

State of Idaho DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000 Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON DIRECTOR

February 15, 1994

The Post Register P.O. Box 1800 Idaho Falls, ID 83403

Re: Legal Notice

Dear Sir:

We ask that the attached legal notice be published in the legal notices section of your paper on Thursday, February 17, and Thursday, February 24. If because of time constraints the notice can not be published in the legal notices section for the February 17th edition, then we ask that you provide the information as a public service announcement in some other appropriate space in the newspaper.

Please send billing and any proofs in care of my name at the above address in Boise, Idaho.

Sincerely,

Tim Luke

Water Allocations

SCANNED

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State of Idaho DEPARTMENT OF WATER RESOURCES

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CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON DIRECTOR

February 15, 1994

The Times News P.O. Box 548 Twin Falls, ID 83303

Re: Legal Notice

Dear Sir:

We ask that the attached legal notice be published in the legal notices section of your paper on Thursday, February 17, and Thursday, February 24. If because of time constraints the notice can not be published in the legal notices section for the February 17th edition, then we ask that you provide the information as a public service announcement in some other appropriate space in the newspaper.

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Water Allocations



State of Idaho DEPARTMENT OF WATER RESOURCES

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CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON DIRECTOR

February 15, 1994

The Morning News P.O. Box 70 Blackfoot, ID 83221

Re: Legal Notice

Dear Sir:

We ask that the attached legal notice be published in the legal notices section of your paper on Thursday, February 17, and Thursday, February 24. If because of time constraints the notice can not be published in the legal notices section for the February 17th edition, then we ask that you provide the information as a public service announcement in some other appropriate space in the newspaper.

Please send billing and any proofs in care of my name at the above address in Boise, Idaho.

Sincerely

Tim Luke

Water Allocations

NOTICE OF ANNUAL WATER DISTRICT MEETING WATER DISTRICT 01, SNAKE RIVER AND TRIBUTARIES

Notice is hereby given that the annual water district meeting for Water District 01, Snake River and tributaries, will be held at 9:00 a.m. on Tuesday, March 1, 1994, at the Elks Lodge, 640 E. Elva, Idaho Falls, ID.

Department of Water Resources

WATER DISTRICT 01 ANNUAL MEETING

Resolutions 1994

Norm CA Vault f.le Ct

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

BE IT FURTHER RESOLVED that:

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

the same term of the same of t			
,	1994 WATER DISTRICT BUDG	GET	
HYDROGRAPHERS	227 WILLER DISTRICT BODY	<u>SE I</u>	
Teton Basin	1,000 hrs. (+ mi.)	¢ 0000	
Idaho Falls	800 hrs. (+ mi.)	\$ 8,000	
Lower Valley	400 hrs. (+ mi.)	4,500	
Henrys Fork		6,000	
Teton River	1,800 hrs. (inc. mi.)	17,000	
reton River	520 hrs. (+ mi.)	<u>4,500</u>	
RIVER RIDERS			\$40,000
	4.000 4		
Rigby & Heise Div.	1,200 hrs. (+ mi.)	\$ 6,500	
Blackfoot Division	600 hrs. (+ mi.)	3,000	
Swan Valley	480 hrs. (+ mi.)	5,500	
Upper Falls River	250 hrs. (+ mi.)	1,000	
Willow Creek	5 mth. @ \$550 (inc. mi.)	3,000	
Idaho Falls	6 mth. @ \$ (inc. mi.)	1,000	
Milner	12 mth. @ \$30 (inc. mi.)	360	
			\$ 20,360
PROGRAM EXPENSES			4 20,500
Automation Expansion		\$ 15,000	
Sutron		52,000	
Streamgaging		108,410	
U of I Studies		<u>4,000</u>	
		<u> 4,000</u>	6170 410
EQUIPMENT EXPENSES			\$179,410
Furniture		£ 1000	
Computer		\$ 1,000	
PC's		6,500	
103		3,000	
PERSONNEL EXPENSE			\$10,500
Retirement			
Social Security		\$ 5,000	
Mileage		5,000	
		21,000	
State Insurance Fund		3,500	
Employment Insurance		500	
Part-time Help		4,900	
Misc. Hydrographer Expense		500	
Treasurer		<u>_7,500</u>	
			\$ 47,900
MISCELLANEOUS EXPENSE			4 17,500
IWUA		\$ 1,000	
Otto Otter		500	
Postage		2,500	
Supplies, phone, copying		2,000	
Audit		5,500	
Meetings			
Legal Fees		1,200	
Committee of Nine		10,500	
of time	•	10,000	
WATERMASTER			\$ 33,200
IDWR Contract			
Report		\$254,330	
Travel		4,500	
Traver		3,500	
T-4-1 1000 Pt - 11			\$262,330
Total 1993 Distribution Budget			\$593,700
COMMITTEE OF MANY			
COMMITTEE OF NINE EXPENSE			
W.D. Consultants & Attorneys -	Resolution 14	\$200,000	
Excess Storage Use - Resolution	16	100,000	
		,	

UPPER VALLEY
Consultants & Atty. - Resolution 20

\$ 65,000

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14. WHEREAS, the Committee of Nine 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 District for the following purposes:

- (1) Expenses of the District.
- (2) Improvements to the District's facilities, including a reasonable reserve for future improvements.
- (3) Educational projects designed to increase public awareness in the area of water distribution, water rights and water conservation.
- (4) Other public projects designed to assist in the adjudication, conservation or more efficient distribution of water.
- (5) For involvement in legislative and agency deliberations on issues involving water quantity and quality which could effect water users of the Water District including naming Water District 01 as a petitioner in legal actions involving the ESA and the negotiation of federal claims and tribal claims filed in the SRBA.
- (6) To reimburse Advisory Committee members in accordance with the policy attached hereto as Exhibit B.
- (7) Items authorized in Resolution No. 13.
- 15. BE IT HEREBY RESOLVED that in accordance with the provisions of the March 2, 1993 Memorandum of Understanding with IDWR, the watermaster is hereby designated manager of the Rental Pool for the Committee of Nine.
- 16. WHEREAS, the watermaster from time to time finds that storage has been used in excess of entitlements; and,

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

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

NOW THEREFORE BE IT RESOLVED, that the watermaster is authorized to maintain \$100,00 of the funds generated through the administrative charge on water rentals for the purpose of paying lessees for excess uses prior to these amounts being collected.

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED this first day of March 1994, that the watermaster hereby be authorized to assess canals located above Blackfoot (excluding Aberdeen-Springfield Canal Company) for legal fees and other appropriate expenses associated with representing the collective interest of the Upper Valley.

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

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

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

WATER DISTRICT 01 RENTAL POOL PROCEDURES

- 8.2 a. The rental price for 1994 shall be \$2.95 per acre foot, including the District administrative charge of \$0.75 per acre foot and the Water Board surcharge of \$0.20 per acre foot, for water diverted for uses above Milner Dam.
 - b. The 1994 rental price for water delivered below Milner Dam shall be \$6.25 per acre foot, which includes the District administrative charge of \$0.75 per acre foot and the Board surcharge of \$0.50 per acre foot. An additional \$2.20 shall be deposited by lessee, which shall be retained by the District for distribution the following year of \$2.00 to lessor and \$0.20 to the Board per acre foot of space rented for uses below Milner the previous year that does not fill. The balance of the deposit, if any, shall be returned to the lessee. No interest will accrue to the lessor or lessee on the deposit held by the District prior to distribution.
 - c. Any storage space holder who puts water in the Rental Pool for lease and then subsequently removes all or part of the water from the Rental Pool shall be charged a \$0.75 per acre foot administrative charge by the District for the water withdrawn.

WHEREAS, water rights in Idaho represent valuable real property rights, and

WHEREAS, any restriction on the transfer of water rights other than those already contained in the Idaho statutes designed to protect third parties from the adverse effects of specific water right changes, and

WHEREAS, legislation has been proposed by Idaho Legislators that is intended to prevent water right holders from transferring their water rights from lands that have been set aside in the federal Conservation Reserve Program (CRP), and

WHEREAS, in addition to the fact that this legislation would effectively eliminate the small amount of flexibility that remains due to the establishment of moratoriums on further appropriation of water, this legislation is tantamount to a government taking without compensation.

NOW, THEREFORE, BE IT RESOLVED by the Committee of Nine meeting this 15th day of February, 1994, that the Committee of Nine is in opposition of HB 658 and by resolution of the Committee encourages the Idaho State Legislators to VOTE NO if asked to vote on this proposal.

Signed this 15th day of February, 1994, in Burley, Idaho.

DEWITT MOSS, Chairman LEONARD BECK, Secretary

WHEREAS, the State of Idaho has commenced the general adjudication of the Snake River Basin in Idaho in an effort to quantify all water rights, both state and federal, and

WHEREAS, the United States has not paid its share of the costs for this adjudication, and

WHEREAS, all other water users, including state and private interest, have paid the statutory filing fees associated with filing their claims in the SRBA, and

WHEREAS, the state has already spent millions of dollars in preparing recommendations for water rights in Basins 34, 36, and 57, and has other basins partially completed, and

WHEREAS, the completion of this adjudication and the resolution of all federal claims has to be a high priority for this state.

NOW, THEREFORE, BE IT RESOLVED by the water users meeting in regular annual session this 1st day of March, 1994, that the Idaho State Legislature be encouraged to commit sufficient state funds to complete the adjudication of all state and federal rights that exist in the Snake River Basin in Idaho.

