

02/18/98

**Water District 1**  
**Balance Sheet**  
 As of February 18, 1998

RECEIVED

MAR 27 1998

Department of Water Resources

Feb 18, '98

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

100 · Petty Cash	50.00
102 · Cash-Bank of Commerce	63,057.45
104 · Cash-Merrill Lynch	355,986.02
110 · ID TREAS-GENERAL-1526	871,072.92
111 · ML-ERO/LEGAL FEES	163,329.80
112 · Rental Contingency	97,953.15

<b>Total Checking/Savings</b>	<b>1,551,449.34</b>
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**Accounts Receivable**

120 · Assess.Receivables	88,886.16
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<b>Total Accounts Receivable</b>	<b>88,886.16</b>
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**Other Current Assets**

122 · DUE FROM RENTAL POOL	7,057.72
132 · Funds Held By IDWR	61.69
136 · INVENTORY	9,385.00
140 · EQUIPMENT	38,046.37
145 · ACCUM DEPRECIATN-EQUP	-26,337.31

<b>Total Other Current Assets</b>	<b>28,213.47</b>
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<b>Total Current Assets</b>	<b>1,668,548.97</b>
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**TOTAL ASSETS**

<b>1,668,548.97</b>
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**LIABILITIES & EQUITY****Liabilities****Current Liabilities****Accounts Payable**

200 · Adjudication Payable	57.42
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<b>Total Accounts Payable</b>	<b>57.42</b>
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**Other Current Liabilities****Payroll Liabilities**

Federal Withholding	91.00
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**FICA**

Company	101.37
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Employee	101.37
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<b>Total FICA</b>	<b>202.74</b>
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**Medicare**

Company	23.72
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Employee	23.72
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<b>Total Medicare</b>	<b>47.44</b>
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**PERSI**

Company	148.78
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Employee	89.25
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<b>Total PERSI</b>	<b>238.03</b>
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<b>State Withholding ID</b>	<b>211.68</b>
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SCANNED

JUL 27 2023

02/18/98

**Water District 1**  
**Balance Sheet**  
As of February 18, 1998

	<u>Feb 18, '98</u>
2100 • SUIID	
2102 • Company	68.71
Total 2100 • SUIID	<u>68.71</u>
Total Payroll Liabilities	859.60
224 • UPPER VALLEY PREPAID LEGALS	157,089.09
Total Other Current Liabilities	<u>157,948.69</u>
Total Current Liabilities	<u>158,006.11</u>
Total Liabilities	158,006.11
Equity	
300 • Operations Fund	1,024,532.36
3900 • Retained Earnings	633,795.07
Net Income	<u>-147,784.57</u>
Total Equity	<u>1,510,542.86</u>
TOTAL LIABILITIES & EQUITY	<u><u>1,668,548.97</u></u>



02/18/98

**Water District 1**  
**Profit and Loss**  
November 1, 1997 through February 18, 1998

Nov 1, '97 - Feb 18, '98

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**Ordinary Income/Expense****Income**

400 • Fee Income	
404 • Contract Palisade	4,000.00
410 • Delivery	-60.00
	<hr/>
<b>Total 400 • Fee Income</b>	3,940.00
459 • Streamgaging Misc.	72,059.29
460 • MEASUREMENT DISTRICTS	
462 • INDIRECT CHARGES EASTERN	3,584.99
466 • INDIRECT CHARGES NORTHERN	3,416.47
	<hr/>
<b>Total 460 • MEASUREMENT DISTRICTS</b>	7,001.46
480 • Dividend/Interest Income	
481 • Merrill Lynch '92	5,660.99
482 • Interest 1526-General 92	13,590.66
485 • Interest (checking) '92	462.37
	<hr/>
<b>Total 480 • Dividend/Interest Income</b>	19,714.02
490 • Miscellaneous Income	37.96
492 • State Insurance Refund	1,763.00
	<hr/>
<b>Total Income</b>	104,515.73

**Expense****Payroll Expenses****Gross Wages**

East MD Salary	115.43
North MD Salary	1,140.70
Recharge Salary	130.00
WD1 Salaries	5,733.57
X-Medical Expenses	
Medical - East	0.00
Medical - North	117.00
	<hr/>

**Total X-Medical Expenses** 

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 117.00

**Total Gross Wages** 7,236.70

**Payroll Taxes****FICA**

Fica - WD1	408.87
FICA - Other	101.37
	<hr/>

**Total FICA** 510.24

**FUTA**

-1,291.35

**Medicare**

Medicare - East	0.00
Medicare - WD1	113.55
Medicare - Other	23.72
	<hr/>

**Total Medicare** 137.27

**PERSI**

Persi - East	0.00
Persi - North	120.85

02/18/98

**Water District 1**  
**Profit and Loss**  
November 1, 1997 through February 18, 1998

	<u>Nov 1, '97 - Feb 18, '98</u>
Persi - Upper Valley	0.00
Persi - WD1	564.26
PERSI - Other	48.85
<b>Total PERSI</b>	<u>733.96</u>
6502 • SUIID	-640.74
Payroll Taxes - Other	73.00
<b>Total Payroll Taxes</b>	<u>-477.62</u>
<b>Total Payroll Expenses</b>	6,759.08
<b>599 • Operating Expenses</b>	
<b>600 • Program Expenses</b>	
610 • Streamgaging	
611 • USGS Coop	
613 • D St. Rental USGS	11,462.68
<b>Total 611 • USGS Coop</b>	<u>11,462.68</u>
<b>Total 610 • Streamgaging</b>	11,462.68
625 • Fremont-Mad. Coop	2,400.00
630 • Palisades Water Users	163.82
631 • Recharge Expenses	
632 • AUTO	12.00
<b>Total 631 • Recharge Expenses</b>	<u>12.00</u>
<b>Total 600 • Program Expenses</b>	14,038.50
<b>640 • Equipment Expenses</b>	
642 • Computer	315.99
706 • Telephone	210.50
<b>Total 640 • Equipment Expenses</b>	<u>526.49</u>
<b>650 • Personnel Expense</b>	
660 • Mileage	
661 • Mileage(Wetzel/VonAchen)	10.40
665 • Mileage (Lindsay)	32.50
667 • Mileage (Richards)	1,260.00
668 • Mileage (Brown)	120.00
<b>Total 660 • Mileage</b>	<u>1,422.90</u>
675 • State Insurance Fund Exp.	2,833.00
680 • Hydrographer Misc Exp	518.64
<b>Total 650 • Personnel Expense</b>	<u>4,774.54</u>
<b>700 • Miscellaneous</b>	
701 • Otto Otter	1,000.00
702 • IWUA	500.00
703 • Postage	-410.56
704 • Office Supplies	187.65
707 • Audit	4,500.00
708 • Meetings	
710 • Meetings-General	71.30

02/18/98

**Water District 1**  
**Profit and Loss**  
November 1, 1997 through February 18, 1998

	Nov 1, '97 - Feb 18, '98
708 • Meetings - Other	7.92
Total 708 • Meetings	79.22
725 • Fees for 1526,1620,1621	80.31
Total 700 • Miscellaneous	5,936.62
750 • Watermaster	
760 • IDWR Contract	87,000.00
770 • Annual Book	-35.00
780 • Travel	1,818.86
790 • MEASUREMENT DISTRICTS	
791 • EASTERN	
793 • Office Supplies - East	1.98
794 • Auto Expense - East	0.00
799 • Legal/Advisory - East	0.00
Total 791 • EASTERN	1.98
792 • NORTHERN	
796 • Office Supplies - North	0.00
797 • Auto Expense - North	100.88
798 • Hydrographer Exp. - North	45.49
792 • NORTHERN - Other	0.00
Total 792 • NORTHERN	146.37
Total 790 • MEASUREMENT DISTRICTS	148.35
Total 750 • Watermaster	88,932.21
800 • Water Bank	
722 • EXCESS STORAGE USE	-114.15
Total 800 • Water Bank	-114.15
955 • Committee of Nine	
960 • Dale Rockwood	244.00
961 • Leonard Beck	638.45
962 • Paul Berggren	100.00
970 • DeWitt Moss	994.80
955 • Committee of Nine - Other	397.86
Total 955 • Committee of Nine	2,375.11
973 • Indians	
1 • Committee of Nine - Nez Perce	1,253.65
690 • ERO Resources	24,016.86
974 • Indians - Legal	103,801.39
Total 973 • Indians	129,071.90
Total 599 • Operating Expenses	245,541.22
Total Expense	252,300.30
Net Ordinary Income	-147,784.57

02/18/98

**Water District 1**  
**Profit and Loss**  
November 1, 1997 through February 18, 1998

Nov 1, '97 - Feb 18, '98

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**Net Income**

**-147,784.57**

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02/18/98

## WATER DISTRICT 01-RENTAL POOL

## Balance Sheet

As of February 18, 1998

	Feb 18, '98
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
102 · US BANK	22,866.91
110 · TREAS-1621 - AG	291,488.87
111 · Treas- 1814 - RECHARGE	582,982.75
112 · TREAS-1620 - PWR	389,087.15
114 · TREAS 1722-BOR (2.05)	935,572.45
<b>Total Checking/Savings</b>	<u>2,221,998.13</u>
<b>Accounts Receivable</b>	
Receivables	13,618.97
<b>Total Accounts Receivable</b>	<u>13,618.97</u>
<b>Total Current Assets</b>	<u>2,235,617.10</u>
<b>TOTAL ASSETS</b>	<u><u>2,235,617.10</u></u>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
<b>Suppliers</b>	
204 · 97 SUPPLIERS	239,582.51
<b>Total Suppliers</b>	<u>239,582.51</u>
<b>Deposits</b>	
Deposits - Future Ag Rental	313,000.90
Deposits - Recharge	582,982.75
Deposit - BOR (2.05)	937,058.70
<b>Total Deposits</b>	<u>1,833,042.35</u>
205 · PAYABLE-WR BOARD	144,181.87
207 · INTEREST PAYABLE	
1621 · AG ACCT - 1621	1,354.88
1620 · BOR - 1620	10,397.77
<b>Total 207 · INTEREST PAYABLE</b>	<u>11,752.65</u>
222 · DUE TO WATER DISTRICT	7,057.72
<b>Total Other Current Liabilities</b>	<u>2,235,617.10</u>
<b>Total Current Liabilities</b>	<u>2,235,617.10</u>
<b>Total Liabilities</b>	<u>2,235,617.10</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>2,235,617.10</u></u>

02/18/98

## WATER DISTRICT 01-RENTAL POOL

## Profit and Loss

November 1, 1997 through February 18, 1998

	Nov 1, '97 - Feb 18, '98
<b>Income</b>	
470 · EXCESS USE REVENUE	-595.33
500 · Water Bank Rental	
503 · 1996 Water Rental	7,068.75
504 · 1997 Water Rental	-1,486.25
Total 500 · Water Bank Rental	5,582.50
700 · interest income	
701 · ag-1621 interest	1,286.52
702 · power-1620 interest	5,418.48
703 · TREASURER 1814 INTEREST	8,465.31
700 · interest income - Other	13,235.52
Total 700 · interest income	28,405.83
Total Income	33,393.00
<b>Expense</b>	
1100 · fee on acct 1621 & 1620	136.31
1200 · Interest Paid	
1205 · 1722 INTEREST PAID	13,171.99
1203 · Interest Paid - Recharge	8,424.67
1201 · Ag Interest Pd	1,280.39
1202 · Power Interest Pd	5,392.47
Total 1200 · Interest Paid	28,269.52
1300 · Rental Pool Expenses	
1301 · Supplier Payment	5,075.00
1302 · Water Resource Board Fee	507.50
1303 · WD 01 Fee	-595.33
Total 1300 · Rental Pool Expenses	4,987.17
Total Expense	33,393.00
Net Income	0.00



02/17/98

**Water District 1**  
**Transaction Detail by Account**  
November 1, 1997 through February 17, 1998

Type	Date	Num	Name	Amount	Balance
<b>599 • Operating Expenses</b>					
<b>973 • Indians</b>					
<b>1 • Committee of Nine - Nez Perce</b>					
Check	12/22/97	4398	LEONARD M BECK	723.94	723.94
Check	2/12/98	4466	DALE ROCKWOOD	569.71	1,293.65
Check	2/12/98	4466	DALE ROCKWOOD	-40.00	1,253.65
Total 1 • Committee of Nine - Nez Perce				1,253.65	1,253.65
<b>690 • ERO Resources</b>					
Check	12/22/97	4394	ERO RESOURCES C...	10,542.56	10,542.56
Check	1/6/98	4421	BROCKWAY ENGIN...	925.92	11,468.48
Check	1/6/98	4422	KEN REID	518.40	11,986.88
Check	1/8/98	4429	KENT RICHARDS	5,192.29	17,179.17
Check	1/30/98	4446	ERO RESOURCES C...	6,837.69	24,016.86
Total 690 • ERO Resources				24,016.86	24,016.86
<b>974 • Indians - Legal</b>					
Check	12/1/97	4366	LING, NIELSEN & R...	3,343.25	3,343.25
Check	12/22/97	4393	ROSHOLT, ROBERT...	36,920.74	40,263.99
Check	12/22/97	4395	RAY RIGBY	3,887.00	44,150.99
Check	1/6/98	4419	LING, NIELSEN & R...	2,460.45	46,611.44
Check	1/19/98	4438	ROSHOLT, ROBERT...	19,262.73	65,874.17
Check	1/30/98	4447	LING, NIELSEN & R...	2,350.20	68,224.37
Check	2/12/98	4460	RAY RIGBY	11,569.31	79,793.68
Check	2/12/98	4465	ROSHOLT, ROBERT...	24,007.71	103,801.39
Total 974 • Indians - Legal				103,801.39	103,801.39
Total 973 • Indians				129,071.90	129,071.90
Total 599 • Operating Expenses				129,071.90	129,071.90
<b>TOTAL</b>				<b>129,071.90</b>	<b>129,071.90</b>



ERO Resources Corp.  
1842 Clarkson Street  
Denver, CO 80218  
(303) 830-1188  
Fax: 830-1199  
erocorp@aol.com

Denver • Boise

January 12, 1998

**RECEIVED**

**JAN 20 1998**

Department of Water Resources  
Eastern Region

**To:** Ron Carlson  
Sherl Chapman  
**From:** Craig Sommers  
**Re:** December Invoice

Enclosed is a copy of our current invoice. The proportionate responsibility for paying this invoice is as follows:

Water District 1 (80%)	\$6,837.69
Idaho Water Users (20%)	<u>\$1,709.42</u>
<b>TOTAL</b>	<b>\$8,547.11</b>

Major activities for the past month were:

1. Continued analysis of Deer Flat and Nez Perce flow claims and collection of documents relevant to those claims.
2. Continued to research salmon recovery issues.
3. Revised draft contract for John Pizzimenti/Harza.
4. Continued implementation of document management system.
5. Assisted in input of documents into Coalition database.
6. Prepared for and attended various meetings with respect to Coalition, Deer Flat negotiations, and experts.
7. Provided input on draft USBR Cumulative Impacts report.
8. Met with the State experts on Deer Flat status.

Major activities planned for next month are:

1. Continue to assist in development of litigation and discovery strategy for Nez Perce claims.
2. Continue to prepare for litigation or settlement of the Deer Flat claims.
3. Continue analysis of flow augmentation proposals for salmon.
4. Finalize selection of an expert in economics.
5. Prepare expert contracts and work orders as needed.

Please feel free to call me with any questions.

cc w/invoice: Stan Clark  
Ray Rigby  
cc w/o invoice: Roger Ling  
Don Olowinski  
John Rosholt



ERO Resources Corp.  
1842 Clarkson Street  
Denver, CO 80218  
(303) 830-1188  
Fax: 830-1199  
erocorp@aol.com  
Denver • Boise

INVOICE

Date : 01/14/98  
No. : 3691

Idaho Department of Water Resources  
Mr. Ron Carlson  
900 N. Skyline Dr.  
Idaho Falls ID 83402-1718

cc: Idaho Water Users Association  
Mr. Sherl Chapman  
410 S. Orchard, Suite 144  
Boise, ID 83705

Description		Total
FOR SERVICES FROM 12/1 THROUGH 12/31		
Coordination/Meetings		
Sommers - Principal	13.00 @ \$98.00/hr	\$ 1,274.00
Shaw - Engineer	16.50 @ \$85.00/hr	1,402.50
Data Analysis/Reporting		
Shaw - Engineer	33.00 @ \$85.00/hr	2,805.00
Deer Flat Litigation		
Sommers - Principal	2.00 @ \$98.00/hr	196.00
ESA Issues		
Sommers - Principal	1.00 @ \$98.00/hr	98.00
Shaw - Engineer	9.50 @ \$85.00/hr	807.50
Nez Perce Litigation		
Sommers - Principal	11.00 @ \$98.00/hr	1,078.00
Clerical/Administrative Support		
Eggleston - Administration	2.00 @ \$45.00/hr	90.00
Clark - WP/Clerical	1.50 @ \$45.00/hr	67.50
Dave Walker Expenses		190.50
IDWR Database Access		19.19
Gas & Mileage		11.50
Airfare		167.00
Meals		51.62
Lodging		122.10
Vehicle Rental		61.43
Parking and Cab Fare		10.00
Postage and Shipping		71.17
Telephone - Long Distance Charges		17.20
Photocopies		6.90
Total Due:		\$ 8,547.11

# Snake River Budget

INITIAL BUDGET	District 1 (80%) \$144,000.00	IWUA (20%) \$36,000.00	Total \$180,000.00
Feb-97	8,421.40	2,105.35	\$10,526.75
Mar-97	5,136.92	1,284.23	\$6,421.15
Apr-97	9,706.88	2,426.72	\$12,133.60
May-97	9,889.37	2,472.34	\$12,361.71
Jun-97	11,176.16	2,794.04	\$13,970.20
Jul-97	16,789.51	4,197.38	\$20,986.89
Aug-97	13,427.52	3,356.88	\$16,784.40
Sep-97	12,924.60	3,231.15	\$16,155.75
Oct-97	12,231.74	3,057.93	\$15,289.67
Nov-97	10,542.56	2,635.64	\$13,178.20
Dec-97	6,837.69	1,709.42	\$8,547.11
Jan-98			
TOTAL BILLED	\$117,084.34	\$29,271.09	\$146,355.43
REMAINING	\$26,915.66	\$6,728.91	\$33,644.57
%REMAINING	18.69%	18.69%	18.69%



PROJECT:  
Name: Snake River Adjudication Number: 111

Employee: CRAIG SOMMERS

Date 12/31/97

[illegible]

COPY

[illegible]

27

[illegible]





Name: SRBA

Number: 111

Employee: David Shaw

Date: 12/97

Date: 12/97

**COPY**

[illegible]

## EXPENSES

[illegible]

1/5/98 - December 1997 Timesheet

Date	Proj.	Activity	Hours	Description	Miles	Name
12/30/97	111	11	1.50	WP/Clerical Support	0	MLC
			1.50		0	MLC Total
	111 Total		1.50		0	

FACULTY SECRETARY'S OFFICE  
UNIVERSITY OF IDAHO  
Moscow, ID 83844-1106

Telephone: (208) 885-6151  
Fax: (208) 885-8947

FAX

Please deliver the following pages to:

Name: Craig Sommers

Address: \_\_\_\_\_

Fax: 303-830-1199 Date: 12/12, 11

Bill: 111  
Pay to Dave  
Walker  
-Craig

From: David Walker  
Dept of Ag Econ  
Univ of Idaho  
Moscow, ID 83843

We are sending you 2 pages (including this cover sheet).

Craig -

Thank you for the opportunity to interview for the consulting position. I enjoyed meeting you and the others and discussing the project. It sounds like an interesting assignment.

My expenses for the trip were:

Air fare	\$110.00
Airport parking	5.50
Mileage to Spokane + home (200 miles @ 31¢)	62.00
Boise Cab	13.00
	<u>\$190.50</u>

I appreciate your willingness to provide reimbursement. Dave

MEMO

To: Ron Carlson  
Sherl Chapman

RECEIVED  
DEC 26 1997  
Department of Water Resources  
Eastern Region

From: Chuck Brockway  
Date: December 24, 1997  
Re: Statements

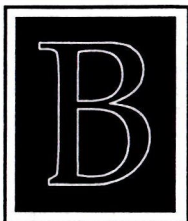
Enclosed is a statement dated December 23, 1997 for services related to the Snake River hydrologic analysis. I understand the Idaho Water Users Association and the Committee of Nine will be splitting the cost.

Previous balance	\$3234.60
Payments received - Committee of Nine	\$3131.40
Payment received - Idaho Water Users	\$103.20
New charges	\$1157.40
Balance due	\$1157.40

80% 925.92

cc w/invoice: Stan Clark  
Craig Sommers

cc w/o invoice: Roger Ling  
Don Olowinski  
Ray Rigby  
John Rosholt



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

## STATEMENT

December 23, 1997

Invoice # 10391

Submitted To:  
Idaho Water Users Association  
Committee of Nine

In Reference To: Snake River hydrology

	<u>Amount</u>
Previous balance	\$3,234.60
10/24/97 Payment received - Water District No. 1	(\$2,718.60)
11/3/97 Payment received - Water District 1	(\$412.80)
11/4/97 Payment received - Id. Water Users	(\$103.20)

Total payments	(\$3,234.60)
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Professional services:

10/19/97	Snake River flow eval. re Nez Perce-c/D. Shaw	48.00
10/22/97	Meeting w/ C. Sommers and D. Shaw & C. W. Robison	120.00
10/23/97	Review of USBR report and natural flow analysis	60.00
11/5/97	Conf w/ Dave Shaw and data aquisition	16.00
11/10/97	Conf w/ R. Sutter IDWR re USBR Cumulative Effects study	32.00
11/17/97	Conf w/ Dave Shaw-review of USBR reports	40.00
11/25/97	Meeting w/ USBR and IDWR et al re cumulative effects of irrigation	760.00
12/3/97	Conf w/ D. Shaw	8.00

For professional services rendered	\$1,084.00
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Additional charges:

11/25/97	Mileage and miscellaneous expenses Boise	73.40
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Total additional charges	\$73.40
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Total amount of this bill	\$1,157.40
---------------------------	------------

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., E.I.T.

706 SUNRISE  
BOULEVARD  
NORTH

TWIN FALLS,  
IDAHO 83301

208•733•0938  
208•734•2580

FAX: 736•1746

**Balance due**

Amount

**\$1,157.40**

Payment is due 15 days after invoice date



**ROSHOLT, ROBERTSON, & TUCKER  
ATTORNEYS AT LAW**

**1221 W. IDAHO  
P.O. BOX 2139  
BOISE, IDAHO 83701-2139  
(208) 336-0700  
Fax: (208) 344-6034**

**MEMORANDUM**

**RECEIVED**

**JAN 02 1998**

**Department of Water Resources  
Eastern Region**

**TO:** Ron Carlson ✓  
Sherl Chapman

**FROM:** John K. Simpson

**RE:** Reid Invoice/Anthropological work

**DATE:** December 30, 1997

Enclosed please find the invoice for Reid's work in the Nez Perce litigation. This balance is subject to the 80% - 20% apportionment. If you have any questions regarding the actions taken by Mr. Reid, please advise.

cc. Don Olowinskil  
John Rosholt

FROM:

*KCR*  
Kenneth C. Reid, Ph.D.  
Rainshadow Research  
114 North Grand Avenue  
Pullman, Washington 99163

TO:

Rosholt, Robertson, and Tucker  
Attorneys at Law  
P.O. Box 2139  
1221 West Idaho, Suite 600  
Boise, Idaho 83701-2139

SUBJECT:

Invoice reminder

DATE:

17 December 1997

Balance due:

August  
October

\$486.00

\$648.00

Total:

\$1,134.00

*IWA 2090 partim*  
~~*100%*~~

*80%*

*518.40*

*pd 10/16/97*  
*1,944.00*

REC'D DEC 19 1997 BOI



TO: Ron Carlson

FAX: 208 525-7177

FROM: Jack Eggleston

DATE: 1/7/98

RE: Kent Richards Invoice

PAGES INCLUDED: 3

**REMARKS:** ☐ Urgent ☒ For your review ☐ Reply ASAP ☐ Please Comment ☐ Hard Copy will follow

Kent called me last week about his September invoice. He indicated that it has not been paid, and thought that perhaps you had sent the check to us. I told him that you had not, and that I would send you a copy of the invoice for processing. Please pay Kent directly. If you have any questions, please feel free to call Craig or me.

Confidentiality Notice: *This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the address below via first class mail. Thank you.*

1842 Clarkson Street • Denver, Colorado 80218 • Phone (303) 830-1188 • Fax (303) 830-1199  
e-mail [erocorp@aol.com](mailto:erocorp@aol.com)



ERO Resources Corp.  
1842 Clarkson Street  
Denver, CO 80218  
(303) 830-1188  
Fax: 830-1199  
erocorp@aol.com

Denver • Boise

September 15, 1997

To: Ron Carlson  
Sherl Chapman  
From: Craig Sommers *Craig*  
Re: Kent Richards Invoice

Enclosed is a copy of an invoice that I received from Kent Richards, the historian retained for the Nez Perce claims. The proportionate responsibility for paying this invoice is as follows:

Water District 1 (80%)	\$5,192.29
Idaho Water Users (20%)	<u>\$1,298.07</u>
TOTAL	\$6,490.36

Please pay Kent Richards directly at the address shown on the invoice.

cc w/invoice: Stan Clark  
cc w/o invoice: Roger Ling  
Don Olowinski  
Kent Richards  
Ray Rigby  
John Rosholt

*400 E 8th Ave  
Ellensburg WA 98926-7553  
paid  
9/29/97*

*561 Rader Rd.  
Ellensburg, WA  
98926*



CENTRAL WASHINGTON UNIVERSITY

Department of History

September 4, 1997

James C. Tucker  
Rosholt, Robertson & Tucker  
P.O. Box 2139  
Boise, ID 83701-2139

RE: SRBA/Nez Perce Claims

Dear Jim:

Here is my statement for services for the period June 30 - August 31, 1997. Work consisted of review of documents collected by the United States and by myself, research in Boise and Ellensburg, and a meeting with attorneys in Boise. Also, in the last week of August, I began work on a draft of a report.

