report:	DeWitt Moss
Water Bank Report:	Dale Rockwood
Reservoir Report and Snow Pack:	BOR
A & B Call on Water: (update)	Roger Ling
Status Report on the Nez Perce:	John Rosholt and/or Stan Clark
Cloud Seeding Report:	Dale Rockwood
Status Report on SRBA:	Dave Shaw
Approval of Power Loss and Reservoir Operations w/BOR	
NMF Report	Ray W. Rigby
BOR Reaction to NMF Report	John Keys
New Business:	

COMMITTEE OF NINE MEETING

October 13, 1994

Pocatello Airport, Pocatello, Idaho

RECEIVED

JAN 30 1995

Department of Water Resources

This August 13, 1994, meeting of the Committee of Nine was called to order by Chairman Claude Storer at 10 a.m. at the Pocatello Airport. Those committee members present were: Mr. Storer, Leonard Beck, Paul Berggren, Stan Clark, Claude Lilya, DeWitt Moss, Dale Rockwood and alternates Dell Raybould and Wayne Lincoln. An attached list shows all that were present.

Dell Raybould, treasurer for Water District 01, presented the financial report, which consisted of Balance Sheets for the month of September 1994 for the general account and the water bank accounts and Profit and Loss Reports covering November 1993 through September 1994 for both accounts.

Secretary Dale Swensen read the minutes of the last meeting held on August 1, 1994. Mr. Rockwood motioned, seconded by Mr. Moss, and unanimously passed that the minutes be approved as read.

Mr. Rockwood presented the rental pool committee report. He said there were requests for 656,988 acre feet. Out of those requests 371,480 acre feet were approved for below Milner, and 75,888.38 were approved for Ag. Requests not yet approved totaled 3,575 acre feet for Ag and 200,045 acre feet for below Milner. Some requests were either withdrawn or refunded. Out of the 75,888.38 acre feet supplied all but .58 acre feet was leased.

Mr. Moss reported on a meeting between the Nez Perce negotiation subcommittee and waterusers from Western Idaho that was held immediately prior to the Committee of Nine Meeting. The group decided to write an agreement outlining who will pay what costs for experts and the development of data bases. The negotiation subcommittee will meet with Craig Sommers to outline a way to proceed with the negotiations. Contact people will be Sherl Chapman of the Idaho Water Users Association for the Boise Valley and John Rosholt for those above Milner.

Earl Corless of the Bureau of Reclamation gave a reservoir report and water supply outlook. He said that all reservoirs above Minidoka are filling at the present time. Island Park contained 28,192 acre feet on September 7 which was its lowest point. Current releases are at 200 cfs. American Falls reached its lowest level of 16,000 acre feet on September 30. Recent rains kept the power plant at Palisade's Dam running with three or four days to spare before it would have been shut off because of low reservoir levels. Jackson reached its lowest level of 352,230 acre feet on October 4. Ririe Reservoir reached its lowest level of 15,000 acre feet about the same time. Winter releases were

projected to be 280 cfs at Jackson, 1200 cfs at Palisades and 300 cfs at American Falls. An individual from the audience noted that 1992 carryover was two percent less than this year, but it took two years to get to that point when 1994 took one. Mr. Corless said that recharge on the Northside Canal will begin about October 23 and will run until the canals freeze up, maintenance requirements need to be done, or December 5 whichever comes first. There are 30,000 to 32,000 acre feet of the City of Pocatello's storage left to recharge. Mr. Rosholt said an addendum to the recharge agreement between the City of Pocatello, the Bureau of Reclamation, and the Committee of Nine is being written to allow for the recharge period to be extended. Others commented that the Milner-Gooding could be used for recharge purposes as well as the Northside Canal.

Republican candidate for governor Phil Batt addressed the meeting and expressed his position on various water issues. He indicated that if elected he would consult with the waterusers before making an appointment to the position of the Director of the Department of Water Resources.

Ron Carlson, Snake River Watermaster, said 3.4 million acre feet of storage were delivered during the irrigation season. There is currently about 600,000 acre feet of carryover which was increased from 300,000 acre feet because of recent rains. Presently 7000 cfs of natural flow are being delivered. Mr. Carlson's office will be reviewing the preliminary diversion numbers to get the final diversion numbers and storage used totals. His goal is to have final numbers available by the end of November.

Mr. Moss reported that several people attended a hearing on the Columbia River System Operation Review Draft Environmental Impact Statement which was about 300 pages long and looked at various options for operation of the dams on the Columbia River System. Thirty to fifty people attended most of whom were environmentalists. November 7 is the response deadline for written comments. Mr. Moss described some of the testimony given and encouraged waterusers to send in their comments. He also encouraged everyone to comment on the Bookman-Edmonston report and to attend a hearing on October 24 concerning the Northwest Power Planning Council's Strategy For Salmon.

Mr. Rosholt discussed the status of the Idaho Falls weir. He said the city is looking at snail populations in their hydro area near Shelley at the Federal Energy Regulatory Commission's request. He said that if the city will guarantee an accurate way to measure water at the Shelley gage then the Committee of Nine will withdraw as a party to the action.

Mr. Higginson commented that the conjunctive management rules were published on October 7 and have been adopted as the final rules. The only change in the final rules from the preliminary ones is the insertion of language which allows the designation of groundwater management areas. The final rules will be considered by the legislature in the upcoming session. Mr. Ling commented that 7500 notices concerning A & B Irrigation District's call on groundwater were sent out by the Department of Water Resources to groundwater users in the Snake Plain Aquifer. The Department received 250 responses with 47 lawyers involved. Mr. Ling has met with the active lawyers and discussed ways of resolving the A & B issue one of which is to draft legislation on management of the aquifer. He said there is good cooperation in trying to resolve the problem. The Department will schedule a prehearing conference in an attempt to resolve the protests on an informal basis before going to a formal proceeding.

Concerning the Nez Perce negotiations, Mr. Moss said that Mr. Rosholt's law firm is preparing comments for the Twin Falls Canal Companies and could do so for the Committee of Nine or Water District 01. He said that \$29,000 has so far been spent for legal and Craig Sommers' work on the Nez Perce and federal claims. The Committee of Nine asked Mr. Rosholt to send his comments to Attorneys Ling and Rigby for their review and possible submittal for the Committee of Nine.

Mr. Ling said that hearings were held on October 11 in the Snake River Basin adjudication court concerning Basin Wide Issue No. 3. Both he and Mr. Rigby expressed concern about the outcome of this issue. In response to a question, Senator Laird Noh said the North Idaho legislators would rather see a fee structure than a general fund appropriation for continued funding of the adjudication.

Mr. Rockwood reported on the Bureau of Reclamation Minidoka Project tour at which 16 to 18 people from the barging and port industries in Northern Idaho were in attendance. He said that at a meeting and dinner prior to the tour Mr. Carlson gave an excellent presentation on the operation of Water District 01, and Ron Chapman of the Potato Growers of Idaho talked about the economics of the potato industry in Southeast Idaho. Northern Idaho guests were impressed with the way the reservoirs in this area are drawn down each year. Everyone felt the tour was very successful and agreed to work together as a state to solve the salmon problem.

John Keys, Regional Director of the Bureau of Reclamation, said about 400,000 acre feet of storage was delivered during 1994 for salmon flushing. He said that the Bureau fought hard to keep the operations of the Upper Snake out of the Columbia River SOR Environmental Impact Statement. He asked the Committee of Nine

to put together a small committee to work with the Bureau to help decide 1995 operations for salmon. He said the 1994 process was not acceptable and wants to find a better way. He said that because of a snail listing in the Middle Snake, the Fish and Wildlife Service is now asking the Bureau to consult with them under the Endangered Species Act for storing water this year. He said the Fish and Wildlife Service believes consultation is necessary because during the storage season river flows are low enough in the Middle Snake that flats on both sides of the river, which is snail habitat, will dry up. If the water situation for 1995 is similar to 1994, then the Bureau of Reclamation will proceed with the transfer process rather than renew House Bill 1763A. Chairman Storer appointed the rental pool committee to work with the BOR.

Concerning waterspreading, Draft No. 12 is at Washington D.C. and should be out soon. Wind shield surveys of irrigation districts will begin within six months of when the final draft is released.

Members of the Committee of Nine encouraged canal companies and irrigation districts to participate with the High County RC&D to do weather modification this winter. The Bureau of Reclamation indicated that they could not participate financially, but they are willing to work with the Idaho Department of Water Resources to conduct research.

Closing comments were heard from Senators John Peevey and Laird Noh.

Meeting was adjourned at 12:45 p.m.

LIST OF ATTENDEES

COMMITTEE OF NINE

OCTOBER 13, 1994

<u>NAME</u>	<u>REPRESENTING</u>
Dick Oneida	AFRD #2
Roger Ling	Attorney
Ray Rigby	Attorney
John Rosholt	Attorney
Chuck Yost	Aberdeen - Springfield Canal Co.
Don Olowinski	Boise Project Board of Control
Mike Beus	Bureau of Reclamation
John Keys	Bureau of Reclamation - Boise
Jerrold Gregg	Bureau of Reclamation - Boise
Earl Corless	Bureau of Reclamation - Burley
Karl Wirkus	Bureau of Reclamation - Burley
Brian M. Davis	Bush Agricultural Resources Inc.
Dale L. Swensen	Committee of Nine Secretary
Dell Raybould	Committee of Nine Alternate
Ted Hanson	Great Feeder
Keith Higginson	Idaho Department Water Resources
Sheryl Chapman	Idaho Water Users Association
Vernon E. Case	Idaho Water Users Association Wilder Irr.
Bill Thompson	Milner Irrigation Dist.
Mike Klienkopf	Milner Irrigation Dist.
Bill Sargent	Milner Irrigation Dist.
Ted Diehl	North Side Canal Company
Dennis Heaps	North Side Canal Company
Wayne Lincoln	Committee of Nine Alternate
Ron Carlson	Watermaster
John Peavey	State Senate - Candidate for Lt. Governor
Mike Field	Senator Craig's office
Tom Dayley	Senator Craig/Kempthorne's office
John Hatch	Congressmen Mike Crapo's office
Laird Noh	State Senate
Phil Bate	Candidate for Governor

## COMMITTEE OF NINE MEETING

January 11, 1995

Red Lion Riverside Hotel, Boise, Idaho

This January 11, 1995, meeting of the Committee of Nine was conducted by Vice-Chairman Don Kramer at 5 p.m. at the Red Lion Riverside Hotel, Boise, Idaho. Those committee members present were: Mr. Kramer, Paul Berggren, Stan Clark, DeWitt Moss, James Siddoway, Dale Rockwood and alternates Dell Raybould, Van Greenwell, and Wayne Lincoln. An attached list shows all that were present.

Mr. Moss motioned that the Committee dispense with the reading and approval of the minutes of October 13, 1994, and address them with the current meeting minutes at the next Committee of Nine meeting.

Committee of Nine Treasurer, Dell Raybould, presented a complete Financial Report for the rental pool and the operations of Water District 01. He said there will have to be some adjustments made to the year ending October 31 because of the lack of rental pool payments. Mr. Berggren motioned, seconded by Mr. Greenwell, and unanimously passed that the Financial Reports be approved.

Mr. Moss reported on costs associated with the Nez Perce negotiations. He said so far Craig Sommer's bill is \$24,814 and legal costs are \$29,657 making a total of \$54,471 spent so far.

Mr. Rockwood presented a report on activities in the rental pool. He reviewed the 1994 and 1995 requests.

John Rosholt said that somewhere between 23,000 to 25,000 acre feet of the City of Pocatello's water has been recharged through the Northside Canal which is about one-half of the water that was available. He recommended that the rental pool committee look at running the rest of the water after March 1 and before the irrigation season.

Roger Ling reported on the status of the A & B Irrigation District's call on groundwater. He said they are trying to resolve the matter informally, but if ground water levels continue to decline, they will be forced to take more drastic action.

Mr. Clark and Dave Rydalch, chairman of the Idaho water Resources Board, reported on progress of the Nez Perce negotiations. They said a meeting was held in December in Lapwai which focused on irrigated acres. In February, they will look at instream flow claims. A memorandum of understanding between the tribes and the state will allow representatives from the Upper Snake at the

negotiating table. Mr. Rydalch said the Idaho Water Resources Board has taken a stand that any water claimed by the Nez Perce cannot be injurious to existing rights. So far no one at the table has wanted to litigate.

In regard to federal salmon recovery efforts, John Keys said that there will be a jeopardy opinion for the 1995 reservoir operations. He said that a draft biological opinion will be released on January 23 with comments due from interested parties on February 3, with the final biological opinion due out the end of February. He also said a recovery plan from National Marine Fisheries Service is due out the middle of February or 1st of March. He said the Bureau of Reclamation is holding firm on supplying 427,000 acre feet from above Brownlee with continued negotiations for the purchase of storage water and natural flow water on a willing seller, willing buyer basis. He said the Bureau of Reclamation will wait until May 1995 to begin the water right change process for water they control that goes below Milner. The current law allowing the use of the water for salmon flushing without going through the transfer process expires January 1, 1996. He said so far NMFS has not required the Bureau of Reclamation to consult with them on storage operations. There was some discussion as to the relationship between the biological assessment and the jeopardy opinion and the process that would be necessary for natural flow transfers.

Mike Fields, one of Idaho's representatives on the Northwest Power Planning Council, discussed the council's decision to recover salmon using a combination of augmented flows and draw downs. Governor Batt is concerned about this flow based decision which requires 1 million acre feet above the 427,000 acre feet currently required through the Bureau of Reclamation. He said the Idaho and Montana Council members are trying to work together and he recommended that the upper river waterusers and Lewiston people work together to find a common solution for salmon recovery so that Idaho is united.

Mr. Rockwood reported that cloud seeding operations began December 1 with 25 generators from Bingham County north and east. He said \$69,000 has been committed plus some funds from the state which will run the generators for about three months.

David Shaw, Adjudication Bureau Chief for the Department of Water Resources, reported on adjudication activities. He said Judge Hurlbut lifted the stay temporarily and also lifted the gag order that was imposed on the Department of Water Resources. There will be a hearing on lifting the stay on federal claims next Tuesday. He said 170,000 claims were filed. Of those claims, 100,000 are for domestic and stock water with the balance being federal claims and consumptive use claims. He said the claims filed under state law are about one-third of the way through

processing, and the Department is working with parties to try to resolve the remaining objections to the Fort Hall agreement.

Randy Brammer, Office of the General Council of the USDA, and Gary Boyle of the Forest Service reviewed claims filed by the Forest Service in the adjudication. They both recommended trying to negotiate any differences concerning those claims rather than litigating. Because of the shortness of time the Committee of Nine decided to invite them back for a more comprehensive presentation.

Mr. Rosholt requested that the Committee of Nine go into an executive session with the watermaster and the three attorneys. The meeting was temporarily adjourned at 6:30 p.m. whereupon an executive session was held.

During the executive session, Claudon Lilya substituted for Claude Lilya and Ted Hansen substituted for Claude Storer. The executive session adjourned and returned to full session at 6:50 p.m., whereupon Mr. Moss motioned that the Committee of Nine instruct its legal advisors to initiate the action necessary to prepare a 60-day notice of intent to sue on the expected 1995 thru 1998 National Marine Fisheries Services biological opinion. Mr. Clark seconded the unanimously passed motion. Mr. Carlson cautioned the Committee that any instream flow claim with any priority date could affect the filling of the reservoir system.

Meeting was adjourned at 7:00 p.m.

LIST OF ATTENDEES

COMMITTEE OF NINE MEETING

JANUARY 11, 1995

<u>NAME</u>	<u>REPRESENTING</u>
Chuck Yost	Aberdeen - Springfield Canal Co.
Dick Oneida	AFRD #2
Roger Ling	Attorney
Ray Rigby	Attorney
Jerry Rigby	Attorney
John Rosholt	Attorney
Jerrold Gregg	Bureau of Reclamation - Boise
John Keys	Bureau of Reclamation - Boise
Earl Corless	Bureau of Reclamation - Burley
Karl Wirkus	Bureau of Reclamation - Burley
Randy Bingham	Burley Irrigation Dist.
Dale L. Swensen	Committee of Nine Secretary
Dell Raybould	Committee of Nine Alternate
Wayne Lincoln	Committee of Nine Alternate
Ted Hanson	Great Feeder
Joe Jordan	Idaho Water Resources Board
Clarence Parr	Idaho Water Resources Board
Dave Rydalch	Idaho Water Resources Board
David Shaw	Idaho Department of Water Resources
Keith Higginson	Idaho Department of Water Resources
Norm Young	Idaho Department of Water Resources
Bill Taylor	Idaho Irrigation Pumpers Assoc.
Bill Thompson	Minidoka Irrigation Dist.
Van Greenwell	Minidoka Irrigation Dist.
Don Hale	New Lavaside Ditch Co.
Allen Lakewood	Northside Canal Company
Bob Burks	Northside Canal Company
Dennis Heaps	Northside Canal Company
Russell Woolley	Northside Canal Company
Mike Field	Northwest Power Planning Council
Claudon Lilya	People's Canal Co.
Steven Murdock	People's Canal Co.
Tom Dayley	Senator Craig's Office
Randy Bramer	USDA
Lyle Swank	Water District 01
Ron Carlson	Watermaster
John Peavey	Wateruser



# United States Department of the Interior

## BUREAU OF RECLAMATION

Snake River Area Office-East Unit

1359 Hansen Avenue

Burley, Idaho 83318-1821

IN REPLY REFER TO.

**MINUTES OF COMMITTEE MEETING  
HELD TO  
DETERMINE AND APPROVE THE NET POWER PRODUCTION LOSSES  
AT THIS  
MINIDOKA POWERPLANT DURING 1993**

The Power Loss Committee met in the Bureau of Reclamation Office, Burley, Idaho at 9:00 a.m., January 24, 1995. The power loss assessment for water year 1993 is \$74,835. The net power loss for water year 1993 was 19,237,000 kilowatt-hours. The 20-year average used for the basis of the assessment is 7,040,000 kilowatt-hours. The power replacement cost for the past ten years is summarized below:

Year	kWh		Mills/kWh	
1993	7,040,000	x	10.63	\$74,835
1992	6,078,000	x	10.63	\$64,609
1991	5,630,000	x	10.63	\$59,847
1990	4,794,000	x	7.74	\$37,106
1989	4,575,650	x	7.74	\$35,416
1988	3,543,050	x	7.74	\$27,423
1987	2,861,450	x	7.74	\$22,148
1986	3,883,700	x	5.1	\$19,807
1985	3,883,700	x	5.1	\$19,807
1984	3,883,700	x	5.1	\$19,807

The mill rate set by the Commissioner in the PN-P10 rate used in 1993 was 10.63 mills per kilowatt-hour.