Chairman

Secretary

WHEREAS, the Upper Snake River Basin along with most of the northwest has experienced drought conditions for most of the past eight years, and

WHEREAS, reduced water supplies on the Upper Snake have resulted in heavier demands for stored water, declining ground water levels, and lower flows from the north side springs between Milner and King Hill, and

WHEREAS, the aquifer is being impacted because of actions irrigators have taken over many years to reduce their demand for water which has resulted in lower recharge to the aquifer from agricultural practices, and

WHEREAS, it is in the interest of Idaho to manage the Snake Plain Aquifer and establish a system that would allow water to be diverted to recharge the Snake Plain Aquifer.

NOW, THEREFORE, BE IT RESOLVED by Water District 01 meeting this 1st day of March, 1994, that the Legislature of the State of Idaho be encouraged to enact legislation that will provide the mechanism for the effective management of the Snake Plain Aquifer through artificial recharge.

Chairman

Secretary

WHEREAS, the Bureau of Reclamation has played a vital role in the economies of the west through the construction and operation of Federal Reclamation projects, and

WHEREAS, all of the Federal Reclamation projects that have been constructed in the west have been accomplished under the state water laws of the reclamation states, and

WHEREAS, state sovereignty over water is rooted in the constitutions of the various states, and

WHEREAS, Secretary of Interior, Bruce Babbitt and Commissioner of Reclamation are in the process of "re-inventing the Bureau of Reclamation," and

WHEREAS, "Resource Management" defined as "directing water and land resource uses and <u>allocations</u> (emphasis added) to meet present and future public needs," is at the top of the Bureau's organizational list of priorities, and

WHEREAS, water management and allocation has been effectively handled by the State of Idaho since the state constitution was adopted and approved by the U.S. Congress.

NOW, THEREFORE, BE IT RESOLVED by the water users of Water District 01 meeting in regular annual session this 1st day of March, 1994, that the Secretary of Interior and Commissioner of Reclamation be asked to reconsider their decision to abandon the traditional role of the bureau of Reclamation, a role that has provided enormous benefits to everyone living in the west, not just irrigators, for a role that would undoubtedly deprive the states of important resources while pitting the Bureau of Reclamation against those who have the constitutional charge of managing and allocating the water resources of the states.

Singed at Idaho Falls, Idaho, this 1st day of March, 1994.

Chairman

Secretary

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 disbursals of rental pool money.
- c) Prepare reports and proposed budgets as required by Title 42, Idaho Code.
- d) Provide technical assistance and information to the Committee of Nine and the Department relative to the water distribution and water banking duties of the watermaster.

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

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

R. KEITH HIGGINSON Director Department of Water Resources	DEWITT MOSS Chairman Committee of Nine/Water District No. 1
Date:	Date:

COMMITTEE OF NINE

MEETING REIMBURSEMENT RULES

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

COMMITTEE OF NINE

MEETING REIMBURSEMENT

DATE AND PLACE OF ME	ETING:		
PURPOSE OF MEETING:_			
OFFICIAL POSITION:			
PER DIEM	• • • • • • • • • • • • •	•••••••	\$ 30.00
PERSONAL CAR USAGE (at 28 cents pe	r mile)		٠.
MEALS	• • • • • • • • • • • • • •	• • • • • • • • • • • • • • • • • • • •	\$
LODGING	• • • • • • • • • • • • • • • • • • • •		\$
AIR FARE	• • • • • • • • • • • • • • • • • • • •		\$
OTHER TRAVEL FARE			
MISCELLANEOUS (Parking, tips,	cab, etc.)	••••••	. \$
TOTAL	ilable receipt	s)	. \$
		Committee Memb	er (Signature)
APPROVED:	•.		
Chairman, Committee	of Nine		
AMOUNT REIMBURSED	*		
AMOUNT REIMBURSED			

ANNUAL MEETING MINUTES

Committee of Nine March 2, 1993 - 9:00 a.m. Idaho Falls

Chairman, DeWitt Moss, called the meeting to order at 9:02 a.m. He welcomed those attending and acknowledged John Keys and John Dooley from the Bureau, Sherl Chapman and Ed Clark from the Idaho Water Users, Norm Young from the Idaho Department of Water Resources, and Dave, Rydalch, Chairman, Idaho Water Resource Board.

Mr. Young was first to address the assembled group. He talked of the excellent working relationship between the IDWR and Water District No. 1. Good management and progressive people with open minds has been the key to this. He mentioned the need for reviewing the past Memo of Understanding the Department has with the District. This review and the necessary revisions to keep up with the changes of the past 12-15 years has been completed and will be discussed later. Norm then mentioned the outcome of the lawsuit filed by Twin Falls Canal and the North Side Canal Companies. This settlement called for a continuation of the moratorium on well drilling above Weiser, excepting domestic wells, 10,000 A.F. yearly cap on future consumptive development, and a three-year study to determine the correlation between the Aquifer and ground and surface diversions. Three areas of the adjudication have been finalized and the deadlines for any objections is near. The court case determining whether federal agencies are required to pay adjudication fees is now before the U.S. Supreme Court with arguments scheduled for March 29, 1993. Clive Strong is the attorney for the State of Idaho.

John Keys, Regional Director - Bureau of Reclamation:

Endangered Species Act was the start of John's remarks. Competition is now building for the use of water between the snails and the salmon by the fact they require different amounts of water and at different times. He urged for cooperation in finding Upper Snake River water to assist the flushing of salmon smolts. He further mentioned the Bureau had looked at 400 previously recommended water storage facilities and has narrowed those choices to 12 with the idea of evaluating new structures to store water for the salmon. He stated that any water purchased for the fish flush would serve five needs: power generation, in-stream flow, water quality in the Thousand Springs area, recreation, and fish flush. The Bureau is actively pursuing the purchase of space via long term lease option buying to aid in the fish flush proposals. He further stated that this space would not fall under the last to fill rule of the Water Bank pending state approvals. John then answered questions from the audience on varying subjects but centering around where the extra water would be coming from and is it being used for the best need.

John Dooley - Bureau of Reclamation:

The extended six year drought is not over by any means was the center point of John's presentation. The system is 43 percent full and is approximately 1,000,000 A.F behind last year's storage at this date. Dates he encouraged all canal companies and districts to plan for were releases no sooner than April 1, 1993, with diversions no sooner than April 15, 1993. The remainder of his comments dealt with budget items, updates on power plants, lining of banks of American Falls Reservoir, and water spreading.

Earl Corless - Bureau of Reclamation:

1992 was the first year on record at Milner that water demands exceeded natural flow rights in every month of the irrigation season was Earl's opening comment. He continued by showing slides and graphs depicting the continuation of below-normal precipitation and snow accumulation. Some areas are even behind last year at this time.

Sherl Chapman, Executive Director - Idaho Water Users Association:

Salmon issue - Sherl mentioned the ongoing lawsuits to force Idaho water releases for flow augmentation. A bright spot was the formation of a number of concerned Idaho interests to join together to present a voice against these lawsuits. A large amount of his time is spent in attending forums and meetings to reinforce our position and needs as irrigators. Excess water is not being hoarded in Idaho nor is any water being wasted, but is effectively and beneficially being put to use. Also, he stated that, like many others, we feel more water is not the answer to improving salmon smolt migrations. As John Keys stated earlier, there is a growing direct conflict between the needs of the snails and the needs of the salmon.

Water training seminars will be held during the week of March 15-18 at different locations in Southern and Eastern Idaho. Sherl further commented about the salmon recovery team, which is chaired by Don Blevins. Many times, valuable time is lost because of the misinformation that is presented in the different meetings and he encouraged us to disseminate accurate information to the public through the many different organizations which we represent. Concerning legislative issues, he stated that there are many bills before this session of Idaho's Congress dealing with taxation measures and encouraged us to contact our Legislators. Another bill that is being presented has to do with canal companies and districts that deal with subdivisions and the problems that they can create and how these districts and companies can cope with the financial burdens this creates.

Sherl continued by stating Legislative Bills 118, 119, and 120 have language for penalties for ground water pumpers who pump more than their licensed amounts. H.B. 280 allows irrigation companies or districts to go to lending institutions for money on small projects instead of the bonding route. H.B. 322 pertains to regulatory commissions' taking of specific rights, lands, and water without assessed value being compensated. Sherl finalized by talking of the present tax proposals by the Governor and how that would affect

a 550 acre farm under normal conditions. That farm family would receive \$900.00 in tax relief, but an additional \$3,300.00 in new assessed taxes.

Water District No. 1 Meeting:

Dale Rockwood nominated DeWitt Moss to be acting Chairman for the annual meeting. Claude Storer seconded.

Paul Berggren moved nominations cease. Ed Clark seconded. DeWitt was elected by acclamation.

Paul Berggren nominated Leonard Beck to serve as acting Secretary for the annual meeting. Claude Storer seconded.

Dale Rockwood moved nominations cease. John Rosholt seconded. Leonard was elected by acclamation.

Lyle Swank conducted the roll call by companies and districts present.

Claude Lilya moved to accept last year's Minutes and to dispense the reading of them. Glen Davis seconded. Motion passed.

Ron Carlson called for a recess for the purpose of caucus meetings to elect members to serve on the Committee of Nine and the Credentials Committee, if needed.