87.75 hours x \$65/hour = \$5,677.10

TRAVEL & MISCELLANEOUS

Travel to Boise, August 5 -9, 1997.

Mileage: Ellensburg-Yakima airport and return; 90 miles x .315 = \$28.35

Air fare: (Horizon): \$318.00

Lodging: (Doubletree, Boise): Four nights = \$270.84

Per diem: Three days x \$34/day = \$102; plus one breakfast @\$8.00 and two dinners @16.00 = \$40. Total: \$142.00

Parking: (Yakima airport) = \$25.00

Copying: \$8.90

Telephone: \$20.17

Sub-total: \$813.26

TOTAL: \$5,677.10 + \$813.26 = \$6,490.36

Sincerely,

Kent D. Richards





ERO Resources Corp.  
1842 Clarkson Street  
Denver, CO 80218  
(303) 830-1188  
Fax: 830-1199  
erocorp@aol.com

Denver • Boise

December 4, 1997

**To:** Ron Carlson  
Sherl Chapman  
**From:** Craig Sommers *Craig*  
**Re:** November Invoice

RECEIVED

9 1997

Department of Water Resources  
Eastern Region

Enclosed is a copy of our current invoice. The proportionate responsibility for paying this invoice is as follows:

Water District 1 (80%)	\$10,542.56
Idaho Water Users (20%)	\$ <u>2,635.64</u>
TOTAL	\$13,178.20

Major activities for the past month were:

1. Continued analysis of Deer Flat and Nez Perce flow claims and collection of documents relevant to those claims.
2. Continued to research salmon recovery issues.
3. Revised draft contract for John Pizzimenti/Harza.
4. Continued implementation of document management system.
5. Assisted in input of documents into Coalition database.
6. Prepared for and attended various meetings with respect to Coalition, Deer Flat negotiations, and experts.

Major activities planned for next month are:

1. Continue to assist in development of litigation and discovery strategy for Nez Perce claims.
2. Continue to prepare for litigation or negotiation of the Deer Flat claims.
3. Meet with State's experts on Deer Flat analyses.
4. Continue analysis of flow augmentation proposals for salmon.
5. Finalize interviews of additional candidates as experts in economics.
6. Prepare expert contracts and work orders as needed.
7. Provide input on draft USBR Cumulative Impacts report.

Please feel free to call me with any questions.

cc w/invoice: Stan Clark  
Ray Rigby  
cc w/o invoice: Roger Ling  
Don Olowinski  
John Rosholt





ERO Resources Corp.  
1842 Clarkson Street  
Denver, CO 80218  
(303) 830-1188  
Fax: 830-1199  
erocorp@aol.com

Denver • Boise

# INVOICE

Date : 12/05/97  
No. : 3618

Idaho Department of Water Resources  
Mr. Ron Carlson  
900 N. Skyline Dr.  
Idaho Falls ID 83402-1718

cc: Idaho Water Users Association  
Mr. Sherl Chapman  
410 S. Orchard, Suite 144  
Boise, ID 83705

Description		Total
FOR SERVICES FROM 11/1 THROUGH 11/30		
Coordination/Meetings		
Sommers - Principal	3.00 @ \$98.00/hr	\$ 294.00
Shaw - Engineer	12.00 @ \$85.00/hr	1,020.00
Data Analysis/Reporting		
Sommers - Principal	2.00 @ \$98.00/hr	196.00
Shaw - Engineer	74.75 @ \$85.00/hr	6,353.75
Deer Flat Litigation		
Sommers - Principal	3.00 @ \$98.00/hr	294.00
Nez Perce Litigation		
Sommers - Principal	32.00 @ \$98.00/hr	3,136.00
Clerical & Administrative Support		
Clark - WP/Clerical	5.50 @ \$45.00/hr	247.50
J. Eggleston - Administration	2.00 @ \$45.00/hr	90.00
Welsh - WP/Clerical	23.00 @ \$30.00/hr	690.00
B. Eggleston - WP/Clerical	2.00 @ \$30.00/hr	60.00
Mileage		60.00
Airfare		389.00
Meals		9.53
Lodging		61.05
Vehicle Rental		31.20
Parking and Cab Fare		10.00
Telephone - Long Distance Charges		76.14
Photocopies		148.50
Postage and Shipping		11.53
Total Due:		\$13,178.20

# Snake River Budget

INITIAL BUDGET	District 1 (80%) \$144,000.00	IWUA (20%) \$36,000.00	Total \$180,000.00
Feb-97	8,421.40	2,105.35	\$10,526.75
Mar-97	5,136.92	1,284.23	\$6,421.15
Apr-97	9,706.88	2,426.72	\$12,133.60
May-97	9,889.37	2,472.34	\$12,361.71
Jun-97	11,176.16	2,794.04	\$13,970.20
Jul-97	16,789.51	4,197.38	\$20,986.89
Aug-97	13,427.52	3,356.88	\$16,784.40
Sep-97	12,924.60	3,231.15	\$16,155.75
Oct-97	12,231.74	3,057.93	\$15,289.67
Nov-97	10,542.56	2,635.64	\$13,178.20
Dec-97			
Jan-98			
TOTAL BILLED	\$110,246.66	\$27,561.66	\$137,808.32
REMAINING	\$33,753.34	\$8,438.34	\$42,191.68
%REMAINING	23.44%	23.44%	23.44%





PROJECT:

Name: SRBA

Number: 111

Employee: David Shaw

Date: 11/97

## TASK

- Coordination/Meetings
- Negotiations
- Data Analysis/Reporting
- ESA Issues
- Deer Flat Litigation

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
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3

6      7      4      2.5      8      5      1      1.5      4.5      2

- Coordination/Meetings
- Negotiations
- Data Analysis/Reporting
- ESA Issues
- Deer Flat Litigation

17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
----	----	----	----	----	----	----	----	----	----	----	----	----	----	----

Total

12

01

74.75

01

01

01

01

0

86.75

## EXPENSES

Mileage  
Airfare  
Meals  
Lodging  
Car Rental  
Parking/Cab Fare  
Film/Film Processing  
Maps/Blueprints  
Gasoline/Fuel  
Field Supplies  
Copies

Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date
11/07	11/17												

110

110

Bill Reimburse

44.00	34.10
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9.90	0
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0	0

53.9	34.1
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12/1/97 - ERO TIMESHEET

Date	Proj.	Activity	Hours	Description	Miles	Name
11/4/97	111	11	0.50	WP/Clerical Support	0	MLC
11/5/97	111	11	2.00	WP/Clerical Support	0	MLC
11/6/97	111	11	1.00	WP/Clerical Support	0	MLC
11/13/97	111	11	1.00	WP/Clerical Support	0	MLC
11/17/97	111	11	0.50	WP/Clerical Support	0	MLC
11/24/97	111	11	0.50	WP/Clerical Support	0	MLC
			5.50		0	MLC Total
11/5/97	111	11	2.00	Work on copy and fedex for CLS	0	SBE
			2.00		0	SBE Total
	<b>111 Total</b>		7.50		0	







ERO Resources Corp.  
1842 Clarkson Street  
Denver, CO 80218  
(303) 830-1188  
Fax: 830-1199  
erocorp@aol.com

Denver • Boise

November 17, 1997

**To:** Ron Carlson  
Sherl Chapman  
**From:** Craig Sommers *Craig*  
**Re:** Kent Richards' Invoice

Enclosed is a copy of an invoice that I received from Kent Richards, the historian retained for the Nez Perce claims. The proportionate responsibility for paying this invoice is as follows:

Water District 1 (80%)	\$13,757.04
Idaho Water Users (20%)	<u>3,439.26</u>
<b>TOTAL</b>	<b>\$ 17,196.30</b>

**Please pay Kent Richards directly at the address shown on the invoice.**

cc w/invoice: Stan Clark  
Ray Rigby  
cc w/o invoice: Roger Ling  
Don Olowinski  
Kent Richards  
John Rosholt

**RECEIVED**  
**NOV 24 1997**  
Department of Water Resources  
Eastern Region



CENTRAL WASHINGTON UNIVERSITY

Department of History

November 1, 1997

James C. Tucker  
Rosholt, Robertson & Tucker  
P.O. Box 2139  
Boise, ID 83701-2139

RE: SRBA/Nez Perce Claims

Dear Jim:

Here is my statement for services for the period September 1-October 31, 1997. Work consisted of research in Boise, Orofino, Seattle, and Ellensburg and meetings with attorneys in Boise. Most of the work consisted of preparation of a draft report.

235.5 hours x \$65/hour = \$15,307.50

TRAVEL & MISCELLANEOUS:

Travel to Boise, September 7-15, 1997, for meeting and research.

Mileage: Ellensburg-Boise-Orofino-Ellensburg, 972 miles x .315 = \$306.18

Lodging: Doubletree, Boise, seven nights = \$473.97  
White Pine, Orofino, one night = \$ 37.45

Per diem: Eight days x \$34/day = \$272.00; plus one lunch (\$10.00)  
= \$282.00

Travel to Boise and Seattle, October 22-24, 1997, for meeting and research.

Mileage: Ellensburg-Sea/Tac-National Archives, Seattle-Ellensburg, 260 miles x .315 = \$81.90

Air Fare: Seattle-Boise-Seattle = \$418.00

Lodging: Island Habitat, Mercer Island, two nights = \$70.00

Per diem: One day, plus one breakfast (\$8.00) and one dinner

Tucker, p. 2

(\$16.00) = \$58.00

Parking: Sea/Tac = \$12.00

Travel to Seattle, October 30, 1997, for research.

Mileage: Ellensburg-Seattle-Ellensburg, 230 miles x .315 = \$72.45

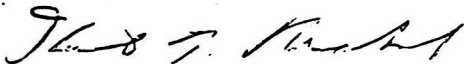
Per diem: Lunch = \$10.00

Totals:

Copying:	\$	59.50
Telephone:		7.35
Air fare:		418.00
Mileage:		460.53
Parking:		12.00
Lodging:		581.42
Per diem:		350.00
Sub-total:		\$1,888.80

TOTAL: \$15,307.50 + \$1,888.80 = \$17,196.30

Sincerely,



Kent D. Richards

cc. Craig Sommers

# BEAK CONSULTANTS INCORPORATED

317 S.W. ALDER  
PORTLAND, OREGON 97204  
PHONE: (503) 248-9507  
FAX: (503) 228-3820

RECEIVED

NOV 12 1997

Department of Water Resources  
Eastern Region

## MEMORANDUM

To: Ron Carlson  
Sherl Chapman  
From: Ken Carlson (Beak Consultants Incorporated)  
Ref: 73899  
Date: November 7, 1997  
Subject: SEPTEMBER 1997 INVOICE

Enclosed is a copy of our current invoice. The proportionate responsibility for paying this invoice is as follows:

Water District 1 (80%)	\$ 157.76
Idaho Water Users (20%)	\$ 39.44
TOTAL (100%)	\$ 197.20

Our budget status is as follows:

WORK ORDER 96-1:

TOTAL INVOICES TO DATE:	\$ 26,456.50
REMAINING BUDGET:	0.00 (0.0%)

Note: Current work is occurring under Work Order 96-1 authorized on April 1, 1996.

Major activities during September were:

Discussed with Craig Sommers proposed scope and budget, on possible upcoming technical tasks pertaining to the proceedings. Perused stack of discovery materials sent by Mr. Sommers for disposition.

Major activities planned for October are:

Beak's work under Work Order 96-1 is complete. Beak anticipates no additional work until further notice.

Please contact me if you have any questions.

pc

with invoice:

Stan Clark  
Craig Sommers

pc

without invoice:

Roger Ling  
Don Olowinski  
Ray Rigby  
John Rosholt



### MONTHLY BUDGET SUMMARY SUBACCOUNT (TASK)

PROJECT NAME: SNAKE RIVER ADJUDICATION

PROJECT NUMBER: 73899

CLIENT WORK ORDER: 96-1 (dated April 1, 1996)

SUBACCOUNT: All Accounts (Task) Combined

Month	Year	Credits (\$)	Debits (\$)	Balance (\$)	Budget Remaining (%)
Apr	1996	26,000.00	1,775.25	24,224.75	93.2
May	1996		10,691.81	13,532.94	52.1
Jun	1996		1,811.79	11,721.15	45.1
Nov	1996		4,514.14	7,207.01	27.7
Dec	1996		98.16	7,108.85	27.3
Jan	1997		179.63	6,929.22	26.7
May	1997		513.90	6,415.32	24.7
Jun	1997		3,516.25	2,899.07	11.2
Jul	1997		1,671.49	1,227.58	4.7
Aug	1997		1,486.88	-259.30	0.0
Aug	1997		197.20	-456.50	0.0



beak  
consultants  
incorporated

317 S.W. Alder, Suite 900  
Portland, Oregon 97204-2583  
(503) 248-9507 FAX (503) 228-3820

Invoice number 17965  
October 20, 1997  
Page number 1

ERO Resources Corporation  
1842 Clarkson St.  
Denver, CO 80218

Craig Sommers

Professional Services for Period Ending 30 September 1997

Project 73899 Snake R. Fed/Tribal Instream Flow

Labor	Hours	Rate	Amount
Kenneth L. Carlson	2.00	98.00	196.00
Services total	2.00		196.00

Direct Expense	Cost	Mult	Amount
Fax	1.20	1.00	1.20
Direct Expense total			1.20
Charges sub-total			197.20
Invoice total			197.20

Approved by

Kenneth L. Carlson  
Beak Consultants Inc.





ERO Resources Corp.  
1842 Clarkson Street  
Denver, CO 80218  
(303) 830-1188  
Fax: 830-1199  
erocorp@aol.com

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RECEIVED

NOV 17 1997

Department of Water Resources  
Eastern Region

November 13, 1997

**To:** Ron Carlson  
Sherl Chapman  
**From:** Craig Sommers  
**Re:** October Invoice

Enclosed is a copy of our current invoice. The proportionate responsibility for paying this invoice is as follows:

Water District 1 (80%)	\$12,231.74
Idaho Water Users (20%)	<u>\$ 3,057.93</u>
TOTAL	\$15,289.67

Major activities for the past month were:

1. Continued analysis of Deer Flat and Nez Perce flow claims and collection of documents relevant to those claims.
2. Continued to research salmon recovery issues.
3. Met with State's experts on Deer Flat analyses.
4. Prepared draft contract for John Pizzimenti/Harza.
5. Continued implementation of document management system.
6. Assisted in input of documents into Coalition database.
7. Prepared for and attended various meetings with respect to Coalition, Deer Flat negotiations, and experts.

Major activities planned for next month are:

1. Continue to assist in development of litigation and discovery strategy for Nez Perce claims.
2. Continue to prepare for litigation or negotiation of the Deer Flat claims.
3. Continue analysis of flow augmentation proposals for salmon.
4. Prepare to interview additional candidates as experts in economics.
5. Prepare expert contracts and work orders as needed.
6. Review draft USBR Cumulative Impacts report.

Please feel free to call me with any questions.

cc w/invoice: Stan Clark  
Ray Rigby  
cc w/o invoice: Roger Ling  
Don Olowinski  
John Rosholt



ERO Resources Corp.  
1842 Clarkson Street  
Denver, CO 80218  
(303) 830-1188  
Fax: 830-1199  
erocorp@aol.com  
Denver • Boise

# INVOICE

Date : 11/11/97  
No. : 3538

Idaho Department of Water Resources  
Mr. Ron Carlson  
900 N. Skyline Dr.  
Idaho Falls ID 83402-1718

cc: Idaho Water Users Association  
Mr. Sherl Chapman  
410 S. Orchard, Suite 144  
Boise, ID 83705

Description		Total
FOR SERVICES FROM 10/1 THROUGH 10/31		
Coordination and Meetings		
Sommers - Principal	16.00 @ \$98.00/hr	\$ 1,568.00
Shaw - Engineer	22.25 @ \$85.00/hr	1,891.25
Negotiations		
Shaw - Engineer	6.25 @ \$85.00/hr	531.25
Data Analysis/Reporting		
Shaw - Engineer	66.50 @ \$85.00/hr	5,652.50
Deer Flat Litigation		
Sommers - Principal	10.00 @ \$98.00/hr	980.00
Nez Perce Litigation		
Sommers - Principal	14.00 @ \$98.00/hr	1,372.00
Clerical and Administrative Support		
Clark - WP/Clerical	4.00 @ \$45.00/hr	180.00
Bradford - WP/Clerical	0.25 @ \$45.00/hr	11.25
B. Eggleston - WP/Clerical	0.75 @ \$30.00/hr	22.50
Welsh - WP/Clerical	72.50 @ \$30.00/hr	2,175.00
Eggleston - Administration	2.00 @ \$45.00/hr	90.00
Mileage		270.40
Airfare		243.00
Meals		34.28
Lodging		65.01
Vehicle Rental		32.98
Parking and Cab Fare		7.00
Photocopies		106.59
Postage and Shipping		29.82
Telephone - Long Distance Charges		<u>26.84</u>

Total Due: \$15,289.67

# Snake River Budget

INITIAL BUDGET	District 1 (80%) ▶ \$144,000.00	IWUA (20%) \$36,000.00	Total \$180,000.00
Feb-97	8,421.40	2,105.35	\$10,526.75
Mar-97	5,136.92	1,284.23	\$6,421.15
Apr-97	9,706.88	2,426.72	\$12,133.60
May-97	9,889.37	2,472.34	\$12,361.71
Jun-97	11,176.16	2,794.04	\$13,970.20
Jul-97	16,789.51	4,197.38	\$20,986.89
Aug-97	13,427.52	3,356.88	\$16,784.40
Sep-97	12,924.60	3,231.15	\$16,155.75
Oct-97	12,231.74	3,057.93	\$15,289.67
Nov-97			
Dec-97			
Jan-98			
<b>TOTAL BILLED</b>	<b>\$99,704.10</b>	<b>\$24,926.02</b>	<b>\$124,630.12</b>
<b>REMAINING</b>	<b>\$44,295.90</b>	<b>\$11,073.98</b>	<b>\$55,369.88</b>
<b>%REMAINING</b>	<b>30.76%</b>	<b>30.76%</b>	<b>30.76%</b>



Date 10/31/97

[illegible]

**COPY**

[illegible]

Name: SRBA Number: 111 Employee: David Shaw Date: 10/97

COPY

95

Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date
9/25	10/22	10/29											
256	260												

Bill	Reimburse
206.40	159.96
00	00
00	00
00	00
00	00
00	00
00	00
00	00
00	00
00	00
00	00
33.39	00
00	00
00	00
00	00
00	00
239.79	159.96





11/3/97 - ERO Timesheet for October 1997

Date	Proj.	Activity	Hours	Description	Miles	Name
10/14/97	111	11	1.00	WP/Clerical Support	0	MLC
10/15/97	111	11	1.00	WP/Clerical Support	0	MLC
10/21/97	111	11	0.50	WP/Clerical Support	0	MLC
10/24/97	111	11	1.00	WP/Clerical Support	0	MLC
10/28/97	111	11	0.50	WP/Clerical Support	0	MLC
			4.00		0	<b>MLC Total</b>
10/13/97	111	11	0.25	Copies	0	NB
			0.25		0	<b>NB Total</b>
10/15/97	111	11	0.25	Mailing for CLS	0	SBE
10/30/97	111	11	0.50	Three-hole punch for CLS	0	SBE
			0.75		0	<b>SBE Total</b>
	<b>111 Total</b>		5.00		0	



ERO Resources Corp.  
1842 Clarkson Street  
Denver, CO 80218  
(303) 830-1188  
Fax: 830-1199  
erocorp@aol.com

Denver • Boise

October 13, 1997

**To:** Ron Carlson  
Sherl Chapman  
**From:** Craig Sommers  
**Re:** September Invoice

Enclosed is a copy of our current invoice. The proportionate responsibility for paying this invoice is as follows:

Water District 1 (80%)	\$12,924.60
Idaho Water Users (20%)	\$ 3,231.15
<b>TOTAL</b>	<b>\$16,155.75</b>

Major activities for the past month were:

1. Continued analysis of Deer Flat and Nez Perce flow claims and collection of documents relevant to those claims.
2. Continued to research salmon recovery issues.
3. Assisted in developing responses to discovery propounded by the United States on behalf of the Nez Perce Tribe.
4. Participated in interviews of John Pizzimenti, Adrian Hutchens, and Don Reading.
5. Continued implementation of document management system including purchase of computer equipment.
6. Assisted in input of documents into Coalition database.

Major activities planned for next month are:

1. Continue development of litigation and discovery strategy for Nez Perce claims.
2. Continue to prepare for litigation or negotiation of the Deer Flat claims.
3. Continue analysis of flow augmentation proposals for salmon.
4. Interview additional candidates as experts in economics.
5. Prepare expert contracts and work orders.
6. Meet with State's experts on Deer Flat analyses.

Please feel free to call me with any questions.

cc w/invoice: Stan Clark  
cc w/o invoice: Roger Ling  
Don Olowinski  
Ray Rigby  
John Rosholt

**RECEIVED**  
**OCT 17 1997**

Department of Water Resources  
Eastern Region

## Snake River Budget

INITIAL BUDGET	District 1 (80%) \$96,000.00	IWUA (20%) \$24,000.00	Total \$120,000.00
Feb-97	8,421.40	2,105.35	\$10,526.75
Mar-97	5,136.92	1,284.23	\$6,421.15
Apr-97	9,706.88	2,426.72	\$12,133.60
May-97	9,889.37	2,472.34	\$12,361.71
Jun-97	11,176.16	2,794.04	\$13,970.20
Jul-97	16,789.51	4,197.38	\$20,986.89
Aug-97	13,427.52	3,356.88	\$16,784.40
Sep-97	12,924.60	3,231.15	\$16,155.75
Oct-97			
Nov-97			
Dec-97			
Jan-98			
<b>TOTAL BILLED</b>	<b>\$87,472.36</b>	<b>\$21,868.09</b>	<b>\$109,340.45</b>
<b>REMAINING</b>	<b>\$8,527.64</b>	<b>\$2,131.91</b>	<b>\$10,659.55</b>
<b>%REMAINING</b>	<b>8.88%</b>	<b>8.88%</b>	<b>8.88%</b>





ERO Resources Corp.  
1842 Clarkson Street  
Denver, CO 80218  
(303) 830-1188  
Fax: 830-1199  
erocorp@aol.com

Denver • Boise

INVOICE

Date : 10/10/97  
No. : 3464

Idaho Department of Water Resources  
Mr. Ron Carlson  
900 N. Skyline Dr.  
Idaho Falls ID 83402-1718

cc: Idaho Water Users Association  
Mr. Sherl Chapman  
410 S. Orchard, Suite 144  
Boise ID 83705

Description		Total
FOR SERVICES FROM 9/1 THROUGH 9/30		
Coordination/Meetings		
Sommers - Principal	23.00 @ \$98.00/hr	\$ 2,254.00
Shaw - Engineer	45.75 @ \$85.00/hr	3,888.75
Data Analysis/Reporting		
Sommers - Principal	4.00 @ \$98.00/hr	392.00
Shaw - Engineer	39.75 @ \$85.00/hr	3,378.75
Nez Perce Litigation		
Sommers - Principal	22.00 @ \$98.00/hr	2,156.00
Clerical/Administrative Support		
Welsh - WP/Clerical	66.50 @ \$30.00/hr	1,995.00
Clark - WP/Clerical	4.00 @ \$45.00/hr	180.00
Eggleston - Administration	2.00 @ \$45.00/hr	90.00
Gas/Mileage		18.80
Airfare		896.00
Meals		89.86
Lodging		180.93
Vehicle Rental		114.19
Parking		17.00
D/P Equipment		60.00
IDWR DP Costs		3.69
Airfare - Adrian Hutchens		339.00
Photocopies		32.10
Telephone - Long Distance Charges		48.62
Postage and Shipping		21.06

Total Due: \$16,155.75



PROJECT:

Name: Snake River Adjudication Number: 111

Employee: CRAIG SOMMERS

Date 9/30/97

[illegible]

**COPY**

EXPENSES	Date	Date	Date	Date	Date	Date	Date
	6/26	9/8	9/9	9/10	9/17	9/18	
Mileage		20**				20**	
Airfare	50.00	498.00			186.00		
Breakfast							
Lunch							
Dinner							
Lodging							
Car Rental							
Parking/Cab Fare							
Film/Film Processing							
Maps/Blueprints							
Gasoline							
Field Supplies							
Total							

Date: 9/9

**COPY**

[illegible]

## EXPENSES

EXPENSES	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Date	Bill	Reimburse
	9/2	9/9	8/31												
Mileage														0	0
Airfare		164												164	0
Meals														0	0
Lodging														0	0
Car Rental		45.36												45.36	0
Parking/Cab Fare														0.00	0.00
Film/Film Processing														0	0
Maps/Blueprints														0	0
Gasoline/Fuel														0	0
Field Supplies														0	0
Publications														0	0
Meeting Room														0.00	0
D/P Equipment		60												60.00	0
IDWR DP Costs			3.69											3.69	0
Jack: Airfare & car rental costs should be reimbursed to Harza.														0	0
														273.05	0.00



Date	Proj.	Activity	Hours	Description	Miles	Name
9/2/97	111	11	1.50	WP/Clerical Support	0	MLC
9/4/97	111	11	1.00	WP/Clerical Support	0	MLC
9/5/97	111	11	0.50	WP/Clerical Support	0	MLC
9/8/97	111	11	0.50	WP/Clerical Support	0	MLC
9/15/97	111	11	0.50	WP/Clerical Support	0	MLC
			4.00		0	MLC Total
	<b>111 Total</b>		4.00		0	





cherry creek travel  
2980 baird  
denver, colorado 80206  
(303) 320-1070 / fax (303) 321-5547

ASTA

AGT-DUAKS  
HUTCHENS/ADRIAN

ACCT. NO-1480

ERD RESOURCES CORP  
1842 CLARKSON ST.  
DENVER CO 80218

Attn: Craig Sommers

DATE

SEP 05 1997

70905041

INVOICE NUMBER

PHOTO I.D. REQUIRED AT  
TIME OF CHECK-IN

18 SEP 97 - THURSDAY

DELTA 1862 COACH CLASS BOEING 727 JET  
LV: PHOENIX 810A NONSTOP MILES: 507 CONFIRMED  
AR: SALT LAKE CITY 1040A JOURNEY TIME- 1:30  
SEAT-30B

DELTA 1143 COACH CLASS BOEING 727 JET  
LV: SALT LAKE CITY 1120A NONSTOP MILES: 291 CONFIRMED  
AR: BOISE 1229P JOURNEY TIME- 1:07  
SEAT-36D

DL CODESHARE 5907 COACH CLASS CANADAIJ JET  
LV: BOISE 618P NONSTOP MILES: 291 CONFIRMED  
AR: SALT LAKE CITY 720P JOURNEY TIME- 1:02  
OPERATED BY-SKY WEST AIRLINES  
SEAT-12B

DELTA 795 COACH CLASS BOEING 757 JET  
LV: SALT LAKE CITY 830P NONSTOP MILES: 507 CONFIRMED  
AR: PHOENIX 908P JOURNEY TIME- 1:38  
SEAT-44D

FOR AFTER HOURS EMERGENCY SERVICE CALL 1-800-225-2690  
YOUR PREFERRED CLIENT CODE IS: DU6 EROX  
THANK YOU FOR CHOOSING CHERRY CREEK TRAVEL SERVICE  
OUR SERVICE INCLUDES \$200000 FLIGHT INSURANCE WITH EACH TICKET

TICKET NUMBER/S:

HUTCHENS/ADRIAN

7843943519

BA CARD

334.00

AIR TRANSPORTATION	292.72	TAX	41.28	TTL	334.00
		SERVICE FEE			5.00
		SUB TOTAL			339.00
		CREDIT CARD PAYMENT			339.00
		AMOUNT DUE			0.00

339.00

Bill to: III

(Adrian Hutchen's plane fare to/from Boise  
for interview)

RETURN THIS COPY WITH PAYMENT

Please reconfirm flights and times in case of schedule changes - 24 hours prior for domestic travel, 72 hours for international travel. Please verify departure times directly with carrier in advance.