The distribution to the reservoirs of the \$74,835 for 1993, in accordance with contract provisions, is as follows:

Island Park	12% =	\$ 8,980
Palisades	10% =	\$ 7,484
American Falls	78% =	\$58,371
Total		\$74,835

The following were in attendance:

Warren Hart  
Albert Lockwood  
Dan Darrington  
John A. Rosholt  
Billy Thompson  
Randy Bingham  
Ron Carlson  
Tony Olenichak  
Lyle Swank  
Paul Berggren  
Dale Rockwood  
Claude Storer  
Earl Corless  
Kathy Hernandez  
Jerry Gregg  
Tracy Wilmot

North Side Canal Company  
North Side Canal Company  
Burley Irrigation District  
North Side Canal Company  
Minidoka Irrigation District  
Burley Irrigation District  
Water District 01  
Water District 01  
Water District 01  
Committee of Nine  
Committee of Nine  
Committee of Nine  
U. S. Bureau of Reclamation  
U. S. Bureau of Reclamation  
U. S. Bureau of Reclamation  
U. S. Bureau of Reclamation

The committee reviewed the computation methods for arriving at the annual power loss. After these calculations were discussed, Albert Lockwood moved the report be accepted and the data be presented to the Committee of Nine meeting scheduled this date. The motion was approved.



Earl M. Corless .  
Secretary Pro Tem

**MINIDOKA POWERPLANT  
UNITS 1-6**

NET POWER PRODUCTION LOSS DUE TO RESTRICTIONS OF USE OF  
MINIDOKA WATER RIGHTS

UNIT: THOUSANDS OF  
KILOWATTHOURS

WATER YEAR OCT-SEPT	LOSS FROM RESTRICTION OF USE OF WATER RIGHTS	GAIN FROM 1/ AMERICAN FALLS STORAGE	NET LOSS
74	1260	1260	0
75	0	0	0
76	0	0	0
77	0	0	0
78	18969	4710	14259
79	0	0	0
80	21061	2211	18850
81	5026	5026	0
82	15041	655	14386
83	195	195	0
84	0	0	0
85	0	0	0
86	32	1173	0
87	4673	6807	0
88	23277	7605	15672
89	23835	3183	20652
90	18613	6543	12070
91	22025	5314	16711
92	20463	11497	8966
93	23321	4084	19237

20-YEAR AVERAGE

7040

ISLAND PARK	12% =	\$8,980
PALISADES	10% =	\$7,484
AMERICAN FALLS	78% =	\$58,371

TOTAL \$74,835

MINIDOKA POWERPLANT UNITS 1-6  
NET ANNUAL POWER PRODUCTION LOSS DUE  
TO RESTRICTION OF USE OF MINIDOKA WATER RIGHTS  
OCTOBER 1, 1992 TO SEPTEMBER 30, 1993

MONTH	COMPUTED OUTPUT		LOSS FROM RESTRICTION OF USE OF WATER RIGHTS	GAIN FROM AMERICAN FALLS STORAGE
	CONDITION II	CONDITION I		
	1000 KWH	1000 KWH		
OCT	5943	3649	2294	0
NOV	5363	842	4521	0
DEC	5524	1339	4185	0
JAN	5390	1607	3783	0
FEB	4899	898	4001	0
MAR	5541	1071	4470	0
APR	2203	2236	0	33
MAY	7165	7098	67	0
JUN	7386	7386	0	0
JUL	6729	7610	0	881
AUG	6930	7610	0	680
SEP	4892	7382	0	2490
TOTAL ANNUAL LOSS			23321	
TOTAL ANNUAL GAIN 1/			4084	
ANNUAL NET LOSS			19237	

1/ CONTRACTUALLY GAIN CANNOT EXCEED LOSS.

# AGENDA

COMMITTEE OF NINE MEETING  
March 6, 1995  
West Bank Motel  
Idaho Falls, Idaho

2:00 pm Call to Order - Claude Storer

Reading of Minutes - Dale Swensen  
(Feb. 3, 1995)

1995 Budget - Del Raybold

1995 Resolutions - Reader to be selected

Report on Biological Opinion - BOR

Other Business

3:30 Adjourn

WATER DISTRICT 01 ANNUAL MEETING  
WESTBANK INN, IDAHO FALLS  
MARCH 7, 1995

- 9:00 Welcome - Committee of Nine - Claude Storer, Chairman
- 9:10 Sherl Chapman - Idaho Water Users
- 9:25 Dave Shaw - SRBA
- 9:45 THE DIRECTION, PLANS AND POLICIES OF THE BOR - John Keys
- 10:00 WATER, THE FUTURE AND IDWR - Keith Higginson
- 10:15 WATER SUPPLY OUTLOOK FOR 1995 - Earl Corless
- 10:40 REPORT OF THE COMMITTEE OF NINE - Claude Storer
- 11:00 WATERMASTER'S REPORT - Ron Carlson
- 11:45 LUNCH
- 1:00 CALL TO ORDER
- A. ELECTION OF MEETING CHAIRMAN AND SECRETARY
  - B. ROLL CALL
  - C. Reading of the 1994 Annual Meeting Minutes
  - D. Recess for Caucuses & Selection of Committee of Nine
  - E. Reconvene Meeting:
    - 1. Report of the Credentials Committee
    - 2. Area Recommendations for 1995 Committee of Nine Members
    - 3. Election of The Committee of Nine
- 1:40 Financial Reports
- A. Water District Accounts - Del Raybould
  - B. Auditor's Report - Rudd & Company
- 2:00 Resolutions - Don Kramer
- 2:30 Old Business  
New Business
- 3:00 Adjourn Annual Meeting

Note: An organizational Meeting of the Committee of Nine will follow immediately after the annual meeting of Water District 1.

WATER DISTRICT 01 ANNUAL MEETING

Resolutions 1995

1. BE IT RESOLVED, that the watermaster continue to apply the best available methods and technology to assure: accurate deliveries of natural flow and stored water, consistent regulation procedures, the availability of water supply and diversion records to the water users, and that all water users are assessed for water deliveries on a timely, accurate and equitable basis, and the preparation of the annual watermaster's report required by Idaho Code §42-606.

BE IT FURTHER RESOLVED that:

2. The watermaster continue to expand and maintain automated data collection where it can effectively reduce personnel costs, travel costs, or result in cost or water savings for Snake River water users or assure better and more current data.
3. The water users of Water District 01 continue the cooperative program with the Idaho Department of Water Resources as outlined in the Memorandum of Understanding dated March 2, 1993, previously approved by the Committee of Nine and IDWR, and signed by the Chairman of the Committee of Nine and the Director of the Department of Water Resources, a copy of which agreement is attached hereto as Exhibit A and made a part hereof as if set out at length herein.
4. Ronald D. Carlson be re-elected watermaster for the ensuing year, and be authorized to hire a full-time staff of a deputy, two assistants, a secretary, a data specialist, and such other assistants as provided by the adopted budget. The watermaster may hire additional assistants as authorized in Idaho Code § 42-609 in an emergency.
5. Del Raybould be elected Water District Treasurer and his annual compensation set by the Committee of Nine but not to exceed the \$2,500 provided in the 1995 Water District budget.
6. The duties of the watermaster and treasurer shall begin on this date and continue for a period of one full year.
7. The Budget for Water District 01 for the 1995 year beginning November 1, 1994 be as follows:

**1995 WATER DISTRICT BUDGET**

**HYDROGRAPHERS**

Teton Basin	1,000 hrs. (+ mi.)	\$ 8,000	
Idaho Falls	800 hrs. (+ mi.)	4,500	
Lower Valley	400 hrs. (+ mi.)	6,000	
Henry's Fork	1,800 hrs. (inc. mi.)	17,000	
Teton River	520 hrs. (+ mi.)	<u>4,500</u>	\$ 40,000

**RIVER RIDERS**

Rigby & Heise Div.	1,200 hrs. (+ mi.)	\$ 6,500	
Blackfoot Division	600 hrs. (+ mi.)	3,000	
Swan Valley	480 hrs. (+ mi.)	5,500	
Upper Falls River	250 hrs. (+ mi.)	1,000	
Willow Creek	5 mth @ \$ 550 (inc. mi.)	3,200	
Idaho Falls	6 mth @ (inc. mi.)	1,000	
Milner	12 mth @ \$ 30 (inc. mi.)	<u>360</u>	\$ 20,560

**PROGRAM EXPENSES**

Automation Expansion		\$ 15,000	
Sutron		35,000	
Streamgaging		139,350	
U of I Studies		<u>4,000</u>	\$193,350

**EQUIPMENT EXPENSES**

Office Equipment		\$ 1,500	
Computer		5,000	
PC's		<u>3,000</u>	\$ 9,500

**PERSONNEL EXPENSES**

Retirement		\$ 5,000	
Social Security		5,000	
Mileage		21,000	
State Insurance Fund		3,500	
Employment Insurance		500	
Part-time Help		4,900	
Miscellaneous Hydrographer Expenses		500	
Treasurer		<u>2,500</u>	\$ 42,900

**MISCELLANEOUS EXPENSES**

IWUA		\$ 1,000	
Otto Otter		500	
Supplies, phone, copying		2,000	
Audit		5,000	
Meetings		2,000	
Legal Fees		10,500	
Committee of Nine		<u>10,000</u>	\$ 31,000

**WATERMASTER**

IDWR Contract		\$280,000	
Report		3,000	
Travel		<u>4,500</u>	\$287,500

Total 1995 Distribution Budget \$624,010

W.D. Consultants & Attorneys - Resolution 14 200,000  
Excess Storage Use - Resolution 16 100,000

**UPPER VALLEY**

Consultants & Atty. - Resolution 20 \$ 65,000

8. BE IT RESOLVED that the watermaster is hereby authorized to acquire, hold and dispose of such real and personal property, equipment and facilities in the name of the water district as necessary for the proper distribution of water and shall provide that all such real and personal property shall remain in the custody of the watermaster and the watermaster's successor.
9. WHEREAS, it is the watermaster's responsibility to assure the proper delivery of both natural flow and storage supplies to all water users, and;

WHEREAS, the normal district cost of delivering water to many water users is greater than their normal assessments would be based upon their total season use of water;

NOW, THEREFORE, BE IT RESOLVED that the watermaster of Water District 01 is hereby authorized to assess a \$20.00 minimum charge for every diversion within his jurisdiction.

10. WHEREAS, the water users of Water District 01 meeting in regular annual session find it necessary to adopt certain "on-going" resolutions to direct the watermaster and treasurer of the district in certain aspects of district operations;

NOW, THEREFORE, BE IT RESOLVED that the Water District 01 budget prepared pursuant to Idaho Code § 42-615, and adopted in Resolution No. 7 at this Water District 01 annual meeting, shall become the basis for the official billing of the amount of said budget for the succeeding year to the respective water users, using the actual deliveries for the past irrigation season or seasons, as the basis for said distribution of such billing to the individual water users, canal companies, and irrigation districts, and is hereby authorized to collect all of the amounts billed.

The treasurer shall establish and maintain a general account and shall cause to be deposited all monies received pursuant to the billing and shall make all disbursements as necessary to conduct the business of administering and delivering the waters of the district.

That no ditch, canal company, or other water users shall have the right to demand and receive water, and the watermaster shall not deliver to such person until receipt of the amount due and payable from such user.

That copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and the report prepared in accordance with Idaho Code § 42-615, shall be filed with the Director of the Department of Water Resources and with the county auditors of Bonneville, Madison, Teton, and Fremont Counties in accordance with Idaho Code § 42-617.

11. WHEREAS, it is in the best interest of the water users of Water District 01 to account for all diversion which might adversely affect any prior natural flow or storage diversions;

BE IT RESOLVED that the watermaster shall be on duty and shall collect records of water diversions during the entire year.

12. BE IT FURTHER RESOLVED that the Committee of Nine be designated the Advisory Committee under Idaho Code § 42-605 and be continued with nine regular members. The members representing the Burley and Minidoka Irrigation projects are to be alternated between the two districts as they arrange. In addition, advisory members representing the Bureau of Reclamation, Teton Basin, AFRD #2 Canal, A & B Irrigation, the Wyoming State Engineer and a member from the Burley or Minidoka District, whichever is not currently represented on the regular committee be included.

13. WHEREAS, the members of the Committee of Nine, as the Water District's Advisory Committee, are elected to represent the general interest of the water users;

NOW, THEREFORE, BE IT RESOLVED that the Committee of Nine is hereby authorized to:

- (a) Advise and consult with the watermaster and director in matters related to water resources management and water distribution.
- (b) Serve as the standing Resolutions Committee for all meetings of the Water District.
- (c) Take those actions necessary to represent and protect the interests of the water users of the District.
- (d) Employ such legal, engineering, technical and clerical services as may be deemed necessary for the Committee of Nine to fulfill its responsibilities to the water users of the District.
- (e) Make and execute such contracts and agreements as may be deemed necessary or convenient.
- (f) To do such other things as the Committee shall deem to be beneficial to the water users of the District.

BE IT FURTHER RESOLVED that the Committee of Nine is hereby ratified as the local committee for the rental of stored water under Idaho Code § 42-1765.

14. WHEREAS, the Committee of Nine as been selected by the water users of Water District 1 to represent their collective interests;

BE IT RESOLVED that the Committee of Nine be authorized to expend funds held by the District for the following purposes:

- (1) Expenses of the District.
- (2) Improvements to the District's facilities, including a reasonable reserve for future improvements.
- (3) Educational projects designed to increase public awareness in the area of water distribution, water rights and water conservation.
- (4) Other public projects designed to assist in the adjudication, conservation or more efficient distribution of water.
- (5) For involvement in legislative and agency deliberations on issues involving water quantity and quality which could affect water users of the Water District including naming Water District 01 as a petitioner in legal actions involving the ESA and the negotiation of federal claims and tribal claims filed in the SRBA.
- (6) To reimburse Advisory Committee members in accordance with the policy attached hereto as Exhibit B.
- (7) Items authorized in Resolution No. 13.

15. BE IT HEREBY RESOLVED that in accordance with the provisions of the March 2, 1993 Memorandum of Understanding with IDWR, the watermaster is hereby designated manager of the Rental Pool for the Committee of Nine.

16. WHEREAS, the watermaster from time to time finds that storage has been used in excess of entitlements; and,

WHEREAS, these "excess uses" require an allocation of Rental Pool storage and,

WHEREAS, the collection of payment for these excess storage uses can be time-consuming and can result in delays in making lease payments to the Rental Pool lessees,

NOW THEREFORE BE IT RESOLVED, that the watermaster is authorized to maintain \$100,000 of the funds generated through the administrative charge on water rentals for the purpose of paying lessees for excess uses prior to these amounts being collected.

BE IT FURTHER RESOLVED, that all monies collected for administrative rental charges, plus all appropriate interest and penalties shall be first used to replace monies spent from this account.

17. WHEREAS, the Water District's Credentials Committee has historically specified that "no person be elected to membership and service on the Committee of Nine and Credentials Committee unless he be a land owner and a water user...";

IT IS THEREFORE RESOLVED that water user and land owner shall be defined as follows:

1. One who owns an irrigated farm that is comprised of more than twenty (20) irrigated acres, that has valid surface water rights deliverable by the Water District 01 Watermaster.
  2. One who has received over 50 percent of his annual income during one or more of the past ten years from farming activities.
18. WHEREAS, it is in the interest of all water users to have the water rights within Water District 01 delivered according to the priority system; and,

WHEREAS, the accounting system now used by Water District 01 requires that each diversion have assigned to it a specific list of decreed, licensed, and storage entitlement; and,

WHEREAS, those diversions which have no record of water rights on file with the Department of Water Resources or the Water District office will, necessarily be taking storage water any time a diversion takes place.

NOW, THEREFORE, BE IT RESOLVED that no diversion shall be allowed to divert water unless the proper list of rights for that diversion are found in the watermaster's records or proper arrangements have been made to procure an adequate water supply prior to the start of the irrigation season.

19. BE IT RESOLVED that the annual Water District 01 meeting shall hereafter be held on the first Tuesday of March of each year unless the director and Committee of Nine should find in necessary to change the meeting date; and

BE IT FURTHER RESOLVED that the water users of Water District 01 waive mailed notice of the annual meeting and direct publication of the meeting notice for two (2) consecutive weeks in an appropriate number of newspapers located throughout the district.

20. WHEREAS, the water users located above Blackfoot, excluding Aberdeen Springfield Canal Company, (Upper Valley) have chosen to collectively retain legal counsel; and,

WHEREAS, it is their desire to have the watermaster assess the Upper Valley water users for these legal services in proportion to their water use;

NOW, THEREFORE, BE IT RESOLVED this seventh day of March 1995, that the watermaster hereby be authorized to assess canals located above Blackfoot (excluding Aberdeen Springfield Canal Company) for legal fees and other appropriate expenses associated with representing the collective interest of the Upper Valley.

BE IT FURTHER RESOLVED that such charges may not exceed the amount budgeted during the current year.

BE IT FURTHER RESOLVED that the District treasurer shall maintain said amounts in a separate account and that payment therefrom shall ONLY be made when authorized by the Upper Valley Committee of Nine Representatives.

21. BE IT RESOLVED that the amendment to 8.2 of Water District 01 Rental Pool Rules and Regulations be approved as hereafter set out and transmitted to the Idaho Water Resource Board for approval.