Upon reconvening the general meeting, Dick Oneida moved that those nominated to the Committee of Nine be approved. Bill McManus seconded. Motion carried without dissent. The full names of those approved are DeWitt Moss, Claude Storer, Dale Rockwood, Dell Raybould, Claude Lilya, Paul Berggren, Wayne Lincoln, James Siddoway, and Dan Stapleman.

Claude Storer - Water Bank:

Thus far in 1993, City of Pocatello has submitted 50,000 A.F of space with no water accruing to that space.

Mr. Storer stated that the District stayed well within the approved budget.

Brad Cannon - Auditor:

An audit has been completed as of October 31, 1992, and he stated that the District was in good financial shape and all accounting procedures examined during the period of the audit were done in an appropriate and businesslike manner.

Dell Raybould moved to accept the Treasurer and the Auditor's report. Dale Rockwood seconded. Motion passed without dissent.

Ron Carlson - Watermaster Report:

In 1992, the system at peak was 77 percent full. Because of this amount in storage, 1992 was the first year that the water assigned to the Water Bank did not meet the requests for water. Plans were formulated on how to handle what was expected to be the driest year on record. Diversions peaked in the space of about two weeks in early April. Efficient management, coupled with weather changes, permitted irrigation to continue throughout the irrigation year, even though projections were for an empty reservoir system by September 1, 1992. Slides and graphs on water recharge were presented to show the comparison of peak spring flows of 1953 with the decline of those flows at the present time. With this concern and the other interests relating to Idaho water, efficient management and cooperation are a necessity for water operations to continue in the future.

DeWitt Moss, Chairman - Committee of Nine Report:

Mr. Moss expressed appreciation to all who helped in the successful completion of the past irrigation season. He voiced concerns in the coming years in regards to water quality and quantity, endangered species, and the Clean Water Act. Among accomplishments of the Committee of Nine was Senate Bill 1450 passage and implementation, rewriting of current Water District No. 1 Resolutions, Memo of Understanding, (MOU) between IDWR and Water District No. 1, and compliance with the State Auditor's report.

In the spring of 1992, the Bureau had requested assistance in the amount of 100,000 A.F to help in the fish flush. With the continuation of the drought, only 4,100 A.F was supplied to the Water Bank and that went to irrigation purposes. New rates for the leasing of water go into effect this year if approved by the IWRB. Ag use above Milner \$2.95. \$2.00 to lessor, \$.75 administration fee Water District No. 1, \$.20 surcharge to Idaho Water Resource Board. Use below Milner will pay an additional \$6.05 of which \$.55 will go to the Idaho Water Resource Board, \$5.50 to the lessor. Past disputes regarding the water rentals have been resolved. This generated the need to establish a fund to handle such disputes in a more timely manner in the future. Environmental concerns have and will continue to provide the present administration with the goal of reallocating water use in government projects, especially in the West, DeWitt projected. He finished by encouraging all to be active in our water concerns and to be united in those efforts.

Don Hale moved to accept the Committee of Nine Report. Chuck Coiner seconded. Motion passed without dissent.

Lunch break 12:00-1:00 p.m. Buffet served \$6.50.

Chairman Moss reconvened the meeting at 1:05 p.m. John Dooley clarified a misunderstanding regarding assessments for 1993. Overall, O.M. average will be \$.22/A.F.

The Resolutions were then presented and voted on in the following manner:

Resolution Nos. 1, 2, and 3, Dan Stapleman moved to accept, Paul Berggren seconded. Motion passed.

Resolution No. 4 Louis Teal moved to accept, Paul Berggren seconded. Motion passed.

Resolution No. 5 Paul Berggren moved to accept, Louis Teal seconded. Motion passed.

Resolution No. 6 Stan Clark moved to accept, Clyde Beck seconded. Motion passed.

Resolution Nos. 8 and 9 Claude Lilya moved to accept, Dale Rockwood seconded, Motion passed.

Resolution No. 10 Dick Oneida moved to accept, Gary Rhodes seconded. Motion passed.

Resolution Nos. 11 and 12 Dell Raybould moved to accept, Louis Teal seconded. Motion passed.

Resolution No. 13 Dale Rockwood moved to accept, Dan Stapleman seconded. Motion passed.

Resolution Nos. 14 and 15 Dan Stapleman moved to accept, Dick Oneida seconded. Motion passed.

Resolution No. 16 Paul Berggren moved to accept, Keith Esplin seconded. Motion passed.

Resolution No. 17 Chuck Coiner moved to accept, Claude Lilya seconded. Motion passed.

Resolution Nos. 18, 19, 20, and 21 Jeff Marotz moved to accept, Clint Ashley seconded. Motion passed.

Resolution Nos. 22 and 23 Jim Siddoway moved to accept, Jeff Marotz seconded. Motion passed.

New Business:

John Keys addressed the question of the possibility of a surcharge per acre foot of storage in a reclamation project. He replied he had heard and seen some information on it, and he will pass the information to Water District No. 1 as he receives it.

Salmon Flow Augmentation Subcommittee Chairman Roger Ling was asked to read their proposed Resolution that was tabled in yesterday's Committee of Nine meeting, which he did.

With no further action or business, meeting adjourned at 2:00 p.m.

Leonard Beck, Secretary

Approved:

DeWitt A. Moss, Chairman

Ulam A

Water District 1 Profit and Loss

	Nov '93 - Jul '94
Income	
400 · Fee Income	
404 · Contract Palisade	3,200.00
410 · Delivery 1989	-80.00
411 · Delivery 1990	-20.00
412 · Delivery 1991	-40,00
413 · Delivery 1992	-60.00
414 · Delivery 1993	497,535.84
420 · Delivery Bonn. Co. 1990	12.51
430 · Delivery Bonn. Co. 1993	3,946.05
431 · Delivery Frem. Co. 1993	3,115.83
432 · Delivery Mad. Co. 1993	1,181.61
433 · Delivery Teton Co. 1993	24,305.54
400 · Fee Income - Other	-16,995.46
Total 400 · Fee Income	516,101.92
450 · Rental Income 455 · WD 1 Adm. Fee from WB	540,907.27
Total 450 · Rental Income	540,907.27
459 · Streamgaging Misc. 480 · Dividend/Interest Income	47,707.10
481 · Merrill Lynch '92	9,426.25
482 · Interest 1526-General 92	7,724.02
485 · Interest (checking) '92	678.36
486 · Interest Fee Acct	2,697.61
480 · Dividend/Interest Income - Other	2,890.93
Total 480 · Dividend/Interest Income	23,417.17
490 · Miscellaneous Income 492 · State Insurance Refund	1,970.89 465.00
Total Income	1,130,569.35
Expense	
Payroll Expenses	
Gross Wages	22,898.47
Total Payroll Expenses	22,898.47
Payroll Taxes	
FICA	1,419.71
FUTA	187.87
Medicare	332.04
PERSI	1,559.55
SUI	138.76
6502 · SUIID	1.03
Total Payroll Taxes	3,638.96
599 · Operating Expenses	

Water District 1 Profit and Loss

	Nov '93 - Jul '94
600 · Program Expenses 605 · Sutron Maintenance 610 · Streamgaging 611 · USGS Coop 613 · D St. Rental USGS	21,140.00 22,745.07
Total 611 · USGS Coop	22,745.07
Total 640 - Streammaning	22,745.07
Total 610 · Streamgaging	
625 · Fremont-Mad. Coop	4,800.00
Total 600 · Program Expenses	48,685.07
640 · Equipment Expenses 642 · Computer	8,406.90
Total 640 · Equipment Expenses	8,406.90
650 · Personnel Expense 660 · Mileage 661 · Mileage(Wetzel/VonAchen) 662 · Mileage (O'Brien) 663 · Mileage (Blanchard) 664 · Mileage (Blauer,Mills) 665 · Mileage (Lindsay) 667 · Mileage (Richards) 668 · Mileage (Brown)	294.32 1,416.22 907.66 357.24 216.66 3,360.00 2,190.00
Total 660 · Mileage	8,742.10
675 · State Insurance Fund Exp. 680 · Hydrographer Misc Exp 685 · TREASURER'S EXPENSES 686 · TREASURER'S SALARY 688 · MILEAGE TREASURER'S	3,502.81 825.76 730.93 47.00
Total 685 · TREASURER'S EXPENSES	777.93
Total 650 · Personnel Expense	13,848.60
700 · Miscellaneous 701 · Otto Otter 702 · IWUA 703 · Postage 704 · Office Supplies 707 · Audit 708 · Meetings 709 · Annual Meeting 710 · Meetings-General 708 · Meetings - Other	356.34 500.00 2,309.76 293.12 4,585.00 1,373.48 505.31 1,859.90
Total 708 · Meetings	3,738.69

Water District 1 Profit and Loss

	Nov '93 - Jul '94
715 · Legal 718 · Misc. 720 · Shelley Project	1,672.05 715.50
Total 715 · Legal	2,387.55
725 · Fees for 1526,1620,1621 740 · Gage-Staff Gaging Equip. 745 · Miscellaneous	199.08 134.00 49.19
Total 700 · Miscellaneous	14,552.73
750 · Watermaster 760 · IDWR Contract 770 · Annual Book 780 · Travel	165,000.00 2,835.00 2,561.29
Total 750 · Watermaster	170,396.29
955 · Committee of Nine 960 · Dale Rockwood 961 · Leonard Beck 962 · Paul Berggren 965 · James Siddoway 966 · Claude Storer 968 · Claude Lilya 969 · Dell Raybould 970 · DeWitt Moss 972 · Daniel Stapelman	174.72 151.60 392.65 332.35 1,575.71 1,497.68 504.00 529.20 284.31
Total 955 · Committee of Nine	5,442.22
975 · Upper Valley Expense 980 · Legal & Other Exp.	29,445.48
Total 975 · Upper Valley Expense	29,445.48
Total 599 · Operating Expenses	290,777.29
6500 · mileage	650.00
Total Expense	317,964.72
Net Income	812,604.63