TERMS: Payment due upon presentation, unless prior arrangements for payment have been made. Accounts are past due 10 days from invoice date, thereafter the balance due is subject to a finance charge of 1.75% per month.

MEMO

To: Ron Carlson  
Sherl Chapman

From: Chuck Brockway  
Date: October 23, 1997  
Re: Statements

RECEIVED  
OCT 24 1997  
Department of Water Resources  
Eastern Region

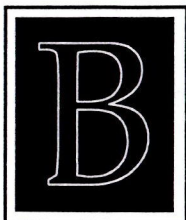
Enclosed is a statement dated October 23, 1997 for services related to the Snake River hydrologic analysis. I understand the Idaho Water Users Association and the Committee of Nine will be splitting the cost.

Previous balance	\$3398.25
Payment received - Idaho Water Users	\$679.65
Payment received - Committee of Nine	\$0.00
New charges	\$516.00
Balance due	\$3234.60

cc w/invoice: Stan Clark  
Craig Sommers

cc w/o invoice: Roger Ling  
Don Olowinski  
Ray Rigby  
John Rosholt

8090 412.80



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

## STATEMENT

October 23, 1997

Invoice # 10370

Submitted To:  
Idaho Water Users Association  
Committee of Nine

In Reference To: Snake River hydrology

	<u>Amount</u>
Previous balance	\$3,398.25
10/13/97 Payment received	(\$679.65)
<u>Professional services:</u>	
9/25/97 Document and river data review	100.00
9/30/97 Conference with Dave Shaw	16.00
10/1/97 Conf w/ D. Shaw-data review w/ C. Robison	40.00
10/3/97 Meeting w/ Dave Shaw-Boise	360.00
For professional services rendered	\$516.00
<b>Balance due</b>	<b><u><u>\$3,234.60</u></u></b>

*pd 2718.60  
10/6/97*

Payment is due 15 days after invoice date

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., E.I.T.

706 SUNRISE  
BOULEVARD  
NORTH

TWIN FALLS,  
IDAHO 83301

208•733•0938  
208•734•2580

FAX: 736•1746



ERO Resources Corp.  
1842 Clarkson Street  
Denver, CO 80218  
(303) 830-1188  
Fax: 830-1199  
erocorp@aol.com

Denver • Boise

October 24, 1997

Mr. Ron Carlson  
Idaho Department of Water Resources  
900 N. Skyline Dr.  
Idaho Falls, ID 83402-1718

RE: Invoice #3074

Dear Mr. Carlson:

According to our records, invoice # 3074 for work performed in March remains outstanding. I have attached a copy of the account history and the invoice. I would appreciate your asking your accounting staff to review this information. If you have any questions, please give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Eggleston", is written over a horizontal line.

Jack Eggleston  
Controller

Attachments

RECEIVED

OCT 30 1997

Department of Water Resources  
Eastern Region



Invoice Date	Invoice Number	Total Invoice Amount	Water District's Share	PAID		Balance
				Date- Check #	Amount	
Feb-97	3018	\$10,526.75	8,421.40	3/27-3968	8,421.40	0.00
Mar-97	3074	\$6,421.15	5,136.92			5,136.92
Apr-97	3141	\$12,133.60	9,706.88	5/15-4039	12,133.60	2,710.20
May-97	3199	\$12,361.71	9,889.37	6/18-4097	7,462.65	5,136.92
Jun-97	3258	\$13,970.20	11,176.16	7/16-4144	11,176.16	5,136.92
Jul-97	3314	\$20,986.89	16,789.51	8/18-4193	16,789.51	5,136.92
Aug-97	3381	\$16,784.40	13,427.52	9/23-4243	13,427.52	5,136.92
Sep-97	3464	\$16,155.75	12,924.60			18,061.52

April 10, 1997

**To:** Ron Carlson  
Sherl Chapman  
**From:** Craig Sommers  
**Re:** March Invoice

Enclosed is a copy of our current invoice. The proportionate responsibility for paying this invoice is as follows:

Water District 1 (80%)	\$ 5,136.92
Idaho Water Users (20%)	\$ <u>1,284.23</u>
TOTAL	\$ 6,421.15

Major activities for the past month were:

1. Continued analysis of Deer Flat and Nez Perce flow claims and collection of documents relevant to those claims.
2. Continued to evaluate salmon recovery issues.
3. Provided input on Nez Perce settlement issues.
4. Assisted in response to Deer Flat discovery.
5. Prepared revised budget recommendations and agenda for the April Coalition meeting.

Major activities planned for next month are:

1. Pursue document access issues with the State.
2. Begin development of litigation strategy for Nez Perce claims in coordination with the State.
3. Continued review of entitlement documents provided by the Nez Perce Tribe and United States.
4. Continue to prepare for litigation or negotiation of the Deer Flat claims.
5. Prepare for and attend Coalition meeting on April 17 and 18.

Please feel free to call me with any questions.

cc w/invoice: Stan Clark  
cc w/o invoice: Roger Ling  
Don Olowinski  
Ray Rigby  
John Rosholt



ERO Resources Corp.  
1842 Clarkson Street  
Denver, CO 80218  
(303) 830-1188  
Fax: 830-1199  
erocorp@aol.com

Denver • Boise

INVOICE

Date : 04/14/97  
No. : 3074

Idaho Department of Water Resources  
Mr. Ron Carlson  
900 N. Skyline Dr.  
Idaho Falls ID 83402-1718

Idaho Water Users Association  
Mr. Sherl Chapman  
410 S. Orchard, Suite 144  
Boise, ID 83705

Description		Total
FOR SERVICES FROM 3/1 THROUGH 3/31		
Coordination and Meetings		
Sommers - Principal	6.00 @ \$90.00/hr	\$ 540.00
Shaw - Engineer	21.50 @ \$85.00/hr	1,827.50
Clark - WP/Clerical	3.50 @ \$35.00/hr	122.50
Eggleston - Administration	2.00 @ \$35.00/hr	70.00
Data Analysis and Reporting		
Sommers - Principal	2.00 @ \$90.00/hr	180.00
Shaw - Engineer	29.50 @ \$85.00/hr	2,507.50
Deer Flat Litigation		
Sommers - Principal	6.00 @ \$90.00/hr	540.00
ESA Issues		
Sommers - Principal	5.00 @ \$90.00/hr	450.00
Mileage		102.40
Telephone - Long Distance Charges		36.33
Photocopies		33.00
Postage and Shipping		<u>11.92</u>
Total Due:		\$ 6,421.15

Duplicate

# Snake River Budget

INITIAL BUDGET	District 1 (80%) \$96,000.00	IWUA (20%) \$24,000.00	Total \$120,000.00
Feb-97	8,421.40	2,105.35	\$10,526.75
Mar-97	5,136.92	1,284.23	\$6,421.15
Apr-97			
May-97			
Jun-97			
Jul-97			
Aug-97			
Sep-97			
Oct-97			
Nov-97			
Dec-97			
Jan-98			
TOTAL BILLED	\$13,558.32	\$3,389.58	\$16,947.90
REMAINING	\$82,441.68	\$20,610.42	\$103,052.10
%REMAINING	85.88%	85.88%	85.88%



**Name:** Snake River Adjudication **Number:** 111

Date 3/31/97

Total
6
2
6
5

[illegible]

Name: SRBA

Number: 111

Employee: David ShawDate: 3/97

## TASK

[illegible][illegible]

## EXPENSES

[illegible]

4/1/97 - ERO March Timesheets

Date	proj.	activity	hours	description	miles	name
3/7/97	111	11	0.50	WP/Clerical Support	0	MLC
3/19/97	111	11	1.50	WP/Clerical Support	0	MLC
3/20/97	111	11	1.50	WP/Clerical Support	0	MLC
			3.50		0	MLC Total
	111 Total		3.50		0	

RECEIVED

OCT 02 1997

Department of Water Resources  
Eastern Region

MEMO

To: Ron Carlson  
Sherl Chapman

From: Chuck Brockway  
Date: September 30, 1997  
Re: Statements

Enclosed are statements dated June 23, 1997 and August 23, 1997 totaling \$3,398.25 for services related to the Snake River hydrologic analysis. I understand the Idaho Water Users Association and the Committee of Nine will be splitting the cost. Because of some confusion about where to send these statements, you may not have seen them until now. I apologize if that is the case.

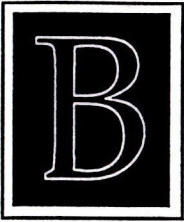
Chuck

cc w/invoice: Stan Clark  
Craig Sommers

cc w/o invoice: Roger Ling  
Don Olowinski  
Ray Rigby  
John Rosholt

80%  
2718.60





**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

## STATEMENT

June 23, 1997

Invoice # 10288

Id. Water Users & Committee of Nine  
c/o Craig L. Sommers  
ERO Resources Corporation  
1740 High Street  
Denver CO 80218

In Reference To: Snake River hydrology

Professional services:

	<u>Amount</u>
4/22/97 Meet w/ D. Shaw-Boise	240.00
4/25/97 Conf(s) w/ IDWR & D. Shaw re hydro study	40.00
4/29/97 Meeting in Boise w/ IDWR and D. Shaw	400.00
5/12/97 Conf(s) w/ D. Shaw and Bob sutter IDWR	16.00
5/13/97 Conf w/ D. Shaw and Bob Sutter (IDWR)	16.00
5/20/97 Conf. w/ D. Shaw office	8.00
5/21/97 Revise hydrologic evaluation; prep for meeting	60.00
Conf w/ IDWR and D. Shaw-data aquisition	24.00
Spreadsheet flow adjustment model	120.00
5/22/97 Meeting w/ D. Shaw & IDWR-Boise	640.00
5/23/97 Meet w/ CWR on data; conf w/ IDWR	32.00
5/26/97 Review of Snake River data w/ CWR	24.00
5/28/97 Analysis of King Hill-Murphy flows	120.00
5/30/97 Data retrieval - flow data	40.00
Data retrieval - online flow data	40.00
6/2/97 Calcs on ground water impacts-Deer Flats	200.00
6/3/97 Meeting w/ IDWR-data aquisition	80.00
6/5/97 Data compilation	40.00
6/11/97 Conference with IDWR and D. Shaw	8.00
6/16/97 Evaluation of irrigation impact-Snake river at Murphy	280.00
6/17/97 Meeting w/ IDWR and D. Shaw-Boise	160.00

For professional services rendered

\$2,588.00

Additional charges:

4/22/97 Mileage and miscellaneous expenses Boise	33.00
---	-------

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
PH.D., E.I.T.

706 SUNRISE  
BOULEVARD  
NORTH

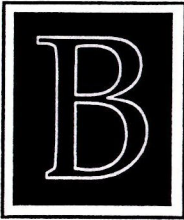
TWIN FALLS,  
IDAHO 83301

208•733•0938  
208•734•2580

FAX: 736•1746

	<u>Amount</u>
4/23/97 Mileage and miscellaneous expenses Boise	35.00
5/5/97 Mileage and miscellaneous expenses Boise	66.25
6/22/97 Contracted services Weiser and Murphy graphics prep. - C. W. Robison Consulting	115.50
Total additional charges	<u>\$249.75</u>
Total amount of this bill	<u>\$2,837.75</u>
<b>Balance due</b>	<u><u><b>\$2,837.75</b></u></u>

Payment is due 15 days after invoice date



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

## STATEMENT

August 23, 1997

Invoice # 10291

Id. Water Users & Committee of Nine  
c/o Craig L. Sommers  
ERO Resources Corporation  
1740 High Street  
Denver CO 80218

In Reference To: Snake River hydrology

Amount

Previous balance

\$2,837.75

Professional services:

6/24/97	Conferences with IDWR and Dave Shaw	8.00
	Data review & conferences with D. Shaw and IDWR	16.00
7/1/97	Modify spreadsheet for KH-Murph	80.00
7/2/97	Conference with IDWR et al	8.00
	Meeting with IDWR and D. Shaw	280.00
	Spreadsheet model	80.00
7/21/97	Conf w/ Sutter and Shaw-review budget	24.00
7/30/97	Conf w/ IDWR	8.00
8/18/97	Conf w/ Bob Sutter	16.00
	Conf w/ Dave Shaw and Bob Sutter-IDWR	8.00

For professional services rendered

\$528.00

Additional charges:

7/2/97	Mileage and miscellaneous expenses	32.50
	Boise	

Total additional charges

\$32.50

Total amount of this bill

\$560.50

**Balance due**

**\$3,398.25**

CHARLES E.  
BROCKWAY,  
Ph.D., P.E.

CHARLES G.  
BROCKWAY,  
Ph.D., E.I.T.

706 SUNRISE  
BOULEVARD  
NORTH

TWIN FALLS,  
IDAHO 83301

208•733•0938  
208•734•2580

FAX: 736•1746



ERO Resources Corp.  
1842 Clarkson Street  
Denver, CO 80218  
(303) 830-1188  
Fax: 830-1199  
erocorp@aol.com

Denver • Boise

RECEIVED

OCT 08 1997

October 3, 1997

Department of Water Resources  
Eastern Region

**To:** Ron Carlson  
Sherl Chapman  
**From:** Craig Sommers  
**Re:** Ken Reid Invoice

Enclosed is a copy of an invoice that I received from Ken Reid, the anthropologist retained for the Nez Perce claims. The proportionate responsibility for paying this invoice is as follows:

Water District 1 (80%)	\$1,944.00
Idaho Water Users (20%)	\$ 486.00
TOTAL	\$2,430.00

Please pay Ken Reid directly at the address shown on the invoice.

cc w/invoice:	Stan Clark
cc w/o invoice:	Roger Ling
	Don Olowinski
	Ken Reid
	Ray Rigby
	John Rosholt
	John Simpson



## INVOICE

From: Kenneth C. Reid  
Rainshadow Research  
114 North Grand Avenue  
Pullman, Washington 99163

To: James C. Tucker  
Rosholt, Robertson, and Tucker  
Attorneys at Law  
P.O. Box 1906  
142 3<sup>rd</sup> Avenue North  
Twin Falls, Idaho  
83303-1906

Subject: Invoice for August 18<sup>th</sup> conference  
and examination of Nez Perce Usual & Accustomed Places Database

Date: 26 September 1997

Hours: 30 x @ \$60.00 = \$1800.00  
Overhead x .35 = 630.00  

---

\$2430.00

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAWP.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700**RECEIVED****DEC 09 1997**Department of Water Resources  
Eastern Region

IRS NO. 82-0367837

WATER DISTRICT #1  
900 N. SKYLINE DRIVE  
IDAHO FALLS ID 83402-171811/30/97  
Account No: 12344-12726A  
Statement No: 13328

## NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

	Hours	
08/21/97		
NKR PHONE CONFERENCE WITH JKS RE: STATUS OF SCANNING AND CDS; TO RR&T TO DETERMINE STATUS OF THE SAME; CONFERENCE WITH BEKKI RE: SAME; CONTINUE DBASE WORK.	.87	56.55
10/21/97		
JAR NEZ PERCE: PREPARE FOR MEETING WITH COALITION.	1.00	145.00
JKS FEDERAL INSTREAM FLOW CLAIMS: PREPARATION FOR COALITION MEETING ON 10/22; DISCUSSIONS WITH CONSULTANTS (ERO) RE: TRIBAL ISSUES AND DEER FLATS.	3.30	379.50
NMS REVIEW FILE; ATTEND SCHEDULING CONFERENCE ON FOREST SERVICE CLAIMS FOR JKS.	2.00	230.00
NMS REVIEW NOTICES OF PARTICIPATION; REVIEW SRBA COURT REPORTER; REVIEW SMITH SPRINGS FILE; CONFERENCE WITH JKS; CONFERENCE WITH LING RE: SMITH SPRINGS-PERMISSIVE APPEAL.	.80	92.00
NKR NEZ PERCE: REVIEW N/P DOCUMENTS (KENT RICHARDS) AND ENTER RELEVANT ISSUES AND INFORMATION INTO DATABASE; BEGIN REVIEW OF IPCO DOCUMENTS AND EXPAND ON EXISTING DATABASE BY ENTERING KEY ISSUES REQUESTED BY COALITION.	3.75	243.75
NKR RUN REPORTS RE: "FISHING" AT JKS'S REQUEST, WITHIN SPECIFIC TIME FRAMES.	2.60	169.00
10/22/97		
JAR FEDERAL INSTREAM FLOW CLAIMS: PREPARE FOR AND ATTEND COALITION MEETING.	4.00	580.00
JAR FEDERAL INSTREAM FLOW CLAIMS: PREPARE FOR TRAVEL TO BOISE FOR NEZ PERCE AND DEER FLAT MEETINGS.	.50	72.50

## IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAW

P.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

(Continued)

11/30/97

Account No: 12344-12726A

Statement No: 13328

WATER DISTRICT #1

NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

Hours

JKS FEDERAL INSTREAM FLOW CLAIMS: ATTEND COALITION MEETING IN TWIN FALLS.	7.50	862.50
---	------	--------

NMS REVIEW FILE PURSUANT TO COURT ORDER AND ATTEND SCHEDULE CONFERENCE ON FOREST SERVICE CLAIMS; DRAFT MOTION FOR PERMISSIVE APPEAL AND MEMO IN SUPPORT.	2.80	322.00
--	------	--------

NKR NEZ PERCE: CONTINUE REVIEW OF IPCO DOCUMENTS (DOCUMENTS SUPPLIED TO NEZ PERCE IN DAMAGE CASE); BEGIN REVIEW OF CD FROM STATE ENTITLED "N/P DISCOVERY TO IDAHO, JEB SERIES".	2.25	146.25
---	------	--------

10/23/97

JAR NEZ PERCE: TRAVEL TO BOISE; MEET WITH JCT, D. OLOWINSKI, JKS, M. MIRANDE AND HISTORIAN KENT RICHARDS.	3.00	435.00
---	------	--------

JAR DEER FLATS: PREPARE FOR NEGOTIATION SESSION OF 10/24.	1.00	145.00
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JKS FEDERAL INSTREAM FLOW CLAIMS: MEETING WITH KENT RICHARDS REGARDING STATUS OF RICHARDS EXPERT REPORT AND ISSUES INVOLVING TRIBAL DEPOSITIONS SET TO COMMENCE ON NOVEMBER 4, 1997.	3.90	448.50
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NMS CONFERENCE WITH JKS; REVIEW & REVISE DRAFT MOTION FOR PERMISSIVE REVIEW AND MEMO IN SUPPORT; RESEARCH; CONFERENCES WITH CLIVE STRONG AND ROGER LING RE: FURTHER REVISIONS; DRAFT MOTION TO STAY AND REVISE MEMO.	2.60	299.00
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NKR NEZ PERCE: MEETING WITH KENT RICHARDS, MIKE MIRANDE, JCT, JKS, DON OLOWINSKI, DAVE SHAW AND JAR.	3.00	195.00
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10/24/97

JAR DEER FLATS: PARTICIPATE IN NEGOTIATION SESSION AT USBR WITH COALITION MEMBERS AND USF&WS REPS.	5.00	725.00
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JAR NEZ PERCE: PARTICIPATE IN SESSION WITH JCT, DO, JKS WITH ANTHROPOLOGIST KEN REID.	1.00	145.00
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ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAWP.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

(Continued)

11/30/97

WATER DISTRICT #1

Account No: 12344-12726A  
Statement No: 13328

NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

Hours

JAR SMITH SPRINGS: REVIEW NMS DRAFT - CIRCULATE TO LAWYERS; TWO PHONE CALLS TO NMS.	1.00	145.00
JKS FEDERAL INSTREAM FLOW CLAIMS: MEETING WITH KEN REID (ANTHROPOLOGIST) ON REID'S REPORT AND WORK REGARDING THE NEZ PERCE SOUTHERN BOUNDARY AND ARCHEOLOGICAL DIGS.	7.20	828.00
NMS REVISE AND REDRAFT MOTION AND MEMO IN SUPPORT; SEND TO OTHER PARTIES; CONFERENCE WITH JAR RE: SMITH SPRINGS MOTION FOR PERMISSIVE REVIEW, STAY AND EXPEDITED HEARING; FILE WITH SRBA COURT.	2.10	241.50
NKR NEZ PERCE: CONTINUE REVIEW OF IPCO DOCUMENTS (DOCUMENTS SUPPLIED TO NEZ PERCE IN DAMAGE CASE).	4.00	260.00
10/25/97 NKR NEZ PERCE: CONTINUE REVIEW OF IPCO DOCUMENTS (DOCUMENTS SUPPLIED TO NEZ PERCE IN DAMAGE CASE).	4.15	269.75
10/27/97 JAR DEER FLATS: MEMO TO COALITION; ARRANGE CONFERENCE CALL; PARTICIPATE IN CONFERENCE CALL WITH ALL COALITION AND STATE ATTORNEYS.	2.50	362.50
JAR NEZ PERCE: REVIEW HISTORY OF FLETCHER ALLOTMENT ERR REPORTS; LOOKING FOR BITES CONCERNING TRIBAL FISHING PROPENSITIES.	1.00	145.00
JKS FEDERAL INSTREAM FLOW CLAIMS: PREPARATION FOR NOVEMBER DEPOSITIONS OF TRIBAL ELDERS COMMENCING ON NOVEMBER 4, 1997, IN LEWISTON; DRAFTING OF DEPOSITION OUTLINE REGARDING SCOPE OF USUAL AND ACCUSTOMED (U&A'S) TRIBAL ANCESTRY AND LOCATION OF FISHING SITES; BEGIN REVIEW OF PERTINENT DOCUMENTS PURSUANT TO REPORTS GENERATED FROM THE DATABASE.	8.90	1,023.50
NKR NEZ PERCE: CONTINUE REVIEW OF IPCO DOCUMENTS (DOCUMENTS SUPPLIED TO NEZ PERCE IN DAMAGE CASE).	3.90	253.50
10/28/97 JAR DEER FLATS: MEMO TO WATER USERS ON COALITION.	.40	58.00



ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAWP.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

(Continued)