- 8.2. A. The rental price for 1995 shall be \$2.95 per acre foot, including the District administrative charge of \$0.75 per acre foot and the Water Board surcharge of \$0.20 per acre foot, for water diverted for uses above Milner Dam.
- B. The 1995 rental price for water delivered below Milner Dam shall be \$6.25 per acre foot, which includes the District administrative charge of \$0.75 per acre foot and the Board surcharge of \$0.50 per acre foot. An additional \$2.00 shall be deposited by lessee, which shall be retained by the District as insurance against the space not filling the following year. The balance of the insurance deposit, if any, shall be returned to the lessee should the space fill or partially fill the following year. No interest will accrue to the lessor or lessee on the insurance deposit held by the District prior to distribution, and since the \$2.00 deposit is not intended to be part of the rental fee no administrative charges will be made by the water district or the Board.
- C. Any storage space holder who puts water in the rental pool for lease and then subsequently removes all or part of the water from the rental pool shall be charged a \$0.75 per acre foot administrative charge by the District for the water withdrawn.

## RESOLUTION

**WHEREAS**, in 1994 an agreement was reached between the State of Idaho and the Bureau of Reclamation (BOR) that allowed the B.O. R. to exchange 45,000 acre-feet of natural flow, to be diverted for recharge through Northside Canal, for 45,000 acre-feet of storage to be released past Milner for flushing salmon smolts, and;

**WHEREAS**, only about one-half of the 45,000 acre-feet of water has been recharged, leaving a potential charge of \$5.50 per acre foot for the unexchanged storage released past Milner last year, and;

**WHEREAS**, the Committee of Nine agreed to split with the B.O.R. the obligation resulting from any water released past Milner under this agreement that was not offset by a like amount of recharge, and;

**WHEREAS**, the remaining recharge obligation exists until all of the Upper Snake reservoirs are again filled or the remaining amount of water has been recharged;

**NOW THEREFORE BE IT RESOLVED** by the waterusers of Water District 1 meeting in regular annual session this 7th day of March, that the watermaster be directed to take a proportional amount of water from the accrual in all of the reservoirs to make up, in the 1995 fill of the 45,000 acre-feet of Palisades space held by the city of Pocatello, to cover any remaining obligation the district may have for the unexchanged portion of the water released past Milner in 1994.

**BE IT FURTHER RESOLVED** the district will use its best efforts to assist and encourage Northside Canal Company to divert and recharge any water needed to fulfill the recharge requirements of the agreement in the spring of 1995.

BOOKMAN-EDMONSTON REPORT

WHEREAS, the Bonneville Power Administration contracted for and received a water management opportunities report for the Snake River Basin as prepared by Bookman-Edmonston Engineering, Inc. in July of 1994; and

WHEREAS, said report identifies alternatives to make water available for the benefit of Columbia River endangered salmon which are in some instances based upon false assumptions; and

WHEREAS, it may be necessary for Snake River Basin water users in Idaho to confront the conclusions of said study in their effort to resist flush and drawdown proposals included in the 1995 Biological Opinion and Recovery Plan for endangered salmon;

NOW, THEREFORE, BE IT RESOLVED by the water users of Water District 01, meeting in annual session this 7th day of March, 1995, that the Legislature of the State of Idaho be encouraged to appropriate adequate funds for the preparation of a comparable report which refutes some of the Bookman-Edmonston conclusions which will be used as assumptions in an attempt by governmental agencies to secure water supplies from the Upper Snake Basin for drawdown and/or flush in the Lower Snake and Columbia.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, members of the Idaho Congressional Delegation, the Pacific Northwest Power Planning Council, and the Resource and Appropriations Committees of the Idaho Legislature.

ENDANGERED SPECIES ACT

WHEREAS, the water users of Water District 01, through the Committee of Nine, are members of an Endangered Species Act Coalition involving all Idaho irrigation water users; and

WHEREAS, said Coalition has been monitoring the germane court proceedings and the redraft of the Biological Opinions concerning endangered salmon in the Snake and Columbia River Basins; and

WHEREAS, it appears that the Biological Opinion issued March 1, 1995, in response to Federal Judge Marsh's orders, is deficient in substantial respects and would mandate the use of Idaho waters to flush smolts downstream; and

WHEREAS, said Opinion insinuates that the United States Bureau of Reclamation acquire 427,000 acre feet for such purpose in 1995 and increase the amount by some 500,000 acre feet by 1998; and

WHEREAS, the drawdown proposals included in said Biological Opinion would also require Idaho water for refill; and

WHEREAS, no scientific data obtained to date mandates the use of Idaho water for flush or drawdown as an integral requirement for the recovery of the endangered salmon;

NOW, THEREFORE, BE IT RESOLVED by the users of Water District 01 meeting in regular annual session this 7th day of March, 1995, that the Committee of Nine be directed to file a 60 day notice of intent to sue the germane Federal agencies in regard to said Biological Opinion.

BE IT FURTHER RESOLVED that the representatives of the Committee of Nine who participate in the Idaho Coalition on the Endangered Species Act encourage the filing of a similar notice by the Idaho Coalition.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, members of the Idaho Congressional Delegation, the Pacific Northwest Power Planning Council, and the Resource and Appropriations Committees of the Idaho Legislature.

POWERHEAD WATER

WHEREAS, the United States Bureau of Reclamation removed "powerhead" water from Palisades and Minidoka Reservoirs in 1994 in an attempt to flush salmon smolts as required by the National Marine Fisheries Service Biological Opinion; and

WHEREAS, no state water right exists for the use of said powerhead water for such purposes; and

WHEREAS, unless the emptied reservoir space refills prior to the 1995 irrigation season, the water users owning the space in said reservoirs could be damaged; and

WHEREAS, the water users required to pay for power loss at Minidoka Dam might also be injured by reason of said procedures;

NOW, THEREFORE, BE IT RESOLVED by the users of the Water District 01, meeting in regular annual session this 7th day of March, 1995, that the Bureau of Reclamation be required to henceforth proceed in accordance with state law prior to the release of any powerhead water for any purpose.

BE IT FURTHER RESOLVED that the water users of Water District 01 who are required to pay power loss at Minidoka Dam be indemnified and held harmless by the United States Bureau of Reclamation by reason of any use of powerhead or other water at the Minidoka Project for such downstream purposes.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, members of the Idaho Congressional Delegation, the Pacific Northwest Power Planning Council, and the Resource and Appropriations Committees of the Idaho Legislature.

LEASE FOR RECHARGE

WHEREAS, Water District 01 cooperated with the United States Bureau of Reclamation in regard to the lease of water from the City of Pocatello by the United States Bureau of Reclamation for downstream fishery purposes in 1994; and

WHEREAS, the Committee of Nine has agreed to pay \$2.75 per acre foot for any of the 45,000 acre feet that are not diverted to recharge purposes prior to April 15, 1995, as a part of this joint venture;

NOW, THEREFORE, BE IT RESOLVED by the Water District users meeting in regular annual session this 7th day of March, 1995, that the Committee of Nine be authorized to pay \$2.75 per acre foot for those acre feet not diverted to recharge or not refilled to the City of Pocatello in keeping with the Committee of Nine's agreement with the United States Bureau of Reclamation.

*filed 4/13*  
*id 4 to 3*

CONJUNCTIVE M

WHEREAS, recent priority calls by private groundwater users have resulted in promulgation and adoption of Conjunctive Management Rules by the Director of the Department of Water Resources which would provide the framework for future administration; and

WHEREAS, Twin Falls and North Side Canal Companies have filed suit to have said rules declared unconstitutional as violative of the Priority Doctrine; and

WHEREAS, said Plaintiffs have submitted proposed changes to said rules in an effort to initiate negotiations which would avoid the continuing litigation; and

WHEREAS, the surface water users in Water District 01 have an ongoing interest in the management of Idaho's groundwater resources so that the Priority Doctrine is preserved and that junior appropriations are curtailed to the extent necessary to preserve adequate water supplies for the users of said District; and

WHEREAS, it is in the interest of the surface water users of Water District 01 that legislation be adopted to facilitate the addition of groundwater diverters to surface water districts or the establishment of separate groundwater administrative districts that can unite groundwater users in providing mitigation in the event of impact to prior water users; and

NOW, THEREFORE, BE IT RESOLVED by the users of Water District 01, meeting in regular annual session this 7th day of March, 1995, in Idaho Falls, Idaho, that the Legislature of the State of Idaho be encouraged to adopt amendments to the proposed Conjunctive Management Rules so that the Priority Doctrine shall be preserved.

BE IT FURTHER RESOLVED that the Legislature be encouraged to facilitate the addition of groundwater users to existing water user districts or formation of separate water administration districts by enabling legislation.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, the Chairman of the House and Senate Resources Committees of the Idaho State Legislature, the Idaho Water Users Association, officials of the Idaho Department of Water Resources, the officers of organized groundwater organizations, and the directors of the Twin Falls and North Side Canal Companies.

*adopted*

ITCH STUDIES

WHEREAS, existing diversion moratoriums need to be continued until such time as ongoing studies are completed and the determination is made that additional water is available for appropriation, before the same is appropriated; and

WHEREAS, the State Legislature is a vital partner in funding said studies;

NOW, THEREFORE, BE IT RESOLVED by the users of Water District 01, meeting in regular annual session this 7th day of March, 1995, in Idaho Falls, Idaho, that Water District 01 support continued funding.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, the Chairman of the House and Senate Resources Committees of the Idaho State Legislature, the Idaho Water Users Association, officials of the Idaho Department of Water Resources, the officers of organized groundwater organizations, and the directors of the Twin Falls and North Side Canal Companies.

*Accepted*

WATER CONSERVATION CRITERIA

WHEREAS, the United States Bureau of Reclamation is in the process of promulgating water conservation criteria in accordance with the mandate of the Reclamation Reform Act of 1982; and

WHEREAS, preliminary drafts of said criteria indicate that water user organizations will be required to finance any environmental costs associated with the development of said conservation criteria; and

WHEREAS, said environmental requirements are result of Federal law and require compliance by Federal agencies;

NOW, THEREFORE, BE IT RESOLVED by the users of Water District 01, meeting in regular annual session this 7th day of March, 1995, in Idaho Falls, Idaho, that the United States Bureau of Reclamation be encouraged to redraft their conservation criteria to delete all requirements that water user organizations finance compliance with Federal environmental laws which have heretofore been the requirement of only Federal agencies.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, members of the Idaho Congressional Delegation, the Pacific Northwest Power Planning Council, and the Resource and Appropriations Committees of the Idaho Legislature.

*adopted*

NEZ PERCE AND FEDERAL SNAKE RIVER BASIN ADJUDICATION CLAIMS

WHEREAS, the users of Water District 01 have been represented by the Committee of Nine to work with certain Boise Valley water organizations in an attempt to settle the substantial claims filed by the Nez Perce Indian Tribes and United States Agencies in the Snake River Basin Adjudication for substantial and sometimes exorbitant amounts of water in the Lower Snake River; and

WHEREAS, it is necessary that the representatives of Water District 01 and other irrigation entities proceed to develop studies and data to substantiate objections to said claims on behalf of said users; and

WHEREAS, the State of Idaho is also involved in said negotiations on behalf of its citizens;

NOW, THEREFORE, ~~BE IT RESOLVED~~ that the State Attorney General and the Committee of Nine <sup>to represent the water users of ID</sup> be encouraged to continue to participate in the negotiations for settlement of the Nez Perce and Federal claims on the Lower Snake River in Idaho;

AND BE IT FURTHER RESOLVED that the Committee of Nine be authorized to take such actions as are necessary to prepare for filing objections to said claims in the Snake River Basin Adjudication or the eventual litigation thereof if said negotiation should fail.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, the Idaho State Attorney General, the Idaho Water Resource Board, the Boise Board of Control, the Idaho Water Users Association, and the Pacific Northwest Power Planning Council.

*drafted*

SHELLEY FEDERAL ENERGY REGULATORY COMMISSION PROJECT

WHEREAS, the City of Idaho Falls has filed an Application with the Federal Energy Regulatory Commission to license the Shelley Power Project near Shelley, Idaho; and

WHEREAS, Water District 01 has intervened in said proceeding through the Committee of Nine to resist the project proposal that would inundate the District's natural weir in Snake River near Shelley, Idaho; and

WHEREAS, to date the City of Idaho Falls has not seen fit to negotiate a replacement for said weir with Water District 01;

NOW, THEREFORE, BE IT RESOLVED by the users of Water District 01, meeting in regular annual session this 7th day of March, 1995, in Idaho Falls, Idaho, that the District continue to oppose the construction of the Shelley Project until a substitute or replacement weir has been proposed and approved by Water District 01.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, members of the Idaho Congressional Delegation, the Pacific Northwest Power Planning Council, and the Resource and Appropriations Committees of the Idaho Legislature. ~~City of Idaho Falls & TREC~~

*Tabled*

SNAKE RIVER BASIN ADJUDICATION

WHEREAS, much has been said about the Snake River Basin Adjudication proceeding in the State District Court in Twin Falls, Idaho; and

WHEREAS, a major stumbling block to the success of said proceeding has been a determination that the expansion and accomplished transfer statutes adopted in 1986 were unconstitutional; and

WHEREAS, the 1994 version of said statutes are now being litigated as Basin-Wide Issue #4 in the Snake River Basin Adjudication; and

WHEREAS, the possibility exists that a determination will be made by the Court prior to the adjournment of the present legislative session;

NOW, THEREFORE, BE IT RESOLVED by the users of Water District 01, meeting in regular annual session this 7th day of March, 1995, in Idaho Falls, Idaho, that the 1995 Legislature be directed to find a solution to validate expansions and accomplished transfers if the Court determines the 1994 statutes unconstitutional in its review of Basin-Wide Issue #4.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, members of the Idaho Congressional Delegation, the Pacific Northwest Power Planning Council, and the Resource and Appropriations Committees of the Idaho Legislature.

*adopted*

WATER MEASUREMENT

WHEREAS, the 1994 Legislature adopted a water measurement law in Chapter 7 of Title 42; and

WHEREAS, Idaho Department of Water Resources has developed a test basin for implementation of the measurement law; and

WHEREAS, Idaho Department of Water Resources proposes the adoption of a water measurement district that would encompass those areas where neither a surface water district nor a groundwater administration district would have jurisdiction; and

*omitted*

WHEREAS, all water measurement data is needed to assess present uses and diversions as against present and average annual supplies;

NOW, THEREFORE, BE IT RESOLVED by the users of Water District 01, meeting in regular annual session this 7th day of March, 1995, in Idaho Falls, Idaho, that the Water District 01 encourage the full implementation of the water measurement law in the State of Idaho to obtain the data necessary to complete studies as to Idaho's dependable supplies of water.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, members of the Idaho Congressional Delegation, the Pacific Northwest Power Planning Council, and the Resource and Appropriations Committees of the Idaho Legislature.

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**RESOLUTION**  
INTERIM BUDGET

WHEREAS, Water District 1 changed its fiscal year to begin November 1 and end October 31 of each year, and

WHEREAS, the annual meeting of Water District 1 at which the annual budget is adopted is the first Tuesday in March leaving the water district to operate for four months without a budget.

NOW THEREFORE, BE IT RESOLVED by Water District 1 meeting in regular annual session, that the Committee of Nine be authorized to adopt a continuing budget for the district to operate under between November and the annual meeting.

BE IT FURTHER RESOLVED, that the continuing budget approved by the Committee of Nine shall reasonably represent the budget resolution the Committee of Nine will propose to the water users at the next annual meeting.

**RESOLUTION  
WATER DISTRICT 1 POLICY POSITION**

WHEREAS, there are currently many issues that potentially can change water distribution patterns and water supplies in Idaho and,

WHEREAS, water users are now being asked to fund experts and attorneys in preparation for negotiations and/or litigation and;

WHEREAS, the water users of Water District No. 1 and their representatives, the Committee of Nine, wish to have a clear representation of the position of Snake River irrigators, and establish the following as the guiding principles in any and all negotiations and litigation:

1. Administration of water rights in SRBA must recognize traditional distribution and water management.

2. The zero flow at Milner standard, as established in the State Water Plan be recognized as the State's position, and that there can be no call for deliveries below Milner by downstream interests.

3. Releases past Milner must be consistent with State law and limited to annual arrangements approved by the Committee of Nine.

4. Any changes in upstream water rights that would allow water to be moved below Milner through provisions of State or Federal law will be vigorously opposed by Snake River water users and the Committee of Nine.

NOW THEREFORE, BE IT RESOLVED by the water users of Water District No. 1, that the Committee of Nine is authorized to allocate sufficient funds to protect and defend these principles in negotiations with the federal government and Indian tribes and in challenging and defending claims in the Snake River Basin Adjudication or other necessary litigation.

*Tablet*

## RESOLUTION

### SNAKE RIVER BASIN ADJUDICATION

WHEREAS, the Snake River Basin Adjudication is seeking to determine all water rights, both State and Federal, that exist in the Snake River Basin in Idaho; and

WHEREAS, it is likely that appeals of recent court decisions might leave certain state law issues unsettled for some time in the future; and

WHEREAS, the Federal Government and Indian tribes have made claims that, if even partially recognized would disrupt agriculture in southern Idaho; and

WHEREAS, the disputed issues on appeal do not affect the determination of federal claims.

NOW THEREFORE, BE IT RESOLVED by the water users of Water District 1, meeting in regular annual session this 7th day of March, 1995, in Idaho Falls, Idaho, that the adjudication court be encouraged to delay further action on state law claims and concentrate on the determination of all of the issues and claims arising as a result of various theories being advanced under federal law.

~~tabbed~~  
rejet

## ADMINISTRATION

WHEREAS, Idaho is a priority doctrine state where historically water has been developed and used in the various areas of the state, and

WHEREAS, the state has established administrative units in the form of water districts to distribute available water supplies, and

WHEREAS, water within these administrative units has been distributed without respect to rights that might have been established by down stream users, and

WHEREAS, upstream water users have not challenged or objected to the development of downstream water rights under the representation that their rights would not be subject to calls by water rights that exist outside of the state established administrative boundaries.

NOW, THEREFORE, BE IT RESOLVED by the water users of Water District 1 meeting in regular annual session this 7th day of March, 1995 that the Committee of Nine be authorized to expend the resources necessary to establish in the SRBA that past administration represents a vital element of a water right and must be preserved in the adjudication of rights in the SRBA.

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Amended list of  
Council co easement

## MEMORANDUM OF UNDERSTANDING

This memorandum of understanding is entered into by and between the Director of the Department of Water Resources, (hereinafter called the Director) and the water users of Water District No. 1, Upper Snake River, (hereinafter called Water District No. 1) acting through the Water District advisory committee known as the Committee of Nine.