Water District 1 Balance Sheet As of July 31, 1994

Current Assets		Jul 31, '94	
Checking/Savings 100 - Petty Cash 50.00 102 - Cash-Bank of Commerce 69,715,48 104 - Cash-Merrill Lynch 18,451.05 110 - ID TREAS-GENERAL-1526 509,459.01 111 - ML-Committee of Nine 196,354.95 112 - Rental Contingency 100,000.00 115 - Rental Surcharge-1722 523,567.10 120,452.02 13,177.00 132 - Funds held By IDWR 9,407.81 136 - INVENTORY 46,643.50 140 - EQUIPMENT 16,039.97 145 - ACCUM DEPRECIATN-EQUP 13,483.43 136 - INVENTORY 16,039.97 145 - ACCUM DEPRECIATN-EQUP 13,483.43 136 - INVENTORY 16,039.97 145 - ACCUM DEPRECIATN-EQUP 13,483.43 150 - IDVENTORY 16,039.97 145 - ACCUM DEPRECIATN-EQUP 1,709,834.46 17,09,834.46 17,09,834.46 17,09,834.46 17,09,834.46 18,000 18	ASSETS		
100 - Petty Cash 50,00 102 - Cash-Bank of Commerce 69,715.48 104 - Cash-Merrill Lynch 18,451.05 110 - ID TREAS-GENERAL-1526 509,459.01 111 - ML-Committee of Nine 196,354.95 112 - Rental Contingency 100,000.00 115 - Rental Surcharge-1722 623,567.10 Total Checking/Savings 1,517,597.59 Accounts Receivable 120 - Assess Receivable 120 - Assess Receivable 120,452.02 Total Accounts Receivable 120,452.02 Other Current Assets 122,00 13,177.00 132 - Funds Held By IDWR 9,407.81 136 - INVENTORY 46,643.50 140 - EQUIPMENT 9,407.81 136 - INVENTORY 46,643.50 140 - EQUIPMENT 16,039.97 145 - ACCUM DEPRECIATN-EQUP -13,483.43 Total Other Current Assets 71,784.85 TOTAL ASSETS 1,709,834.46 TOTAL ASS	Current Assets		
102 · Cash-Bank of Commerce 69,715.48 104 · Cash-Merrill Lynch 18,451.05 110 · ID TREAS-GENERAL-1528 509,459.01 111 · ML-Committee of Nine 196,354.95 112 · Rental Contingency 100,000.00 115 · Rental Surcharge-1722 623,567.10 Total Checking/Savings 1,517,597.59 Accounts Receivable 120,452.02 Other Current Assets 120,452.02 Other Current Assets 120,452.02 Other Current Assets 13,177.00 122 · DUE FROM RENTAL POOL 13,177.00 132 · Funds Held By IDWR 9,407.81 138 · INVENTORY 46,643.50 140 · EQUIPMENT 16,039.97 145 · ACCUM DEPRECIATN-EQUP -13,483.43 Total Other Current Assets 71,764.85 Total Current Liabilities Current Liabilities Current Liabilities Current Liabilities FICA Company 6,843.67 Employee 7,156.71 FICA 181,46			

Water District 1 Balance Sheet As of July 31, 1994

	Jul 31, '94	
Employee PERSI - Other	5,404.97 -14,294.32	
Total PERSI		348.02
State Withholding ID SUI		6.19
Company SUI - Other	624.18 -538.28	
Total SUI		85.90
2100 · SUIID 2102 · Company	1.03	
Total 2100 · SUIID		1.03
Total Payroll Liabilities		852.91
222 · DUE TO RENTAL POOL 250 · PAYROLL TAXES PAYABLE 260 · ACC VACATION PAYABLE	2,343.06 753.17 15,692.17	
Total Other Current Liabilities		19,641.31
Total Current Liabilities		19,641.31
Total Liabilities		19,641.31
Equity 300 · Operations Fund 3900 · Retained Earnings Net Income		877,408.52 180.00 812,604.63
Total Equity	AND THE RESIDENCE OF THE PROPERTY OF THE PROPE	1,690,193.15
TOTAL LIABILITIES & EQUITY		1,709,834.46

07/31/94

WaterBank Profit and Loss

	Nov '93 - Jul '94	
Income		
400 · 1991 Excess Use	-645.98	
420 · 1993 EXCESS USE	3,830.91	
500 · 1993 Water Bank Rental	17.68	
501 · 1994 Water Rental	2,212,974.98	
700 · interest income		
701 · aq-1621 interest	853.93	
702 · power-1620 interest	7,206.27	
700 · interest income - Other	247.53	
Total 700 · interest income	8,307.73	
Total Income	2,224,485.32	
Expense		
1100 · fee on acct 1621 &1620	116.99	
1200 · Interest Pd-Supplier		
1201 · Ag Interest Pd	1,284.89	
1202 · Power Interest Pd	5,537.98	
Total 1200 · Interest Pd-Supplier	6,822.8	
1300 · Rental Pool Expenses		
1301 · Supplier Payment	1,556,068.01	
1302 · Water Resource Board Fee	155,217.80	
1303 · WD 01 Fee	487,191.80	
1304 · Refunds	17,700.00	
Total 1300 · Rental Pool Expenses	2,216,177.6	
Total Expense	2,223,117.47	
Income	1,367.8	

WaterBank Balance Sheet As of July 31, 1994

	Jul 31, '94
ASSETS	
Current Assets	
Checking/Savings	0.070.04
102 · WESTONE CHECKING 110 · ID TREAS-AG-1621	3,978.64 34.686.09
112 · ID TREAS-PWR-1620	1,693,373.19
Total Checking/Savings	1,732,037.92
3	1,702,007.02
Accounts Receivable Receivables	11,837.93
Total Accounts Receivable	11,837.93
Other Current Assets 122 · DUE FROM W.D.	2,343.06
Total Other Current Assets	2,343.06
Total Current Assets	1,746,218.91
TOTAL ASSETS	1,746,218.91
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	4.40
200 · 1993 WB Liability 201 · 1994 WB Liability	1.42
201 · 1994 WB Clability 210 · 1990 Excess Use-Liab.	1,721,830.27 1,208.79
211 · 1991 Excess Use-Liab.	4,955.70
212 · 1992 Excess Use-Liab.	3,325.84
213 · 1993 Excess Use-Liab.	2,465.19
222 · DUE TO WATER DISTRICT	13,177.00
Total Other Current Liabilities	1,746,964.21
Total Current Liabilities	1,746,964.21
Total Liabilities	1,746,964.21
Equity	
3900 · Retained Earnings	-2,113.15
Net Income	1,367.85
Total Equity	-745.30
TOTAL LIABILITIES & EQUITY	1,746,218.91

- RESILUTIONS as amended by committee of 9 & adapted @ the meeting

WATER DISTRICT 01 ANNUAL MEETING

Resolutions 1994

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

BE IT FURTHER RESOLVED that:

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

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

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

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

WATER DISTRICT 01 RENTAL POOL PROCEDURES

- 8.2 a. The rental price for 1994 shall be \$2.95 per acre foot, including the District administrative charge of \$0.75 per acre foot and the Water Board surcharge of \$0.20 per acre foot, for water diverted for uses above Milner Dam.
 - b. The 1994 rental price for water delivered below Milner Dam shall be \$6.25 per acre foot, which includes the District administrative charge of \$0.75 per acre foot and the Board surcharge of \$0.50 per acre foot. An additional \$2.20 shall be deposited by lessee, which shall be retained by the District for distribution the following year of \$2.00 to lessor and \$0.20 to the Board per acre foot of space rented for uses below Milner the previous year that does not fill. The balance of the deposit, if any, shall be returned to the lessee. No interest will accrue to the lessor or lessee on the deposit held by the District prior to distribution.
 - c. Any storage space holder who puts water in the Rental Pool for lease and then subsequently removes all or part of the water from the Rental Pool shall be charged a \$0.75 per acre foot administrative charge by the District for the water withdrawn.

leased to the Rental Pool. Any proceeds from the re-rent of said water by the Rental Pool shall be refunded to the original renter of said water in the same proportion the rental proceeds are remitted to other lessors of water to the Rental Pool. Water rented from the Rental Pool and not rented by the end of the irrigation season or by March 15 of the following year for non-agricultural uses shall be returned to the lessor or lessors as carry over storage of lessors, and all rights to said water leased from the Rental Pool by the renter shall be deemed to be terminated, except that, renters who own reservoir space may carry over water rented from the Rental Pool in their space for use the following year, unless lost through the subsequent filling of that space.

7.7. No water may be rented after November 1 of each year without the lessor's approval.

RULE 8. LEASE PAYMENTS AND WATER COSTS.