WATER DISTRICT #1

11/30/97

Account No: 12344-12726A

Statement No: 13328

NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

	Hours	
JAR NEZ PERCE: ARTICLE TO SOMMERS AND MIRANDI.	.30	43.50
JKS FEDERAL INSTREAM FLOW CLAIMS: CONFERENCE WITH NEZ PERCE TRIBAL COUNSEL RE: NOVEMBER 4, 1997, DEPOSITIONS; IDENTIFICATION OF CARTER, AXTELL, WHITMAN AND SLICKPOO FOR DEPOSITIONS; ISSUES REGARDING USE OF VIDEO FOR EXHIBITS TO THE DEPOSITION; COMMENCE RESEARCH ON USE OF VIDEO DEPOSITIONS AND VIDEOS PURSUANT TO IDAHO RULES OF EVIDENCE; CONFERENCE WITH CLIVE STRONG OF ATTORNEY GENERAL'S OFFICE REGARDING DEPOSITION SCHEDULE AND VIDEO DEPOSITIONS.	9.30	1,069.50
NKR NEZ PERCE: CONTINUE REVIEW OF IPCO DOCUMENTS (DOCUMENTS SUPPLIED TO NEZ PERCE IN DAMAGE CASE).	3.70	240.50
10/29/97		
JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUED DOCUMENT REVIEW IN PREPARATION FOR VIDEO DEPOSITIONS AND DISCOVERY, SPECIFICALLY IN ISSUES OF TRIBAL IDENTIFICATION OF USUAL AND ACCUSTOMED FISHING SITES; WORK COMPLETED BY DEWARD WALKER.	8.20	943.00
NKR NEZ PERCE: CONTINUE REVIEW OF IPCO DOCUMENTS (DOCUMENTS SUPPLIED TO NEZ PERCE IN DAMAGE CASE).	3.25	211.25
10/30/97		
JKS FEDERAL INSTREAM FLOW CLAIMS: MEETING WITH ATTORNEY GENERAL'S OFFICE AND COALITION COUNSEL REGARDING DEPOSITIONS; ISSUES INVOLVING USE OF VIDEO, USED ON ACCUSTOMED FISHING SITES, SCOPE OF DISCOVERY DEPOSITIONS, SCOPE OF PRESERVATION TESTIMONY AND THE USE OF EXHIBITS IN THE DISCOVERY DEPOSITIONS; CONTINUED DOCUMENT ANALYSIS ON ALLEN SLICKPOO IN PREPARATION FOR DEPOSITION.	7.80	897.00
NMS CONFERENCE WITH SPECIAL MASTER; CONFERENCE WITH CLIVE STRONG; CONFERENCE WITH LING; CONFERENCE WITH RIGBY; CONFERENCE WITH U.S. ATTORNEY RE: VACATING STATUS CONFERENCE IN SMITH SPRINGS SUBCASE.	.40	46.00

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAWP.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

(Continued)  
11/30/97

WATER DISTRICT #1

Account No: 12344-12726A  
Statement No: 13328

## NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

	Hours	
NKR NEZ PERCE: CONTINUE REVIEW OF IPCO DOCUMENTS (DOCUMENTS SUPPLIED TO NEZ PERCE IN DAMAGE CASE).	4.35	282.75
10/31/97		
JAR NEZ PERCE: CONF.W/ JCT ON U&A'S.	.50	72.50
JKS FEDERAL INSTREAM FLOW CLAIMS: RESEARCH ON SECOND HAND EVIDENCE RULE REGARDING ADMISSIBILITY OF TRIBAL ELDER TESTIMONY; BEGIN RESEARCH ON ISSUE OF RECORDATION OF USUAL AND ACCUSTOMED SITES THROUGH VIEWS OF TRIBAL ELDERS AND ADMISSIBILITY INTO COURT.	6.80	782.00
NKR NEZ PERCE: CONTINUE REVIEW OF IPCO DOCUMENTS (DOCUMENTS SUPPLIED TO NEZ PERCE IN DAMAGE CASE); REVIEW ADDITIONAL KENT RICHARDS DOCUMENTS.	4.30	279.50
11/02/97		
JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUED REVIEW OF DAMAGE CASE DOCUMENTS REGARDING DEPOSITIONS COMMENCING ON NOVEMBER 4TH IN LEWISTON, IDAHO OF NEZ PERCE TRIBAL ELDERS; PARTICULAR EMPHASIS ON NEZ PERCE RESOLUTIONS BY THE EXECUTIVE COMMITTEE REGARDING ACTION BY THE TRIBE CONCERNING USUAL AND ACCUSTOMED (U AND A'S) AND FISHING ISSUES.	4.00	460.00
11/03/97		
JAR NEZ PERCE: RESEARCH - REVIEW LAW ON CONSTRUCTIONS AS TO RENTAL POOL PRICING.	1.00	145.00
JKS FEDERAL INSTREAM FLOW CLAIMS: PREPARATION AND TRAVEL TO LEWISTON, IDAHO FOR DEPOSITIONS OF TRIBAL ELDERS IN THE NEZ PERCE CLAIMS.	10.50	1,207.50
NKR NEZ PERCE: REVIEW AND ANALYZE IPCO DOCUMENTS (SUPPLIED TO N/P IN DAMAGE CASE); INPUT RELEVANT ISSUES AND IDENTIFYING INFORMATION INTO DATABASE.	2.80	182.00
11/04/97		
JAR NEZ PERCE: PERUSE NEZ PERCE DISCOVERY REQUESTS - COPY TO STAN CLARK.	1.50	217.50
JKS FEDERAL INSTREAM FLOW CLAIMS: COMMENCE		



ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAWP.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

(Continued)  
11/30/97

WATER DISTRICT #1

Account No: 12344-12726A  
Statement No: 13328

## NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

	Hours	
DEPOSITIONS OF TRIBAL ELDERS; BEGIN DEPOSITION OF RUDY CARTER WITH EMPHASIS ON FISHING SITES.	9.80	1,127.00
NKR NEZ PERCE: CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS (DOCS SUPPLIED TO N/P IN DAMAGE CASE); INPUT RELEVANT ISSUES & IDENTIFYING INFORMATION INTO DATABASE.	3.75	243.75
11/05/97		
JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUED DEPOSITION OF RUDY CARTER.	10.00	1,150.00
NKR NEZ PERCE: CONTINUE DATABASE WORK WITH IPCO DOCUMENTS.	2.75	178.75
11/06/97		
JAR NEZ PERCE: COPIES OF W.W.P. REVIEW INFORMATION ON INDIAN WATER AGREEMENTS.	.50	72.50
JKS FEDERAL INSTREAM FLOW CLAIMS: COMPLETION OF CARTER DEPOSITION; COMMENCE DEPOSITION OF HORACE AXTELL REGARDING RELIGIOUS PRACTICES OF NEZ PERCE TRIBE.	10.90	1,253.50
NKR NEZ PERCE: CONTINUE DATABASE WORK; PICK UP ADDITIONAL DOCUMENTS AT RR&T (COPIED FROM DTS FILES).	4.00	260.00
11/07/97		
JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUE DEPOSITION OF HORACE AXTELL; RETURN TO BOISE, IDAHO; DISCUSSIONS WITH STATE REGARDING CONTINUATIONS OF DEPOSITIONS.	11.90	1,368.50
NKR NEZ PERCE: CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS IDENTIFIED BY JKS AND JCT FROM DOCUMENTS IPCO SUPPLIED TO N/P DURING DAMAGE CASE; DATA ENTRY.	3.20	208.00
11/10/97		
JKS FEDERAL INSTREAM FLOW CLAIMS: PREPARATION FOR NOVEMBER 11, 1997, EXPERT MEETING; DISCUSSIONS REGARDING SCOPE OF EXPERT MEETING AND PRIVILEGES		

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAWP.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

(Continued)  
11/30/97

WATER DISTRICT #1

Account No: 12344-12726A  
Statement No: 13328

## NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

Hours

AND ISSUES REGARDING COMMUNICATIONS BETWEEN  
EXPERTS; CONFERENCE WITH COALITION AND IDAHO  
POWER COMPANY COUNSEL RE: NOVEMBER 11TH MEETING;  
STRUCTURE OF AGENDA FOR MEETING. 7.20 828.00

NMS REVIEW ORDER RE: SMITH SPRINGS; CALL TO PETER  
AMPE RE: SUPREME COURT MOTION; REVIEW RULE. .30 34.50

NKR NEZ PERCE: CONTINUE DATABASE ENTRY AND ANALYSIS;  
CALL FROM BEKKI RE: PREFIXES IN COALITION  
DATABASE AND DOCUMENTS TO BE PULLED AND COPIED  
FOR JCT AND JKS; DETERMINE PROBLEM WITH PREFIXES;  
BACKUP DATABASE TO TAKE TO RRT FOR BEKKI AFTER  
CHANGES. 4.60 299.00

11/11/97

JKS FEDERAL INSTREAM FLOW CLAIMS: MEETING WITH STATE,  
IDAHO POWER COMPANY AND COALITION MEMBERS AND  
KENT RICHARDS, EXPERT, REGARDING SCOPE OF  
RICHARDS REPORT; DISCUSSIONS REGARDING ECONOMISTS  
AND STRUCTURE OF INTERVIEWS WITH POTENTIAL  
ECONOMISTS; REVIEW OF CONTRACT WITH CRAIG SOMMERS  
AND DON OLOWINSKI; DRAFTING OF MEMO TO COALITION  
COUNSEL REGARDING STATUS OF NEZ PERCE DEPOSITIONS  
AND POTENTIAL EXTENSION OF DISCOVERY DEADLINES. 9.70 1,115.50

NKR NEZ PERCE: MEETING WITH COALITION MEMBERS RE:  
STATUS OF DATABASE AND DOCUMENTS SUPPLIED TO US  
BY NEZ PERCE; MODIFY COALITION DATABASE TO  
INCLUDE 1000 SERIES IN BATES NUMBERS; CONTINUE  
INPUT AND REVIEW OF IPCO DOCUMENTS. 4.85 315.25

11/12/97

JKS FEDERAL INSTREAM FLOW CLAIMS: MEETING WITH STATE  
OF IDAHO RE: NOV. 18TH DEPOSITIONS IN LEWISTON;  
STRUCTURE OF WHITMAN DEPOSITION; ORGANIZATION OF  
NOTICE OF DEPOSITIONS OF PENNY, PICARD, AND  
TRIBAL MEMBERS IN THE WATER RESOURCE DEPARTMENT. 5.90 678.50

NMS CONFERENCE WITH PETER AMPE, AG'S OFFICE; REVIEW  
FILES; DRAFT MOTION TO ACCEPT APPEAL & MEMO IN  
SUPPORT FOR SUPREME COURT RE: SMITH SPRINGS. 2.40 276.00



ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAWP.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

(Continued)

11/30/97

WATER DISTRICT #1

Account No: 12344-12726A  
Statement No: 13328

NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

Hours

NKR NEZ PERCE: CONTINUE DATABASE WORK WITH IPCO  
DOCUMENTS.

4.30 279.50

11/13/97

JKS FEDERAL INSTREAM FLOW CLAIMS: DISCOVERY  
RESPONSES, CONFERENCE WITH N/P COUNSEL RE:  
DISCOVERY DEADLINE AND JOINT MOTION WITH COURT  
REVIEW DRAFT MOTION AND MEMORANDUM FAXED BY NEZ  
PERCE; COMMENTS TO TRIBE.

8.40 966.00

NMS CONF.W/ JKS; REVIEW FILE RE: SMITH SPRINGS MOTION  
TO ACCEPT APPEAL.

.30 34.50

NKR NEZ PERCE: CONTINUE DATABASE CONSTRUCTION WITH  
IPCO DOCUMENTS AND ADDITIONAL KENT RICHARDS'  
DOCUMENTS.

3.85 250.25

11/14/97

JKS FEDERAL INSTREAM FLOW CLAIMS: PREPARATION FOR  
NOV. 18TH DEPOSITIONS; CONF.W/ TRIBE, STATE OF  
IDAHO AND IDAHO POWER CO. RE: JOINT MOTION ON  
DISCOVERY SCHEDULE; REDRAFTING OF MEMORANDUM IN  
SUPPORT OF MOTION.

7.30 839.50

JAR NEZ PERCE/DEER FLAT: CATCH UP ON FILINGS.

.80 116.00

NKR NEZ PERCE: DATABASE CONSTRUCTION CONTINUED.

2.75 178.75

11/16/97

JKS FEDERAL INSTREAM FLOW CLAIMS: REVIEW OF SLICKPOO  
DOCUMENTS RE: USUAL AND ACCUSTOMED FISHING SITES;  
RELIGIOUS PRACTICES OF VARIOUS BANDS OF NEZ  
PERCE.

2.40 276.00

11/17/97

JKS CONTINUE DOCUMENT REVIEW; TRAVEL TO LEWISTON FOR  
CONTINUED DEPOSITIONS OF TRIBAL ELDERS.

10.40 1,196.00

NKR NEZ PERCE: DATABASE CONSTRUCTION CONTINUED.

2.60 169.00

11/18/97

JAR DEER FLATS: REVIEW ERO MEMO ON B,W,&P RIVER ACRES  
AND FLOWS.

.50 72.50

## IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAWP.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

WATER DISTRICT #1

(Continued)

11/30/97

Account No: 12344-12726A  
Statement No: 13328

NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

Hours

JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUED  
DEPOSITION OF HORACE AXTELL RE: RELIGION AND  
FISHING SITES.

10.50 1,207.50

NKR NEZ PERCE: DATABASE CONSTRUCTION CONTINUED.

3.60 234.00

11/19/97

JAR NEZ PERCE: REVIEW NEZ PERCE DISCOVERY REQUESTS.

.50 72.50

JKS FEDERAL INSTREAM FLOW CLAIMS: DEPOSITION OF SILAS  
WHITMAN.

10.20 1,173.00

NKR NEZ PERCE: DATABASE CONSTRUCTION CONTINUED.

2.80 182.00

11/20/97

JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUED  
DEPOSITION OF WHITMAN; REVIEW DRAFT PROTECTIVE  
ORDER AND CORRESPONDENCE FROM TRIBE FOR MEETING  
ON 11/21.

12.60 1,449.00

For Current Services Rendered

330.27 34,462.55

## Staff Summary

Timekeeper	Hours	Hourly Rate	Total
JOHN A. ROSHOLT	26.00	\$145.00	\$3,770.00
JOHN K. SIMPSON	204.60	115.00	23,529.00
NORM M. SEMANKO	13.70	115.00	1,575.50
NANCY K. RAWLINS	85.97	65.00	5,588.05

10/22/97	MISCELLANEOUS - CHECK #26562 RE: MEETING EXPENSE.	10.00
10/22/97	MISCELLANEOUS - CHECK #26565 RE: LUNCHES FOR MEETING ATTENDEES.	85.00
10/23/97	MISCELLANEOUS - CHECK #6600 RE: LUNCH MEETING.	82.98
10/24/97	MISCELLANEOUS - CHECK #6607 RE: KEN REID MEETING.	14.19
11/03/97	MISCELLANEOUS - CHECK #15981 TO ALOHA CONFERENCING RE: CONFERENCE CALL ON 10/27 BETWEEN 11 PARTIES.	236.72
11/03/97	MISCELLANEOUS - CHECK #15982 TO AMERITEL INN - TWIN FALLS RE: JKS LODGING ON 10/21 AND 10/30.	202.02
11/03/97	MISCELLANEOUS - CHECK #15986 TO BONNEVILLE BLUE PRINT SUPPLY RE: ORTHO QUADS.	352.80



IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAW

P.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

WATER DISTRICT #1		(Continued) 11/30/97
		Account No: 12344-12726A
		Statement No: 13328
NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS		
11/03/97	MISCELLANEOUS - CHECK #26591 TO JKS RE: MILEAGE REIMBURSEMENT TO/FROM TWIN FALLS ON 10/22.	83.16
11/03/97	MISCELLANEOUS - CHECK #26591 TO JKS RE: MISC. MEETING EXPENSES ON 10/30.	15.50
11/04/97	MISCELLANEOUS - CHECK #26594 TO JAR RE: MILEAGE REIMBURSEMENT TO/FROM BOISE ON 10/24 RE: NEGOTIATION SESSIONS.	83.16
11/11/97	MISCELLANEOUS - CHECK #6611 RE: JDA LUNCHEON MEETING WITH KENT RICHARDS.	40.00
11/12/97	MISCELLANEOUS - CHECK #26617 TO JKS RE: MILEAGE AND TRAVEL EXPENSES TO/FROM LEWISTON ON 11/4.	282.63
11/20/97	PHONE CHARGES	28.06
11/20/97	COPIES	196.20
11/20/97	COPYING/PRODUCTION-DISCOVERY	604.90
11/20/97	EXCESS POSTAGE	20.91
11/20/97	MISCELLANEOUS - JAR VISA CHARGE ON 10/25 RE: RESEARCH MATERIAL.	86.89
11/20/97	MISCELLANEOUS - MILEAGE REIMBURSEMENT (CB).	33.07
Total Expenses and Advances		2,458.19
Total Current Work		36,920.74
Previous Balance		12,978.95
11/18/97	PAYMENT	-12,978.95
Balance Due		\$36,920.74 =====

FOR SERVICES RENDERED THROUGH NOVEMBER 20TH 1997

RIGBY, THATCHER, ANDRUS, RIGBY & KAM CHT  
25 NORTH 2ND EAST  
PO BOX 250  
REXBURG, ID 83440-0250  
(208) 356-3633

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DEC 11 1997

Department of Water Resources  
Eastern Region

COMMITTEE OF NINE  
% RON CARLSEN  
WATER DISTRICT # 1  
900 NORTH SKYLINE DRIVE  
IDAHO FALLS, ID 83402-1718

December 1, 1997

In the matter of: Committee of Nine - Billing File  
Our file number . 14148 R

This statement contains payments and charges through December 1, 1997

Payments made on or after the 26th of the month  
may not show on this statement.

TOTAL AMOUNT DUE: \$3,887.00

--- FEE TRANSACTIONS ---

1/03/97 JRR	Receipt and review filings.	0.30	\$30.00
1/10/97 JRR	Receipt and review Nez Perce discovery and Telephone conference with Simpson.	1.40	\$140.00
1/13/97 JRR	Consultation with Clive and Telephone conference with Simpson re: depositions of experts.	0.60	\$60.00
1/17/97 JRR	Receipt and review filings in Fed cases and notices; Telephone conference with Shaw and Ventrella's office..	0.80	\$80.00
1/18/97 JRR	Appearance at deposition of Jack King, expert for Forrest Service claims.	8.00	\$800.00
1/19/97 JRR	Appearance at deposition of King.	8.00	\$800.00
1/20/97 JRR	Appearance at deposition of For. Serv. Jack King.	8.00	\$800.00
1/21/97 JRR	Appearance at deposition of F/S Jack King in Boise.	5.00	\$500.00
1/24/97 JRR	Receipt and review fed filings and Nez P. motions and orders.	0.40	\$40.00
1/25/97 JRR	Preparing draft of responses to Nez P. discovery.	1.20	\$120.00
1/26/97 JRR	Edit and revise response to Nez Perce and file and Receipt and review filings	1.90	\$190.00



for depos in F/S and State's petition.

11/28/97 JRR	Receipt and review filings of others in Nez Perce discovery and set up travel for depos of F/S in Denver.	0.80	\$80.00
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12/01/97 JRR	Telephone conference with Simpson and Receipt and review filings in Nez P.	0.40	\$40.00
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Total fee charges...	36.80	\$3,680.00
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--- EXPENSE TRANSACTIONS ---

11/17/97	Travel expense Air fare to Boise re: Forest Service Depositions	Flat chg	\$207.00
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Total expense charges...	\$207.00
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Current charges:	\$3,887.00
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--- PAYMENT TRANSACTIONS ---

1/24/97	Received payment	#04352 Inv:ALL	-\$4,914.39
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Total payments received...	-\$4,914.39
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Previous balance as of Oct 31, 1997:	\$4,914.39
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Current charges:	\$3,887.00
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Payments applied to balance due:	-\$4,914.39
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TOTAL AMOUNT DUE:	\$3,887.00
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<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>AMOUNT</u>
JERRY R. RIGBY	36.80	\$3,680.00

<u>Under 31</u>	<u>31-60 days</u>	<u>61-90 days</u>	<u>91-120 days</u>	<u>Over 120 days</u>
\$3,887.00	\$0.00	\$0.00	\$0.00	\$0.00

ROGER D. LING  
ROBERT M. NIELSEN  
BRENT T. ROBINSON  
BRENT C. TINGEY

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW  
615 "H" STREET  
P.O. BOX 396  
RUPERT, IDAHO 83350

AREA CODE 208  
TELEPHONE 436-4717  
FAX 436-6804

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NOV 20 1997

Department of Water Resources  
Eastern Region

Committee of Nine  
900 N. Skyline Drive  
Idaho Falls, ID 83402

November 24, 1997  
General  
ESA-Public Hearing

ITEMIZED STATEMENT

PREVIOUS BALANCE \$1532.32

CREDITS

November, 1997

18 Payment on account 1532.32

TOTAL CREDITS \$1532.32

PROFESSIONAL SERVICES RENDERED

October, 1997

21	Attend Conference; Travel Time--RE: Statue Conference-Motion to Compell- USFWS-Deer Flat	3.00 hours	360.00
22	Attend Meeting; Travel Time--RE; Coalition Meeting- Twin Falls	6.00 hours	720.00
23	Facts Investigation; Tel. Conf. w/Semanko--RE; Smith Springs Appeal	1.00 hours	120.00
23	Facts Investigation--RE: Deer flat-Negotiations	2.00 hours	240.00
24	Attend Negotiations; Travel Time--RE; Negotiations-Deer Flat--Boise	11.00 hours	1320.00
27	Telephone Conf.-Conference Call--RE: Deer Flat Negotiations	0.80 hours	96.00
30	Attend Meeting--RE:		

ROGER D. LING  
ROBERT M. NIELSEN  
BRENT T. ROBINSON  
BRENT C. TINGEY

LING, NIELSEN & ROBINSON  
ATTORNEYS AT LAW  
615 "H" STREET  
P.O. BOX 396  
RUPERT, IDAHO 83350

AREA CODE 208  
TELEPHONE 436-4717  
FAX 436-6804

Committee of Nine

November 24, 1997

ESA-Public Hearing

Page 2

PROFESSIONAL SERVICES RENDERED (Continued)

Meeting-Pocatello-Deer Flat and Smith  
Springs

2.00 hours

240.00

November, 1997

10 Telephone Conf. w/Scott Campbell--RE:  
ESA Amendments

0.20 hours

24.00

14 Telephone Conf. w/Norm Semanka--RE:  
Smith Springs

0.20 hours

24.00

TOTAL SERVICES

-----  
\$3144.00

DISBURSEMENTS

September, 1997

25 Fax charges, Beeman, Campbell, Rigby,  
Rosholt, Simpson, Strong, Uhling

8.52

29 Fax charges-Strong

2.47

October, 1997

3 Fax charges-Campbell, Rosholt, Simpson,  
Stevenson, Ysursa

4.24

20 Long Distance Calls-Campbell-Deer Flat;  
Strong, Simpson-Smith Springs

7.69

20 Long Distance Calls-Strong, Craig

5.40

21 Travel/RDL 96 miles @.25

24.00

22 Travel/RDL 90 miles @.25

22.50

23 Long Distance Calls-Smith Springs

1.33

23 Long Distance Calls-Rosholt

1.33

24 Travel/RDL 340 miles @.25

85.00

ROGER D. LING  
ROBERT M. NIELSEN  
BRENT T. ROBINSON  
BRENT C. TINGEY

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW  
615 "H" STREET  
P.O. BOX 396  
RUPERT, IDAHO 83350

AREA CODE 208  
TELEPHONE 436-4717  
FAX 436-6804

Committee of Nine

November 24, 1997

ESA-Public Hearing

Page 3

DISBURSEMENTS (Continued)

24	Long Distance Calls-	2.34
November, 1997		
10	Long Distance Calls-Scott Campbell	4.55
17	Long Distance Calls-Semanko(Smith Springs)	4.13
19	Long Distance Calls	25.75
		-----
TOTAL DISBURSEMENTS		\$199.25
		-----
BALANCE DUE		\$3343.25
		=====



IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAW

P.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

RECEIVED

IRS NO. 82-0367837

FEB 06 1998

Department of Water Resources  
Eastern Region

WATER DISTRICT #1  
900 N. SKYLINE DRIVE  
IDAHO FALLS ID 83402-1718

01/31/98  
Account No: 12344-12726A  
Statement No: 13678

NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

	Hours	
12/22/97		
JAR DEER FLATS: CALL FROM SIMPSON RE: DEER FLAT AGREEMENT.	.30	43.50
JKS FEDERAL INSTREAM FLOW CLAIMS: NEZ PERCE MEETING WITH ATTORNEY GENERALS OFFICE AND COALITION COUNSEL RE: DISCOVERY ISSUES (MOTIONS TO COMPEL), DEPOSITION SCHEDULES, EXPERTS, VIDEOS TO BE PRODUCED BY THE TRIBE, AND SHO-BAN DISCOVERY; DRAFTING OF MEMORANDUM RE: DEPOSITION SCHEDULE FOR COALITION COUNSEL.	8.50	977.50
12/23/97		
JAR NEZ PERCE: MEMO TO OLOWINSKI AND JKS RE: POTENTIAL WITNESSES.	1.50	217.50
JAR NEZ PERCE: BELL RAPIDS WATER RIGHT SUMMARY TO CLIVE AND ROGER; CALL FROM JKS.	.50	72.50
JKS FEDERAL INSTREAM FLOW CLAIMS: BEGIN RESEARCH RE: DISCOVERY TO SHO-BAN DISCOVERY TO SHO-BANS RE: DISCREPANCIES BETWEEN THE ABORIGINAL TERRITORY OF THE NEZ PERCE TRIBE AND SHO-BAN TRIBES.	4.30	494.50
12/24/97		
JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUED RESEARCH RE: SHO-BAN DISCOVERY; REVIEW OF DEWARD WALKER REPORT RE: MOVEMENT OF VARIOUS NUMIC TRIBES IN SOUTHERN IDAHO.	5.10	586.50
12/29/97		
JKS FEDERAL INSTREAM FLOW CLAIMS: MEETING RE: NEZ PERCE TRIBE'S DRAFT OF PROTECTIVE ORDER AND ATTORNEY GENERALS CORRESPONDING DRAFT; COMMENTS TO CLIVE STRONG RE: STATES PROTECTIVE ORDER DRAFT.	3.00	345.00

## IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAW

P.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

WATER DISTRICT #1

(Continued)