WHEREAS, the statutes of the State of Idaho provide for the Director to have direction and control of the distribution of the waters of the state to those holding valid rights to the use thereto; and

WHEREAS, the Water District No. 1 authorized the Committee of Nine, as advisors to, and elected representatives of the water district, by resolution duly adopted at the March 2, 1993, annual meeting of the water users of the district to enter this memorandum of understanding continuing a cooperative program with the Director to provide watermaster services for Water District No. 1 and

WHEREAS, the Committee of Nine will, among other things, serve as advisors to the Director and the watermaster in matters relating to the distribution of the natural flow and stored water within the district:

NOW, THEREFORE, the Director agrees to provide the following services to Water District No. 1, effective upon the execution of this memorandum of understanding and to continue to provide the services from year-to-year as herein provided upon election of the regional manager of the Department as watermaster and the adoption of a budget by the water users at the annual water district meeting authorizing expenditures in accordance with the purposes of this memorandum of understanding:

- 1) To provide watermaster services to Water District No. 1 for the period from the effective date of this memorandum until the end of any subsequent water district year as agreed to by the water users of Water District No. 1 at their annual meeting and the director of the Department. Such watermaster services will be provided under the direction of the regional manager of the Department's Eastern Region consistent with the provisions of Title 42, Idaho Code.

- 2) To provide the equivalent of 2/3 of a person year of the Regional manager as watermaster throughout the Water District year and to provide any additional part time

or full time employees as necessary for the water distribution operations of Water District No. 1 in accordance with its adopted budget.

3) To provide office space as necessary for operation of Water District No. 1 and to provide Department vehicles for use by full-time employees of the Department, to conduct Water District business, and to share the use of other Department equipment and facilities as are necessary to equitably distribute the waters to the users within Water District No. 1.

WATER DISTRICT NO. 1 agrees as follows:

1) To pay the Department, on an advance basis, sufficient funds to cover the costs of operations incurred in providing watermaster services to Water District No. 1 provided, however, that reimbursement for the watermaster shall not exceed 2/3 of the personnel costs of the regional manager and provided further that all other costs incurred in conducting Water District No. 1 business will be paid in full. Indirect costs will be paid at the rate approved by the Department of the Interior Inspector General and current at the time of the water district annual meeting. The approved indirect rate shall be reduced in recognition of the Department's statutory responsibility to supervise water distribution by subtracting in the indirect calculation any personnel costs included for the Director and the Administrator of the Water Management Division.

Mileage and per diem costs will be based upon the rate provided by state law for state employees.

The Department will credit the District for a portion of the District's expenditures to the U.S. Geological Survey for the cooperative streamgaging program. The amount credited each year will be one-half (1/2) the amount the district pays for that year to the U.S. Geological Survey for operation of certain streamgages the Director determines are needed for data collection purposes needed by the Department other than and in addition to the District's water distribution data needs.

THE PARTIES mutually agree that:

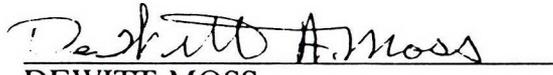
1) The regional manager and any other persons directly employed by the Department as classified state employees, performing duties on behalf of Water District No. 1 under this memorandum will only perform duties necessary to:

- a) Deliver and account for distribution of natural flow and stored water within the District,
- b) Provide assistance to the Committee of Nine in operating the local rental pool. This assistance will include accepting applications to put water into the pool and to rent water from the pool, receipting and depositing funds associated with the bank, providing information on the water in the bank and rentals therefrom. The Committee of Nine, or its designated subcommittee will determine the water leases and rentals and approve all disbursements of rental pool money.
- c) Prepare reports and proposed budgets as required by Title 42, Idaho Code.
- d) Provide technical assistance and information to the Committee of Nine and the Department relative to the water distribution and water banking duties of the watermaster.

The Committee of Nine will make other arrangements for representation and management of any other interests of the water users within the Water District as directed at the annual meeting.

- 2) The director of the Department and the chairman of the Committee of Nine shall consult annually prior to the end of the water district's fiscal year concerning the continuation of this memorandum and any need for modification of it.
- 3) This memorandum of understanding will continue from year to year and can be amended or terminated at any time by agreement of the director of the Department and Water District No. 1, on the recommendation of the Committee of Nine.
- 4) This memorandum of understanding supersedes and replaces the memorandum of understanding dated March 3-4, 1979.
- 5) Nothing in this agreement will act to change, modify, or release either party of any obligation or responsibility otherwise provided by contract or by law.

  
 R. KEITH HIGGINSON  
 Director  
 Department of Water Resources

  
 DEWITT MOSS  
 Chairman  
 Committee of Nine/Water District No. 1

Date: 3/04/93

Date: 3/10/93

March 1, 1995

PROPOSED

COMMITTEE OF NINE

MEETING REIMBURSEMENT RULES

1. All Committee of Nine expenses must be approved by Chairman.
2. All requests for reimbursement must be on an approved form with copies of receipts attached.
3. Reimbursement is intended only for official Committee of Nine and Sub-committee meetings called by Chairman or Vice-Chairman, or other meetings approved in advance by Committee of Nine.
4. Reimbursement shall include per diem (\$50/day), mileage (0.28¢/mi.), meals, travel, and room (if necessary).

Because of extra duties outside scheduled meetings the Chairman shall receive an additional \$25/day for each meeting.

5. Reimbursement is intended for Committee of Nine members and appointed officers who contribute their time. If the Committee of Nine approves per diem and reimbursement for a member who is being paid for his time from a different source, reimbursement shall be made to the employer.
6. Advisors and/or Alternates to regular Committee of Nine meetings shall not be authorized per diem and reimbursement for regular Committee of Nine meetings but shall be reimbursed if they serve on a special Committee of Nine Subcommittee, or attend other meetings approved by the Committee of Nine.

COMMITTEE OF NINE

MEETING REIMBURSEMENT

DATE AND PLACE OF MEETING: \_\_\_\_\_

PURPOSE OF MEETING: \_\_\_\_\_

OFFICIAL POSITION: \_\_\_\_\_

PER DIEM ..# OF MTGS \_\_\_\_\_ X \$50.00 .....\$ \_\_\_\_\_

PERSONAL CAR USAGE \_\_\_\_\_ MILES .....\$ \_\_\_\_\_  
(at 28 cents per mile)

MEALS .....\$ \_\_\_\_\_

LODGING .....\$ \_\_\_\_\_

AIR FARE .....\$ \_\_\_\_\_

OTHER TRAVEL FARE .....\$ \_\_\_\_\_

MISCELLANEOUS .....\$ \_\_\_\_\_  
(parking, tips, cab, etc.)

TOTAL .....\$ \_\_\_\_\_  
(Attach all available receipts)

\_\_\_\_\_  
Committee Member (Signature)

APPROVED:

\_\_\_\_\_  
Chairman, Committee of Nine

AMOUNT REIMBURSED .....\$ \_\_\_\_\_

Date \_\_\_\_\_ Bookkeeper's Initials \_\_\_\_\_ Check # \_\_\_\_\_

Draft July 9, 1992

Approved October 29, 1992

PROPOSED

COMMITTEE OF NINE

MEETING REIMBURSEMENT RULES

1. All Committee of Nine expenses must be approved by Chairman.
2. All requests for reimbursement must be on an approved form with copies of receipts attached.
3. Reimbursement is intended only for official Committee of Nine and Sub-committee meetings called by Chairman or Vice-Chairman, or other meetings approved in advance by Committee of Nine.
4. Reimbursement shall include per diem (\$30/day), mileage (0.28¢/mi.), meals, travel, and room (if necessary).
5. Reimbursement is intended for Committee of Nine members who are not on Government payroll or employed by an irrigation district or canal company. If the Committee of Nine approves per diem and reimbursement for a Government, irrigation district or canal company employee, reimbursement shall be made to the employer.
6. Advisors (except lawyers) and/or Alternates to regular Committee of Nine meetings shall not be authorized per diem and reimbursement for regular Committee of Nine meetings but shall be reimbursed if they serve on a special Committee of Nine Subcommittee, or attend other meetings approved by the Committee of Nine.

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COMMITTEE OF NINE  
MEETING REIMBURSEMENT

DATE AND PLACE OF MEETING: \_\_\_\_\_

PURPOSE OF MEETING: \_\_\_\_\_

OFFICIAL POSITION: \_\_\_\_\_

PER DIEM ..... \$ 30.00

PERSONAL CAR USAGE \_\_\_\_\_ MILES ..... \$ \_\_\_\_\_  
(at 28 cents per mile)

MEALS ..... \$ \_\_\_\_\_

LODGING ..... \$ \_\_\_\_\_

AIR FARE ..... \$ \_\_\_\_\_

OTHER TRAVEL FARE ..... \$ \_\_\_\_\_

MISCELLANEOUS ..... \$ \_\_\_\_\_  
(Parking, tips, cab, etc.)

TOTAL ..... \$ \_\_\_\_\_  
(Attach all available receipts)

\_\_\_\_\_  
Committee Member (Signature)

APPROVED:

\_\_\_\_\_  
Chairman, Committee of Nine

AMOUNT REIMBURSED ..... \$ \_\_\_\_\_

Date \_\_\_\_\_ Bookkeeper's Initials \_\_\_\_\_ Check # \_\_\_\_\_

## WATER DISTRICT 01 ANNUAL MEETING

Tuesday, March 1, 1994 - 9:10 AM  
Elks Lodge  
Idaho Falls, Idaho

The meeting was called to order at 9:10 AM by Chairman DeWitt Moss. He introduced guests John Keys and Jerry Gregg from the Bureau; Norm Young, and Dave Rydalch, Chairman of the Idaho Water Resource Board; Ron Carlson, Watermaster District 01; Sheryl Chapman, Executive Director Idaho Water Users Assoc.; Tom Geary, President of Idaho Farm Bureau; Mike Sanchotena and Charles Ray representing Idaho Rivers United; Mike Field from Senator Larry Craigs' office; Stan Clark from Senator Dirk Kempthorns' office; and John Haney from Congressman Mike Crapo's office.

Charles Ray from Idaho Rivers United was the first speaker. Mr. Ray stated that the Salmon runs will be restored to Idaho, the decision is how to get the job done. The flow of water is the problem as to the juvenile salmon. This can be corrected two ways, either more water for flow augmentation or correcting the bottleneck on the rivers. He stated that Dan Beard has authorized the Bureau to seize contracted water to augment flows with the intention of assisting smolts down the river. He further stated that 4,000,000 acre feet of Upper Snake River water will increase the flow going through full reservoirs by 1/4 of one mile per hour. Rivers United feels the most effective way to assist these young smolts is to modify the lower Snake and Columbia dams and the draw down of these reservoirs. These changes could cost 610 million dollars and take up to eight years to complete these modifications.

Mitch Sanchotena also of Idaho Rivers talked about the Idaho Steel Head. He stated the flow amount recommended by Tribes and other Agencies would be 140,000 CFS. This flow would require 16,000,000 acre feet of middle and upper Snake River water. He commended Congressman Mike Crapo for his efforts as of late. In 1992 a draw down was instituted and found tremendously successful in these people's opinion. Both Mr. Sanchotena and Mr. Ray requested the water users help in working together to restore these fish runs.

Tom Geary, President of the Idaho Farm Bureau talked about the de-listing of snails from the EPA list. He stated that last year about \$140,000 was spent towards this effort. Mr. Geary said he has heard of interests wanting at least 20% of stored water to leave Idaho this year. There is an on going law suit filed against Secretary of Interior Babbitt pertaining to 5 snails in the middle Snake River area. The basis of this lawsuit states that there is not sufficient scientific evidence to determine that these snails are endangered. Less than 200 miles of the 1000 miles of the Snake River has been examined for population and habitat of these snails and only 1% has been extensively examined.

Chairman DeWitt Moss gave a report on the Committee of Nine activities. His opening comment was "If you leave this meeting feeling good about your water rights, you missed the point of this meeting." He stated that the Committee is financially secure and has done an excellent job operating in regards to the many complex issues facing them. The renewal of the Memorandum of Understanding with the IDWR has been signed and is working well. A \$3.00 surcharge is being proposed for water rented below Milner to provide incentives for entities to supply water to the water bank. The district is being asked to increase the legal fund from \$100,000 to \$200,000 in preparation for upcoming litigations. DeWitt stated that conservation efforts of 10-15% seems to be the amount encouraged and the water saved, most probably will be returned to the river flows.

Concerning the requested water for salmon, DeWitt stated that in 1991 the bureau requested 427,000 acre feet of water and that this request would continue at this amount in 1994. Other interests have projected this request to total approximately 2,000,000 acre feet by 1996. There seems to be many plans in opposition to each other. The plan that the Bureau seems to be following is the one that calls for more and more water each year from the upper Snake River. Many entities, including Water District 01, state that will do nothing to solve the existing problem and will only decrease the amount of water stored for the purpose for which it was designated. The Bureau has its own professional people but does not seem to be using them. They are only listening to other agencies personnel.

DeWitt indicated that predator control in the CR and SR system seems to be heading nowhere, is going unabated and there is no active dialogue on solutions. Juvenile and adult salmon losses due to the CR and SR systems are projected between 60-97% due to the dams, unscreened diversions, takings and predators. Lack of Idaho water is not causing these losses. Harvesting (legal, illegal and tribal) predator, and dam-reservoir mortality of adults result in another 70% mortality. The combination of all these losses result in significantly less than 1% of the salmon completing the return trip and reproducing. DeWitt stated that an underlying issue of our water is - who will control it and for what purposes. He stressed the need for unification on these water issues, no reasonable or practical solution is in sight and we may need to resort to litigation to protect our water.

John Keys addressed the meeting with comments on several issues. He questioned if agriculture was doing all they could toward conservation. He talked about "Beneficial Use" of Idaho water and asked if Idaho water users were doing all they could to show they are using water to maximum beneficial use. Water spreading was another issue discussed. His definition of water spreading was watering more acres than authorized or watering lands outside the districts designated boundaries. Keys talked about the 1994 Biological Opinion stating that 527,000 acre feet of water will be taken from the Upper Snake this year and by 1998 that

amount will increase to 1,927,000 acre feet. This water will come from three sources, existing non contracted space, purchased water rights or space that will return to Bureau control, and water bank rentals. Dale Rockwood asked Keys about the recharge plan and noted that by lining the upper valley canals it will definitely affect the lower valley aquifer. Tom Geary made the comment about building more dams. He noted that in 1991 the NWPPC directed the Bureau to look at favorable sites for more storage, 12 sites have been recommended. Leonard Beck commented on water spreading stating that conservation will allow water back to the river may be interpreted as a means to legally expand acres being watered.

Norm Young representing IDWR spoke on Conjunctive Management. The State water plan set in 1986 moved Idaho towards interrelation of surface and ground water management and the defining of senior and junior water rights. Those with 1892 water rights of springs have asked that ground water pumping be shut down. Judge Hurlbutt determined there needed to be rules and regulations in effect to manage these types of disagreements. This decision was appealed, but in the meantime the IDWR is moving ahead to develop plans to make conjunctive management decisions. Public meetings are set for March 16 in Twin Falls and Rexburg at 10:00 AM and March 17 in the Boise Statehouse at 2:00 PM. The Supreme court ruled on February 28, 1994 that Judge Hurlbutt acted correctly in his ruling on the Musser Suit. The year 1951 seems to be a determining point for aquifer levels as what will be considered a detrimental level, prior to 1951 there is no basis and after 1951 will be looked at. Young noted that the funds for Adjudication will run out in June 1995 and he encouraged the group to contact legislative members to allocate monies to continue this process. The IDWR is to deliver to the court by March 31, 1994 information pertaining to Government requested in stream flows requirements.

Sheryl Chapman talked about the efforts being made by the United Idaho Caucus. He stated that by 1999 an effort is under way to take 3,427,000 acre feet of water out of Idaho. No other state is being asked to participate in these water requests. Many interests including Idaho Potato Growers and Idaho Beef Growers are ongoing with their intent to sue in reference to the 1994 NMPS Biological Opinion. The IWUA is cooperating with the Farm Bureau to provide information to protect irrigator users interests on the 60 day recovery plan concerning the snail issue. The Nez Perce Tribes negotiations are ongoing. Irrigators may be provided with a representative at the bargaining table. Results from the tribe negotiations will have a tremendous impact on water users and we need to do all we can to present our views and interests. Between the tribes and environmentalists the plan is to curtail all water spreading and reallocate this water back to the rivers. Chapman gave an update on the 22 water issue bills currently before the State Legislature and projected perhaps another 10 to 12 bills would be introduced in the upcoming 2-3 weeks.

Mike Beus gave a report on the water supply outlook. He talked about last years reservoir storage levels and the operation

of those reservoirs. The system is 87% full at this time. American Falls is expected to fill March 21 and Palisades is expected to fill by April 10.

Following the lunch break, Mike Field, representing Senator Larry Craig stated that the Senator is in support of a draw down of lower reservoirs as was conducted in 1992. The Senators position is also in support of the Bureau plan.

Ron Carlson gave the Watermaster report. He commented that in almost every condition excess is not good for us. The only thing we can change in water is the timing of the release of water. He reminded us of the Bills that are up for re-authorization and how they will impact us as irrigators. Ron commented that even state sovereignty is not without factions trying to tear it apart in regards to water issues.

#### Water District 01 Business Meeting:

The Business Meeting was called to order with Dale Rockwood moving to nominate DeWitt Moss as acting Chairman and Leonard Beck as acting Secretary, Louis Thieal seconded.

John Rosholt moved nominations cease, Dale Rockwood seconded. Motion passed unanimously.

For the sake of time a Roll Call was dispensed with.

Dan Stapleman moved to accept last year's Minutes and to dispense the reading of them. Bill Jensen seconded. Motion passed.

A brief recess was called at 1:30 PM for the purpose of electing members to serve on the Committee of Nine. Members elected will be Leonard Beck, Don Kramer, Paul Berggren, Claude Storer, Dale Rockwood, Jim Siddoway, Stan Clark, DeWitt Moss and Claude Lilya. Alternates will be Van Greenwell and Dell Raybould. Advisory will be Terrel Sorenson, Larry Moore, Myrl Kunz, and Dick Oneida. The business meeting reconvened at 1:45 PM.

Dan Stapleman moved to accept the Resolutions as written without reading them. Jim Siddoway seconded. Motion passed.