- 8.1. The lease price of the storage rented from the Rental Pool shall be set by the Committee of Nine each year.
- 8.2. A. The rental price for 1994 shall be \$2.95 per acre foot, including the District administrative charge of \$0.75 per acre foot and the Water Board surcharge of \$0.20 per acre foot, for water diverted for uses above Milner Dam.
 - B. The 1994 rental price for water delivered below Milner Dam shall be \$6.25 per acre foot, which includes the District administrative charge of \$0.75 per acre foot and the Board surcharge of \$0.50 per acre foot. An additional \$2.20 shall be deposited by lessee, which shall be retained by the District for distribution the following year of \$2.00 to lessor and \$0.20 to the Board per acre foot of space rented for uses below Milner the previous year that does not fill. The balance of the deposit, if any, shall be returned to the lessee. No interest will accrue to the lessor or lessee on the deposit held by the District prior to distribution.
 - C. Any storage space holder who puts water in the rental pool for lease and then subsequently removes all or part of the water from the rental pool shall be charged a \$0.75 per acre foot administrative charge by the District for the water withdrawn.
- 8.3. Lease payments to the lessors shall be made in accordance with RENTAL POOL PROCEDURES Page 10

the priorities of Rule 6 and shall be based upon the annual report of the Snake River Watermaster. Payments to the lessors shall be considered due and payable once the Watermaster has calculated the actual water used within Water District 1 for the annual Watermaster's report and the rental payments have been received.

- 8.4. The Rental Pool Committee may authorize the Watermaster to make timely partial payments to the lessors based upon provisional data when, in the judgment of the Rental Pool Committee, such partial payments can be made with reasonable certainty.
- 8.5. All rental monies not paid to lessor's under Rule 8.4 above shall be maintained in a separate interest-bearing account with accrued interest being distributed on a pro-rata basis at the time that final payments are made. The Water District shall be entitled to use all rental funds on an as needed basis provided the accrual of interest due suppliers is not affected. Payments for water rented from the Rental Pool and distributed after October 31 shall be computed on a pro-rata basis for all unrestricted water supplied pursuant to the priorities in Rule 6.

RULE 9. LONG-TERM RENTAL AGREEMENTS.

- 9.1. The Committee of Nine may arrange rentals of storage space for periods not to exceed twenty (20) years. Such long-term rentals will be negotiated on a case-by-case basis and may be supplied from anticipated future annual space/water leases to the Rental Pool or from specific long-term space assignments, or a combination of the two.
- 9.2. Contracts for long-term rentals shall be subject to the provisions of the Rule 6 and 7, unless different provisions are specified in the rental agreement. Long-term rental agreements in excess of five (5) years shall only become effective upon final approval of the lease agreement by the Board.
- 9.3. Any contract for a Long-term Rental Agreement shall contain the following information:
 - A. Name and address of renter.
 - B. Amount of storage space obligated.
 - C. The rental price.

- D. The legal description of the point of diversion and place of use.
- E. The duration of the rental agreement.
- F. The understanding of responsibilities and exposure if reservoir space does not fill at some time during the term of the rental agreement.
- G. The beneficial use to be achieved through the delivery of water from the rented space.
- 9.4. A long-term rental agreement will be initiated by submitting an application on forms provided by the Watermaster to the Watermaster's office in Idaho Falls. Upon approval of the request by the Committee of Nine, the Watermaster shall initiate the rental upon receipt of the first year's rental payment. Each successive year the scheduled payment shall be due on the date specified in the rental agreement. Failure of the renter to meet any payment shall void the rental agreement and any subsequent rental by that renter shall be under the last priority provided by Rule 7.
- 9.5. For the purposes of Rule 7, the date of the agreement shall be the date the application is received by the Watermaster.



State of Inho DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS GOVERNOR

R. KEITH HIGGINSON DIRECTOR

Norm Der Luke Time Worl File

February 2, 1994

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

Dear Sir or Madam: In conjunction with your examination of the fiscal operations of Water District 01 as of October 31, 1993 and for the year then ended, your office has requested that I identify and explain any pending or threatened material litigation, claims or assessments existing as of October 31, 1993, and through the date of this letter. The request asks for an estimate, if possible, of the amount or range of potential loss, or a statement of my unawareness of

Pending or Threatened Litigation

any such matters involving the district.

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

The pending action is Wadsworth v. IDWR, No. 13118 (7th Jud. Dist., Bingham Co., Idaho). The plaintiff seeks damages in the amount of \$15,177 under theories of tort for structural damage to a bridge allegedly caused by an agent of Water District 01 taking a bulldozer across the bridge for the purpose of removing a water diversion on the plaintiff's land.

The amended complaint was filed on January 28, 1987. Little progress has been made on the case to date. The State on behalf of itself and the district has contested the case and does not intend to pursue an out-of-court settlement. The likelihood of an unfavorable outcome is remote. In the event of an unfavorable outcome the potential loss should not exceed the \$15,177 prayed for in the complaint plus costs. It is expected that any potential loss would be fully paid by the State of Idaho Bureau of Risk Management.

Rudd & Company/Chartered Page 2 February 2, 1994

Unasserted Claims and Assessments

In my capacity as Deputy Attorney General for the Idaho Department of Water Resources, I am not aware of any unasserted possible claims or assessments relating to Water District 01 that are probable of assertion and must be disclosed in accordance with Statement of Financial Accounting Standards No. 5. To the limited extent that I provide legal services to Water District 01, I acknowledge a professional responsibility to advise the district concerning the disclosure of matters recognized to involve unasserted possible claims or assessments that call for financial statement disclosure in accordance with Statement of Financial Accounting Standards No. 5. I understand that Water District 01 also uses private legal counsel to advise the district in the course of its normal activities.

To my knowledge, Water District 01 is not separately indebted to the State of Idaho for any legal services which may have been provided as of October 31, 1993, or from that date to the date of this letter.

Sincerely,

PHILLIP J. RÁSSIER
Deputy Attorney General

Department of Water Resources

cc: R. Keith Higginson Ronald D. Carlson

AGENDA

Monday, February 28, 1994 - 3:00 p.m. Committee of Nine Meeting Elks Lodge Idaho Falls, Idaho



Department of Water Resources
Eastern District Office

3:00	Call to Order - DeWitt Moss Approve February 15, 1994 Committee of Nine Meeting Minutes (draft enclosed) Approve 1993 Annual Meeting Minutes (draft provided at 2/15/94 meeting)
3:10	Approve 1994 Annual Meeting Resolutions (draft enclosed)
3:40	Approve 1994 Annual Meeting Agenda
4:00	Old Business New Business
4:15	Adjourn

COMMITTEE OF NINE MEETING February 15, 1994

Burley Best Western Inn, Burley, Idaho

The meeting was called to order at 1:32 p.m. by Chairman DeWitt Moss. Chairman Moss stated that there were many more items to discuss than what had been listed on the regular agenda. Members present were asked to introduce themselves. The minutes of the last meeting were approved. Dell Raybould made the motion and Dale Rockwood seconded. Motion passed.

Dale Rockwood gave an update on the Rental Pool. He reported that the Bureau had requested in January at the Boise meeting a waiver of the administrative fee and the last to fill right for their water going through the Water Bank. Also, the recharge issue concerning Clear Springs' request to recharge the ground water with Water Bank water was discussed. Dale reported that the Bureau's request had been denied and the Clear Springs' request approved. As of this time, requests of 15,602.3 acre-feet of Water Bank water have been paid in full and only 342.5 acre-feet have been supplied.

Pricing of water rented through the Water Bank was left to the determination of the full Committee of Nine. DeWitt Moss reported the Rental Pool Committee recommended that the price of water rented through the Water Bank will be \$2.95 for water rented above Milner and additional \$2.95 for water rented below Milner with a \$3.00 surcharge. These prices include the Idaho Department of Water Resource Board's 10% surcharge. Dale Rockwood moved to accept the Rental Pool report, plus Chairman Moss' comments on pricing. Dan Stapleman seconded the motion. Motion passed.

The Bureau's request for the waiver of the Water Bank administrative fee and "last to fill" condition was presented a second time. The request was again denied by the Committee. Clear Springs' request to lease water from the Water Bank to recharge ground water was approved.

DeWitt stated the Federal Government had lost \$22.7 million in the form of replacement costs for power for between 1,000,000 and 1,500,000 acre-feet of water from Dworshak Reservoir. This was offered as a comment of what the worth of water is for fish flush by the Federal Government. John Keys later stated the numbers on power costs may not be entirely valid, but no corrections were offered.

Mike Beus was present to report on the current water status. He stated that the system is 60% of normal. March 25 is the target date for American Falls and Lake Walcott to fill. The question was asked of Mike of the possibility of holding water until requested in the early summer for recreation. Mike stated that there was not space available to assign water to store in this manner. With this filling date projected, 2,200 c/f/s is being released for flood control at this time.

John Keys gave a report concerning the Biological Opinion draft which is now in the hands of the Governors of Washington, Oregon, Idaho and Montana which covers water supplies for the years from 1994 through 1998. This draft stated the Biological Opinion is that 427,000 acre-feet, plus an additional 100,000 acre-feet of water for 1994 will be taken from the Upper Snake above Brownlee Reservoir. The Bureau was asked to plan a strategy by July 1995 whereby another 400,000 acre-feet of water from the Upper Snake can be taken by 1998 for a total of 927,000 acre-feet. This is being requested on a willing buyer/willing seller plan. The Payette Reservoir is expected to supply 95,000 acre-feet, and the Boise system is still questionable as to what it can supply. The 1994 water will be supplied from the Mitigation, Inc. water and from the Bureau's purchasing of water rights from the Cascade and Deadwood Reservoirs, plus local rental bank water. John also mentioned that the Bureau would protest the Clear Springs' request for recharge from the Water Bank and its request for a point of diversion change on Clear Springs.