01/31/98

Account No: 12344-12726A

Statement No: 13678

NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

Hours

12/30/97

JKS FEDERAL INSTREAM FLOW CLAIMS: RESEARCH ON NEZ  
PERCE TRIBES TREATY RIGHT/PROPERTY RIGHT  
ANALYSIS; POTENTIAL ARGUMENT BY NEZ PERCE TRIBE  
RE: ANALOGY OF THEIR TREATY FISHING RIGHTS TO A  
PROPERTY RIGHT AND CORRESPONDING LAW REVIEW  
ARTICLE BY LEWIS AND CLARK COLLEGE (MICHAEL  
BLUMM); MEETING WITH COALITION COUNSEL AND IDAHO  
POWER CO. RE: DEPOSITION ISSUES FOR TRIBAL  
MEMBERS CONTINUING ON JANUARY 5, 1998. 6.80 782.00

01/02/98

NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS  
RE: ISSUES AND KEY WORDS; DATABASE ENTRY. 4.80 312.00

01/03/98

NKR REVIEW AND ANALYSIS OF KENT RICHARD'S DOCUMENTS,  
BOX 3; DATABASE ENTRY; SPELL-CHECK DATA ENTRY. 4.60 299.00

01/04/98

NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS  
RE: ISSUES AND KEY WORDS; DATABASE ENTRY. 4.60 299.00

01/05/98

JKS FEDERAL INSTREAM FLOW CLAIMS: PREPARE FOR  
CONTINUED DEPOSITIONS OF SILAS WHITMAN AND  
DEPOSITION OF RICHARD POWAUKEE IN LEWISTON;  
CONF.W/ C. STRONG RE: JOINT DEFENSE AGREEMENT  
BETWEEN THE STATE AND THE COALITION IN THE TRIBAL  
CLAIMS; PHONE CONF.W/ CRAIG SOMMERS RE: HARZA  
CONTRACT AND RECEIPT AND REVIEW OF DRAFT OF JOHN  
PIZZIMENTI. 8.30 954.50

NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS  
RE: ISSUES AND KEY WORDS; DATABASE ENTRY. 4.20 273.00

01/06/98

JAR NEZ PERCE: ARTICLES AND INFORMATION TO MICHAEL  
AND CRAIG. .50 72.50

JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUE DEPOSITION  
OF SILAS WHITMAN IN LEWISTON RE: USUAL AND  
ACCUSTOMED FISHING SITES AND HIS POSITION AS



IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAW

P.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

		(Continued)	
		01/31/98	
		Account No: 12344-12726A	
		Statement No: 13678	
WATER DISTRICT #1			
NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS		Hours	
	DIRECTOR OF FISHERIES DEPARTMENT FOR THE NEZ PERCE TRIBE.	11.00	1,265.00
	NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS PRODUCED TO NP IN DAMAGE CASE AND DATA ENTRY; MEMO TO RR&T RE: STATUS OF AL PROJECTS; FAX THE SAME TO RR&T.	4.30	279.50
01/07/98	JAR DEER FLATS: CALL TO LING - FAX TO CLIVE.	.50	72.50
	JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUE DEPOSITION OF SILAS WHITMAN.	10.70	1,230.50
	NKR CONTINUE REVIEW AND ANALYSIS OF IPCO Y AND DATA ENTRY; INPUT STATE'S Y NUMBERS INTO DATABASE FOR CD-1262-AGID.	4.80	312.00
01/08/98	JKS FEDERAL INSTREAM FLOW CLAIMS: COMMENCEMENT OF DEPOSITION OF A. SLICKPOO RE: USUAL AND ACCUSTOMED FISHING SITES AND HIS POSITION OF DIRECTOR OF CULTURAL RESOURCES FOR THE NEZ PERCE TRIBE.	10.00	1,150.00
	NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS RE: ISSUES AND KEY WORDS; DATABASE ENTRY; FAX INDIAN TRIBE ABBREVIATIONS USED IN D/BASE TO BEKKI.	4.30	279.50
01/09/98	JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUED DEPOSITIONS AND MEETING WITH NEZ PERCE TRIBE RE: PROTECTIVE ORDER RE: CULTURAL RESOURCE DOCUMENTS CONSIDERED CONFIDENTIAL BY THE NEZ PERCE TRIBE PURSUANT TO FEDERAL STATUTE.	9.50	1,092.50
	NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS RE: ISSUES AND KEY WORDS; DATABASE ENTRY.	4.50	292.50
01/10/98	NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS RE: ISSUES AND KEY WORDS; DATABASE ENTRY; APPEND		

## IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAW

P.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

(Continued)

01/31/98

WATER DISTRICT #1

Account No: 12344-12726A  
Statement No: 13678

NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

	Hours	
TO NP DATABASE; ADD CD NUMBERS FOR CD-1299-AGID.	4.00	260.00
01/11/98		
NKR ADD CD NUMBERS FOR CD-1304-AGID AND CD-1274-AGID TO DATABASE; ADD STATE'S NUMBERS TO DATABASE.	4.10	266.50
01/12/98		
JKS FEDERAL INSTREAM FLOW CLAIMS: IDENTIFICATION OF DOCUMENTS PRODUCED BY THE NEZ PERCE TRIBE THAT ARE NOW DECLARED CONFIDENTIAL; CONFERENCE WITH CRAIG SOMMERS RE: COALITION MEETING ON 1/20/98 RE: SCOPE OF MEETING AGENDA ITEMS ON TRIBAL CLAIMS AND FOREST SERVICE CLAIMS; DISCUSSION RE: STATUS OF DEER FLATS NEGOTIATIONS AND SETTLEMENT DOCUMENT.	5.30	609.50
NKR CONTINUE REVIEW AND ANALYSIS OF DOCS/KEY WORDS; DATABASE ENTRY.	4.00	260.00
01/13/98		
JKS FEDERAL INSTREAM FLOW CLAIMS: BEGIN REVIEW OF DRAFT MEMORANDUM ON ENTITLEMENT TRANSMITTED BY IDAHO POWER CO. FOR REVIEW AND COMMENT.	4.00	460.00
NKR CONTINUE REVIEW AND ANALYSIS OF DOCS/KEY WORD DATA ENTRY; T/C FROM JKS RE: NPT DOCUMENTS WHICH NEZ PERCE TRIBE SAYS ARE CONFIDENTIAL BUT WERE DISCLOSED; SEARCH FOR NPT DOCUMENTS ON CDS RECEIVED FROM STATE; T/C FROM BEKKI RE: THE SAME.	4.20	273.00
01/14/98		
JAR DEER FLATS: REVIEW DRAFT CONTRACT.	.50	72.50
JAR NEZ PERCE: INFORMATION TO SOMMERS.	.50	72.50
JKS FEDERAL INSTREAM FLOW CLAIMS: ANALYSIS OF STATE v. BUCHANAN CASE OUT OF WESTERN DISTRICT COURT OF WASHINGTON REGARDING INTERPRETATION OF STEVEN'S TREATY HUNTING AND FISHING RIGHTS RESERVED BY THE 1855 TREATY OF POINT ELLIOT; ANALYSIS INCLUDED USUAL AND ACCUSTOMED FISHING SITES AND GROUNDS AND STATIONS.	3.60	414.00



## IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAW

P.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

(Continued)

01/31/98

WATER DISTRICT #1

Account No: 12344-12726A  
Statement No: 13678

NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

Hours

NKR T/C TO BEKKI RE: DOCUMENTS NOT FOUND;  
CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS  
RE: ISSUES AND KEY WORDS AND DATA ENTRY. 4.30 279.50

01/15/98

JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUED ANALYSIS  
OF BRIEFING BY IDAHO POWER COMPANY FOR MOTION FOR  
SUMMARY JUDGMENT. 1.80 207.00

NKR TO RR&T TO PICK UP CDS 1321 AND 1320 WHICH HAVE  
NPT DOCUMENTS; CONT. ANALYSIS OF IPCO DOCUMENTS  
RE: ISSUES AND KEY WORDS; DATABASE ENTRY RE: THE  
SAME. 4.20 273.00

01/16/98

JAR DEER FLATS: CONF. CALL ON AGREEMENT. 1.00 145.00

JKS FEDERAL INSTREAM FLOW CLAIMS: PREPARATION AND  
MEETING WITH COALITION AND IDAHO POWER CO.  
COUNSEL RE: STATUS OF DEPOSITIONS, DISCOVERY  
PRODUCTION, SUPPLEMENTAL FACTUAL WITNESSES  
BRIEFING. 7.90 908.50

NKR REVIEW AND ANALYSIS OF DOCUMENTS CONTINUED; TO  
RR&T TO ASSIST BEKKI AND BRENDA WITH SEARCHES IN  
ACCESS (HAVING DIFFICULTY FINDING DOC NOS) 4.60 299.00

01/17/98

JKS FEDERAL INSTREAM FLOW CLAIMS: ANALYSIS OF  
DOCUMENTS (APPROXIMATELY 500) PRODUCED BY THE NEZ  
PERCE TRIBE AND RECENTLY ALLEGED TO BE  
INADVERTENTLY DISCLOSED TO THE OBJECTORS; REVIEW  
FOR ALLEGED PRIVILEGE AS CLAIMED BY NEZ PERCE  
TRIBE. 5.40 621.00

NKR CONTINUE DOCUMENT d/BASE ENTRY RE: DOCUMENTS FROM  
DOWNTOWN STORAGE (DOCS PRODUCED TO NP) 4.50 292.50

01/18/98

JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUED REVIEW  
AND ANALYSIS OF IDAHO POWER CO.'S INITIAL BRIEF  
ON ENTITLEMENT ISSUES IN PREPARATION FOR SUMMARY  
JUDGMENT. 2.00 230.00

## IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAWP.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

(Continued)

WATER DISTRICT #1

01/31/98

Account No: 12344-12726A  
Statement No: 13678

NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

Hours

NKR ENTRY OF BOX 8 OF NP DOCUMENTS INTO EXISTING  
DATABASE (?MISSED WHEN DID INITIAL DATA ENTRY?),  
INDIAN CLAIMS COMM. DOCUMENTS, GROUPED BY DOCKET  
NO.-NO CHARGE.

6.90

01/19/98

JKS FEDERAL INTREAM FLOW CLAIMS: CONFERENCE WITH ERO  
RE: 1/20/98 COALITION MEETING AND AGENDA ITEMS;  
PREPARE FOR MEETING ON ISSUES OF NEZ PERCE TRIBAL  
LITIGATION UPDATE AND STATUS OF DEER FLATS  
SETTLEMENT AGREEMENT; REVIEW OF DEER FLATS  
SETTLEMENT LANGUAGE FOR PREPARATION FOR COALITION  
MEETING; ATTEND LEGISLATIVE SUB-COMMITTEE MEETING  
RE: NEZ PERCE LITIGATION; PROVIDE TESTIMONY ALONG  
WITH CLIVE STRONG OF ATTORNEY GENERAL'S OFFICE  
RE: IMPORTANCE OF LITIGATION AND AWARENESS OF  
PUBLIC AS TO THE IMPACT OF THE TRIBAL CLAIMS.

6.90

793.50

NKR COMPLETION OF REVIEW AND ANALYSIS OF IPCO  
DOCUMENTS COPIED FROM DOWNTOWN STORAGE; COMPLETE  
DATABASE ENTRY RE: THOSE DOCUMENTS; SPELL CHECK  
DATA ENTRY.

2.50

162.50

01/20/98

JAR NEZ PERCE: TRAVEL TO BOISE; ATTEND COALITION  
MEETING.

4.00

580.00

JAR OPINION LETTER TO AUDITORS.

1.00

145.00

JKS FEDERAL INSTREAM FLOW CLAIMS: MEETING WITH  
COALITION COUNSEL RE: PROTECTIVE ORDER AND  
DISCUSSIONS RE: NEZ PERCE DISCLOSURE OF DOCUMENTS  
RE: TRIBAL CLAIMS OUTSIDE THE STATE OF IDAHO  
BOUNDARIES.

8.60

989.00

NKR COMPLETION OF REVIEW AND ANALYSIS OF IPCO  
DOCUMENTS COPIED FROM DOWNTOWN STORAGE; COMPLETE  
DATABASE ENTRY RE: THOSE DOCUMENTS.

2.00

130.00

For Current Services Rendered

-----

-----

214.40 20,446.50



## IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAW

P.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

WATER DISTRICT #1 (Continued)  
01/31/98  
Account No: 12344-12726A  
Statement No: 13678  
NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

Staff Summary		
Timekeeper	Hours Hourly Rate	Total
-----	-----	-----
JOHN A. ROSHOLT	10.30 \$145.00	\$1,493.50
JOHN K. SIMPSON	122.70 115.00	14,110.50
NANCY K. RAWLINS	81.40 59.49	4,842.50
12/31/97 MISCELLANEOUS - CHECK #16337 TO UPS RE: EXPRESS MAILING.		12.50
01/07/98 MISCELLANEOUS - CHECK #26760 TO DIVISION OF AERONAUTICS, KELLI WILSON, OFFICE OF THE ATTORNEY GENERAL RE: FLIGHT TO LEWISTON ON 12/12/97.		250.00
01/12/98 MISCELLANEOUS - CHECK #26775 TO DIVISION OF AERONAUTICS, KELLI WILSON, OFFICE OF THE ATTORNEY GENERAL RE: AIRFARE TO LEWISTON ON 11/17/97		354.37
01/14/98 MISCELLANEOUS - CHECK #26789 TO JKS RE: TRAVEL EXPENSE REIMBURSEMENT IN LEWISTON ON 11/21 RE: LODGING/PARKING, ETC.		385.91
01/15/98 MISCELLANEOUS - CHECK #16401 TO CLEARWATER REPORTING, INC. RE: DEPO AND TRANSCRIPT OF HORACE AXTELL.		1,253.05
01/20/98 PHONE CHARGES		7.06
01/20/98 COPYING/PRODUCTION-DISCOVERY		130.90
01/20/98 EXCESS POSTAGE		6.00
01/20/98 MISCELLANEOUS - VISA CHARGE RE: COPIES/LEWISTON		24.87
01/20/98 MISCELLANEOUS - JKS VISA CHARGE RE: AIRFARE ON 12/9/97 BOISE/LEWISTON.		142.00
01/20/98 MISCELLANEOUS - JKS VISA CHARGE ON 12/11/97 RE: LODGING/LEWISTON.		214.62
01/20/98 MISCELLANEOUS - JKS VISA CHARGE ON 12/12/97 RE: CAR RENTAL/LEWISTON.		243.43
01/20/98 MISCELLANEOUS - JKS VISA CHARGE ON 1/6/98 RE: AIRFARE TO/FROM LEWISTON.		177.00
01/20/98 FAX CHARGES		68.00
01/20/98 MISCELLANEOUS - CHECK #26808 TO JKS RE: MISC. TRAVEL EXPENSES - LEWISTON.		75.00
01/20/98 MISCELLANEOUS - PDM VISA CHARGE ON 1/5/98 RE: AIRFARE BOISE/CHICAGO/CLEVELAND/BOISE.		216.50
Total Expenses and Advances		3,561.21

IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAW

P.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

WATER DISTRICT #1	(Continued) 01/31/98
	Account No: 12344-12726A
	Statement No: 13678
NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS	
Total Current Work	24,007.71
Previous Balance	19,262.73
01/29/98 PAYMENT	-19,262.73
Balance Due	\$24,007.71 =====

FOR SERVICES RENDERED THROUGH JANUARY 20TH 1998

FINANCE CHARGE: Periodic rate 15% monthly.



RECEIVED

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAWP.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

JAN 07 1998

Department of Water Resources  
Eastern Region IRS NO. 82-0367837WATER DISTRICT #1  
900 N. SKYLINE DRIVE  
IDAHO FALLS ID 83402-171812/31/97  
Account No: 12344-12726A  
Statement No: 13491

## NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

	Hours	
11/21/97		
JKS MEETING WITH TRIBE RE: PROTECTIVE ORDER; DEPOSITION OF RON OATMAN.	11.90	1,368.50
11/24/97		
SHS CONF W/JAR, SEARCH FOR IDWR BOOKLET RE CAREY ACT FOR RESPONSE TO NEZ PERCE DISCOVERY REQUESTS; TCT/F RICH STIVERS AT TITLEFACT RE ORIGINAL DEED FROM U.S.	.50	32.50
JAR NEZ PERCE: INFORMATION FOR ANSWERING INTERROGATORY.	2.50	362.50
JAR NEZ PERCE: RESEARCH MINERAL RESERVATIONS.	1.00	145.00
JKS FEDERAL INSTREAM FLOW CLAIMS: DRAFTING OF RESPONSES TO THE NEZ PERCE TRIBE DISCOVERY PROPOUNDED ON COALITION; MEETING WITH DON OLOWINSKI RE: DRAFT RESPONSES; DISCUSSIONS WITH COALITION COUNSEL RE: SAME.	7.90	908.50
NMS CONF.W/ JKS RE: DISCOVERY RESPONSE - PATENTS ISSUE.	.20	23.00
11/25/97		
JAR NEZ PERCE: MATERIAL FROM TITLE COMPANY; REDO MEMO TO JKS CONCERNING TFCC/NSCC DISCOVERY; REVIEW PROTECTIVE ORDER.	1.50	217.50
JAR DEER FLATS: FAX TO CLIVE.	.20	29.00
JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUE DRAFTING RESPONSES ON COALITION DISCOVERY PROPOUNDED BY THE NEZ PERCE TRIBE ISSUES RE: PATENTS AND THE APPLICATION TO WATER DIST. 01 CLIENTS; CONVERSATIONS WITH JERRY RIGBY RE: PARTICULAR INTERROGATORIES RE: PATENTS, CAREY ACT LANDS AND		

## IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAW

P.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

		(Continued)	
		12/31/97	
		Account No: 12344-12726A	
		Statement No: 13491	
WATER DISTRICT #1			
NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS			
		Hours	
	PARTICULAR LANGUAGE CONTAINING LIMITATIONS ON WATER RIGHTS OBTAINED; ANALYSIS OF TRIBE'S DRAFT PROTECTIVE ORDER AND RESPONSES IN REPLIES BY SCOTT CAMPBELL AND STEVEN MOORE IN PREPARATION FOR A MEETING AMONGST PARTIES.	8.50	977.50
11/26/97	JKS FEDERAL INSTREAM FLOW CLAIMS: FINALIZE AND TRANSMITTAL OF DISCOVERY RESPONSES; MEETING WITH COALITION COUNSEL AND STATE OF IDAHO RE: NOTICE OF 30(b)(6) DEPOSITIONS OF TRIBAL MEMBERS; DISCOVERY ISSUES; MOTION TO COMPEL.	4.20	483.00
12/01/97	JKS CONFERENCE WITH COALITION COUNSEL RE: FOREST SERVICE CLAIMS AND APPLICATION TO THE NEZ PERCE METHODOLOGY ON THE CHANNEL MAINTENANCE CLAIMS; REVIEW PERTINENT PORTIONS OF DR. KING'S EXPERT REPORT RE: CHANNEL MAINTENANCE.	2.90	333.50
	NKR REVIEW AND ANALYZE IPCO DOCUMENTS FOR ISSUES AND RELEVANT INFORMATION.	1.75	113.75
12/02/97	JAR DEER FLATS: NOTE TO CLIVE.	.20	29.00
	JAR NEZ PERCE: CONF.W/ TUCKER; CALL TRULL RE: KITITITAS CASE.	1.00	145.00
	NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS FOR ISSUES AND RELEVANT INFORMATION; DATABASE ENTRY.	1.25	81.25
12/03/97	NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS FOR ISSUES AND RELEVANT INFORMATION; DATABASE ENTRY.	1.00	65.00
12/04/97	NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS FOR ISSUES AND RELEVANT INFORMATION; DATABASE ENTRY.	1.65	107.25



IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAW

P.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

WATER DISTRICT #1

(Continued)  
12/31/97  
Account No: 12344-12726A  
Statement No: 13491

NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

	Hours	
12/05/97		
NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS FOR ISSUES AND RELEVANT INFORMATION; DATABASE ENTRY.	2.60	169.00
12/08/97		
JAR DEER FLATS: CONFERENCE WITH CLIVE ON DEER FLAT NEGOTIATIONS WITH DUBOIS.	.40	58.00
JKS FEDERAL INSTREAM FLOW CLAIMS: PREPARATION FOR CONTINUED DEPOSITIONS OF HORACE AXTELL AND RON OATMAN; REVIEW DOCUMENTS PRODUCED AND FISHING SITES IDENTIFIED BY AXTELL AND OATMAN PURSUANT TO DEPOSITIONS IN NOVEMBER.	8.90	1,023.50
NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS FOR ISSUES AND RELEVANT INFORMATION; DATABASE ENTRY.	1.75	113.75
12/09/97		
JAR DEER FLATS: LAW REVIEW ARTICLE AND NOTE TO CLIVE STRONG.	.40	58.00
JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUED DEPOSITION OF HORACE AXTELL IN LEWISTON, ID.	10.20	1,173.00
NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS FOR ISSUES AND RELEVANT INFORMATION; DATABASE ENTRY.	1.00	65.00
12/10/97		
JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUED DEPOSITION OF RON OATMAN IN LEWISTON, ID; PREPARATION FOR CONTINUED WHITMAN DEPOSITION ON DEC. 11TH.	12.10	1,391.50
NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS FOR ISSUES AND RELEVANT INFORMATION; DATABASE ENTRY.	1.25	81.25
12/11/97		
JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUED DEPOSITIONS OF SILAS WHITMAN RE: 108 FISHING		

## IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAW

P.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

WATER DISTRICT #1 (Continued)  
12/31/97  
Account No: 12344-12726A  
Statement No: 13491

## NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

	Hours	
SITES CLAIMED AS "USUAL AND ACCUSTOMED" FISHING SITES.	11.30	1,299.50
NRK CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS FOR ISSUES AND RELEVANT INFORMATION; DATABASE ENTRY.	1.50	97.50
12/12/97		
JAR NEZ PERCE/DEER FLAT: UPDATE ON DEPOS FROM JCT; FAX ON DEER FLAT PROPOSAL FROM CLIVE.	.80	116.00
JKS FEDERAL INSTREAM FLOW CLAIMS: CONTINUED DEPOSITION OF SILAS WHITMAN IN LEWISTON, ID.	10.20	1,173.00
12/15/97		
PDM PHONE CONFERENCE WITH JERRY RIGBY AND JOHN SIMPSON RE: ATTENDING DR. WHITING DEPOSITION IN CLEVELAND; JANUARY 6-9, 1998; MAKE ARRANGEMENTS TO ATTEND.	.50	45.00
JAR NEZ PERCE: REVIEW TUCKER MEMO ON REGULATORY WATER RIGHTS.	1.00	145.00
JAR DEER FLATS: CONF.W/ JCT AND JKS; CALL FROM CLIVE AND STEENSON; FAX TO STEENSON.	1.00	145.00
JKS FEDERAL INSTREAM FLOW CLAIMS: CONFERENCE WITH COALITION COUNSEL RE: STATUS OF TRIBAL CLAIMS; DISCUSSIONS WITH JERRY RIGBY RE: FOREST SERVICE DEPOSITIONS AND STAFFING OF DEPOSITIONS IN SCOPE OF QUESTIONING; DEER FLATS CONFERENCE.	3.90	448.50
NRK CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS FOR ISSUES AND RELEVANT INFORMATION; DATABASE ENTRY.	2.25	146.25
12/16/97		
JAR DEER FLATS: CALL FROM AND FAX TO STEENSON.	.40	58.00
JKS FEDERAL INSTREAM FLOW CLAIMS: REVIEW OF INFORMATION TRANSMITTED BY ED HARVEY (BBC-ECONOMIST) RE: EDWARDS AQUIFER.	1.90	218.50



## IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAWP.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

(Continued)  
12/31/97

WATER DISTRICT #1

Account No: 12344-12726A  
Statement No: 13491

## NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

	Hours	
NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS FOR ISSUES AND RELEVANT INFORMATION; DATABASE ENTRY.	4.30	279.50
12/17/97		
JKS FEDERAL INSTREAM FLOW CLAIMS: MEETING WITH DEFENSE COUNSEL RE: FUTURE ACTIONS ON SHO-BANS CLAIMS, DISCOVERY ISSUES, DECISIONS ON ECONOMISTS.	1.50	172.50
NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS FOR ISSUES AND RELEVANT INFORMATION; DATABASE ENTRY.	4.10	266.50
12/18/97		
NKR CONTINUE REVIEW AND ANALYSIS OF IPCO DOCUMENTS FOR ISSUES AND RELEVANT INFORMATION; DATABASE ENTRY.	3.50	227.50
12/19/97		
JAR DEER FLATS: REVIEW OF CLIVE'S MEMO AND BELL RAPIDS WATER RIGHT.	1.00	145.00
	-----	-----
For Current Services Rendered	135.90	14,538.00

Staff Summary			
Timekeeper	Hours	Hourly Rate	Total
-----	-----	-----	-----
JOHN A. ROSHOLT	11.40	\$145.00	\$1,653.00
SHARON H. STRICKLAND	0.50	65.00	32.50
JOHN K. SIMPSON	95.40	115.00	10,971.00
PATRICK D. MADIGAN	0.50	90.00	45.00
NORM M. SEMANKO	0.20	115.00	23.00
NANCY K. RAWLINS	27.90	65.00	1,813.50

12/01/97 MISCELLANEOUS - CHECK #16163 TO CLEARWATER REPORTING RE: RUDOLPH CARTER DEPO.	885.10
12/01/97 COMPUTERIZED RESEARCH FOR OCT.	2,726.50
12/02/97 MISCELLANEOUS - CHECK #26666 TO JKS RE: DEPOSITION EXPENSE-LEWISTON.	92.50
12/17/97 MISCELLANEOUS - CHECK #16277 TO UPS RE: EXPRESS MAILING.	14.75

IN ACCOUNT WITH

ROSHOLT, ROBERTSON & TUCKER  
ATTORNEYS AT LAW

P.O. BOX 1906  
TWIN FALLS, ID 83303-1906  
(208) 734-0700

IRS NO. 82-0367837

WATER DISTRICT #1

(Continued)

12/31/97

Account No: 12344-12726A

Statement No: 13491

NEZ PERCE NEGOTIATIONS/SRBA FEDERAL CLAIMS

12/19/97	MISCELLANEOUS - CHECK #26736 TO JKS RE: MISC. TRAVEL EXPENSES RE: DEPOSITIONS/LEWISTON ON 12/9,12.	85.50
12/19/97	MISCELLANEOUS - CHECK #26736 TO JKS RE: MEETING EXPENSES RE: COALITION COUNSEL ON 12/17.	15.00
12/19/97	MISCELLANEOUS - JKS VISA CHARGE RE: GLOBAL TRAVEL TICKET CHARGES.	30.00
12/19/97	MISCELLANEOUS - JKS VISA CHARGES RE: TRAVEL EXPENSES - GAS.	96.98
12/19/97	MISCELLANEOUS - JKS VISA CHARGE ON 11/7 RE: LODGING/CLARKSTON.	330.44
12/19/97	MISCELLANEOUS - JKS VISA CHARGES RE: TRAVEL EXPENSES-MEALS/CLARKSTON.	117.97
12/19/97	MISCELLANEOUS - JKS VISA CHARGE ON 11/21 RE: CAR RENTAL/LEWISTON.	237.26
12/19/97	COPIES	28.80
12/19/97	EXCESS POSTAGE	18.93
12/19/97	FAX CHARGES	45.00
		-----
	Total Expenses and Advances	4,724.73
	Total Current Work	19,262.73
	Previous Balance	36,920.74
12/31/97	PAYMENT	-36,920.74
	Balance Due	\$19,262.73 =====

FOR SERVICES RENDERED THROUGH DECEMBER 20TH 1997

RIGBY, THATCHER, ANDRUS, RIGBY & KAM CHT  
25 NORTH 2ND EAST  
PO BOX 250  
REXBURG, ID 83440-0250  
(208) 356-3633

COMMITTEE OF NINE  
% RON CARLSEN  
WATER DISTRICT # 1  
900 NORTH SKYLINE DRIVE  
IDAHO FALLS, ID 83402-1718

February 5, 1998

In the matter of: Committee of Nine - Billing File  
Our file number : 14148 R

This statement contains payments and charges through February 5, 1998

Payments made on or after the 26th of the month  
may not show on this statement.