Claude Storer gave the Financial Report stating that the District was almost \$80,000 under budget this past year. Brad Cannon from Rudd & Company, Certified Public Accountants presented the annual auditor's report for the year ending October 31, 1993. Stan Clark made the motion to accept the treasurer and audit reports. Jim Siddoway seconded. Motion passed.

Credential Chairman Hale stated to Chairman Moss that the candidates for the Committee of Nine were approved.

Claude Storer conducted the Resolution acceptance. DeWitt Moss moved to accept the new Resolutions as written. Claude Lilya seconded. Motion passed.

Dale Rockwood gave a report from the Rental Pool Committee. He stated that as of February 28, 1994 the space committed to the water pool was 522.5 acre feet and \$51,144.90 has been paid to the rental fund for 17,341.28 acre feet.

Claude Storer presented DeWitt Moss with a plaque and a statement of appreciation for his service.

Meeting adjourned 2:22 PM.

Committee of Nine Organization Meeting:

Chairman Moss reconvened the meeting at 2:35 PM. He requested nominations for Chairman. Paul Berggren nominated Claude Storer and Don Kramer seconded. Stan Clark moved for nominations to cease and Jim Siddoway seconded. Claude was elected by acclamation.

Dale Rockwood moved to nominate Don Kramer as Vice-Chairman and Jim Siddoway seconded. Don was elected by acclamation.

Claude Storer as newly elected Chairman then conducted the remaining meeting. Claude gave handouts pertaining to modifying lower Granite Dam and on conservation measures for juvenile salmon.

Congressman Crapo will be hosting a luncheon meeting at the Shilo Inn, Idaho Falls at 11:30 AM. This meeting will be followed by and Idaho Rivers United meeting at 1:00 PM.

Mike Field, on behalf of the Port of Lewiston invited the Committee of Nine to attend a Buffet Dinner on April 4 and a tour of the Lower Granite Dam on April 5, 1994.

Chairman Storer has called a meeting to be held on April 4, 1994 in Lewiston prior to the Buffet which will be provided by the Port of Lewiston.

DeWitt Moss stated that John Keys was going to approach the Committee of Nine with a request for 200,000 acre feet of permanent water to be supplied by Water District 1 with administrative costs and last to fill waived on their supplied water.

Meeting adjourned at 3:05 PM.

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Leonard Beck, Secretary

COMMITTEE OF NINE MEETING

Monday, February 28, 1994 - 3:00 PM  
Elks Lodge  
Idaho Falls, Idaho

DeWitt Moss called the meeting to order at 3:06 PM. Chairman Moss noted that Stan Clark was attending as an alternate for Dell Raybould and Don Kramer was attending as an alternate for Wayne Lincoln. The minutes to the February 15, 1994 meeting were read. Dan Stapleman raised the question as to the fund containing monies for expenditures for the Committee of Nine, page 4 paragraph 2. He noted the fund would be the Administrative Fees attached to water rental monies. Ron Carlson presented the Water Rental Price Resolution (#8.2) with the rewording changes requested by John Keys. Dale Rockwood moved to accept the changes and Dan Stapleman seconded. Motion passed.

Roger Ling questioned the wording as presented. DeWitt asked Roger to define the language pertaining to the pricing and the 10% surcharge. John Rosholt and Ron Carlson were also asked to help draft the appropriate language in accordance with District 01 and Water Resource Board By-Laws. Roger also questioned the use of the word "venue" on page 2, paragraphs 2 & 3. He asked that the word should change to read "additional use." Jim Siddoway moved to accept the minutes with these changes. Claude Lilya seconded. Motion passed.

Jim Siddoway made the motion to accept the 1993 Annual Water Users Meeting Minutes. Paul Berggren seconded. Motion passed.

Claude Lilya moved to appoint Dell Raybould as Treasurer for the coming year. Jim Siddoway seconded. Motion passed.

Claude Storer presented comments on the proposed resolutions found in the Annual Packet. DeWitt Moss moved to withdraw the resolution pertaining to HB-658. Motion did not receive a second, therefore it was left as written. DeWitt moved to withdraw the resolution pertaining to flushing salmon smolts as was presented at the February 15 meeting. Dan Stapleman seconded the motion. Motion passed. Roger Ling presented Resolution 8.2 in the new language as earlier requested. The new pricing shall be \$6.25 per acre foot below Milner Dam including \$0.75 District administrative fee and the Board surcharge of \$0.50 per acre foot. (See attached Resolution for complete wording). Jim Siddoway moved to accept the new language and Dale Rockwood seconded. Motion passed. Roger Ling questioned the resolution pertaining to the Committee of Nine setting the date for the Annual Water District 01 meeting. Discussion to leave it as written unless objected by water users.

Dale Rockwood gave the water bank report stating that there is 522.2 acre feet of space. Requests have been made in the amount of \$17,341.28 acre feet at \$2.95 for approximately \$51,000.00

DeWitt Moss presented a letter he has written to John Keys concerning the Biological Opinion draft concerning the Bureau's operations for years 1994-1998. The Committee strongly endorsed the presenting of this letter.

Meeting adjourned 5:00 PM.

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Leonard Beck, Secretary

NAME	Representing
DeWitt Mann	Committee of Nine
Dan Stapleman	Committee of Nine
James Siddoway	Committee of Nine
Claude Storer	Committee of Nine
Claude E. Lilya	Committee of Nine
Dale Rock wood	Committee of Nine
Paul Benggren	Committee of Nine
Dell Rayboold	Committee of Nine
Norm Young	Idaho Dept. Water Resource
Dave Rydalah	Idaho Dept. Water Resource Board
Bob Burks	N.S.C.C.
Warren Hart	N.S.C.C.
Jim Bright	Milner Irr. Dist.
Ted Dicht	N.S.C.C.
Vinco Alberti	Twin Falls Canal Co.
Tim Collett	Twin Falls Canal Co.
Bill Thompson	Minidoka Irr. Dist.
Van Greenwell	Minidoka Irr. Dist.
Ron Kowitz	Minidoka Irr. Dist.
Ella Mink	AFRD #1
Dennis Neap	N.S.C.C.
Russell Woolley	N.S.C.C.
Albert Luckwood	N.S.C.C.
John Rolfe	N.S.C.C.
Harold Grant	NSPC
John Beshoff	Attorney
Norm Semanko	Attorney
Mike Field	U.S.S. Larry Craig
Waldo Jones	AFRD #2
Larry Moore	A & B Irr. Dist.
Roger D. Ling	Attorney
Don Kramer	Twin Falls Canal Co.
Ron Carlson	Watermaster Dist. 01
Leonard M. Beck	Sec. Committee of Nine

## COMMITTEE OF NINE REPORT 1994

I suspect that if a poll had been taken in 1994 to determine what waterusers want most the answer would simply have been, "to be left alone." I believe that was a large part of the message this nation sent congress and the Clinton administration last November. Since the federal government, environmental groups and downstream interests will not leave us and Snake River water supplies alone, most of this report is related to the responses of the Committee of Nine to the threats, demands and challenges that are impacting us as water users and residents of southern Idaho.

The battles of 1994, while clearly driven by the endangered species act, were shaped by George Miller in congress, Bruce Babbett and Dan Beard in interior and of course the Clinton administration in general. The assault goes beyond protecting salmon. The use of the endangered species act to achieve non-related agendas was summarized very succinctly by the attorney for the Sierra Club Legal Defense Fund when he spoke about the listing of the spotted owl. He said, "had we not found the spotted owl we would have had to genetically engineer it. The spotted owl is simply the surrogate for the old-growth forests." Similarly, salmon and snails are being used to wrench water away from irrigators. Last year over 330,000 AF of stored water was run down stream to help salmon. This represented all of the powerhead in Palisades and Minidoka besides all of the Mitigation Inc. water in Ririe and Palisades. When asked what the benefits of all of the water, which state wide totals over six million acre-feet since the augmentation efforts started, the answer normally given by the supporting agencies is, "the improvement is between five and seven percent."

The fact is; neither did five or seven percent more juveniles survive nor did five or seven percent more adult salmon return to spawn - the actual number is exactly zero. What the five to seven

percent really represents is a theoretical increase in velocity that could have been achieved by the amounts of water released to augment flows on the lower Snake. This can easily be put in the proper context by realizing that water measurement, at best is plus or minus five percent. The fact is the test of success in augmentation is if they are able to detect the water on the lower river. This simple analysis is representative of the reliability of the data in general that are being used to justify flow augmentation. The public has been lead to believe that salmon in general and Snake river salmon in particular, are being threatened by human activities. However, according to the best experts this is not true. From the stand point of the total population of Pacific salmon, which includes those spawning in Canada and Alaska, the actual numbers of salmon are at an all time high. According to Dr. Don Chapman and Dr. Bill McNeil, there are factors in the ocean ranging from the "El Nino" effect to the continuing reduced low pressure conditions near the Aleutians that are affecting ocean feed production and consequently certain west coast runs.

In spite of the lack of data to justify approving storage releases for salmon, the Committee of Nine did approve the lease of water by the Bureau of Reclamation in 1994 for purpose of flushing salmon. There are many reasons for the Committee of Nine giving its approval, not the least of which is Sec. 42-1763A of the Idaho Code, which was enacted by the Idaho State Legislature to provide for a three-year test to determine if any benefits of flow augmentation could be determined. There were a number of factors that entered into the Committee's decision to allow water to be released last year, but ultimately the decision reflected the response to legal counsel. It was the opinion of the lawyers that this might not be the best time to press the issue.

The rules adopted for the rental pool provide for a prioritized process which gives preference to the purposes for which the various reclamation projects were originally authorized by congress and licensed by the state. Any requests for rental water that represent a change in the nature of use from the authorized purpose of irrigation can only granted after all

irrigation needs have been met. In 1994, 75,888 acre-feet of water was leased from the rental pool by irrigators. This was at least 15,000 acre-feet less than the amount of water needed to fill all of the Ag rental requests. At the same time over 400,000 Acre-feet of space was assigned by the Bureau but restricted to uses down stream from Milner. The creativity in getting water from the rental pool for non-irrigation purposes below Milner has been nothing less than remarkable. Last year, for example, the BOR wanted to lease 45,000 AF of Palisades storage from the City of Pocatello for flow augmentation. Some of the fish farmers who depend on the flows from the north-side springs, which emerge in the Snake River canyon near Haggerman, wanted to acquire storage to recharge groundwater. The bureau would not approve the use of storage for recharging the aquifer. However, they said that if the natural flow going to the Milner power plant were diverted to recharge and, later that natural flow was replaced with storage, released past Milner, under the direction of the Bureau, that would represent an arrangement agreeable to the United States. The Idaho legislature even appropriated money to fund this recharge effort. Between April 1 and April 22, 4998 AF of water was recharged through the Twin Falls Northside canal. However, the entire 45,000 AF of storage water was released below Milner by the BOR. In the convoluted logic of this arrangement, the recharge and the storage released had to be equal or someone would have to pay \$8.45 per acre-foot to the City of Pocatello to compensate for the "last to fill" requirement in the rental pool rules. In an even more bizarre turn of events Water District 1 ended up with an obligation to cover up to \$110,000 of the costs if the reservoirs do not fill in 1995 or the remaining 40,000 acre feet of water is not recharged. Fortunately, this fall Northside was able to recharge over 19,000 acre-feet leaving only 20,700 acre feet to recharge. Since the money is to compensate the City of Pocatello for the last-to-fill consequences of their storage being released past Milner, a resolution has been prepared for this meeting which would seek the agreement of all water users to waive the last to fill obligation on this specific transaction in such a way that all

storage space in the system takes a proportional hit. If the fill impact of the remaining 20,700 acre-feet had to be absorbed it would represent a reduction in allocation to any space holder of less than one-half of one percent or about 5 acre-feet per 1000 acre-feet of space owned. The alternative would be for the district to potentially cover the \$57,000 obligation remaining under the current agreement with the Bureau. Somehow the small redistribution of storage this year seems more palatable.

However, there is a lesson in this. The rental pool rules were established to recognize the authorized purposes of the reclamation projects and to protect the contractors in those projects. In 1994 we discovered that when the rules get in the way of the current federal interests, the protections in the rules can be circumvented unless the Committee of Nine and the State speak with one voice.

Currently the water users might be compared to a little boy who is lost in the woods with only a small stick and a sack lunch and is surrounded by a pack of wolves. (Rumor has it that they were re-introduced wolves.) His dilemma is; should he throw his sack lunch to the wolves or should he eat it? He will be eaten by the wolves in either case. Irrigators are surrounded by the wolves that have appeared in the form of a variety of different agendas. Besides the gleaming fangs of the ESA wolves, irrigators are looking into the green eyes of the federal and Indian water claims, and a plethora of lawyers and experts. While many of these claims, if they should be recognized, could gobble up irrigator's water supplies, the lawyers and experts are eyeing the lunch. However, the question now is: do we throw in our sack lunch? Clearly irrigators can spend a lot of money on lawyers and consultants in attempting to negotiate a settlement of these claims and dealing with the National Marine Fisheries attempts at getting water for salmon. The fact is, negotiating a settlement of federal and Indian claims may not be in the best interest of Snake River water users. These are likely issues that should be litigated and perhaps the best approach is to provide support and encouragement to the state to do that. We also must encourage the state to

oppose all federal efforts to acquire water for augmentation. Without the states support irrigators are likely to get run over by the federal machinery. Waterusers must be prepared to use their small stick and sack lunch efficiently and wisely. In anticipation of the battles that will be faced in 1995, \$300,000 was added to the total Water District budget. The Water District and the Committee of Nine, of course can not guarantee that we will not be eaten. We can only assure you that we will use our best efforts to assure that we are not feeding the wolf our lunch as an appetizer, before we are eaten.

While there are many things that can cause waterusers to be discouraged and depressed there are some encouraging signs that positive changes might be happening. Environmental groups have not been getting everything they want, some of them in fact are beginning to struggle financially. There is a growing possibility that the U.S. Congress will pass some meaningful court reform and will likely modify the Endangered Species Act. There is also a very encouraging sentiment in congress that power should be shifted back to the states. We hope in the near future water users will actually experience their desire to be left alone.

	<u>1994</u> <u>Budgeted</u>	<u>1994</u> <u>Actual</u>	<u>1995</u> <u>Budgeted</u>
<b><u>HYDROGRAPHERS</u></b>			
Teton Basin	\$ 8,000	6,426	\$ 8,000
Idaho Falls	4,500	2,258	4,500
Lower Valley	7,000	1,939	6,000
Henry's Fork	16,000	15,498	17,000
Teton River	<u>4,500</u>	<u>4,407</u>	<u>4,500</u>
	\$ 40,000	30,528	\$ 40,000
<b><u>RIVER RIDERS</u></b>			
Rigby & Heise Div.	\$ 6,500	6,580	\$ 6,500
Blackfoot Division	3,000	2,300	3,000
Swan Valley	5,500	5,400	5,500
Upper Falls River	1,000	989	1,000
Idaho Falls	1,000	531	1,000
Willow Creek	3,000	3,085	3,200
Milner	<u>360</u>	<u>360</u>	<u>360</u>
	\$ 20,360	19,245	\$ 20,560
<b><u>PROGRAM EXPENSES</u></b>			
Automation	\$ 15,000	3,500	\$ 15,000
Sutron	52,000	42,555	35,000
Streamgaging	108,410	138,737	139,350
U of I Studies	<u>4,000</u>	<u>0</u>	<u>4,000</u>
	\$179,410	184,792	\$193,350
<b><u>EQUIPMENT EXPENSES</u></b>			
Office Equipment	\$ 1,000	370	\$ 1,500
Computer	6,500	8,407	5,000
PC's	<u>3,000</u>	<u>0</u>	<u>3,000</u>
	\$ 10,500	8,777	\$ 9,500
<b><u>PERSONNEL EXPENSES</u></b>			
Retirement	\$ 5,000	3,999	\$ 5,000
Social Security	5,000	4,168	5,000
Mileage	21,000	21,215	21,000
State Insurance Fund	3,500	3,503	3,500
Employment Insurance	500	274	500
Part-time help (F-Mad)	4,900	4,800	4,900
Misc. Hydrographer Exp.	500	293	500
Treasurer	<u>7,500</u>	<u>1,091</u>	<u>2,500</u>
	\$ 47,900	39,343	\$ 42,900
<b><u>MISCELLANEOUS EXPENSES</u></b>			
Otto Otter	\$ 1,000	356	\$ 1,000
IWUA	500	500	500
Postage	2,500	2,150	0
Supplies, Copying, Phone	2,000	679	2,000
Audit	5,500	4,585	5,000
Meetings	1,200	2,116	2,000
Legal Fees	10,500	1,605	10,500
Committee of Nine	<u>10,000</u>	<u>9,401</u>	<u>10,000</u>
	\$ 33,200	21,392	\$ 31,000
<b><u>WATERMASTER</u></b>			
IDWR Contract	\$254,330	245,000	\$280,000
Report	4,500	2,835	3,000
Travel	<u>3,500</u>	<u>5,250</u>	<u>4,500</u>
	\$262,330	253,085	\$287,500
<b>Total</b>	<b><u>\$593,700</u></b>	<b><u>557,162</u></b>	<b><u>\$624,010</u></b>
<b><u>COMMITTEE OF NINE</u></b>			
#14-Consult. & Attn.	\$ 200,000	32,769	200,000
#16-Excess Use	100,000	0	100,000
<b>Total</b>	<b><u>\$893,700</u></b>	<b><u>589,931</u></b>	<b><u>\$924,010</u></b>
<b><u>UPPER VALLEY ADD ON</u></b>			
#20-Legal	<u>65,000</u>	<u>38,396</u>	<u>65,000</u>
<b>Total</b>	<b><u>\$958,700</u></b>	<b><u>628,327</u></b>	<b><u>\$989,010</u></b>