John Keys noted that the water right change of venue on the Cascade and Deadwood Reservoirs were filed approximately two weeks ago in compliance with Legislation HB-796 for the change of designated use and the Power Head water rights change for fish flush will be short coming. Concerning Reclamation Reform, John stated the opinion from hearings held in the past is that the majority do not want to change what is now in effect. There has been talk of changing the acreage limit from the existing 40 acres to anywhere up to 160 to 320 acres.

Keith Higginson asked John Keys the question why the water right change of venue for Cascade and Deadwood Reservoirs were filed under the impression of doing so to get along with the Idaho Department of Water Resources, but with the feeling that the Bureau did not have to. John responded this was certainly not their intention.

Ted Diehl gave a report from the Legislative Committee. He discussed five bills which are before the Legislature which are as follows:

HB-475 - Comprehensive State Water Plan which consists of two parts. Part A deals with statewide goals and objectives and Part B deals with specific water plans for individual waterways, river basins, drainage areas or aquifers. The amendment would allow any person to petition the Water Resource Board to amend the Comprehensive State Water Plan rather than limiting the petition to a state agency.

HB-476 - Stream Alteration Enforcement Act which would amend existing law to provide that alteration of channels shall require a payment of a filing fee to IDWR for the alteration permit. Further, the Act would allow the Director to delegate authority to employees of the Department to enforce the uniform construction of headworks to be according to IDWR specs and to allow for fines to be issued for violations.

HB-502 - Mandatory Claim Deadline Removal amends 42-245 to remove the deadline for filing statutory claims for the SRBA which previously was June 30, 1990.

HB-510 - Amends Fee Levels for IDWR Activities which amends existing law to provide filing fees for protests, stream channel alteration permits, intervention in protested matters and other applications as well as increasing existing filing fees.

HB-523 - Water Administration Enforcement modifies existing law in a similar manner to HB-476 to allow the Director or his agent to commence an administrative enforcement action by issuing a person a written notice of violation for illegal diversion or use of water under existing water rights and penalties are not to exceed \$1,000 per diversion for each calendar day with no upper limit.

HB-658 - deals with CRP diversions.

John Rosholt spoke about the Snake River Basin Adjudication and Judge Hurlbutt's decision concerning expansion of water rights to be void because of the vagueness of the bill that allowed those rights to be expanded and how that bill will continue to cause problems with the monumental adjudication process.

Keith Higginson talked about conjunctive management. His office is in the middle of the rule making process. These rules will be offered to solve the Court's Order concerning the Hagerman spring flows. The Court decision has been appealed and will be argued in the Supreme Court, February 16. The draft of those rules will be presented March 1 and public hearings will follow. These rules will determine conditions for future ground water diversions if senior surface rights will be impacted.

Roger Ling discussed four points concerning the endangered species: 1) the method of salmon recovery is not a one-man determination, there are many plans out there; 2) a letter of intent to sue needs to be filed once the Biological Opinion is actually published; 3) seek the employment of a biological expert to voice our concerns; and 4) this Committee is perhaps the only group closely knit enough to represent all spaceholders' needs of irrigators.

A recess was called at 3:03 p.m. Meeting reconvened at 3:16 p.m.

DeWitt Moss outlined the draft Agenda for Water District 01 Annual

1) Change to show Moss first on Agenda.

2) Dale Rockwood - River Unlimited requested presentation for time at annual meeting. Request approved.

3) Claude Storer - Rayola Jacobson from the Idaho Farm Bureau requested time at annual meeting for presentation to delist snails. Request approved.

Agenda with these proposed changes was approved.

Ron Carlson gave a review of the 1994 budget. He discussed several of the areas which show an increase from the 1993 budget. Legal fees will be higher as will travel

Meeting:

costs. A river rider will be added for Swan Valley administration and funds for equipment updates will be increased.

The question was raised by DeWitt Moss as to the validity of the Committee of Nine hiring legal or professional persons, such as biologists, hydrologists, etc., to represent our interests in case of court action. It was agreed that this mechanism is written into our resolutions.

Claude Storer made a motion to increase the authorization for Committee of Nine expenditures for 1994 from \$100,000 to \$200,000. Dell Raybould seconded the motion. Motion passed. A discussion followed as to where this money would come from. It was noted that as of the October 31, 1993 audit, this fund held approximately \$391,000 and the increase would come from this account. John Rosholt was directed to redraft proposed Resolutions 13 and 16.

Proposed resolutions for 1994 were presented by DeWitt Moss. The Committee directed that water bank pricing be changed as discussed on page 1 of these Minutes and that the allowance for Treasurer's expense be increased from \$5,000 to \$7,500.

Claude Storer presented the following 1994 resolution proposals to be added to or deleted from our annual meeting:

- 1) In regards to HB-658 (which would prohibit water rights being transferred from CRP lands to other land) Dale Rockwood moved that the Committee of Nine oppose the bill. Jim Siddoway seconded. Motion passed.
- 2) Resolution 20 proposed a change which would allow setting the date and time for subsequent annual Water District 01 meetings at the discretion of the Committee of Nine. DeWitt Moss moved to accept and Jim Siddoway seconded. Motion passed.
- In regards to the adjudication resolution, Dan Stapleman moved to change the wording in the second paragraph to read: "WHEREAS, the United States has not paid its share of the costs for this adjudication and," Motion was seconded by Dale Rockwood. Motion passed.
- 4) In regards to the resolution calling for management of artificial recharge in the Snake River Plain, DeWitt Moss moved to eliminate this resolution, Wayne Lincoln seconded the motion. Motion passed.
- 5) In regards to the resolution calling for Upper Snake River water for the purpose of "flushing" salmon smolts, DeWitt Moss moved to eliminate this resolution, Wayne Lincoln seconded the motion. Motion passed.

In regards to the resolution where the Federal Government is asked to reconsider its move to "re-invent" the Bureau of Reclamation, Dell Raybould moved and Jim Siddoway seconded the motion. Motion passed.

(Copies of the resolutions considered are attached hereto.)

OLD BUSINESS:

The question of cost assistance from Water District 01 as to the TFCC Broadcrested Weir was again discussed. No action was taken. TFCC has been asked to detail their engineering cost for the Broadcrested Weir.

Copies of the Minutes from the Water District 01 1993 annual meeting were distributed. Members were asked to review these and be prepared to pass a motion of acceptance at the March 1 meeting.

The Committee of Nine has been invited to participate in the negotiations with the Nez Perce Tribe and the State of Idaho over the Tribe's claim for 165,000 c/f/s in the Lower Snake near Lewiston. Dave Rydalch stated this has taken a lot of effort, and this Committee should be prepared to send a qualified individual to represent them. John Rosholt was selected to represent the Committee at upcoming planning meetings.

DeWitt Moss represents the Committee of Nine at the Coalition of Idaho Water meeting concerning ESA matters and lawsuits. DeWitt said this Coalition is looking at the upcoming Biological Opinion, and they are preparing to file a 60-day Notice of Intent to Sue, the specific issue to be determined.

NEW BUSINESS:

In accordance with Item 2) page 3 of the MOU between IDWR and Committee of Nine, the Committee of Nine advised IDWR that we propose continuation of the MOU for 1994 as it is written. IDWR advised that continuation of the MOU was satisfactory from their standpoint.

The Salmon River Canal Company requested that they be allowed to amend their present contract with Southwest Irrigation District in relation to their water rental arrangement through Water District 01 Rental Bank. This amendment was approved.

The meeting was adjourned at 5:20 p.m.

LIST OF ATTENDEES FEBRUARY 15, 1994 COMMITTEE OF NINE MEETING

NAME

DeWitt Moss
Dan Stapleman
Dale Rockwood
Wayne Lincoln
Dell Raybould
James Siddoway
Paul Berggren
Claude E. Lilya
Claude Storer
Ray W. Rigby
Stan Clark
Ron Carlson
Keith Higginson
Clarence Parr
Dave Rydalch

Dan McFadden Virgil D. Temple Bill Sargent Jim Bright Dick Oneida Harold Molman Vince Ablerdi Terrell Sorenson

Dale L. Swenson

Jerry Rigby

Ted Diehl
John Rosholt
Roger Ling
John Keys
Jerry Gregg
Don Kramer
Mike Beus
Bob Burks
Russell Woolley
Van Greenwell

Billy Thompson Leonard M. Beck

REPRESENTING

Committee of Nine Committee of Nine

Attorney

Alt. Committee of Nine

Watermaster, Water District 01

Director, Idaho Department of Water Resources

Idaho Water Resource Board

Chairman, Idaho Water Resource Board

F.M.I.D. Attorney H.W.R.D.