TOTAL AMOUNT DUE: \$11,569.31

--- FEE TRANSACTIONS ---

12/26/97 JRR	Receipt and review filings in the SRBA F/S and Nez Perce.	0.40	\$40.00
12/29/97 JRR	Receipt and review Fed filings; Telephone conference with counsel on schedules and appeals of Wilderness claims and continuation of MUSY claims..	1.10	\$110.00
01/02/98 JRR	Receipt and review filings to reconsider Fed. reserved water rights and motion to certify for appeal.	0.30	\$30.00
01/05/98 JRR	Receipt and review revisions made to corres to draft MOA; Preparing and filing motion to cetificate appeal re: wilderness act decision.	1.20	\$120.00
01/07/98 JRR	Consultation re: rescheduling of depos on F/S; Receipt and review orders and motions for reconsideration, etc.	0.50	\$50.00
01/13/98 JRR	Appearance at deposition of Hardy in Boise.	8.00	\$800.00
01/14/98 JRR	Appearance at deposition of Hardy in Boise and prep.	8.00	\$800.00
01/15/98 JRR	Appearance at deposition of Hardy in Boise and prep.	8.00	\$800.00
01/16/98 JRR	Appearance at deposition and Travel back to Rexburg.	7.00	\$700.00



COMMITTEE OF NINE  
Committee of Nine - Billing File

02/05/1998

14148 R

01/19/98 RWR	Legal services	7.50	\$900.00
01/19/98 JRR	Travel and Preparing for depo of Dr. Wolman in D.C..	7.00	\$700.00
01/20/98 JRR	Appearance at deposition of Wolman in D.C. and Preparing.	8.00	\$800.00
01/21/98 JRR	Appearance at deposition of Wolman in D.C. and Preparing.	8.00	\$800.00
01/22/98 JRR	Appearance at deposition of Wolman in D.C. and Preparing.	8.00	\$800.00
01/23/98 JRR	Appearance at deposition of Wolman in D.C. and Travel to Idaho.	7.00	\$700.00
01/24/98 JRR	Receipt and review filings in F/S and Nez perce cases.	0.40	\$40.00
01/26/98 JRR	Telephone conference with Strong and Consultation with Raybould re: Deer flats settlement.	0.60	\$60.00
01/27/98 JRR	Telephone conference with Raybould re: modification to draft of Deer Flats agreement and send draft to other members of UVC09.	0.30	\$30.00
01/29/98 JRR	Legal services receive new schedule of depos and arraigne to appear.	0.50	\$50.00
01/29/98 JRR	Telephone conference with several re: Deer Flat stipulation; Legal services to schedule remaining depos.	0.70	\$70.00
01/30/98 JRR	Telephone conference with clients and AG office re: Deer Flats; Telephone conference with Madigan re: Whiting Depo.	1.50	\$150.00
02/02/98 JRR	Telephone conference with Beeman re: Organic & Musy status and Letter to Jo; Receipt and review add'l filings from . . Feds.	0.40	\$40.00
02/05/98 RWR	Legal services Meeting with Legislators at request of the Governor and attorney General (Boise)	8.00	\$960.00
	Total fee charges...	92.40	\$9,550.00



--- EXPENSE TRANSACTIONS ---

01/13/97	Travel expense to and From Boise regarding Deposition of Dr. Hardy, which includes, meals, hotel and travel to and from Boise.	Flat chg	\$326.14
01/19/98	Travel expense Travel to and from the Coalition Meeting in Boise	Flat chg	\$174.00
01/19/98	Travel expense Hotel and Meals while Attending the Coalition Meeting in Boise	Flat chg	\$124.90
01/23/98	Travel expense from 1-19-98 to 1-23-98, which includes Meals, airport parking, Hotel, and expenses to and from Airports re: the Dr. Wolman Deposition in Washington D.C.	Flat chg	\$1,086.32
02/05/98	Travel expense Meals	Flat chg	\$48.00
02/05/98	Travel expense Motel in Boise	Flat chg	\$85.95
02/05/98	Travel expense Travel to and from Boise 600 Miles @ .29 cents per mile.	Flat chg	\$174.00
Total expense charges...			\$2,019.31
Current charges:			\$11,569.31
Previous balance as of Dec 31, 1997:			\$0.00
Current charges:			\$11,569.31
TOTAL AMOUNT DUE:			\$11,569.31

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>AMOUNT</u>
JERRY R. RIGBY	76.90	\$7,690.00
RAY W. RIGBY	15.50	\$1,860.00

<u>Under 31</u>	<u>31-60 days</u>	<u>61-90 days</u>	<u>91-120 days</u>	<u>Over 120 days</u>
\$11,569.31	\$0.00	\$0.00	\$0.00	\$0.00

RIGBY, THATCHER, ANDRUS, RIGBY & KAH CHT  
25 NORTH 2ND EAST  
PO BOX 250  
REXBURG, ID 83440-0250  
(208) 356-3633

RECEIVED

DEC 29 1997

Department of Water Resources  
Eastern Region

COMMITTEE OF NINE  
% RON CARLSEN  
WATER DISTRICT # 1  
900 NORTH SKYLINE DRIVE  
IDAHO FALLS, ID 83402-1718

December 26, 1997

In the matter of: Committee of Nine - Billing File  
Our file number : 14148 R

This statement contains payments and charges through December 26, 1997

Payments made on or after the 26th of the month  
may not show on this statement.

TOTAL AMOUNT DUE: \$16,140.96

--- FEE TRANSACTIONS ---

2/01/97 JRR	Travel to Boise and Preparing for deposition of King.	4.50	\$450.00
2/02/97 JRR	Appearance at deposition of King and Reviewing exhibits.	8.00	\$800.00
2/03/97 JRR	Appearance at deposition of King and Reviewing exhibits.	8.00	\$800.00
2/04/97 JRR	Appearance at deposition of King and Reviewing exhibits.	8.00	\$800.00
2/05/97 JRR	Appearance at deposition of King and Travel from Boise.	8.00	\$800.00
2/08/97 JRR	Travel to depo in Denver of Emmett.	5.00	\$500.00
2/08/97 GWM	Consultation w/JRR re: Depo	0.50	\$50.00
2/09/97 JRR	Appearance at deposition of Bill Emmett and Prepare for deposition.	8.00	\$800.00
2/10/97 JRR	Appearance at deposition and Prepare for deposition.	8.00	\$800.00
2/11/97 JRR	Appearance at deposition of Emmett in Denver.	6.00	\$600.00
2/12/97 JRR	Appearance at deposition in Denver; Travel to Idaho and Receipt and review filings in Fed. claims.	7.00	\$700.00

COMMITTEE OF NINE  
Committee of Nine - Billing File

12/26/1997

14148 R

12/12/97	GWM	Receipt and review papers for depo.	0.75	\$75.00
12/13/97	GWM	Prepare for deposition	2.00	\$200.00
12/15/97	JRR	Telephone conference with all counsel re: Deer Flats settlement and Telephone conference with Madigan re: cleveland depos; Consultation re: status of depos; Telephone conference with Beeman re: joining in on depos of F/S.	2.00	\$200.00
12/15/97	GWM	Prepare for deposition ; Receipt and review notes, documents; Consultation with Jerry; and travel to Denver.	4.50	\$450.00
12/16/97	GWM	Appearance at deposition for Dr. Emmitt; Research and Reviewing documents	8.00	\$800.00
12/17/97	JRR	Telephone conference with attorney's on scheduling.	0.20	\$20.00
12/17/97	GWM	Appearance at deposition ; Consultation w/Counsel; and Reviewing documents	8.00	\$800.00
12/18/97	JRR	Receipt and review F/S filings.	0.30	\$30.00
12/18/97	GWM	Appearance at deposition and Consultation w/counsel	7.00	\$700.00
12/19/97	GWM	Reviewing documents; Travel back	3.50	\$350.00
12/19/97	JRR	Consultation W/Craig (Senator) re: F/A Claims	3.25	\$325.00
12/19/97	RWR	Reviewing several documents, offers of settlement, conference calls, presentations to Crapo & Craig, A.G. & others; other telephone calls	15.40	\$1,848.00
12/22/97	JRR	Telephone conference with A/G re: settlement of Deer Flats; and Receipt and review filings.	0.30	\$30.00
		Total fee charges...	126.20	\$12,928.00

--- EXPENSE TRANSACTIONS ---

1/18/97		Travel expense 11-18-97 through 11-21-97 re: the Deposition of Jack King of Forest Service. includes Airline ticket to Boise and Return, Taxi, Meals Hotel at Safari, and Hotel at Double Tree and Parking.	Flat chg	\$498.52
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COMMITTEE OF NINE  
Committee of Nine - Billing File

12/26/1997

14148 R

12/02/97	Travel expense from 12-1-97 through 12-5-97; includes mileage to Boise and return 620 miles, meals and hotel Safari for four nights	Flat chg	\$469.26
12/08/97	Travel expense from 12-8-97 through 12-12-97; re: the second week of Jack King; includes air fare to Denver and return, Meals, tips, and hotel and shuttle round trip to and from airport.	Flat chg	\$1,160.23
12/15/97	Travel expense from 12-15-97 through 12-19-07; includes air fare to and from Denver, Hotel at Embassy Suite for four nights, meals, and round trip shuttle to and from airport.	Flat chg	\$1,084.95

Total expense charges... \$3,212.96

Current charges: \$16,140.96

--- PAYMENT TRANSACTIONS ---

2/26/97	Received payment	#04395 Inv:ALL	-\$3,887.00
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Total payments received... -\$3,887.00

Previous balance as of Dec 01, 1997: \$3,887.00

Current charges: \$16,140.96

Payments applied to balance due: -\$3,887.00

TOTAL AMOUNT DUE: \$16,140.96

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>AMOUNT</u>
JERRY R. RIGBY	76.55	\$7,655.00
GREGORY W. MOELLER	34.25	\$3,425.00
RAY W. RIGBY	15.40	\$1,848.00

<u>Under 31</u>	<u>31-60 days</u>	<u>61-90 days</u>	<u>91-120 days</u>	<u>Over 120 days</u>
\$16,140.96	\$0.00	\$0.00	\$0.00	\$0.00

ROGER D. LING  
ROBERT M. NIELSEN  
BRENT T. ROBINSON  
BRENT C. TINGEY

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW  
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P.O. BOX 396  
RUPERT, IDAHO 83350

AREA CODE 208  
TELEPHONE 436-4717  
FAX 436-6804

RECEIVED

JAN 29 1998

Department of Water Resources  
Eastern Region

Committee of Nine  
900 N. Skyline Drive  
Idaho Falls, ID 83402

January 26, 1998  
General  
ESA-Public Hearing

ITEMIZED STATEMENT

PREVIOUS BALANCE \$2460.45

CREDITS

January, 1998

8 Payment on account 2460.45

TOTAL CREDITS \$2460.45

PROFESSIONAL SERVICES RENDERED

December, 1997

19	Facts Investigation; Research; Preparation--RE; Deer Flat Brief	4.00 hours	480.00
19	Facts Investigation; Preparation--RE; ESA-NMFS--Flow Augmentation	1.50 hours	180.00
23	Conference-Conference Call w/Coalition Attorney; Preparation--RE; Deer flat-Brief	3.50 hours	420.00
23	Facts Investigation; Preparation--RE; MOA_ESA	1.00 hours	120.00
25	Research; Preparation--RE: Deer flat-Brief	7.00 hours	840.00
30	Telephone Conf. w/Clive Strong--RE; Deer Flat	0.40 hours	48.00

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Committee of Nine  
ESA-Public Hearing

January 26, 1998

Page 2

PROFESSIONAL SERVICES RENDERED (Continued)

January, 1998

6	Telephone Conf. w/Scott Campbell--RE: Deer Flat	0.50 hours	60.00
13	Facts Investigation--RE: Deer Flat- Settlement Agreement Draft	1.00 hours	120.00
14	Telephone Conf. w/Clive Strong--RE; Deer Flat	0.30 hours	36.00
			-----
TOTAL SERVICES			\$2304.00

DISBURSEMENTS

January, 1997

26	Other-- CD-ROM--Attorney General	25.00
----	----------------------------------	-------

December, 1997

4	Fax charges-Shaw,Campbell,Shaw	3.35
12	Fax charges	7.52
30	Long Distance Calls	1.79
30	Long Distance Calls--Deer Flat	1.79

January, 1998

6	Long Distance Calls--Scott Campbell Deer Flat	6.75
---	--	------

TOTAL DISBURSEMENTS		-----
		\$46.20

BALANCE DUE	-----
	\$2350.20
	=====



ROGER D. LING  
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JAN 02 1998

Department of Water Resources  
Eastern Region

Committee of Nine  
900 N. Skyline Drive  
Idaho Falls, ID 83402

December 29, 1997  
General  
ESA-Public Hearing

ITEMIZED STATEMENT

PREVIOUS BALANCE \$3343.25

CREDITS

December, 1997

4 Payment on account 3343.25

TOTAL CREDITS \$3343.25

PROFESSIONAL SERVICES RENDERED

November, 1997

18	Facts Investigation; Research; Preparation--RE; Preparation of Facts	4.00 hours	480.00
19	Attend Meeting in Boise; Travel Time--RE; Deer flat Meeting w/Attorneys	5.50 hours	660.00
25	Telephone Conf. w/John Simpson; Tel. Conf. w/Dave Barber--RE: Deer flat	0.40 hours	48.00
26	Telephone Conf. w/Dave Barber--RE; Deer Flat Discovery	0.40 hours	48.00
26	Telephone Conf. w/Clive Strong; Tel. Conf. w/Dave Shaw--RE: Deer Flats	0.30 hours	36.00

December, 1997

1	Facts Investigation; Preparation--RE; Response to Discovery-Nez Perce Claims	2.00 hours	240.00
---	---	------------	--------

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Committee of Nine

December 29, 1997

ESA-Public Hearing

Page 2

PROFESSIONAL SERVICES RENDERED (Continued)

4	Conference--Tel. Conference Call w/Clive, Dubois and M. Meller; Tel. Conf. w/Clive Strong--RE: Deer Flat Negotiation	1.40 hours	168.00
12	Telephone Conf. w/Barber; Tel. Conf. w/Uhling 2x's--RE: Deer flat-Negotiation	0.30 hours	36.00
15	Facts Investigation; Tel. Conf. w/Coalition--RE: Deer flat Negotiations	1.70 hours	204.00
17	Attend Meeting in Burley--RE: Committee Meeting	3.00 hours	360.00
			-----
TOTAL SERVICES			\$2280.00

DISBURSEMENTS

November, 1997

19	Travel/RDL 330 miles @.25	82.50
25	Long Distance Calls--toll charges	0.75
26	Long Distance Calls-Dave Shaw, Dave Barber 2x's--Deer Flat	13.37

December, 1997

4	Long Distance Calls-Clive Strong	8.95
5	Long Distance Calls-Scott Campbell	1.79
12	Long Distance Calls-Barber, Uhling Deer Flat	5.57
22	Long Distance Calls-David Barber	11.16
23	Long Distance Calls-Conf. Call re:	

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Committee of Nine

December 29, 1997

ESA-Public Hearing

Page 3

DISBURSEMENTS (Continued)

Deer Flat

56.36

TOTAL DISBURSEMENTS

-----  
\$180.45  
-----

BALANCE DUE

-----  
\$2460.45  
=====



WATER DISTRICT 01 ANNUAL MEETING  
WESTBANK INN, IDAHO FALLS  
MARCH 3, 1998

- 9:00 WELCOME - COMMITTEE OF NINE - Don Kramer
- 9:10 IDAHO WATER USERS -Sherl Chapman
- 9:25 DEPUTY ATTY GENERAL ~~Clive Strong~~ *Don Kramer*
- 9:40 BOR REPORT - Jerrold Gregg
- 10:00 THE IDWR'S REPORT - Norm Young
- 10:25 WATER SUPPLY OUTLOOK FOR 1998 - Mik~~e~~Beus
- 10:55 REPORT OF THE COMMITTEE OF NINE - ~~Don Kramer~~ *Clive Strong*
- 11:15 WATERMASTERS REPORT - Ron Carlson
- 12:00 LUNCH
- 1:00 CALL TO ORDER
- A. ELECTION OF MEETING CHAIRMAN AND SECRETARY
  - B. ROLL CALL
  - C. READING OF THE 1997 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 1997 COMMITTEE OF NINE MEMBERS
    - 3. ELECTION OF THE COMMITTEE OF NINE
- 1:30 FINANCIAL REPORTS
- A. WATER DISTRICT ACCOUNTS - Del Raybould
- 2:00 RESOLUTIONS - Del Raybould
- 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 01.

## WATER DISTRICT 1 ANNUAL MEETING

### Resolutions 1998

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 will investigate ways to expand and maintain automation where it can effectively improve water management, 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 1 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. Dale Rockwood be elected Water District 1 Treasurer and his annual compensation set by the Committee of Nine but not to exceed the \$5,000 provided in the 1998 Water District 1 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 1 for the 1998 year beginning November 1, 1997 be as follows:

	BUDGET		
	1997	1998	
	Budgeted	Budgeted	Difference
<b><u>HYDROGRAPHERS</u></b>			
Teton Basin	\$8,000	8,000	
Idaho Falls	\$4,500	4,500	
Lower Valley	5,000	5,000	
Henrys Fork	22,000	22,000	
Teton River	4,500	4,500	
TOTAL	\$44,000	44,000	
<b><u>RIVER RIDERS</u></b>			
Rigby & Heise Div.	\$6,500	6,500	
Blackfoot Division	3,000	3,000	
Swan Valley	5,500	5,500	
Upper Falls River	1,000	1,000	
Idaho Falls	900	900	
Willow Creek	3,200	3,200	
Milner	360	360	
TOTAL	\$20,460	\$20,460	
<b><u>PROGRAM EXPENSES</u></b>			
Automation	\$15,000	10,000	-5,000
Vitel	35,000	35,000	
Streamgaging	160,000	187,350	+27,350
U of I Studies	4,000	0	-4,000
Recharge		25,000	+25,000
TOTAL	\$214,000	257,350	+43,350
<b><u>EQUIPMENT EXPENSES</u></b>			
Office Equipment	\$1,000	1,000	
Computer, PC's	7,700	5,000	-2,700
Telephone	600	650	+50
TOTAL	\$9,300	6,650	-2,650
<b><u>PERSONNEL EXPENSES</u></b>			
Recharge Coordinator	\$18,600	18,600	
Earl Corless	0	12,000	+12,000
Retirement	6,800	6,800	
Social Security	6,200	6,200	
Mileage	20,000	20,000	
State Insurance Fund	4,800	4,800	
Employment Insurance	700	700	
Health Insurance	1,400	1,400	
Part-time help	2,400	2,400	
Misc. Hydrographer Exp.	1,000	1,000	
Treasurer	5,000	5,000	
TOTAL	\$66,900	78,900	+12,000
<b><u>MISCELLANEOUS EXPENSES</u></b>			
Otto Otter	\$1,000	1,000	
IWUA	1,000	1,000	
Postage	1,500	1,500	
Supplies	2,000	2,000	
Audit	5,000	5,000	
Meetings	3,500	3,500	
Legal Fees	15,000	15,000	
Committee of Nine	30,000	12,000	-18,000
TOTAL	\$59,000	\$41,000	-18,000



**WATERMASTER**

IDWR Contract	\$290,000	321,000	+31,000
Report	3,000	3,000	
Travel	5,000	5,000	
Water Measurement District	200,000	200,000	
<b>TOTAL</b>	<b>\$498,000</b>	<b>\$529,000</b>	<b>+31,000</b>

**WD Consultants & Attorneys**

Rosholt, Ling, Rigby	\$400,000	400,000	
ERO	100,000	100,000	
Committee of Nine	10,000	10,000	
Watermaster	2,500	2,500	
<b>TOTAL</b>	<b>\$512,500</b>	<b>\$512,500</b>	

<b><u>EXCESS USE</u></b>	100,000	100,000	
<b><u>ESA Contingency Fund</u></b>	50,000	50,000	

<b>TOTAL WATER DISTRICT BUDGET</b>	<b>1,574,160</b>	<b>1,639,860</b>	<b>+65,700</b>
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**UPPER VALLEY ADD ON**

Legal	100,000	187,537	+87,537
<b>TOTAL BUDGET W/ UV FEES</b>	<b>\$1,674,160</b>	<b>1,827,397</b>	<b>+153,237</b>

**PROJECTED INCOME  
BREAKDOWN**

Assessments	1,241,451	1,235,885	-5,566
North Measurement Dist.	100,000	100,000	
East Measurement Dist.	100,000	100,000	
Recharge	28,390	65,390	+37,000
Streamgaging	104,319	92,700	-11,619
Upper Valley Direct	100,000	233,422	+133,422
<b>TOTAL</b>	<b>1,674,160</b>	<b>\$1,827,397</b>	<b>+153,237</b>



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 Water District cost of delivering water to many water users is greater than their normal assessments would be based upon their total annual use of water;

NOW, THEREFORE, BE IT RESOLVED that the watermaster of Water District 1 is hereby authorized to assess a \$20.00 minimum charge for every diversion within his jurisdiction.

10. WHEREAS, the water users of Water District 1 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 Water District 1 operations;

NOW, THEREFORE, BE IT RESOLVED that the Water District 1 budget prepared pursuant to Idaho Code § 42-615, and adopted in Resolution No. 7 at this Water District 1 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 all monies received to be deposited and shall make all disbursements as necessary to conduct the business of the Water 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 1 to account for all diversions which might adversely affect any prior natural flow or storage rights;

BE IT RESOLVED that the watermaster shall be on duty to regulate diversions and 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 Water District and to expend such funds as necessary.
- (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 Water 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 Water 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 has 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 Water District for the following purposes:

- (1) Expenses of the Water District.
- (2) Improvements to the Water 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, legal and agency deliberations on issues involving water quantity and quality which could affect water users of the Water District including naming Water District 1 as a petitioner in legal actions involving the ESA and the negotiation of federal claims and tribal claims filed in the SRBA and further to expend funds as are necessary that may exceed the budgeted amounts for such expenditures and then approved by the Committee of Nine.
- (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 lessors,

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 lessors 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 1 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 1 delivered according to the priority system; and,

WHEREAS, the accounting system now used by Water District 1 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 decreed and



licensed shall be allowed to divert water unless the 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 1 meeting shall hereafter be held on the first Tuesday of March of each year unless the director and Committee of Nine should find it necessary to change the meeting date; and

BE IT FURTHER RESOLVED that the water users of Water District 1 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 Water 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 third day of March 1998, 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 Water 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 8.2 of Water District 1 Rental Pool Rules be continued as approved by the Idaho Water Resource Board.

8.2. A. The rental price for 1998 shall be \$2.95 per acre foot of water rented for beneficial use above Milner Dam. This price shall include \$2.00 to the lessor, the Water District's administrative charge of \$0.75 per acre foot and the Water Board surcharge of \$0.20 per acre foot.

- B. The price for water delivered below Milner Dam shall be \$10.50 per acre-foot, and is established for a four year period, 1996-1999, in an effort to accommodate the Bureau of Reclamation (BOR), to the extent possible, in acquiring water to aid in the collection of data related to the migration and survival of Snake River salmon species. During the term of the biological opinion any water available for use below Milner shall first be made available to the BOR. Of the \$10.50 rental price, \$7.00 per acre-foot shall go to those supplying the water released past Milner. The remainder of the rental price shall be allocated as follows: \$0.75 per acre-foot administrative charge retained by Water District 1, \$0.70 per acre-foot surcharge assessed by the Idaho Water Resource Board, and the remaining \$2.05 per acre-foot shall be held by the Water District for the primary purpose of securing up to 250,000 acre-feet of water in 1997, 1998 or 1999, if a higher price is required to secure water to meet the BOR requirements in one or more of these years. Should any portion of the funds held by the Water District not be needed to secure water to meet the BOR request(s), such funds shall be available for the general improvements of the Water District, specifically: stream gaging, automation and hydrologic investigations in Water District 1.