**Water District 1  
Balance Sheet  
As of October 31, 1994**

Oct 31, '94

<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
100 · Petty Cash	50.00
102 · Cash-Bank of Commerce	17,319.37
104 · Cash-Merrill Lynch	46,777.83
110 · ID TREAS-GENERAL-1526	448,167.99
111 · ML-Committee of Nine	172,173.83
112 · Rental Contingency	100,000.00
115 · Rental Surcharge-1722	640,783.90
<b>Total Checking/Savings</b>	1,425,272.92
<b>Accounts Receivable</b>	
120 · Assess.Receivables	71,950.24
<b>Total Accounts Receivable</b>	71,950.24
<b>Other Current Assets</b>	
121 · A/R - UV ATTY FEES	38,395.54
122 · DUE FROM RENTAL POOL	13,217.92
132 · Funds Held By IDWR	13,037.58
136 · INVENTORY	29,647.66
140 · EQUIPMENT	23,591.97
145 · ACCUM DEPRECIATN-EQU	-15,369.38
1499 · Undeposited Funds	20.00
<b>Total Other Current Assets</b>	102,541.29
<b>Total Current Assets</b>	1,599,764.45
<b>TOTAL ASSETS</b>	<b>1,599,764.45</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
200 · Adjudication Payable	111,414.33
<b>Total Accounts Payable</b>	111,414.33
<b>Other Current Liabilities</b>	
<b>Payroll Liabilities</b>	
Federal Withholding	163.00
FICA	
Company	374.31
Employee	374.31
<b>Total FICA</b>	748.62
FUTA	360.52
Medicare	

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**Water District 1  
Balance Sheet  
As of October 31, 1994**

	<u>Oct 31, '94</u>
Company	87.53
Employee	87.53
<b>Total Medicare</b>	<u>175.06</u>
<b>PERSI</b>	
Company	1,325.23
Employee	797.58
<b>Total PERSI</b>	<u>2,122.81</u>
State Withholding ID	64.23
SUI	
Company	199.07
<b>Total SUI</b>	<u>199.07</u>
<b>Total Payroll Liabilities</b>	3,833.31
223 · Palisades Water Users, Inc.	13.50
260 · PAYROLL TAXES PAYABLE	753.17
260 · ACC VACATION PAYABLE	17,826.92
<b>Total Other Current Liabilities</b>	<u>22,426.90</u>
<b>Total Current Liabilities</b>	<u>133,841.23</u>
<b>Total Liabilities</b>	133,841.23
<b>Equity</b>	
300 · Operations Fund	1,030,094.00
3900 · Retained Earnings	180.00
Net Income	435,649.22
<b>Total Equity</b>	<u>1,465,923.22</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>1,599,764.45</u></u>

**Water District 1**  
**Profit and Loss**  
 November 1993 through October 1994

Nov '93 - Oct '94

<b>Income</b>	
<b>400 · Fee Income</b>	
401 · Upper Valley Fees	18,056.99
404 · Contract Palisade	3,200.00
410 · Delivery 1989	-80.00
411 · Delivery 1990	-20.00
412 · Delivery 1991	-40.00
413 · Delivery 1992	-60.00
414 · Delivery 1993	456,737.76
420 · Delivery Bonn. Co. 1990	12.51
430 · Delivery Bonn. Co. 1993	3,634.44
431 · Delivery Frem. Co. 1993	2,745.45
432 · Delivery Mad. Co. 1993	1,058.70
433 · Delivery Teton Co. 1993	23,682.04
400 · Fee Income - Other	-16,802.95
<b>Total 400 · Fee Income</b>	492,124.94
<b>450 · Rental Income</b>	
455 · WD 1 Adm. Fee from WB	0.00
<b>Total 450 · Rental Income</b>	0.00
<b>459 · Streamgaging Misc.</b>	57,482.42
<b>480 · Dividend/Interest Income</b>	
481 · Merrill Lynch '92	16,585.78
482 · Interest 1526-General 92	17,563.36
485 · Interest (checking) '92	1,206.72
486 · Interest Fee Acct	12,627.20
480 · Dividend/Interest Income - Other	0.00
<b>Total 480 · Dividend/Interest Income</b>	47,983.06
<b>490 · Miscellaneous Income</b>	23,872.36
<b>492 · State Insurance Refund</b>	465.00
<b>Total Income</b>	621,927.78
<b>Expense</b>	
<b>Payroll Expenses</b>	
Gross Wages	49,772.27
Payroll Expenses - Other	2,134.75
<b>Total Payroll Expenses</b>	51,907.02
<b>Payroll Taxes</b>	
FICA	3,085.92
FUTA	360.52
Medicare	721.70
PERSI	3,999.14
SUI	274.23
6502 · SUIID	0.00

**Water District 1**  
**Profit and Loss**  
 November 1993 through October 1994

	Nov '93 - Oct '94
Payroll Taxes - Other	5.06
<b>Total Payroll Taxes</b>	<b>8,446.57</b>
<b>599 · Operating Expenses</b>	
<b>600 · Program Expenses</b>	
605 · Sutron Maintenance	42,555.00
610 · Streamgaging	
611 · USGS Coop	
612 · USGS Steam Gaging	108,410.00
613 · D St. Rental USGS	30,326.76
<b>Total 611 · USGS Coop</b>	<b>138,736.76</b>
<b>Total 610 · Streamgaging</b>	<b>138,736.76</b>
625 · Fremont-Mad. Coop	4,800.00
630 · Palisaes Water Users	500.00
<b>Total 600 · Program Expenses</b>	<b>186,591.76</b>
<b>640 · Equipment Expenses</b>	
641 · Furniture	369.98
642 · Computer	854.90
<b>Total 640 · Equipment Expenses</b>	<b>1,224.88</b>
<b>650 · Personnel Expense</b>	
<b>660 · Mileage</b>	
661 · Mileage(Wetzel/VonAchen)	879.58
662 · Mileage (O'Brien)	3,085.68
663 · Mileage (Blanchard)	2,481.44
664 · Mileage (Blauer,Mills)	882.96
665 · Mileage (Lindsay)	2,166.66
666 · Mileage (Lenz)	1,038.15
667 · Mileage (Richards)	5,040.00
668 · Mileage (Brown)	5,640.00
<b>Total 660 · Mileage</b>	<b>21,214.47</b>
675 · State Insurance Fund Exp.	3,502.81
680 · Hydrographer Misc Exp	293.45
<b>685 · TREASURER'S EXPENSES</b>	
686 · TREASURER'S SALARY	840.00
688 · MILEAGE TREASURER'S	250.84
<b>Total 685 · TREASURER'S EXPENSES</b>	<b>1,090.84</b>
<b>Total 650 · Personnel Expense</b>	<b>26,101.57</b>
<b>690 · ERO Resources</b>	<b>13,949.20</b>
<b>700 · Miscellaneous</b>	
701 · Otto Otter	356.34

**Water District 1**  
**Profit and Loss**  
 November 1993 through October 1994

	Nov '93 - Oct '94
702 · IWUA	500.00
703 · Postage	2,149.76
704 · Office Supplies	629.51
707 · Audit	4,585.00
708 · Meetings	
709 · Annual Meeting	1,305.98
710 · Meetings-General	801.48
708 · Meetings - Other	8.35
<b>Total 708 · Meetings</b>	<b>2,115.81</b>
715 · Legal	
718 · Misc.	29.00
720 · Shelley Project	1,576.00
<b>Total 715 · Legal</b>	<b>1,605.00</b>
725 · Fees for 1526,1620,1621	364.15
730 · Fees for Savings/Checking	150.00
740 · Gage-Staff Gaging Equip.	-384.00
745 · Miscellaneous	49.19
700 · Miscellaneous - Other	0.77
<b>Total 700 · Miscellaneous</b>	<b>12,121.53</b>
750 · Watermaster	
760 · IDWR Contract	241,370.23
770 · Annual Book	2,835.00
780 · Travel	5,250.23
<b>Total 750 · Watermaster</b>	<b>249,455.46</b>
850 · Sutron (New Sights)	3,500.00
955 · Committee of Nine	
956 · STAN CLARK	465.00
960 · Dale Rockwood	339.72
961 · Leonard Beck	1,140.93
962 · Paul Berggren	482.65
965 · James Siddoway	332.35
966 · Claude Storer	1,991.18
968 · Claude Lilya	1,885.61
969 · Dell Raybould	641.04
970 · DeWitt Moss	529.20
972 · Daniel Stapelman	284.31
955 · Committee of Nine - Other	1,308.75
<b>Total 955 · Committee of Nine</b>	<b>9,400.74</b>
974 · Indians - Legal	18,820.22
975 · Upper Valley Expense	
980 · Legal & Other Exp.	0.00
	0.00

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**Water District 1**  
**Profit and Loss**  
November 1993 through October 1994

	Nov '93 - Oct '94
<b>Total 975 · Upper Valley Expense</b>	0.00
<b>Total 599 · Operating Expenses</b>	521,165.36
<b>990 · DEPRECIATION</b>	1,885.95
<b>997 · TRANSFER IN FROM WTR BANK</b>	-397,126.34
<b>Total Expense</b>	<u>186,278.56</u>
<b>Net Income</b>	<u><u>435,649.22</u></u>

03/05/95

**Water District 1  
Balance Sheet  
As of February 28, 1995**

Feb 28, '95

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**ASSETS**

<b>Current Assets</b>	
<b>Checking/Savings</b>	
100 · Petty Cash	50.00
102 · Cash-Bank of Commerce	20,458.97
104 · Cash-Merrill Lynch	88,715.16
110 · ID TREAS-GENERAL-1526	227,290.42
111 · ML-Committee of Nine	127,611.55
112 · Rental Contingency	100,000.00
115 · Rental Surcharge-1722	637,515.58
<b>Total Checking/Savings</b>	<b>1,201,641.68</b>
<b>Accounts Receivable</b>	
120 · Assess.Receivables	26,047.95
<b>Total Accounts Receivable</b>	<b>26,047.95</b>
<b>Other Current Assets</b>	
121 · A/R - UV ATTY FEES	38,395.54
122 · DUE FROM RENTAL POOL	-19,692.45
132 · Funds Held By IDWR	13,037.58
136 · INVENTORY	29,647.66
140 · EQUIPMENT	23,591.97
145 · ACCUM DEPRECIATN-EQUP	-15,369.38
<b>Total Other Current Assets</b>	<b>69,610.92</b>
<b>Total Current Assets</b>	<b>1,297,300.55</b>
<b>TOTAL ASSETS</b>	<b>1,297,300.55</b>

**LIABILITIES & EQUITY**

<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
200 · Adjudication Payable	58.41
<b>Total Accounts Payable</b>	<b>58.41</b>
<b>Other Current Liabilities</b>	
<b>Payroll Liabilities</b>	
Federal Withholding	88.00
FICA	
Company	83.89
Employee	83.89
<b>Total FICA</b>	<b>167.78</b>
FUTA	383.99
Medicare	
Company	19.62

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**Water District 1  
Balance Sheet  
As of February 28, 1995**

	<u>Feb 28, '95</u>
Employee	19.62
Total Medicare	39.24
PERSI	
Company	177.85
Employee	108.75
Total PERSI	286.60
State Withholding ID	42.98
SUI	
Company	190.16
Total SUI	190.16
2100 · SUIID	
2102 · Company	27.93
Total 2100 · SUIID	27.93
<b>Total Payroll Liabilities</b>	<b>1,226.68</b>
250 · PAYROLL TAXES PAYABLE	753.17
260 · ACC VACATION PAYABLE	17,826.92
<b>Total Other Current Liabilities</b>	<b>19,806.77</b>
<b>Total Current Liabilities</b>	<b>19,865.18</b>
<b>Total Liabilities</b>	<b>19,865.18</b>
Equity	
300 · Operations Fund	1,030,094.00
3900 · Retained Earnings	435,829.22
Net Income	-188,487.85
<b>Total Equity</b>	<b>1,277,435.37</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>1,297,300.55</b>

**Water District 1**  
**Profit and Loss**  
 November 1994 through February 1995

	Nov '94 - Feb '95
<b>Income</b>	
<b>400 · Fee Income</b>	
404 · Contract Palisade	3,000.00
431 · Delivery Frem. Co. 1993	139.02
<b>Total 400 · Fee Income</b>	3,139.02
<b>450 · Rental Income</b>	
455 · WD 1 Adm. Fee from WB	-44,308.87
<b>Total 450 · Rental Income</b>	-44,308.87
<b>480 · Dividend/Interest Income</b>	
481 · Merrill Lynch '92	552.24
482 · Interest 1526-General 92	4,154.50
485 · Interest (checking) '92	264.06
486 · Interest Fee Acct	2,795.07
480 · Dividend/Interest Income - Other	5,398.45
<b>Total 480 · Dividend/Interest Income</b>	13,164.32
<b>490 · Miscellaneous Income</b>	89.78
<b>492 · State Insurance Refund</b>	391.00
<b>Total Income</b>	-27,524.75
<b>Expense</b>	
<b>Payroll Expenses</b>	
Gross Wages	5,581.25
<b>Total Payroll Expenses</b>	5,581.25
<b>Payroll Taxes</b>	
FICA	346.05
FUTA	23.47
Medicare	80.93
PERSI	603.63
6502 · SUIID	27.93
<b>Total Payroll Taxes</b>	1,082.01
<b>699 · Operating Expenses</b>	
<b>600 · Program Expenses</b>	
<b>610 · Streamgaging</b>	
611 · USGS Coop	
613 · D St. Rental USGS	10,108.92
<b>Total 611 · USGS Coop</b>	10,108.92
<b>Total 610 · Streamgaging</b>	10,108.92
<b>Total 600 · Program Expenses</b>	10,108.92
<b>650 · Personnel Expense</b>	

**Water District 1**  
**Profit and Loss**  
 November 1994 through February 1995

	Nov '94 - Feb '95
<b>660 · Mileage</b>	
663 · Mileage (Blanchard)	27.04
667 · Mileage (Richards)	1,680.00
668 · Mileage (Brown)	120.00
	1,827.04
<b>675 · State Insurance Fund Exp.</b>	3,387.78
<b>680 · Hydrographer Misc Exp</b>	125.00
	5,339.82
<b>Total 650 · Personnel Expense</b>	5,339.82
<b>690 · ERO Resources</b>	16,690.54
<b>700 · Miscellaneous</b>	
702 · IWUA	500.00
703 · Postage	-351.44
704 · Office Supplies	232.08
705 · Copying Costs	1.00
708 · Meetings	
709 · Annual Meeting	-155.25
710 · Meetings-General	25.47
708 · Meetings - Other	57.02
	-72.76
<b>Total 708 · Meetings</b>	-72.76
<b>715 · Legal</b>	
720 · Shelley Project	234.00
	234.00
<b>Total 715 · Legal</b>	234.00
<b>725 · Fees for 1526,1620,1621</b>	1,171.41
<b>740 · Gage-Staff Gaging Equip.</b>	-127.00
<b>745 · Miscellaneous</b>	12.56
	1,599.85
<b>Total 700 · Miscellaneous</b>	1,599.85
<b>750 · Watermaster</b>	
760 · IDWR Contract	75,000.00
770 · Annual Book	2,394.00
780 · Travel	3,278.96
	80,672.96
<b>Total 750 · Watermaster</b>	80,672.96
<b>955 · Committee of Nine</b>	
960 · Dale Rockwood	186.63
965 · James Siddoway	480.27
966 · Claude Storer	595.00
970 · DeWitt Moss	210.00
955 · Committee of Nine - Other	610.91
	2,082.81
<b>Total 955 · Committee of Nine</b>	2,082.81
<b>974 · Indians - Legal</b>	22,555.85
<b>975 · Upper Valley Expense</b>	

03/05/95

**Water District 1**  
**Profit and Loss**  
November 1994 through February 1995

	<u>Nov '94 - Feb '95</u>
980 · Legal & Other Exp.	15,249.09
Total 975 · Upper Valley Expense	<u>15,249.09</u>
Total 599 · Operating Expenses	<u>154,299.84</u>
Total Expense	<u>160,963.10</u>
Net Income	<u><u>-188,487.85</u></u>

**WaterBank**  
**Balance Sheet**  
As of October 31, 1994

	<b>Oct 31, '94</b>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
102 · WESTONE CHECKING	87,490.90
110 · ID TREAS-AG-1621	29,012.51
112 · ID TREAS-PWR-1620	1,723,285.37
<b>Total Checking/Savings</b>	1,839,788.78
<b>Accounts Receivable</b>	
<b>Receivables</b>	6,503.07
<b>Total Accounts Receivable</b>	6,503.07
<b>Total Current Assets</b>	1,846,291.85
<b>TOTAL ASSETS</b>	<b>1,846,291.85</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
200 · 1993 WB Liability	1.42
201 · 1994 WB Liability	1,700,330.23
202 · 1995 Rental Pool Liability	73,216.05
205 · PAYABLE-WR BOARD	15,177.79
207 · INTEREST PAYABLE	32,910.30
210 · 1990 Excess Use-Liab.	754.51
211 · 1991 Excess Use-Liab.	7,923.47
212 · 1992 Excess Use-Liab.	1,253.03
213 · 1993 Excess Use-Liab.	1,507.13
222 · DUE TO WATER DISTRICT	13,217.92
<b>Total Other Current Liabilities</b>	1,846,291.85
<b>Total Current Liabilities</b>	1,846,291.85
<b>Total Liabilities</b>	1,846,291.85
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>1,846,291.85</b>

03/05/95

**WaterBank**  
**Profit and Loss**  
November 1993 through October 1994

	<u>Nov '93 - Oct '94</u>
<b>Income</b>	
399 · 1990 EXCESS USE	0.00
400 · 1991 Excess Use	-1,212.76
410 · 1992 Excess Use	-768.77
420 · 1993 EXCESS USE	3,830.91
500 · 1993 Water Bank Rental	63,746.48
501 · 1994 Water Rental	445,324.69
502 · 1995 Water Rental	71,298.55
700 · interest income	
701 · ag-1621 interest	1,903.32
702 · power-1620 interest	37,347.70
700 · interest income - Other	247.53
<b>Total 700 · interest income</b>	<u>39,498.55</u>
<b>Total Income</b>	621,717.65
<b>Expense</b>	
1100 · fee on acct 1621 & 1620	357.22
1200 · Interest Pd-Supplier	
1201 · Ag Interest Pd	539.82
1202 · Power Interest Pd	38,448.35
1200 · Interest Pd-Supplier - Other	0.21
<b>Total 1200 · Interest Pd-Supplier</b>	<u>38,988.38</u>
1300 · Rental Pool Expenses	
1301 · Supplier Payment	151,777.92
1302 · Water Resource Board Fee	15,177.79
1303 · WD 01 Fee	0.00
1304 · Refunds	18,290.00
<b>Total 1300 · Rental Pool Expenses</b>	<u>185,245.71</u>
998 · TRANSFER OUT TO WD	397,126.34
<b>Total Expense</b>	<u>621,717.65</u>
<b>Net Income</b>	<u><u>0.00</u></u>