A & B Irrigation District Milner Irrigation District Milner Irrigation District

AFRD #2

A & B Irrigation District Twin Falls Canal Company Falls Irrigation District North Side Canal Company

Attorney Attorney

Bureau of Reclamation (Boise)

Bureau of Reclamation
Twin Falls Canal Company
Bureau of Reclamation
North Side Canal Company
North Side Canal Company
Minidoka Irrigation District
Minidoka Irrigation District
Secretary, Committee of Nine

WATER DISTRICT 01 ANNUAL MEETING Elks Lodge, Idaho Falls March 1, 1994

9:00	Welcome - Committee of Nine - DeWitt Moss, Chairman
9:05	Idaho Rivers - Mitch Sanchotena and Charles Raya "How hard solution " Recommeds 4m A-l addo 0.25 mpl to velocity - "610m co. 25 fix - Need to turn Craig t
9:20	Farm Bureau - Snail Delisting - Tom Geary - Farm Bureau President Former Short & (47,000 Cost for law suit. No scientific and some for listing
9:35	Committee of Nine Report - De Witt Moss #10k spent out of 100k / mon working well Low suntaginst recovery plan is only course; #800K in Bank & 600K AS bugget -
10:00	Rureau of Reclamation Activities - John Keys
10:30	told more benefit use - wderspread - mitight - monton - get out of IDWR - Keith Higginson old long of the whing -
10:45	WUA - Sherl Chapman was good 57475 Ditcher workshops 16 Water Supply Outlook - Earl Corless
11:00	Water Supply Outlook - Earl Corless
11:20	Watermaster's Report - Ron Carlson
11:45	Lunch
1:00	 Call to Order A. Election of Meeting Chairman and Secretary B. Roll Call C. Reading of 1993 Annual Meeting Minutes D. Recess to Caucuses for Election of Committee of Nine Members (3 Lower Valley, 2 Protective Union, 4 from Snake River Districts) E. Reconvene Meeting: Appoint and Excuse Credentials Committee Read List of Elected Committee of Nine Members Accept Credentials Committee Report upon Return of Committee
1:40	Financial Reports A. District General Account 1. Treasurer - Claude Storer 2. Auditor - Rudd & Company/Chartered B. Water Bank Report - Dale Rockwood 522 5 1-7 Resolution Committee Report - Claude Storer
2:00	Resolution Committee Report - Claude Storer
2:30	Old Business New Business
3:00	Adjourn - Annual Meeting
3:15	Committee of Nine Organization Meeting
3:45	Adjourn

WATER DISTRICT 01 ANNUAL MEETING

Resolutions 1994

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

BE IT FURTHER RESOLVED that:

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

1994 WATER DISTRICT BUDGET

	1994 WATER DISTRICT BUDG	<u>ET</u>	
HYDROGRAPHERS			
Teton Basin	1,000 hrs. (+ mi.)	\$ 8,000	
Idaho Falls	800 hrs. (+ mi.)	4,500	
Lower Valley	400 hrs. (+ mi.)	6,000	
Henrys Fork	1,800 hrs. (inc. mi.)	17,000	
Teton River	520 hrs. (+ mi.)	4,500	
Telon River	320 ms. (+ mi.)	4,500	£40.000
DWWD DIDEDS			\$40,000
RIVER RIDERS			
Rigby & Heise Div.	1,200 hrs. (+ mi.)	\$ 6,500	
Blackfoot Division	600 hrs. (+ mi.)	3,000	
Swan Valley	480 hrs. (+ mi.)	5,500	
Upper Falls River	250 hrs. (+ mi.)	1,000	
Willow Creek	5 mth. @ \$550 (inc. mi.)	3,000	
Idaho Falls	6 mth. @ \$ (inc. mi.)	1,000	
Milner	12 mth. @ \$30 (inc. mi.)	360	
			\$ 20,360
PROGRAM EXPENSES			• 20,000
		\$ 15,000	
Automation Expansion Sutron			
		52,000	
Streamgaging		108,410	
U of I Studies		4,000	
			\$179,410
EQUIPMENT EXPENSES			
Furniture		\$ 1,000	
Computer		6,500	
PC's		3,000	
			\$10,500
PERSONNEL EXPENSE			410,000
Retirement		\$ 5,000	
Social Security		5,000	
Mileage		21,000	
State Insurance Fund		3,500	
Employment Insurance			•
Part-time Help		4,900	
Misc. Hydrographer Expense		500	
Treasurer		7,500	
			\$ 47,900
MISCELLANEOUS EXPENSE			¥,,
IWUA		\$ 1,000	
Otto Otter		500	
Postage		2,500	
Supplies, phone, copying		2,000	
Audit		5,500	
Meetings		1,200	
Legal Fees		10,500	
Committee of Nine	· **.	<u>10,000</u>	
-			\$ 33,200
WATERMASTER			
IDWR Contract		\$254,330	
Report		4,500	
Travel			
Travel		3,500	60/0 000
m . 14000 m! . " . ! . m . !			\$262,330
Total 1993 Distribution Budget			\$593,700
COMMITTEE OF NINE EXPENSE			
W.D. Consultants & Attorneys	- Resolution 14	\$200,000	
Excess Storage Use - Resolution		100,000	
5			
UPPER VALLEY			
Consultants & Atty Resolution	on 20	\$ 65,000	
Consultants & Atty Nosoluti		ψ 00,000	

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14. WHEREAS, the Committee of Nine 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 District for the following purposes:

- (1) Expenses of the District.
- (2) Improvements to the District's facilities, including a reasonable reserve for future improvements.
- (3) Educational projects designed to increase public awareness in the area of water distribution, water rights and water conservation.
- (4) Other public projects designed to assist in the adjudication, conservation or more efficient distribution of water.
- (5) For involvement in legislative and agency deliberations on issues involving water quantity and quality which could effect water users of the Water District including naming Water District 01 as a petitioner in legal actions involving the ESA and the negotiation of federal claims and tribal claims filed in the SRBA.
- (6) To reimburse Advisory Committee members in accordance with the policy attached hereto as Exhibit B.
- (7) Items authorized in Resolution No. 13.
- 15. BE IT HEREBY RESOLVED that in accordance with the provisions of the March 2, 1993 Memorandum of Understanding with IDWR, the watermaster is hereby designated manager of the Rental Pool for the Committee of Nine.
- 16. WHEREAS, the watermaster from time to time finds that storage has been used in excess of entitlements; and,

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

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

NOW THEREFORE BE IT RESOLVED, that the watermaster is authorized to maintain \$100,00 of the funds generated through the administrative charge on water rentals for the purpose of paying lessees for excess uses prior to these amounts being collected.

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED this first day of March 1994, that the watermaster hereby be authorized to assess canals located above Blackfoot (excluding Aberdeen-Springfield Canal Company) for legal fees and other appropriate expenses associated with representing the collective interest of the Upper Valley.

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

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

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

WATER DISTRICT 01 RENTAL POOL PROCEDURES

8.2 The rental price for 1994 shall be \$2.95 per acre foot, including the District administrative charge of \$0.75 per acre foot and the Water Board surcharge of \$0.20 per acre foot, for water diverted for uses above Milner Dam. The 1994 rental price for water delivered below Milner Dam shall be \$7.95 per acre foot, which includes the District administrative charge of \$0.75 per acre foot and the Board surcharge of \$0.20 per acre foot. Two dollars of the \$7.95 shall be retained by the District and distributed in the following year to the lessor if the reservoir space rented for uses below Milner does not fill. The additional \$2.00 paid by the lessee shall be returned to the lessee for each acre foot of space that fills in the following year. No interest will accrue to the lessor or lessee on the \$2.00 held by the District for water rentals below Milner.

Any storage space holder who puts water in the Rental Pool for lease and then subsequently removes all or part of the water from the Rental Pool shall be charged a \$0.75 per acre foot administrative charge by the District for the water withdrawn.

1 5 year 200 /m 5.95 200 em

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

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

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

WATER DISTRICT 01 RENTAL POOL PROCEDURES

8.2 The rental price for 1994 shall be \$2.95 per acre foot, including the District administrative charge of \$0.75 per acre foot and the Water Board surcharge of \$0.20 per acre foot, for water diverted for uses above Milner Dam. The 1994 rental price for water delivered below Milner Dam shall be \$8.90 per acre foot, which includes the District administrative charge of \$0.75 per acre foot and the Board surcharge of \$0.20 per acre foot. Two dollars and ninety five cents of the \$8.90 shall be retained by the District and distributed in the following year to the lessor, the District and the Water Resource Board as provided above if the reservoir space rented for uses below Milner does not fill. The additional \$2.95 paid by the lessee shall be returned to the lessee for each acre foot of space that fills in the following year. Interest will accrue to the lessor or lessee on the \$2.95 held by the District for water rentals below Milner.

Any storage space holder who puts water in the Rental Pool for lease and then subsequently removes all or part of the water from the Rental Pool shall be charged a \$0.75 per acre foot administrative charge by the District for the water withdrawn.

WHEREAS, water rights in Idaho represent valuable real property rights, and

WHEREAS, any restriction on the transfer of water rights other than those already contained in the Idaho statutes designed to protect third parties from the adverse effects of specific water right changes, and

WHEREAS, legislation has been proposed by Idaho Legislators that is intended to prevent water right holders from transferring their water rights from lands that have been set aside in the federal Conservation Reserve Program (CRP), and

WHEREAS, in addition to the fact that this legislation would effectively eliminate the small amount of flexibility that remains due to the establishment of moratoriums on further appropriation of water, this legislation is tantamount to a government taking without compensation.

NOW, THEREFORE, BE IT RESOLVED by the Committee of Nine meeting this 15th day of February, 1994, that the Committee of Nine is in opposition of HB 658 and by resolution of the Committee encourages the Idaho State Legislators to VOTE NO if asked to vote on this proposal.

Signed this 15th day of February, 1994, in Burley, Idaho.