## 22. 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.



23. 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 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.
5. No agreements will be made on behalf of the waterusers of Water District 1 that will result in:
  1. Recognition, for purposes of delivery, any water rights established at or below Milner Dam.
  2. Any water rights located above Milner Dam that would cause water to be released past Milner Dam.

NOW THEREFORE, BE IT RESOLVED by the water users of Water District 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.



24. FEDERAL AND TRIBAL SNAKE RIVER BASIN ADJUDICATION CLAIMS

WHEREAS, the users of Water District 1 have been represented by the Committee of Nine to work with certain Boise, Payette and Weiser Basin water organizations in an attempt to settle and, as necessary, litigate the substantial claims filed by the Nez Perce, other Indian tribes, and the United States in the Snake River Basin Adjudication (SRBA) for exorbitant amounts of water in the lower Snake River; and

WHEREAS, recognition of many of these claims would injure, if not eliminate, the natural flow and storage water rights held by the users of Water District 1; and

WHEREAS, it is necessary that the representatives of Water District 1 and other irrigation entities proceed to develop studies, data, and legal arguments to substantiate objections to said claims on behalf of said users; and

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

WHEREAS, substantial progress has been made in settling the United States' claims for the Deer Flat National Wildlife Refuge; and

WHEREAS, other federal and tribal claims continue to be litigated;

NOW, THEREFORE, BE IT RESOLVED by the water users of Water District 1 meeting in regular session this 3<sup>rd</sup> day of March, 1998, in Idaho Falls, Idaho, that the State Attorney General, Committee of Nine, and other water user organizations be encouraged to continue to participate actively in the negotiations for settlement of the federal and tribal claims in the SRBA and, as necessary, continue to participate in the legal defense against said claims.

AND BE IT FURTHER RESOLVED that the Committee of Nine be authorized to take such actions as necessary to protect natural flow and storage water rights held by the users of Water District 1 in the SRBA, including negotiation and litigation, as necessary;

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, Attorney General Alan Lance, the Idaho Water Resource Board, the Idaho Water Users

Association, the Boise Board of Control, and the Payette  
Water users Association.

Don Kramer, Chairman

Vince Alberdi, Secretary

25. 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 downstream 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 3rd day of March, 1998 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.



26. SNAKE RIVER BASIN ADJUDICATION

WHEREAS, the U.S. Supreme Court has held that the United States is not required to pay filing fees in the Snake River Basin Adjudication (SRBA); and

WHEREAS, the water users of Water District No. 1 have been required to pay substantial filing fees in the SRBA; and

WHEREAS, the United States has filed claims in the SRBA for substantial and exorbitant amounts of water in the Lower Snake River which threaten the continued viability of irrigated agriculture in Water District No. 1; and

WHEREAS, the water users of Water District No. 1 have been forced to devote substantial time and money to negotiate and defend against the SRBA claims filed by the United States; and

WHEREAS, the pursuit of claims filed by the United States in the SRBA and other McCarran Amendment adjudications has come at great cost to American taxpayers.

NOW, THEREFORE, BE IT RESOLVED, by the water users of Water District No. 1, meeting in regular annual session this 3rd day of March, 1998, that the members of the Idaho Congressional delegation are encouraged to pursue the enactment of federal legislation requiring the United States to pay its fair share of filing fees in the SRBA.

AND BE IT FURTHER RESOLVED that the members of the Idaho Congressional delegation are also encouraged to seek Congressional oversight into the United States' activities and spending in the SRBA and other McCarran Amendment adjudications.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to the members of the Idaho Congressional delegation, Governor Phil Batt, the Idaho State Attorney General, the Idaho Water Resources Department, and the Idaho Water Resource Board.

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Don Kramer, Chairman

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Vince Alberdi, Secretary

27. EASTERN SNAKE PLAIN AQUIFER STUDIES

WHEREAS, reduced water flows from surface springs indicate a decline in the trust and non-trust aquifers of the Snake Plain; and

WHEREAS, protection of prior water rights in the administration of Idaho's surface and ground water requires information on the ground water supplies; and

WHEREAS, such comprehensive studies are in the interest of the users of Water District No. 1; and

WHEREAS, the Idaho Water Resource Board has embarked on a comprehensive recharge program for the Eastern Snake Plain Aquifer;

WHEREAS, the comprehensive study of the interrelationship between Snake River Basin surface water supplies and the Snake Plain Aquifer, including the trust and non-trust water aquifers has been completed and indicates significant impacts on various users of Water District No. 1.

NOW, THEREFORE, BE IT RESOLVED, that the users of Water District No. 1, meeting in regular session this 3<sup>rd</sup> day of March, 1998, in Idaho Falls, Idaho, that the Idaho Department of Water Resources be encouraged to evaluate the results of the study and take appropriate action to protect prior water rights.

BE IT FURTHER RESOLVED that the recharge program of the Idaho Water Resource Board be appropriately funded and implemented.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, the Chairmen of the Resources Committees of the Idaho State Legislature, the Idaho Water Users Association, the Idaho Department of Water Resources, and the officers of organized groundwater organizations.

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Don Kramer, Chairman

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Vince Alberdi, Secretary



28. WATER MEASUREMENT AND ENFORCEMENT

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

WHEREAS, the Idaho Department of Water Resources has established water measurement districts pursuant to said law, as amended in 1995; and

WHEREAS, Ground Water Districts have also been formed pursuant to Chapter 52 of Title 42, enacted by the 1995 Legislature, and may exercise water measurement function; and

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

WHEREAS, the Idaho Department of Water Resources has commenced negotiated rulemaking to establish comprehensive rules for the measurement of water usage and enforcement against unauthorized uses and diversions.

NOW, THEREFORE, BE IT RESOLVED by the users of Water District No. 1, meeting in regular annual session this 3<sup>rd</sup> day of March, 1998, in Idaho Falls, Idaho, that the Idaho Department of Water Resources be encouraged to fully implement the water measurement laws of the State of Idaho to obtain the data necessary to complete studies as to Idaho's dependable supplies of water.

AND BE IT FURTHER RESOLVED that the Idaho Department of Water Resources be further encouraged to complete its rulemaking regarding the measurement of water usage and enforcement against unauthorized uses and diversions.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, the Chairmen of the Resources Committees of the Idaho State Legislature, the Idaho Water Resources Board, and the Idaho Department of Water Resources.

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Don Kramer, Chairman

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Vince Alberdi, Secretary



29. ENDANGERED SPECIES - FLOW AUGMENTATION

WHEREAS, certain Snake River salmon, steelhead, and snails are listed as threatened or endangered under the Endangered Species Act (ESA); and

WHEREAS, the 1995 biological opinion for Snake River salmon issued by the National Marine Fisheries Service (NMFS) requires that the U.S. Bureau of Reclamation provide 427,000 acre feet of water from the upper Snake River Basin each year, to be acquired from willing sellers and lessors, and pursuant to state law; and

WHEREAS, the temporary use of up to 427,000 acre feet per year is allowed under state law through the year 1999, pursuant to I.C. Sec. 42-1763B; and

WHEREAS, the Bureau is currently undergoing ESA consultations with NMFS regarding the impact of the Bureau's upper Snake River Basin operations on listed species, including the operation and maintenance of storage reservoirs and related works, as well as providing 427,000 acre feet per year; and

WHEREAS, downstream Indian Tribes, the State of Oregon and other entities have requested that NMFS and the Bureau require and provide water from the upper Snake River Basin far in excess of 427,000 acre feet; and

WHEREAS, NMFS is currently considering salmon recovery options which would require as much as 1-3 million acre feet more per year from the upper Snake River Basin and is scheduled to make a decision during 1999; and

WHEREAS, the levels of flow augmentation being considered by NMFS, even if acquired from willing sellers and lessors, would devastate Idaho's agricultural-based economy.

NOW, THEREFORE, BE IT RESOLVED by the water users of Water District No. 1, meeting in regular annual session this 3<sup>rd</sup> day of March, 1998, in Idaho Falls, Idaho, that the State of Idaho be encouraged to: (1) oppose attempts by the federal government and others to require that the Bureau provide water from the upper Snake River Basin for flow augmentation beyond 1999; and (2) consider the immediate repeal of I.C. Sec. 42-1763B if the flow augmentation levels required during 1998 or 1999 are increased beyond 427,000 acre feet as part of the Bureau's ongoing consultations with NMFS.

AND BE IT FURTHER RESOLVED that the Committee of Nine be authorized to take such actions as necessary to protect the natural flow and storage water rights held by the users of Water District No. 1 against attempts to require the Bureau to provide more water from the upper Snake River Basin for flow augmentation.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Phil Batt, Attorney General Alan Lance, the Chairmen of the Resources Committees of the Idaho State Legislature, the Idaho members of the Northwest Power Planning Council, the Idaho Water Resource Board, the Idaho Water Users Association, the U.S. Bureau of Reclamation and the National Marine Fisheries Service.

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Don Kramer, Chairman

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Vince Alberdi, Secretary

30. AMERICAN HERITAGE RIVERS INITIATIVE

WHEREAS, President Bill Clinton announced on February 4, 1997 that he will designate 10 American Heritage Rivers to help communities alongside them revitalize their water fronts and clean up pollution; and

WHEREAS, the President's proclamation did not include consideration by the U.S. Congress; and

WHEREAS, the American Heritage Rivers Initiative has the potential for additional federal control of state resources; and

WHEREAS, regulations governing American Heritage Rivers Initiative nominations are ambiguous and vague; and

WHEREAS, the people of the State of Idaho are fully capable of administering, allocating and protecting water resources within the state's boundaries.

NOW, THEREFORE, BE IT RESOLVED, that the users of Water District No. 1, meeting in regular session this 3<sup>rd</sup> day of March, 1998, in Idaho Falls, Idaho, opposes designation of any river or river segment in Idaho as an American Heritage River.

BE IT FURTHER RESOLVED, that the users of Water District No. 1 commends and supports the Idaho Congressional delegation for their public opposition to rivers in Idaho being designated as American Heritage Rivers.

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Don Kramer, Chairman

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Vince Alberdi, Secretary



31. WESTERN WATER POLICY REVIEW ADVISORY COMMISSION

WHEREAS, President Bill Clinton appointed the Western Water Policy Review Advisory Commission to prepare a report to the President on "federal activities in the 19 Western States which directly or indirectly affect the allocation and use of water resources..."; and

WHEREAS, the Commission has completed its work and published a draft report for public comment and review; and

WHEREAS, the draft report suggests and recommends federal basinwide governance projects, ignoring the success of state and local efforts; and

WHEREAS, the report fails to identify perceived problems that require federal solutions as opposed to state and local resolution; and

WHEREAS, several recommendations directly pertain to state water law and have significant ramifications to state authority; and

WHEREAS, the report fails to satisfy its original charter and also fails to identify the adverse impacts that federal law and policy have had on state allocations and use of water resources or made recommendations to remedy these adverse impacts.

NOW, THEREFORE, BE IT RESOLVED, that the users of Water District No. 1, meeting in regular session this 3<sup>rd</sup> day of March, 1998, in Idaho Falls, Idaho, opposes use of the report to establish federal governance projects and intrusion into state sovereignty, particularly with regard to the administration and allocation of water resources.

BE IT FURTHER RESOLVED, that the Commission report be provided the President of the United States and not be considered as a guideline for other recommendations for federal agencies dealing with the 19 Western States water and land resources.

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Don Kramer, Chairman

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Vince Alberdi, Secretary

## 32. ESSENTIAL FISH HABITAT

WHEREAS, during 1996, Congress enacted amendments to the Magnuson Fishery Act directing the National Marine Fisheries Service (NMFS) to establish guidelines to assist regional fishery management councils in the identification of essential fish habitat. NMFS published a proposed rule on April 23, 1997; and

WHEREAS, the proposed rule provides that essential fish habitat may be identified within both Federal and State waters. The proposed rule also encourages efforts to minimize depletion or diversion of water and suggests increasing flows as a measure to improve essential fish habitat; and

WHEREAS, this represents an unauthorized intrusion on State allocation and management of water resources. Congress has exercised long-standing deference to States in the area of water allocation and management. Absent a clear directive from Congress to the contrary, essential fish habitat should not include state-managed waters or waters allocated or managed pursuant to interstate compacts or U.S. Supreme Court decrees; and

WHEREAS, consultation between federal agencies and the councils are required under the proposed rule. This is duplicative of similar requirements under the Endangered Species Act. NMFS is also to provide recommendations to State agencies regarding state-authorized activities that may impact essential fish habitat; and

WHEREAS, the proposed rule seeks to expand NMFS' jurisdiction to areas far beyond fishing in the marine environment, delving into all Federal and State operations or State waters. Ironically, while other activities would be regulated on State waters, fishing would not. NMFS is not authorized to exercise such far-reaching jurisdiction over State-managed water and non-fishing activities.

NOW, THEREFORE, BE IT RESOLVED, that the National Marine Fisheries Service modify its proposed rule on essential fish habitat, to eliminate any intrusion upon, or interference with non-fishing activities including allocation and management of water resources by the States or pursuant to interstate compacts or U.S. Supreme Court decrees.

BE IT FURTHER RESOLVED, that the users of Water District No. 1, meeting in regular session this 3<sup>rd</sup> day of March, 1998, in Idaho Falls, Idaho, urges Congress enact amendments to the Magnuson Fishery Act expressly limiting NMFS' jurisdiction under the Act.

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Don Kramer, Chairman

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Vince Alberdi, Secretary



**EXHIBIT A**

**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:

**MEMORANDUM OF UNDERSTANDING - 2**



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



**EXHIBIT B**

**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 miles)

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 # \_\_\_\_\_

**COMMITTEE OF NINE ANNUAL MEETING  
IDAHO FALLS  
MARCH 4, 1997**

Chairman Don Kramer called the meeting to order at 9:10 A.M. welcoming all to the annual meeting.

**IDAHO WATER USERS ASSOCIATION REPORT**

The first speaker was Sherl Chapman, Executive Director, of the Idaho Water Users Association. Sherl reported thirty-two bills had been proposed that affected water users. Senate Bill 1234 which involves water quality is moving through the process. It will require local groups to advise DEQ on developing TMDLs for 962 limited quality streams in the state. The proposed legislation would develop Basin Advisory Groups, (BAGS), and Watershed Advisory Groups, (WAGS). Other bills discussed included Senate Bill 1191 which will impose a \$100 fee for injecting material into injection well. The bill lacks support because the fee is not sufficient. Deregulation of the electrical industry is another issue the legislature is wrestling. Issues include electrical reliability, water rights, and cost of electricity to Idaho consumers. In other comments, Chapman said the Endangered Species Act, (ESA), will require the legislature to address flow augmentation in the future. If flows above 1500 CFS are allowed through Milner Dam detrimental precedent could be set. Efforts to increase instream flows will continue to be endorsed by many environmental groups.

**USBR REPORT**

Jerry Gregg reported on activities within the Bureau. Title Transfer of single purpose USBR facilities to irrigation districts will be worked on during the year. Burley Irrigation District and Fremont Madison are two districts the bureau will be attempting to assist. Issues exist but the transfers are possible.

Addressing aquifer recharge in the Snake Plain, Gregg told irrigators USBR would give conditional support for the coming year. The USBR will provide \$150,000 in fiscal year 1998 to assist in the aquifer study.

Moving on to the Bureau's responsibilities in the ESA, Gregg stated 220,000 acre feet of water from the upper Snake would need to be acquired by renting and purchasing storage water. The bureau is attempting to acquire natural flow rights from Skyline Farms below Milner but legislation would have to be passed to allow the purchase.

The next issue addressed was the Pilgrim Creek Study. The two-year study will involve Park Service personnel and will attempt to find alternate solutions to removal of gravel material from up gradient sources into Pilgrim Creek. Water from Pilgrim Creek flows into Jackson Lake Reservoir. Next Gregg reported that the RRA reporting requirement on acreage had been increased, exempting all farms under 240 acres. Gregg reminded space holders that the water conservation rules require space holders file a conservation plan every five years. Assistance is available to help write the plans and the bureau will not tell you what to do with the saved



water. In conclusion, Gregg stated SR-3 is being developed as a modeling tool to answer question of water use in the basin.

Mike Beus reported on flood potential. The Henry's Fork and Lewis Lake watershed currently are 150% of average. Depending on the March precipitation report, flooding could be a reality. Currently the snow pack is greater than 1986. Jackson Lake Reservoir is increasing rapidly; Palisades and American Falls are a month ahead of last year's water content.

## **IDWR REPORT**

Director Karl Dreher reported on legislative activity and suggested there is no major water legislation pending this session. Dreher commented on the Injection Well Legislation and that the monitoring responsibility is the department's and water quality is an on going concern for the department. Currently the department on has one and a half full time people assigned to this area and would need more fees to cover costs if responsibilities grow. Next Dreher reported on Senate Bill 1173. The bill would allow review of the State's water plan when the House and Senate requested instead of automatically updating the plan every five years. The SRBA Court has made some 6,000 stock and domestic decrees and some partial decrees. Dreher reminded water users the Amnesty Statutes allow users to claim water rights where water was applied on lands beyond the acres represented in the original water right. Amended claims will be accepted in the near future. These expansion claims will be evaluated by using mapping, satellite images and other means. The Director spoke at length about aquifer recharge. Currently all existing means are being used to recharge, but more will need to be done to restore ground water levels to previous levels. Up to 500,000 acre feet will need to be recharged annually when water is available. He stated Ground Water Districts will need to mitigate for any injury to senior water right holders for which they are responsible.

## **NORTHWEST POWER PLANNING COUNCIL**

Todd Maddock, a member of the Northwest Power Planning Council from Idaho reported to the group on electrical deregulation. Natural gas producers are producing electricity at less cost than BPA. He urged the regions four states to hold together as united hydro producers. Not only are power rates an issue, but so is reliability of electricity. During the question and answer session, Maddock stated we need to move away from flows and velocity to save the Salmon and look at habitat and create a better environment for their survival. When asked about removing the four lower dams, Maddock stated the four dams are used as a shock absorber to the system and provide peaking power and enhance BPA's system reliability.

## **CHAIRMAN'S REPORT**

Don Kramer reported on the past year's activities. The 1996 water year was a good one but, 1997 looks like a water year of record. The chairman thanked Water District One for the orderly distribution of water and complimented Watermaster Carlson and his staff for providing good service to all water users. The chairman reviewed numerous accomplishments including participation in the Coalition's work opposing the Nez Perce, Deer Flats, and the Forest Service claims in the SRBA. He reminded the membership that more would need to



be done to defend against these claims in the future. He indicated the cost will increase but there are no other choices and we need to protect our precious water rights. Kramer asked the attorneys to comment on their activities and their future role in protecting our water rights.

John Rosholt commented the adjudication process has been on going for 10 years and many more years will be required to complete the process. However, successes such as the Fort Hall Agreement have been accomplished. The Federal Claims will require effort well into the future. The Nez Perce Tribe is requesting flows be reestablished so salmon and steelhead will return to fishable levels, as they existed at the time of the establishment of the reservation.

Roger Ling reported on Deer Flat Claims. These claims seek to reestablish the Snake river flows as of 1937 to assure habitat restoration at Deer Flats, a wildlife refuge of 100 islands in the Snake River below Boise.

Ray Rigby commented on the Forest Service Claims. These claims seek water for lands of the Forest Service, including channel flushing flows.

All the attorneys commented on the workload caused by these claims. Boise Valley now has three firms of attorneys working. The State has assigned four attorneys from the Attorney General's office. Discovery is underway. So far over 250,000 pages of testimony and documentation has been obtained.

## **WATERMASTER'S REPORT**

Ron Carlson reviewed Water District's activities for 1996. Carlson stated 1996 was a good water year. Approximately 1,500,000 acre-feet of water were used during the irrigation season. The first water right priority cuts were made on July 13<sup>th</sup>. The Watermaster commented on deregulation and feels rate increases will be forth coming. In regards to ESA, the Watermaster thinks more species will be listed and cautioned water users that more Idaho water will be requested in the future. His comments on the adjudication were focused on the huge federal claims downstream. He noted that water quality issues will be more important as we increase aquifer recharge. In conclusion, Carlson is predicting 1997 will be a bigger water year than 1986.

## **BUSINESS MEETING**

During the business meeting Don Kramer was elected Chairman for the coming year on a motion made by Dale Rockwood, seconded by Jim Siddoway, and unanimously carried. On a motion made by Jim Siddoway, seconded by Claude Storer, and unanimously carried, Vince Alberdi was elected Secretary. Chairman Kramer read Resolution Number 17, outlining the required credentials to serve on the Committee of Nine. The members were then seated as members of the Committee pursuant to a motion made by Jim Siddoway, seconded by DeWitt Moss and unanimously carried.

Dell Raybould, Treasurer, presented the Financial Report and the Annual Audit Report. Raybould commented that invested funds are insured and the investments are secure. The Upper Valley attorney expenses are paid separately by the upper valley water users. The entire audit was explained as well as the profit and loss statement along with the balance sheet. Paul Berggren moved and Claude Storer seconded the acceptance of the audit and financial report. The motion was carried. Dell Raybould read each resolution and all resolutions were approved. Discussion was held concerning the budget resolution (#7). Dell Raybould moved, seconded by DeWitt Moss, that the Budget for the Water District #1 for 1997 be set at \$1,674,160. Motion was approved.

A new resolution was introduced and discussed. Resolution number 26 requests the United States to pay the appropriate Filing Fees on their claims in the Snake River Basin Adjudication. Upon motion duly made and seconded, the Resolution was unanimously adopted.

#### **NEW BUSINESS:**

Don Hale suggested that the ground water pumpers be urged to help pay for attorney bills incurred by the Committee, in efforts that principally protect ground water pumpers.

#### **ADJOURNMENT:**

The meeting was adjourned at 3:00 P.M.

CHAIRMAN \_\_\_\_\_

SECRETARY \_\_\_\_\_

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### Committee of Nine 1997 Report

1997 turned out to be the 100 year flood of record in the Snake River Basin. Our early projections were for a major water year, but we had no idea. At the time we met last in March of 1997, we were warned about possible consequences of a wet spring. Those warnings materialized and we were placed in a position of disaster management in the operation of the water district and in coordination with the Bureau of Reclamation and the other water managers in our State. We survived. Some of the decisions made are subject to question, but for the most part the ultimate minimal flooding that did occur would have occurred in spite of proper water management and proper decisions. We were at a high state of preparedness. I compliment the employees of the Water District, the Idaho Department of Water Resources, the Bureau of Reclamation and the other agencies who helped get us through the flood. We in Twin Falls are especially appreciative since the City's potable water supplies were in jeopardy as the pipeline connecting the springs on the north side of the river and the south side of the river was only four inches above the flood water flow level.

Last year I commended the orderly administration of the Water District. I would like to reiterate that acknowledgement today. I think we should tell Ron and his staff that we appreciate them. I would like you to join me in a round of applause to indicate our thanks.

I was hoping to be able to stand before you today and point to a long list of accomplishments that had occurred during the two years that I have chaired the Committee of Nine. Unfortunately our Committee of Nine's accomplishments cannot totally be measured in outline form. The dedication of the members of the Committee, the alternates, the experts, and even the lawyers are important to the proper operation of the Water District and the preservation of the things for which you stand.

I had hoped to tell you today that the major federal claims in the SRBA have been settled. Unfortunately, we appear to be on a litigation track with the Nez Perce tribe in opposing their downstream claims which seek the restoration of fishable quantities of fish to the reservation near Lewiston. We are in litigation concerning claims of the forest service, the Hells Canyon NRA, Wild and Scenic Rivers, and others. As we speak today, there is substantial progress to report in the negotiation of the claim of the U.S. Fish and Wildlife Service for the Deer Flat Wildlife Refuge. I hope that in a month or so we can obtain a settlement agreement which will set out the rights of the State and the Deer Flat Wildlife Refuge which will terminate any possible litigation in that regard. As you know, that claim does not impact anyone in the basin with a priority senior to 1937, but it would set major precedent nationally as well as for the other claims which are involved in the Snake River Basin Adjudication.

We've continued to monitor on your behalf progress as to Endangered Species Act Reauthorization Legislation. We explore possible solutions in that regard for the anadromous salmon and steelhead without the dependence on Upper Snake River water for augmentation. Believe it or not, some managers say ESA water budgets weren't met in 1997, the 100 year flood of record.

We are monitoring the Bureau's efforts in consultation with the National Marine Fisheries Service as to the operation of the Upper Snake Reservoirs and we are proud to advise that at this time that consultation appears to be benign in so far as the Upper Snake Waterusers are concerned. We are also monitoring the Snake River Resources Review to determine whether there are impacts to our Water District.



As all of you know, we continue in partnership with the Idaho Department of Water Resources in the operation of the Water District office. This relationship has been in place for twenty years and has proved beneficial to both parties. During the year we've developed an Issues Paper by which we keep track of the status and adopt action plans concerning different water issues at state and national levels. Some of those I've already mentioned. However, we have tried to be on the cutting edge of available alternatives to better protect our water and our way of life.

During 1997, some of those issues involved an effort by the Burley Irrigation District to obtain title transfer from Reclamation for their reserved project works; participation in a rulemaking initiated by a call of A & B to determine whether or not proper water measurement and administration is occurring; supported recharge programs of the Idaho Water Resource Board to be performed by irrigation districts and canal companies. We have also investigated and followed the progress of deregulation legislation.