**WaterBank**  
**Balance Sheet**  
 As of February 28, 1995

	<u>Feb 28, '95</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
102 · WESTONE CHECKING	28,962.51
110 · ID TREAS-AG-1621	1,058.77
111 · Treasurer - Prepaid Lease-1814	205,127.46
112 · ID TREAS-PWR-1620	492.78
<b>Total Checking/Savings</b>	<u>235,641.52</u>
<b>Accounts Receivable</b>	
Receivables	6,503.07
<b>Total Accounts Receivable</b>	<u>6,503.07</u>
<b>Total Current Assets</b>	<u>242,144.59</u>
<b>TOTAL ASSETS</b>	<b><u>242,144.59</u></b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
200 · 1993 WB Liability	1.42
201 · 1994 WB Liability	37,555.53
202 · 1996 Rental Pool Liability	203,508.60
205 · PAYABLE-WR BOARD	0.11
207 · INTEREST PAYABLE	-0.07
210 · 1990 Excess Use-Liab.	754.51
211 · 1991 Excess Use-Liab.	7,923.47
212 · 1992 Excess Use-Liab.	1,253.03
213 · 1993 Excess Use-Liab.	1,507.13
222 · DUE TO WATER DISTRICT	-19,692.45
<b>Total Other Current Liabilities</b>	<u>232,811.28</u>
<b>Total Current Liabilities</b>	<u>232,811.28</u>
<b>Total Liabilities</b>	232,811.28
<b>Equity</b>	
Net Income	9,333.31
<b>Total Equity</b>	<u>9,333.31</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>242,144.59</u></b>

**WaterBank**  
**Profit and Loss**  
November 1994 through February 1995

	<u>Nov '94 - Feb '95</u>
<b>Income</b>	
502 · 1995 Water Rental	130,292.55
700 · interest income	
701 · ag-1621 interest	248.17
702 · power-1620 interest	14,186.16
700 · interest income - Other	1,631.51
<b>Total 700 · interest income</b>	<u>16,065.84</u>
<b>Total Income</b>	146,358.39
<b>Expense</b>	
1100 · fee on acct 1621 & 1620	123.47
1101 · FEE WESTONE	15.00
1200 · Interest Pd-Supplier	
1202 · Power Interest Pd	6,594.13
<b>Total 1200 · Interest Pd-Supplier</b>	<u>6,594.13</u>
1300 · Rental Pool Expenses	
1301 · Supplier Payment	-1,317,600.86
1302 · Water Resource Board Fee	-131,673.09
1303 · WD 01 Fee	-127,517.07
1304 · Refunds	1,707,083.50
<b>Total 1300 · Rental Pool Expenses</b>	<u>130,292.48</u>
<b>Total Expense</b>	<u>137,025.08</u>
<b>Net Income</b>	<u><u>9,333.31</u></u>

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Department of Water Resources  
Eastern District Office

ANNUAL MEETING OF WATER DISTRICT 01 MINUTES

MARCH 7, 1995

WESTBANK RESTAURANT IDAHO FALLS, IDAHO

Committee of Nine Chairman Claude Storer conducted the annual meeting of Water District 01 held on March 7, 1995 at the Westbank Restaurant in Idaho Falls, Idaho, beginning at 9 a.m. In his opening remarks, he encouraged the waterusers in attendance to read the resolutions before the business session.

Sherl Chapman, Executive Director of the Idaho Water Users Association, was the first speaker. He encouraged all the water users to work together and expressed a great need to be aware of the activities of downstream environmental interests as the Pacific Northwest tries to come to a solution for the endangered salmon. The Idaho Water Users Association is working on a plan for future activities. They have developed a water education foundation so that water education materials can be distributed to elementary school children. Concerning pending legislation, he said there are about thirty bills that have to do with water resources in the State of Idaho, however, the legislature is trying to adjourn by March 17, so many of those bills will not be passed. He discussed House Bill 249, which has to do with the ability of canal companies and irrigation districts to maintain their ditches and canals. An Idaho court issued an injunction to prevent the cleaning of a canal. House Bill 249 is a remedy to that court action. It allows canals to be able to be maintained and puts the burden of proof on the landowner to show the actions of the canal board are arbitrary and capricious. Mr. Chapman recommended that the water users contact their senators and recommend that this legislation be passed. Mr. Chapman also discussed House Bill 292, that requires supporting data to be submitted with legislation to approve a minimum stream flow. It requires that the flows applied for be capable of being sustained 95 percent of the time. House Bill 284 sets up water measurement districts where no water district is formed. The water measurement district is not regulatory, but provides that hydrographers can be hired to measure water and keep records of water flows. House Bill 323 sets up a process for creating groundwater districts and brings ground water users together for assessment purposes and to develop mitigation plans. Mr. Chapman said the bill is very complex and probably will not pass in this session.

David Shaw, Adjudication Bureau Chief for the Idaho Department of Water Resources, reviewed the history of conservation groups trying to get into the adjudication on the basis of public interest. He also said there was a constitutional challenge of the presumption statutes and they were declared unconstitutional. As a result of that action, the Idaho Legislature passed the amnesty statutes which are under challenge at this time. Mr. Shaw also discussed conjunctive management rules that were adopted by the Department of Water Resources. Those rules are currently under challenge. The adjudication is bound up with these various challenges. Mr. Shaw said that the Fort Hall agreement has been objected to. Most of the objections have been resolved except

those by some non-Indian users. There have also been settlement conferences set up in the test basins to informally settle objections to water right claims. He said that in order for the adjudication to go ahead with more director's reports there needs to be a final outcome of the Basin Wide Issues before the court. Governor Batt indicates a special session of the legislature may be needed to deal with some adjudication issues depending on the outcome of court decisions.

John Keys, Regional Director of the Bureau of Reclamation, said that the biggest change in the recent biological opinion adopted by the National Marine Fisheries Service is in the Columbia River system rather than in the Snake River System. The biological opinion puts emphasis on flood control and the need for holding water as high as possible in the system for fish flows and power generation. The biological opinion also raises target flows. It requires 427,000 acre feet of storage from the Upper Snake from willing sellers and within state water rights. The Bureau of Reclamation will continue to look at long term leases and purchases to fulfill their commitment of 427,000 acre feet. Mr. Keys also described other aspects of the biological opinion which will be released to the public on March 10. Mr. Keys said that within the Bureau budgets and people have been cut. The Bureau continues to look for partnerships and they are very interested in divesting title on single purpose reclamation facilities. He mentioned that the water spreading rules will be delayed until next fall or even winter. In answer to a question on how much space it would take to supply the 427,000 acre feet, Mr. Keys answered it would take from 2 to 4 times more space than 427,000.

Norman Young, Idaho Department of Water Resources, discussed the conjunctive management rules and the A & B Irrigation District call for delivery of groundwater. He said the A & B has presented a proposed stipulated agreement to resolve protest of their call. There has been legislation proposed in an effort to improve water management so that curtailments are not necessary. The Department is trying to get people in critical groundwater areas to measure themselves and turn in the data to the Department. House Bill 284 will help by creating water measurement districts. Other areas making or considering calls are the Lemhi area and Bear River area. He also said there is a bill pending to provide \$1 million for recharge projects and another bill to prevent stacking of domestic groundwater rights. Mr. Young also said Keith Higgensen will be leaving the Department as of May 1 and there is currently a search underway for his replacement. The purposed DEQ/IDWR merger will probably not happen this year and the Department will have about the same budget for 1996 as they had in 1995.

Earl Corless of the Bureau of Reclamation reviewed reservoir operations and snow pack conditions. He said that snow pack at Grassy Lake and the Teton are about average. The Island Park and Henry's Lake snow pack is above average, and the snow pack for Jackson, Palisades, and Ririe and Little Wood are about average. Mr. Corless said that the reservoir system had heavy drawdown during last summer and the March 1 streamflow forecasts are Jackson Lake 92 percent, Heise 91 percent, and Island Park 111 percent of normal. He said there is currently a proposal to put a one foot collar on the

spillway at Island Park Dam and that reservoir is projected to fill on April 3 at the current rate of fill. He said the snow pack above Jackson Lake and Lewis Lake is below average, and Togowotee is worse yet. He said the rehabilitation of the power generators at Palisade Dam is on going, and the Bureau is negotiating with Bonneville county to turn the recreation facilities at Ririe Dam over to the county. Erosion work at American Falls is progressing. Mr. Corless also said American Falls Springs have declined 300,000 to 400,000 acre feet and thought that American Falls would fill about April 13 without any increased releases. The replacement of the power plant at Minidoka Dam is about one half finished. He said the total fill on the reservoir system depends on the weather and the amount of water use.

Claude Storer gave the Committee of Nine report. He said the Committee of Nine is preparing a sixty day notice of intent to sue National Marine Fisheries over their proposed salmon recovery plan. He said there is a great concern on the Committee of Nine about where the salmon water will come from. The Bureau of Reclamation wants 427,000 acre feet for salmon recovery purposes on a willing seller willing buyer basis. Mr. Storer said that waterusers need to keep the water in the Upper Valley for irrigation, recharge, and other purposes for which the water was decreed and allocated. One of the main concerns of the Committee of Nine is to maintain a zero flow at Milner, and he assured the waterusers that the Committee of Nine will continue to work to protect their water rights. Mr. Storer then turned the time to DeWitt Moss, who is chairman of the negotiations committee working on Nez Perce and Deerflats instream flow claims.

Mr. Moss said the Committee is trying to negotiate on the Deerflats claims. They have hired an individual to do historical research on the titles to the islands in the river at Deerflats to find out which islands are involved in the National Wildlife Refuge. Concerning the Nez Perce negotiations, the State of Idaho is taking the leading role in the negotiations. A historian, a hydrologist, and a biologist may be involved in helping the state develop their case. So far the Committee of Nine has spent about \$70,000 working on these claims. Mr. Moss estimated that Water District 01 will spend about \$200,000 on Nez Perce and Deerflat's issues this year.

Ron Carlson, Watermaster, gave the watermaster's report. He said 1994 was about the sixth lowest water year on record and so a record was set for the amount of storage diverted. He told the waterusers that operations for salmon have removed an important buffer for the water bank that was needed for irrigation. He indicated a recent analysis of data shows a change in the balance of water use. The effects of drought and annual storage use have a greater impact on water supplies than irrigation development. Irrigation's biggest impact on the supply is change in the timing of outflow. Increasing ground water recharge reduces impacts. The intentional release of 427,000 acre feet every year past Milner is detrimental to the waterusers in the Upper Snake. Concerning the effectiveness of salmon flow augmentation, Mr. Carlson said that NMFS reports show that the extra water increases flow velocity 5 to 7 percent and they relate that to show a 5 to 7 percent increase in smolt survival, a relation which doesn't necessarily correlate.

The business portion of the meeting began by electing Claude Storer as temporary chairman and Dale Swensen as temporary secretary. Lyle Swank conducted the roll call, and secretary Swensen read the minutes of the last annual meeting that was held on March 1, 1994. James Siddoway motioned, seconded by Don Kramer that the minutes be approved as amended. Motion passed unanimously.

The water users then split up into caucuses to select their Committee of Nine representatives. The following were elected and approved by the waterusers to the Committee of Nine:

**Delegates:**

Don Kramer, DeWitt Moss, Van Greenwell, Claude Storer, Paul Berggren, Dale Rockwood, Dell Raybould, Don Hale, and James Siddoway.

**Alternates:**

Leonard Beck, Stan Clark, Charles Coiner, and Albert Lockwood.

**Advisory:**

Richard Oneida and Jerrold Gregg.

Water District 01 Treasurer, Dell Raybould, introduced a representative from Rudd and Company who presented the audit of Water District 01 Financial Reports. Mr. Raybould then explained that the Water District is running without a budget between November 1 and the date of the annual meeting and suggested that the waterusers pass a resolution to correct that problem. He also gave an updated financial report that went from November 1, 1994, through March 3, 1995. Paul Berggren motioned that the audit report and the financial report be accepted. Lloyd Hicks seconded the motion which passed unanimously.

Vice-Chairman Don Kramer conducted the approval of resolutions. He asked Mr. Carlson to give a brief summary of each resolution unless the waterusers requested a particular resolution be read in full. All of the resolutions were approved by unanimous vote upon a motion and second from the floor.

Dale Rockwood presented a report from the rental pool committee. He said that currently there are 69,000 acre feet of requests with only 15 acre feet committed to the water bank.

Meeting was adjourned at 3:05 p.m.

## THE 1995 REPORT OF THE COMMITTEE OF NINE

While there are always risks associated with generalization, it certainly appears that 1995 will be viewed as the year that the upper Snake came out of the longest drought period on record. Ten years ago hydrologists were pointing to the drought period of the 1930's as the worst case scenario for their planning purposes. The 1930's, for example, provided the basis for the winter water savings contracts in Palisades, and the exchange wells that were drilled as part of the Teton project. The eight year period from 1987 through 1994, has changed hydrologist's perceptions of both worst-case scenarios and the probabilities of drought cycles on the upper Snake.

The Committee of Nine was confronted by the effects of water-short years for eight consecutive years. Initially this took the form of issues related to reservoir space that did not fill and irrigators who were short of water. Later the influence of drought was reflected in pressures to conjunctively regulate groundwater and surface water, and to acquire Snake River storage to augment river flows for salmon. Last year the philosophies changed and people began looking for ways to conjunctively manage ground water and surface water supplies. Because of concerns over the continuing declines in ground water levels in the southern half of the Snake River Plain, and in north-side spring flow, the Idaho State Legislature appropriated \$940,000 dollars to acquire Snake river storage for recharge. Sufficient monies to purchase 295,000 acre-feet of water were deposited with the Snake River watermaster. The watermaster in turn contacted spaceholders about both supplying and carrying water for recharge. Because it was critical to get the arrangements made at the earliest possible date a meeting of canal managers was scheduled at the Pocatello airport on April 12. As a result of this meeting several canal companies agreed to guarantee supplies if sufficient water was not assigned to the rental pool to cover the amount of water recharged. Ultimately 583,000 acre-feet of space was assigned to the rental pool. Of

this, 182,000 AF was designated for uses above Milner, and 76,750 AF was assigned specifically for recharge. There was 315,000 AF assigned and unrestricted in use. This did not include the 22,244 AF of uncontracted storage assigned by the Bureau for its own purposes.

We were encouraged by the willingness of canal managers to cooperate and participate in the recharge effort. In less than a week after the Pocatello meeting water was being run for recharge. Twelve different entities submitted acceptable recharge proposals to the watermaster and during the course of the year they recharged about 180,000 acre-feet of water. Of this 139,000 acre-feet was recharged in the spring with the remaining 41,000 acre-feet was recharged in the fall. Fortunately, only 72,100 acre-feet of this came from storage which leaves a good opportunity for additional recharge in the spring of 1996.

Shifting our attention to the adjudication, Water District 1 and the Committee of Nine are part of a coalition with users on the Boise and Payette, formed to defend water uses in the Snake River Basin adjudication process. Through October of 1995 we had spent \$227,500 on this effort, and the most unfortunate part is that we are just getting started. During the past year we have been negotiating with the federal government and Nez Perce tribe to resolve federal instream flow claims. Last year Water District 1 adopted a resolution that gave direction to the Committee of Nine and our experts and negotiators. These directions were:

1. Administration of water rights in the SRBA must recognize traditional distribution and water management.

2. The "zero flow at Milner standard", as established in the State Water Plan (must) be recognized as the State's position, and that there can be no call for deliveries below Milner by downstream interests.

3. Releases past Milner must be consistent with State law and limited to annual arrangements approved by the Committee of

Nine.

4. Any changes in upstream water rights that would allow water to be moved below Milner through provisions of State or Federal law will be vigorously opposed by the (negotiators) Snake River water users and the Committee of Nine.

We are hopeful that there will be opportunities to reach a settlement and still protect current and future water uses on the Upper Snake. If we are unsuccessful in reaching a settlement, within the guidelines waterusers have established we must be prepared for what will undoubtedly be the most costly and divisive legal battle in the history of the state. This is why the stakes in the negotiations process are high for all concerned and why we believe that it is imperative that the Snake River Watermaster participate in the negotiations process.

We remain both the victims and the beneficiaries of the endangered species act and the efforts to recover listed Snake River salmon species. The United States has not attempted to pursue a process of taking water as was suggested by their solicitor and reconfirmed by their past commissioner, Daniel Beard. The policy of purchasing water from willing sellers in recognition of state law has worked and those who have made water available through the rental pool have benefitted from the rental fees. However, the recovery process for Snake River salmon continues to consume about one million dollars each day of taxpayer or electric rate payer's money. It is part of this money that has gone to purchase and rent water for flow augmentation. Last year 255,000 acre-feet of water was released from Snake River reservoirs to meet the upper Snake's share of the 427,000 acre-feet of water required annually by the NMFS biological opinion. These releases have been permitted by the State because of Idaho Code Section 42-1763A which allows water to be released to conduct a "test". This law became null and void on January 1, 1996 and no further releases for uses out of the state can be permitted. Consequently, in anticipation of 42-1763A sun-setting the Bureau of Reclamation filed with the

director of IDWR to add flow augmentation as an additional use to the storage rights in federal reservoirs. These applications were advertized by the department and ultimately drew a number of protests. After meeting with the protestants the bureau decided to ask the director to hold these applications in abeyance provided; a statute similar to 42-1763A is reenacted, and irrigators use their best efforts to make stored water available to the Bureau for the next four years. Legislation similar to 42-1763A is currently before the Idaho Legislature and the changes in rental procedures are being proposed to assure up to 250,000 acre-feet of water is available to the Bureau in each of the next four years. We believe this approach provides the time necessary to collect more data related to the benefits of flow augmentation on the efforts to save listed salmon species.

We believe one of the bright spots in 1995 was the governor's appointment of Karl Dreher as director of the Idaho Department of Water Resources. We believe Karl will make major contributions to this state. He already has orchestrated actions that have lead to a much improved relationship between the department and the adjudication court. This effort alone has the potential to save the state and waterusers millions of dollars. We look forward to working with Karl for many years in the future.