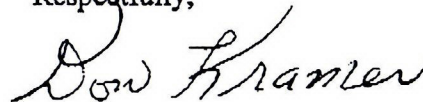
On the national front, we also submitted comments on the Western Water Policy Review, the Columbia EcoSystem Study, the American Heritage Rivers Program, and Proposed Essential Fish Habitat Rules. Some of these issues may appear remote to those of you who come to one annual meeting and I apologize that we cannot do a better job of communicating our concerns on these issues. However, if you look through your packets that include the Proposed Resolutions at today's meeting, you will understand both the breath and the scope of the type of issues in which we find ourselves involved.

With the exception of the federal claims which we find ourselves required to defend in the SRBA, the operation of the Water District is ongoing for approximately the same cost as it has in past years. However, litigation as to the federal claims, (and especially the Nez Perce Claims) require involvement in the ongoing discovery, depositions, interrogatories, research and eventual trial. We now have indexed 8,008 documents and a vast amount of pages. The expense is overwhelming. As we further develop our position for the litigation, these costs will escalate. The costs will continue through trial, if a trial is necessary. It is our hope to present these issues to the court in the best possible manner so to avoid devastating and the unexpected possible results.

I need to again this year thank Dell Raybould for his herculean efforts on financial matters. Stan Clark, DeWitt Moss and Leonard Beck are involved as your representatives in Coalition to oppose the federal claims in the Snake River Basin Adjudication. That is not to say that the other committee members aren't just as involved and just as dedicated. I thank them as well.

In closing, I want to thank everyone for their support during the last two years. We have tried to keep the Committee on a strict schedule and structure. I hope I'm leaving as Chairman of the Committee of Nine with the institution at least as strong as it was when I was elected to this office. Thank you for the opportunity to serve the waterusers of Water District 01.

Respectfully,



Don Kramer  
Chairman, Committee of Nine

1997 BUDGET COMPARISON

	1997 Budgeted	WD 1 Charges	Recharge Coordinator	Measuremen t Districts	1997 Actual
<b><u>HYDROGRAPHERS</u></b>					
Teton Basin	\$8,000	5,367			5,367
Idaho Falls	\$4,500	5,251			5,251
Lower Valley	5,000	2,554			2,554
Henrys Fork	22,000	21,240			21,240
Teton River	4,500	5,271			5,271
<b>TOTAL</b>	<b>\$44,000</b>	<b>39,683</b>			<b>39,683</b>
<b><u>RIVER RIDERS</u></b>					
Rigby & Heise Div.	\$6,500	5,115			5,115
Blackfoot Division	3,000	2,450			2,450
Swan Valley	5,500	5,450			5,450
Upper Falls River	1,000	852			852
Idaho Falls	900	825			825
Willow Creek	3,200	2,785			2,785
Milner	360	360			360
<b>TOTAL</b>	<b>\$20,460</b>	<b>17,837</b>			<b>17,837</b>
<b><u>PROGRAM EXPENSES</u></b>					
Automation	\$15,000	0			0
Vitel	35,000	32,500			32,500
Streamgaging	160,000	178,181			178,181
U of I Studies	4,000	0			0
<b>TOTAL</b>	<b>\$214,000</b>	<b>210,681</b>			<b>210,681</b>
<b><u>EQUIPMENT EXPENSES</u></b>					
Office Equipment	\$1,000	178			178
Computer, PC's	7,700	3,817			3,817
Telephone	600	619	189		808
<b>TOTAL</b>	<b>\$9,300</b>	<b>4,614</b>	<b>189</b>		<b>4,803</b>
<b><u>PERSONNEL EXPENSES</u></b>					
Recharge Coordinator	\$18,600		13,996		13,996
Retirement	6,800	4,417	1,638		6,055
Social Security	6,200	4,177	1,071		5,248
Mileage	20,000	15,952	4,860		20,812
State Insurance Fund	4,800	3,306			3,306
Employment Insurance	700	578	146		724
Health Insurance	1,400	0	936		936
Part-time help	2,400	2,400			2,400
Misc. Hydrographer Exp.	1,000	1,588	207		1,795
Treasurer	5,000	3,879			3,879
<b>TOTAL</b>	<b>\$66,900</b>	<b>36,297</b>	<b>22,854</b>		<b>59,151</b>
<b><u>MISCELLANEOUS EXPENSES</u></b>					
Otto Otter	\$1,000	608			608
IWUA	1,000	500			500
Postage	1,500	2,920			2,920
Supplies	2,000	914	175		1,089
Audit	5,000	5,500			5,500
Meetings	3,500	3,379			3,379
Legal Fees	15,000	1,006			1,006
Committee of Nine	30,000	9,870			9,870
<b>TOTAL</b>	<b>\$59,000</b>	<b>24,697</b>	<b>175</b>		<b>24,872</b>



**WATERMASTER**

IDWR Contract	\$290,000	305,427			305,427
Report	3,000	1,395			1,395
Travel	5,000	8,676	265		8,941
Water Measurement District	200,000			83,503	83,503

<b>TOTAL</b>	<b>\$498,000</b>	<b>315,498</b>	<b>265</b>	<b>83,503</b>	<b>399,266</b>
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**WD Consultants & Attorneys**

Rosholt, Ling, Rigby	\$400,000	317,603			317,603
ERO	100,000	137,453			137,453
Committee of Nine	10,000	2,422			2,422
Watermaster	2,500	76			76

<b>EXCESS USE</b>	100,000	155			155
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<b>ESA Contingency Fund</b>	50,000	0			0
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<b>Total</b>	<b>1,574,160</b>	<b>1,107,016</b>	<b>23,483</b>	<b>83,503</b>	<b>1,214,002</b>
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**UPPER VALLEY ADD ON**

Legal	100,000	45,885			45,885
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<b>TOTAL BUDGET</b>	<b>\$1,674,160</b>	<b>1,152,901</b>	<b>23,483</b>	<b>83,503</b>	<b>1,259,887</b>
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**PROJECTED INCOME****BREAKDOWN**

Assessments	1,241,451	978,065			978,065
North Measurement Dist.	100,000	13,031		43,782	56,813
East Measurement Dist	100,000	11,601		39,721	51,322
Recharge	28,390		23,483		23,483
Streamgaging	104,319	104,319			104,319
Upper Valley Direct	100,000	45,885			45,885

<b>TOTAL</b>	<b>\$1,674,160</b>	<b>1,152,901</b>	<b>23,483</b>	<b>83,503</b>	<b>1,259,887</b>
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## 1998 BUDGET COMPARISON

	1998 Budgeted	WD 1 Charges	Recharge Coordinator	Measurement Districts	1998 Actual
<b><u>HYDROGRAPHERS</u></b>					
Teton Basin	\$8,000				0
Idaho Falls	\$4,500	1,525			1,525
Lower Valley	5,000				0
Henrys Fork	22,000	7,080			7,080
Teton River	4,500				0
<b>TOTAL</b>	<b>\$44,000</b>	<b>8,605</b>			<b>8,605</b>
<b><u>RIVER RIDERS</u></b>					
Rigby & Heise Div.	\$6,500	120			120
Blackfoot Division	3,000	35			35
Swan Valley	5,500	400			400
Upper Falls River	1,000				0
Idaho Falls	900				0
Willow Creek	3,200	33			33
Milner	360	120			120
<b>TOTAL</b>	<b>\$20,460</b>	<b>708</b>			<b>708</b>
<b><u>PROGRAM EXPENSES</u></b>					
Automation	\$10,000				0
Vitel	35,000				0
Streamgaging	187,350	11,463			11,463
Recharge	25,000				0
<b>TOTAL</b>	<b>\$257,350</b>	<b>11,463</b>	<b>0</b>	<b>0</b>	<b>11,463</b>
<b><u>EQUIPMENT EXPENSES</u></b>					
Office Equipment	\$1,000				0
Computer, PC's	5,000	316			316
Telephone	650	238			238
<b>TOTAL</b>	<b>\$6,650</b>	<b>554</b>	<b>0</b>	<b>0</b>	<b>554</b>
<b><u>PERSONNEL EXPENSES</u></b>					
Recharge Coordinator	\$18,600	0	746		746
Earl Corless	12,000	0	6,003		6,003
Retirement	6,800	936	84		1,020
Social Security	6,200	413	46		459
Mileage	20,000	163	12		175
State Insurance Fund	4,800	1,070			1,070
Employment Insurance	700		6		6
Health Insurance	1,400				0
Part-time help	2,400	2,400			2,400
Misc. Hydrographer Exp.	1,000	519			519
Treasurer	5,000	1,978			1,978
<b>TOTAL</b>	<b>\$78,900</b>	<b>7,479</b>	<b>6,897</b>	<b>0</b>	<b>14,376</b>
<b><u>MISCELLANEOUS EXPENSES</u></b>					
Otto Otter	\$1,000	1,000			
IWUA	1,000	500			
Postage	1,500	-411			
Supplies	2,000	188			
Audit	5,000	4,500			
Meetings	3,500	79			
Legal Fees	15,000				
Committee of Nine	12,000	2,662			
<b>TOTAL</b>	<b>\$41,000</b>	<b>8,518</b>			<b>8,518</b>

**WATERMASTER**

IDWR Contract	\$321,000	112,000		112,000
Report	3,000	-35		-35
Travel	5,000	1,486		1,486
Water Measurement District	200,000		35,619	35,619
<b>TOTAL</b>	<b>\$529,000</b>	<b>113,451</b>	<b>35,619</b>	<b>149,070</b>

**WD Consultants & Attorneys**

Rosholt, Ling, Rigby	\$400,000	103,801		103,801
ERO	100,000	29,682		29,682
Committee of Nine	10,000	1,254		1,254
Watermaster	2,500			
<b>TOTAL</b>	<b>\$512,500</b>	<b>134,737</b>		<b>134,737</b>

**EXCESS USE**

100,000 -114

**ESA Contingency Fund**

50,000

**TOTAL WATER DISTRICT BUDGET**      **1,639,860**      **285,401**      **6,897**      **35,619**

**UPPER VALLEY ADD ON**

Legal      187,537      30,677

**TOTAL BUDGET W/ UV FEES**      **\$1,827,397**      **316,078**      **6,897**      **35,619**      **358,594**

**PROJECTED INCOME  
BREAKDOWN**

Assessments	1,235,885	-60		-60	
North Measurement Dist.	100,000	4,594		19,162	23,756
East Measurement Dist	100,000	3,662		16,457	20,119
Recharge	65,390	0	6,897		6,896
Streamgaging	92,700	71,159			71,159
Upper Valley Direct	233,422	233,422			233,422
<b>TOTAL</b>	<b>\$1,827,397</b>	<b>312,777</b>	<b>6,897</b>	<b>35,619</b>	<b>355,293</b>



1997 CONSULTANTS AND ATTORNEYS  
BREAKDOWN

CONSULTANTS

SUMMERS (ERO)	132,635.04
MCNEIL	4,156.67
BROCKWAY	3,290.60
REID	1,944.00
BEAK	<u>3,991.29</u>
TOTAL	146,017.60

ATTORNEYS

ROSHOLT	238,562.29
RIGBY	32,794.30
LING	<u>47,164.54</u>
TOTAL	318,521.13

**\$464,538.73**

02/28/98

**Water District 1**  
**Balance Sheet**  
 As of February 28, 1998

Feb 28, '98

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

100 · Petty Cash	50.00
102 · Cash-Bank of Commerce	96,827.51
104 · Cash-Merrill Lynch	140,299.21
110 · ID TREAS-GENERAL-1526	871,512.22
111 · ML-ERO/LEGAL FEES	379,016.61
112 · Rental Contingency	97,953.15

<b>Total Checking/Savings</b>	<b>1,585,658.70</b>
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**Accounts Receivable**

120 · Assess.Receivables	15,819.30
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<b>Total Accounts Receivable</b>	<b>15,819.30</b>
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**Other Current Assets**

122 · DUE FROM RENTAL POOL	6,644.72
124 · Due from Northern WMD	5,570.70
132 · Funds Held By IDWR	61.69
136 · INVENTORY	9,385.00
140 · EQUIPMENT	38,046.37
145 · ACCUM DEPRECIATN-EQUP	-26,337.31

<b>Total Other Current Assets</b>	<b>33,371.17</b>
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<b>Total Current Assets</b>	<b>1,634,849.17</b>
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**TOTAL ASSETS**

<b>1,634,849.17</b>
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**LIABILITIES & EQUITY****Liabilities****Current Liabilities****Accounts Payable**

200 · Adjudication Payable	57.42
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<b>Total Accounts Payable</b>	<b>57.42</b>
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**Other Current Liabilities****Payroll Liabilities**

FUTA	27.87
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**PERSI**

Company	0.01
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<b>Total PERSI</b>	<b>0.01</b>
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State Withholding ID	288.17
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**2100 · SUIID**

2102 · Company	91.27
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<b>Total 2100 · SUIID</b>	<b>91.27</b>
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<b>Total Payroll Liabilities</b>	<b>407.32</b>
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224 · UPPER VALLEY PREPAID LEGALS	156,859.48
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<b>Total Other Current Liabilities</b>	<b>157,266.80</b>
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02/28/98

**Water District 1**  
**Balance Sheet**  
As of February 28, 1998

	<u>Feb 28, '98</u>
<b>Total Current Liabilities</b>	<u>157,324.22</u>
<b>Total Liabilities</b>	157,324.22
<b>Equity</b>	
300 - Operations Fund	1,024,532.36
3900 - Retained Earnings	633,795.07
Net Income	<u>-180,802.48</u>
<b>Total Equity</b>	<u>1,477,524.95</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>1,634,849.17</u></u>



02/27/98

Water District 1  
**Profit and Loss YTD**  
 February 1998

	Feb '98	Nov '97 - Feb '98
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
400 · Fee Income		
404 · Contract Palisade	0.00	4,000.00
410 · Delivery	-40.00	-60.00
<b>Total 400 · Fee Income</b>	-40.00	3,940.00
459 · Streamgaging Misc.	-900.00	71,159.29
460 · MEASUREMENT DISTRICTS		
462 · INDIRECT CHARGES EASTERN	76.73	3,661.72
466 · INDIRECT CHARGES NORTHERN	1,177.73	4,594.20
<b>Total 460 · MEASUREMENT DISTRICTS</b>	1,254.46	8,255.92
480 · Dividend/Interest Income		
481 · Merrill Lynch '92	0.00	5,660.99
482 · Interest 1526-General 92	4,189.22	13,590.66
485 · Interest (checking) '92	0.00	462.37
<b>Total 480 · Dividend/Interest Income</b>	4,189.22	19,714.02
490 · Miscellaneous Income	21.05	59.01
492 · State Insurance Refund	0.00	1,763.00
<b>Total Income</b>	4,524.73	104,891.24
<b>Expense</b>		
<b>Payroll Expenses</b>		
<b>Gross Wages</b>		
East MD Salary	0.00	0.00
North MD Salary	0.00	0.00
Recharge Salary	0.00	0.00
WD1 Salaries	2,146.95	7,748.52
<b>X-Medical Expenses</b>		
Medical - East	0.00	0.00
Medical - North	0.00	0.00
<b>Total X-Medical Expenses</b>	0.00	0.00
<b>Total Gross Wages</b>	2,146.95	7,748.52
<b>Payroll Taxes</b>		
<b>FICA</b>		
Fica - WD1	-140.34	268.53
FICA - Other	0.00	0.00
<b>Total FICA</b>	-140.34	268.53

02/27/98

**Water District 1**  
**Profit and Loss YTD**  
 February 1998

	Feb '98	Nov '97 - Feb '98
<b>FUTA</b>	40.06	-1,263.48
<b>Medicare</b>		
Medicare - East	0.00	0.00
Medicare - WD1	31.12	144.67
Medicare - Other	0.00	0.00
<b>Total Medicare</b>	31.12	144.67
<b>PERSI</b>		
Persi - East	0.00	0.00
Persi - North	0.00	0.00
Persi - Upper Valley	0.00	0.00
Persi - WD1	350.64	886.96
PERSI - Other	0.00	48.85
<b>Total PERSI</b>	350.64	935.81
<b>6502 - SUIID</b>	13.00	-639.18
<b>Payroll Taxes - Other</b>	0.00	73.00
<b>Total Payroll Taxes</b>	294.48	-480.65
<b>Total Payroll Expenses</b>	2,441.43	7,267.87
<b>599 - Operating Expenses</b>		
<b>600 - Program Expenses</b>		
610 - Streamgaging		
611 - USGS Coop		
613 - D St. Rental USGS	2,865.67	11,462.68
<b>Total 611 - USGS Coop</b>	2,865.67	11,462.68
<b>Total 610 - Streamgaging</b>	2,865.67	11,462.68
625 - Fremont-Mad. Coop	0.00	2,400.00
630 - Palisaes Water Users	0.00	163.82
631 - Recharge Expenses		
632 - AUTO	0.00	0.00
<b>Total 631 - Recharge Expenses</b>	0.00	0.00
<b>Total 600 - Program Expenses</b>	2,865.67	14,026.50
<b>640 - Equipment Expenses</b>		
642 - Computer	30.00	315.99
706 - Telephone	27.69	238.19
<b>Total 640 - Equipment Expenses</b>	57.69	554.18

02/27/98

**Water District 1**  
**Profit and Loss YTD**  
 February 1998

	Feb '98	Nov '97 - Feb '98
<b>650 · Personnel Expense</b>		
<b>660 · Mileage</b>		
661 · Mileage(Wetzel/VonAchen)	10.40	10.40
665 · Mileage (Lindsay)	0.00	32.50
667 · Mileage (Richards)	420.00	1,680.00
668 · Mileage (Brown)	0.00	120.00
<b>Total 660 · Mileage</b>	430.40	1,842.90
675 · State Insurance Fund Exp.	0.00	2,833.00
680 · Hydrographer Misc Exp	8.03	518.64
<b>685 · TREASURER'S EXPENSES</b>		
686 · TREASURER'S SALARY	1,750.00	1,750.00
688 · MILEAGE TREASURER'S	228.20	228.20
<b>Total 685 · TREASURER'S EXPENSES</b>	1,978.20	1,978.20
<b>Total 650 · Personnel Expense</b>	2,416.63	7,172.74
<b>700 · Miscellaneous</b>		
701 · Otto Otter	1,000.00	1,000.00
702 · IWUA	0.00	500.00
703 · Postage	47.84	-410.56
704 · Office Supplies	86.92	187.65
707 · Audit	1,500.00	4,500.00
708 · Meetings		
710 · Meetings-General	0.00	71.30
708 · Meetings - Other	0.00	7.92
<b>Total 708 · Meetings</b>	0.00	79.22
725 · Fees for 1526,1620,1621	19.96	80.31
<b>Total 700 · Miscellaneous</b>	2,654.72	5,936.62
<b>750 · Watermaster</b>		
760 · IDWR Contract	25,000.00	112,000.00
770 · Annual Book	0.00	-35.00
780 · Travel	72.62	1,485.61
<b>790 · MEASUREMENT DISTRICTS</b>		
791 · EASTERN		
793 · Office Supplies - East	0.00	0.00
794 · Auto Expense - East	0.00	0.00
799 · Legal/Advisory - East	0.00	0.00
<b>Total 791 · EASTERN</b>	0.00	0.00
792 · NORTHERN		



02/27/98

**Water District 1**  
**Profit and Loss YTD**  
 February 1998

	Feb '98	Nov '97 - Feb '98
796 · Office Supplies - North	0.00	0.00
797 · Auto Expense - North	0.00	0.00
798 · Hydrographer Exp. - North	0.00	0.00
792 · NORTHERN - Other	0.00	0.00
<b>Total 792 · NORTHERN</b>	<u>0.00</u>	<u>0.00</u>
<b>Total 790 · MEASUREMENT DISTRICTS</b>	<u>0.00</u>	<u>0.00</u>
<b>Total 750 · Watermaster</b>	25,072.62	113,450.61
<b>800 · Water Bank</b>		
722 · EXCESS STORAGE USE	595.33	-114.15
<b>Total 800 · Water Bank</b>	595.33	-114.15
<b>955 · Committee of Nine</b>		
960 · Dale Rockwood	0.00	244.00
961 · Leonard Beck	0.00	638.45
962 · Paul Berggren	0.00	100.00
969 · Dell Raybould	287.20	287.20
970 · DeWitt Moss	0.00	994.80
955 · Committee of Nine - Other	0.00	397.86
<b>Total 955 · Committee of Nine</b>	287.20	2,662.31
<b>973 · Indians</b>		
1 · Committee of Nine - Nez Perce	529.71	1,253.65
690 · ERO Resources	5,665.14	29,682.00
974 · Indians - Legal	35,577.02	103,801.39
<b>Total 973 · Indians</b>	<u>41,771.87</u>	<u>134,737.04</u>
<b>Total 599 · Operating Expenses</b>	<u>75,721.73</u>	<u>278,425.85</u>
<b>Total Expense</b>	<u>78,163.16</u>	<u>285,693.72</u>
<b>Net Ordinary Income</b>	<u>-73,638.43</u>	<u>-180,802.48</u>
<b>Net Income</b>	<u><u>-73,638.43</u></u>	<u><u>-180,802.48</u></u>

02/27/98

## WATER DISTRICT 01-RENTAL POOL

## Balance Sheet

As of February 28, 1998

	Feb 28, '98
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
102 · US BANK	21,595.05
110 · TREAS-1621 - AG	293,412.68
111 · Treas- 1814 - RECHARGE	580,619.64
112 · TREAS-1620 - PWR	389,087.15
114 · TREAS 1722-BOR (2.05)	935,572.45
<b>Total Checking/Savings</b>	<u>2,220,286.97</u>
<b>Accounts Receivable</b>	
<b>Receivables</b>	13,205.97
<b>Total Accounts Receivable</b>	<u>13,205.97</u>
<b>Total Current Assets</b>	<u>2,233,492.94</u>
<b>TOTAL ASSETS</b>	<u><b>2,233,492.94</b></u>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
<b>Suppliers</b>	
204 · 97 SUPPLIERS	239,582.51
<b>Total Suppliers</b>	<u>239,582.51</u>
<b>Deposits</b>	
Deposits - Future Ag Rental	313,652.85
Deposits - Recharge	580,619.64
Deposit - BOR (2.05)	937,058.70
<b>Total Deposits</b>	<u>1,831,331.19</u>
205 · PAYABLE-WR BOARD	144,181.87
207 · INTEREST PAYABLE	
1621 · AG ACCT - 1621	1,354.88
1620 · BOR - 1620	10,397.77
<b>Total 207 · INTEREST PAYABLE</b>	<u>11,752.65</u>
222 · DUE TO WATER DISTRICT	6,644.72
<b>Total Other Current Liabilities</b>	<u>2,233,492.94</u>
<b>Total Current Liabilities</b>	<u>2,233,492.94</u>
<b>Total Liabilities</b>	<u>2,233,492.94</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><b>2,233,492.94</b></u>

02/27/98

**WATER DISTRICT 01-RENTAL POOL**  
**Profit and Loss YTD**  
**February 1998**

	<u>Feb '98</u>	<u>Nov '97 - Feb '98</u>
<b>Income</b>		
470 · EXCESS USE REVENUE	0.00	-595.33
500 · Water Bank Rental		
503 · 1996 Water Rental	0.00	7,068.75
504 · 1997 Water Rental	0.00	-1,486.25
Total 500 · Water Bank Rental	0.00	5,582.50
700 · interest income		
701 · ag-1621 interest	1,235.75	1,286.52
702 · power-1620 interest	1,862.76	5,418.48
703 · TREASURER 1814 INTEREST	2,862.48	8,465.31
700 · interest income - Other	4,550.09	13,235.52
Total 700 · interest income	10,511.08	28,405.83
Total Income	10,511.08	33,393.00
<b>Expense</b>		
1100 · fee on acct 1621 & 1620	50.07	136.31
1200 · Interest Paid		
1205 · 1722 INTEREST PAID	4,528.42	13,171.99
1203 · Interest Paid - Recharge	2,848.84	8,424.67
1201 · Ag Interest Pd	1,229.86	1,280.39
1202 · Power Interest Pd	1,853.89	5,392.47
Total 1200 · Interest Paid	10,461.01	28,269.52
1300 · Rental Pool Expenses		
1301 · Supplier Payment	0.00	5,075.00
1302 · Water Resource Board Fee	0.00	507.50
1303 · WD 01 Fee	0.00	-595.33
Total 1300 · Rental Pool Expenses	0.00	4,987.17
Total Expense	10,511.08	33,393.00
Net Income	<u>0.00</u>	<u>0.00</u>



**THE RESOLUTION OF WATER DISTRICT 1  
OPPOSING  
MAKING THE DIVISION OF ENVIRONMENTAL  
QUALITY AN AGENCY OF STATE GOVERNMENT**

WHEREAS, the governor of the State of Idaho has expressed a policy of limiting the growth of government by resisting increases in the number of state employees; and

WHEREAS, the elevation of DEQ to agency status may have the effect of further obligating the state to support hundreds of additional employees should the federal funding for DEQ be cut in the future; and

WHEREAS, the creation of an environmental agency, which is likely to become the second largest agency in state government, will likely obligate the tax payers of this state to significantly higher taxes in future years; and

WHEREAS, it is clear that the introduction of this House Bill 772 late in the 1998 legislative session has not allowed adequate time to understand the ramifications of this proposed legislation as it relates to tax payers in general and water users in particular; and

WHEREAS, there are no compelling state reasons for passage of House Bill 772 this year.

NOW THEREFORE BE IT RESOLVED by the fifteen thousand water users represented by those attending the annual meeting of Snake River Water District 1, March 3, 1998, that the Governor and all of the Idaho Legislators be immediately advised of the widespread opposition, to any legislation making DEQ a separate agency of State government, at least until there has been opportunity for adequate public input and legislative evaluation

Signed this 3rd day of March, 1998 at Idaho Falls, Idaho

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Don Kramer  
Chairman, Committee of Nine

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Secretary