As we look toward the end of this century the shape of the future is directly dependant upon what we, as waterusers accomplish today. The Committee of Nine has been looking out for the interests of irrigated agriculture for seventy-six years. The need for wateruser involvement is greater now than it was when the Committee of Nine formed in 1919. The war over water resource will probably never be won. Yet, even though the final victory is illusive, the stakes associated with each battle keep going up. While we long for the past days when life was relatively simple and the focus of the Committee of Nine was directed toward getting authorization for reclamation projects, those days can never be recovered. The task at hand is the preservation of the achievements of those who went before us. This is a task that will require the commitment of financial resources and, more important,

a commitment to unity among waterusers than any time in the past. If we allow the differences and special interests that exist among irrigators to transcend the interests we have in common, the outcome of the final battle will be easy to predict - we will lose!

## 1995 BUDGET COMPARISON

	<u>1995 Budgeted</u>	<u>1995 Actual</u>	<u>1996 Budgeted</u>
<b><u>HYDROGRAPHERS</u></b>			
Teton Basin	\$ 8,000	5,814	\$ 8,000
Idaho Falls	4,500	2,373	4,500
Lower Valley	6,000	2,783	6,000
Henry's Fork	17,000	21,078	22,000
Teton River	<u>4,500</u>	<u>4,005</u>	<u>4,500</u>
	\$ 40,000	\$ 36,053	\$ 44,000
<b><u>RIVER RIDERS</u></b>			
Rigby & Heise Div.	\$ 6,500	5,635	\$ 6,500
Blackfoot Division	3,000	2,119	3,000
Swan Valley	5,500	5,400	5,500
Upper Falls River	1,000	869	1,000
Idaho Falls	1,000	2,676	900
Willow Creek	3,200	527	3,200
Milner	<u>360</u>	<u>360</u>	<u>360</u>
	\$ 20,560	\$ 17,586	\$ 20,460
<b><u>PROGRAM EXPENSES</u></b>			
Automation	\$ 15,000	0	\$ 15,000
Sutron	35,000	28,500	35,000
Streamgaging	139,350	139,347	150,000
U of I Studies	<u>4,000</u>	<u>0</u>	<u>4,000</u>
	\$193,350	\$167,847	\$204,000
<b><u>EQUIPMENT EXPENSES</u></b>			
Office Equipment	\$ 1,500	0	\$ 1,000
Computer, PC's	8,000	6,673	7,700
Telephone	<u>0</u>	<u>0</u>	<u>600</u>
	\$ 9,500	\$ 6,673	\$ 9,300
<b><u>PERSONNEL EXPENSES</u></b>			
Retirement	\$ 5,000	4,505	\$ 5,000
Social Security	5,000	4,035	5,000
Mileage	21,000	14,690	16,000
State Insurance Fund	3,500	3,388	3,500
Employment Insurance	500	243	500
Part-time help (F-Mad)	4,900	4,800	5,000
Misc. Hydrographer Exp.	500	831	1,000
Treasurer	<u>2,500</u>	<u>1,085</u>	<u>2,000</u>
	\$ 42,900	\$ 33,577	\$ 38,000
<b><u>MISCELLANEOUS EXPENSES</u></b>			
Otto Otter	\$ 1,000	500	\$ 1,000
IWUA	500	250	1,000
Postage	0	1,189	1,500
Supplies, Copying, Phone	2,000	1,332	2,000
Audit	5,000	4,900	5,000
Meetings	2,000	2,531	3,500
Legal Fees	10,500	12,954	15,000
Committee of Nine	10,000	9,055	10,000
BOR Last to Fill Contingency	<u>57,000</u>	<u>0</u>	<u>0</u>
	\$ 88,000	\$ 32,711	\$ 39,000
<b><u>WATERMASTER</u></b>			
IDWR Contract	\$280,000	260,000	\$280,000
Report	3,000	2,379	3,000
Travel	<u>4,500</u>	<u>7,211</u>	<u>5,000</u>
	\$287,500	\$269,590	\$288,000
<b>Total</b>	<b><u>\$681,810</u></b>	<b><u>\$564,037</u></b>	<b><u>\$642,760</u></b>
<b><u>COMMITTEE OF NINE</u></b>			
#14-Consult. & Attn.	\$ 200,000	151,380	200,000
#16-Excess Use	100,000	0	100,000
ESA Contingency Fund	50,000	0	50,000
<b>Total</b>	<b><u>\$1,031,810</u></b>	<b><u>\$715,417</u></b>	<b><u>\$ 922,760</u></b>
<b><u>UPPER VALLEY ADD ON</u></b>			
#20-Legal	100,000	63,185	100,000
<b>Total</b>	<b><u>\$1,131,810</u></b>	<b><u>\$778,602</u></b>	<b><u>\$1,092,760</u></b>

1996 BUDGET COMPARISON  
11/1/95-2/29/96

	<u>1996 Budgeted</u>	<u>1996 Actual</u>
<b><u>HYDROGRAPHERS</u></b>		
Teton Basin	\$ 8,000	
Idaho Falls	4,500	
Lower Valley	6,000	
Henry's Fork	22,000	7,080
Teton River	<u>4,500</u>	
	\$ 44,000	<u>7,080</u>
<b><u>RIVER RIDERS</u></b>		
Rigby & Heise Div.	\$ 6,500	735
Blackfoot Division	3,000	115
Swan Valley	5,500	
Upper Falls River	1,000	
Idaho Falls	900	
Willow Creek	3,200	
Milner	<u>360</u>	<u>120</u>
	\$ 20,460	
<b><u>PROGRAM EXPENSES</u></b>		
Automation	\$ 15,000	
Sutron	35,000	
Streamgaging	150,000	12,636
U of I Studies	<u>4,000</u>	
	\$204,000	<u>12,636</u>
<b><u>EQUIPMENT EXPENSES</u></b>		
Office Equipment	\$ 1,000	
Computer, PC's	7,700	211
Telephone	<u>600</u>	
	\$ 9,300	<u>211</u>
<b><u>PERSONNEL EXPENSES</u></b>		
Retirement	\$ 5,000	763
Social Security	5,000	539
Mileage	16,000	741
State Insurance Fund	3,500	3,110
Employment Insurance	500	70
Part-time help (F-Mad)	5,000	680
Misc. Hydrographer Exp.	1,000	190
Treasurer	<u>2,000</u>	
	\$ 38,000	<u>6,093</u>
<b><u>MISCELLANEOUS EXPENSES</u></b>		
Otto Otter	\$ 1,000	
IWUA	1,000	500
Postage	1,500	175
Supplies, Copying, Phone	2,000	281
Audit	5,000	3,500
Meetings	3,500	176
Legal Fees	15,000	3,659
Committee of Nine	10,000	3,889
BOR Last to Fill Contingency	<u>0</u>	
	\$ 39,000	<u>12,180</u>
<b><u>WATERMASTER</u></b>		
IDWR Contract	\$280,000	95,000
Report	3,000	2,911
Travel	<u>5,000</u>	<u>1,436</u>
	\$288,000	99,347
 Total	 <u>\$642,760</u>	 <u>138,517</u>
<b><u>COMMITTEE OF NINE</u></b>		
#14-Consult. & Attn.	200,000	56,644
#16-Excess Use	100,000	
ESA Contingency Fund	50,000	
 Total	 <u>\$ 922,760</u>	 <u>195,161</u>
<b><u>UPPER VALLEY ADD ON</u></b>		
#20-Legal	100,000	27,390
Total	<u>\$1,092,760</u>	<u>222,551</u>

**1995 CONSULTANTS AND ATTORNEYS  
BREAKDOWN**

**CONSULTANTS**

SUMMERS	51,133.05
MCNEIL	7,073.16
BEAK	<u>7,028.20</u>
TOTAL	65,234.41

**ATTORNEYS**

ROSHOLT	68,109.80
LING	<u>18,036.31</u>
TOTAL	86,146.11

**\$151,380.52**

03/01/96

**Water District 1  
Balance Sheet  
As of February 29, 1996**

Feb 29, '96

**ASSETS****Current Assets****Checking/Savings**

100 · Petty Cash	50.00
102 · Cash-Bank of Commerce	17,455.04
104 · Cash-Merrill Lynch	253,128.03
110 · ID TREAS-GENERAL-1526	26,416.67
111 · ML-ERO/LLEGAL FEES	-21,067.39
112 · Rental Contingency	100,000.00
115 · Rental Surcharge-1722	984,659.78

**Total Checking/Savings** 1,360,642.13

**Accounts Receivable**

120 · Assess.Receivables 139,565.58

**Total Accounts Receivable** 139,565.58

**Other Current Assets**

121 · A/R - UV ATTY FEES	38,395.54
122 · DUE FROM RENTAL POOL	8,433.53
132 · Funds Held By IDWR	13,037.58
136 · INVENTORY	29,647.66
140 · EQUIPMENT	23,591.97
145 · ACCUM DEPRECIATN-EQUP	-15,369.38

**Total Other Current Assets** 97,736.90

**Total Current Assets** 1,597,944.61

**TOTAL ASSETS**

1,597,944.61

**LIABILITIES & EQUITY****Liabilities****Current Liabilities****Accounts Payable**

200 · Adjudication Payable 5.42

**Total Accounts Payable** 5.42

**Other Current Liabilities****Payroll Liabilities**

Federal Withholding 112.00

**FICA**

Company 127.72

Employee 127.72

**Total FICA** 255.44

**FUTA** 711.82

**Medicare**

Company 29.88

Employee 29.88

03/01/96

**Water District 1  
Balance Sheet  
As of February 29, 1996**

	Feb 29, '96
Total Medicare	59.76
<b>PERSI</b>	
Company	156.67
Employee	96.01
<b>Total PERSI</b>	252.68
State Withholding ID	73.53
<b>SUI</b>	
Company	140.82
<b>Total SUI</b>	140.82
2100 · SUIID	
2102 · Company	278.36
<b>Total 2100 · SUIID</b>	278.36
<b>Total Payroll Liabilities</b>	1,884.41
250 · PAYROLL TAXES PAYABLE	753.17
260 · ACC VACATION PAYABLE	17,826.92
<b>Total Other Current Liabilities</b>	20,464.50
<b>Total Current Liabilities</b>	20,469.92
<b>Total Liabilities</b>	20,469.92
<b>Equity</b>	
300 · Operations Fund	1,030,084.00
3900 · Retained Earnings	719,431.58
Net Income	-172,040.89
<b>Total Equity</b>	1,577,474.69
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>1,597,944.61</b>

## Water District 1 Profit and Loss February 1996

	Feb '96	Nov '95 - Feb '96
<b>Income</b>		
400 · Fee Income		
404 · Contract Palisade	0.00	3,000.00
<b>Total 400 · Fee Income</b>	0.00	3,000.00
480 · Dividend/Interest Income		
481 · Merrill Lynch '92	0.00	4,334.67
482 · Interest 1526-General 92	456.72	4,357.54
485 · Interest (checking) '92	112.33	300.70
486 · Interest Fee Acct	4,848.75	18,812.53
487 · INTEREST - RENTAL POOL	0.00	11,056.41
<b>Total 480 · Dividend/Interest Income</b>	5,417.80	38,861.85
490 · Miscellaneous Income	2.32	57.29
492 · State Insurance Refund	0.00	559.00
<b>Total Income</b>	5,420.12	42,478.14
<b>Expense</b>		
Payroll Expenses		
Gross Wages	2,060.00	7,050.00
<b>Total Payroll Expenses</b>	2,060.00	7,050.00
Payroll Taxes		
FICA	127.72	437.10
FUTA	16.48	34.80
Medicare	29.88	102.27
PERSI	156.74	762.80
6502 · SUIID	10.30	35.26
<b>Total Payroll Taxes</b>	341.12	1,372.23
599 · Operating Expenses		
600 · Program Expenses		
610 · Streamgaging		
611 · USGS Coop		
613 · D St. Rental USGS	2,527.23	10,108.92
<b>Total 611 · USGS Coop</b>	2,527.23	10,108.92
<b>Total 610 · Streamgaging</b>	2,527.23	10,108.92
630 · Palisades Water Users	0.00	193.57
<b>Total 600 · Program Expenses</b>	2,527.23	10,302.49
640 · Equipment Expenses		
642 · Computer	0.00	211.12
<b>Total 640 · Equipment Expenses</b>	0.00	211.12
650 · Personnel Expense		
660 · Mileage		

03/01/96

**Water District 1  
Profit and Loss  
February 1996**

	Feb '96	Nov '95 - Feb '96
665 · Mileage (Lindsay)	0.00	110.50
667 · Mileage (Richards)	420.00	1,680.00
668 · Mileage (Brown)	0.00	630.00
<b>Total 660 · Mileage</b>	<b>420.00</b>	<b>2,420.50</b>
675 · State Insurance Fund Exp.	0.00	3,109.66
<b>Total 650 · Personnel Expense</b>	<b>420.00</b>	<b>5,530.16</b>
690 · ERO Resources	4,498.72	17,755.30
700 · Miscellaneous		
702 · IWUA	0.00	500.00
703 · Postage	0.00	175.00
704 · Office Supplies	115.35	281.29
707 · Audit	0.00	3,500.00
708 · Meetings		
710 · Meetings-General	3.96	164.09
708 · Meetings - Other	0.00	11.88
<b>Total 708 · Meetings</b>	<b>3.96</b>	<b>175.97</b>
715 · Legal		
718 · Misc.	0.00	3,296.50
720 · Shelley Project	304.50	362.50
<b>Total 715 · Legal</b>	<b>304.50</b>	<b>3,659.00</b>
725 · Fees for 1526,1620,1621	33.04	140.56
740 · Gage-Staff Gaging Equip.	0.00	0.00
745 · Miscellaneous	0.00	189.46
<b>Total 700 · Miscellaneous</b>	<b>456.85</b>	<b>8,621.28</b>
750 · Watermaster		
760 · IDWR Contract	20,000.00	95,000.00
770 · Annual Book	0.00	2,910.70
780 · Travel	89.00	1,314.48
<b>Total 750 · Watermaster</b>	<b>20,089.00</b>	<b>99,225.18</b>
955 · Committee of Nine		
956 · STAN CLARK	0.00	1,224.15
960 · Dale Rockwood	50.00	100.00
961 · Leonard Beck	0.00	779.63
962 · Paul Berggren	0.00	100.00
965 · James Siddoway	0.00	528.00
966 · Claude Storer	0.00	127.00
955 · Committee of Nine - Other	0.00	1,030.12
<b>Total 955 · Committee of Nine</b>	<b>50.00</b>	<b>3,888.90</b>
974 · Indians - Legal	7,944.71	36,172.63
975 · Upper Valley Expense		
980 · Legal & Other Exp.	3,100.00	24,133.94

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**Water District 1  
Profit and Loss  
February 1996**

	<u>Feb '96</u>	<u>Nov '95 - Feb '96</u>
975 · Upper Valley Expense - Other	0.00	255.80
Total 975 · Upper Valley Expense	<u>3,100.00</u>	<u>24,389.74</u>
Total 599 · Operating Expenses	39,086.51	206,096.80
Total Expense	<u>41,487.63</u>	<u>214,519.03</u>
Net Income	<u><u>-36,067.51</u></u>	<u><u>-172,040.89</u></u>

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**WATER DISTRICT 01-RENTAL POOL**  
**Balance Sheet**  
 As of February 29, 1996

	Feb 29, '96
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
102 · WESTONE CHECKING	9,591.75
110 · ID TREAS-AG-1621	32,875.22
111 · Treasurer - Prepaid Lease-1814	699,034.71
112 · ID TREAS-PWR-1620	474,452.17
113 · ML-UNDISPERSED RENTAL-330-04092	340,522.63
<b>Total Checking/Savings</b>	1,556,476.48
<b>Accounts Receivable</b>	
<b>Receivables</b>	8,433.83
<b>Total Accounts Receivable</b>	8,433.83
<b>Total Current Assets</b>	1,564,910.31
<b>TOTAL ASSETS</b>	<b>1,564,910.31</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
<b>Suppliers</b>	
202 · 1995 Rental Pool Liability	333,251.68
<b>Total Suppliers</b>	333,251.68
<b>Deposits</b>	
Deposits - Future Ag Rental	42,459.60
Deposits - Recharge	661,447.53
Deposit - BOR	450,648.57
<b>Total Deposits</b>	1,154,555.70
205 · PAYABLE-WR BOARD	0.11
207 · INTEREST PAYABLE	
AG ACCT - 1621	758.56
M/L UNDISPERSED RENTAL	7,274.56
PREPAID LEASE ACCT-1814	37,587.18
PWR ACCT - 1620	23,048.99
<b>Total 207 · INTEREST PAYABLE</b>	68,669.29
222 · DUE TO WATER DISTRICT	8,433.53
<b>Total Other Current Liabilities</b>	1,564,910.31
<b>Total Current Liabilities</b>	1,564,910.31
<b>Total Liabilities</b>	1,564,910.31

**WATER DISTRICT 01-RENTAL POOL**  
**Balance Sheet**  
As of February 29, 1996

02/29/96

	<u>Feb 29, '96</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>1,564,910.31</u></u>

02/29/96

**WATER DISTRICT 01-RENTAL POOL**  
**Profit and Loss**  
November 1995 through February 1996

	<u>Nov '95 - Feb '96</u>
<b>Income</b>	
503 · 1996 Water Rental	0.00
700 · interest income	
701 · ag-1621 interest	584.05
702 · power-1620 interest	9,716.80
703 · TREASURER 1814 INTEREST	13,371.52
704 · merrill lynch UV interest	4,326.73
<b>Total 700 · interest income</b>	<u>27,999.10</u>
<b>Total Income</b>	27,999.10
<b>Expense</b>	
1100 · fee on acct 1621 & 1620	143.78
1200 · Interest Paid	
1203 · Interest Paid - Recharge	13,290.29
1201 · Ag Interest Pd	580.50
1202 · Power Interest Pd	9,657.80
1200 · Interest Paid - Other	4,326.73
<b>Total 1200 · Interest Paid</b>	<u>27,855.32</u>
<b>Total Expense</b>	<u>27,999.10</u>
<b>Net Income</b>	<u><u>0.00</u></u>