DEWITT MOSS, Chairman LEONARD BECK, Secretary

WHEREAS, the State of Idaho has commenced the general adjudication of the Snake River Basin in Idaho in an effort to quantify all water rights, both state and federal, and

WHEREAS, the United States has not paid its share of the costs for this adjudication, and

WHEREAS, all other water users, including state and private interest, have paid the statutory filing fees associated with filing their claims in the SRBA, and

WHEREAS, the state has already spent millions of dollars in preparing recommendations for water rights in Basins 34, 36, and 57, and has other basins partially completed, and

WHEREAS, the completion of this adjudication and the resolution of all federal claims has to be a high priority for this state.

NOW, THEREFORE, BE IT RESOLVED by the water users meeting in regular annual session this 1st day of March, 1994, that the Idaho State Legislature be encouraged to commit sufficient state funds to complete the adjudication of all state and federal rights that exist in the Snake River Basin in Idaho.

Chairman	
Secretary	
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WHEREAS, the Upper Snake River Basin along with most of the northwest has experienced drought conditions for most of the past eight years, and

WHEREAS, reduced water supplies on the Upper Snake have resulted in heavier demands for stored water, declining ground water levels, and lower flows from the north side springs between Milner and King Hill, and

WHEREAS, the aquifer is being impacted because of actions irrigators have taken over many years to reduce their demand for water which has resulted in lower recharge to the aquifer from agricultural practices, and

WHEREAS, it is in the interest of Idaho to manage the Snake Plain Aquifer and establish a system that would allow water to be diverted to recharge the Snake Plain Aquifer.

NOW, THEREFORE, BE IT RESOLVED by Water District 01 meeting this 1st day of March, 1994, that the Legislature of the State of Idaho be encouraged to enact legislation that will provide the mechanism for the effective management of the Snake Plain Aquifer through artificial recharge.

Chairman		
Secretary	 	·····
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WHEREAS, the Bureau of Reclamation has played a vital role in the economies of the west through the construction and operation of Federal Reclamation projects, and

WHEREAS, all of the Federal Reclamation projects that have been constructed in the west have been accomplished under the state water laws of the reclamation states, and

WHEREAS, state sovereignty over water is rooted in the constitutions of the various states, and

WHEREAS, Secretary of Interior, Bruce Babbitt and Commissioner of Reclamation are in the process of "re-inventing the Bureau of Reclamation," and

WHEREAS, "Resource Management" defined as "directing water and land resource uses and <u>allocations</u> (emphasis added) to meet present and future public needs," is at the top of the Bureau's organizational list of priorities, and

WHEREAS, water management and allocation has been effectively handled by the State of Idaho since the state constitution was adopted and approved by the U.S. Congress.

NOW, THEREFORE, BE IT RESOLVED by the water users of Water District 01 meeting in regular annual session this 1st day of March, 1994, that the Secretary of Interior and Commissioner of Reclamation be asked to reconsider their decision to abandon the traditional role of the bureau of Reclamation, a role that has provided enormous benefits to everyone living in the west, not just irrigators, for a role that would undoubtedly deprive the states of important resources while pitting the Bureau of Reclamation against those who have the constitutional charge of managing and allocating the water resources of the states.

Singed at Idaho Falls, Idaho, this 1st day of March, 1994.

Chairman	 	
Secretary	 	

RESOLUTION Met augmented

WHEREAS, the Bureau of Reclamation, the Salmon Water Supply Committee, Northwest Power Planning Council and others who are attempting to acquire water for the purpose of "flushing" salmon smolts by sending water downstream to meet the target flows set by the PNWPPC at Lower Granite and The Dalles are collectively wasting millions of taxpayer and ratepayer dollars on a task that is physically impossible to accomplish even if irrigated agriculture in southeastern Idaho were abandoned, and

WHEREAS, it appears to be impossible to communicate the fact that all of the water that originates as precipitation on the watersheds of the Upper Snake currently all flows downstream, except for the small percentage that is consumptively used by growing plants, and

WHEREAS, the amount of water these groups are attempting to acquire continues to grow unchecked each year and ultimately will result in the devastation of irrigated agriculture and will not materially benefit any of the listed salmon stocks, and

WHEREAS, there appears to be no willingness to work within the parameters of hydrologic reality by reducing the demand for fish flush water to critical years and specific circumstances.

NOW, THEREFORE, BE IT RESOLVED by Water District 01 meeting this 1st day of March, 1994, that no stored water be rented or otherwise acquired for uses below Milner Dam until those involved in the salmon recovery program develop a credible augmentation program that does not require annual releases from the Upper Snake and establishes realistic criteria for releases that accepts the fact that water supplies are finite and that any augmentation plan can only make releases of water at the expense of future water supplies.

Adopted this 1st day of March, 1994, by Water District 01 while meeting in regular annual session.

Chairman		
Secretary	 	

WATER DISTRICT NO. 1

RENTAL POOL PROCEDURES

RULE 1. AUTHORITY AND STATEMENT OF PURPOSE.

- 1.1. These procedures have been adopted by the Committee of Nine pursuant to Section 42-1765, Idaho Code, to assure the orderly operation of the Water District 1 Rental Pool by the Committee of Nine of Water District 1. Under no circumstances shall these procedures be interpreted or construed to limit the authority of the Director of the Department of Water Resources, the Water Resource Board, the Committee of Nine, or the Snake River Watermaster in discharging their duties as set forth in the statutes of the State of Idaho and rules and the regulations promulgated thereto.
- 1.2. It is the purpose of these procedures to:
 - A. Provide the procedures by which the Committee of Nine, upon being appointed a local Committee by the Water Resource Board, shall facilitate the rental of stored water made available to the Committee for that purpose.
 - B. Provide the process, consistent with the Idaho Code and rules of the Idaho Water Resource Board, by which stored water supplies may be made available, for a specified period of time for a particular beneficial use, to water users who need additional water.
 - C. Provide incentives for those owning reservoir space and having stored water which may be, from time to time, surplus to their needs, to make such space and water accruing thereto, available to the Rental Pool for other users and uses. In no case will water from the Rental Pool be used to maintain minimum flows greater than those established pursuant to state law.
 - D. Provide a recognized system through which stored water supplies may be located, identified, advertised, and subsequently leased and rented for specific times, purposes, and uses.
 - E. Provide payment to Water District 1 for services rendered in the operation of the Rental Pool; to use said revenue to make improvements in distribution facilities; to aid in

improving efficiency in the distribution of water within Water District 1; comply with the local public interest; and is consistent with the conservation of water resources within the State of Idaho.

1.3. Available water supplies may be leased to the Rental Pool by the lessor and rented from the Rental Pool by the Committee for any beneficial purpose recognized by the laws of the State of Idaho, provided other water rights are not injured, or irrigators are not deprived of supplemental storage by renting water for uses other than irrigation.

RULE 2. DEFINITIONS.

- 2.1. ACRE-FOOT a volume of water sufficient to cover one acreof land one foot deep and is equal to 43,560 cubic feet.
- 2.2. ANNUAL refers to the period between annual meetings of Water District 1, and normally will be a period starting the first Tuesday in March and ending on the first Monday of March of the succeeding year.
- 2.3. BANK means the Water Supply Bank of Water District 1, as operated by the Committee of Nine as a designated local Committee.
- 2.4. BOARD means the Idaho Water Resource Board.
- 2.5. **BUREAU** means the Bureau of Reclamation, Department of the Interior, United States of America, sometimes known as the BOR.
- 2.6. **COMMITTEE** means the Committee of Nine as appointed by the water users of Water District 1.
- 2.7. **DEPARTMENT** means the Idaho Department of Water Resources or IDWR.
- 2.8. **DIRECTOR** means the Director of the IDWR.
- 2.9. **DISTRICT** means Snake River Water District 1 of the State of Idaho.
- 2.10. LATE SEASON RENTAL means water rented from the Rental Pool for release for non-irrigation beneficial uses after October 31 of one calendar year and before June 15 of the following year.

- 2.11. LEASE a written contract by which a storage water right accruing to a specified storage by a consenting contract holder, is made available to the Committee for rental from the Rental Pool.
- 2.12. LESSEE means any person renting water or space from the Rental Pool.
- 2.13. LESSOR is any person leasing space or water to the Rental Pool.
- 2.14. MILNER means Milner Dam or the lowest diversion in Water District 1.
- 2.15. **PERSON** means any individual, corporation, partnership, irrigation district, canal company, or other political subdivision or governmental agency.
- 2.16. LONG-TERM LEASE means a contract with the Committee for an improved priority within a given priority category to rent water from space leased to the Rental Pool in future years.
- 2.17. RENT or RENTAL means a written storage contract for the exclusive use of stored water leased to the Committee for a determinate period for a specified price.
- 2.18. **RENTER** means the person renting water from the Committee or the lessee.
- 2.19. **RENTAL POOL** refers to the water bank activities administered by a local Committee appointed by the Water Resources Board.
- 2.20. RENTAL POOL COMMITTEE A sub-committee appointed by the Committee of Nine composed of the Water District 1 Watermaster, superintendent of the Minidoka Project of the Bureau, and three members of the Committee of Nine.
- 2.21. **SPACE** means all or any portion of the active impoundment volume of a reservoir measured in acre-feet.
- 2.22. **STORAGE** means the portion of the available space that is storing water.
- 2.23. WATERMASTER means the Watermaster of Water District 1.
- 2.24. PAID-OUT means the cost of construction under a space holder's contract with the Bureau has been paid in full, or

for other reasons there are no remaining obligations to comply with the reporting requirements of the <u>Reclamation Reform Act</u> (RRA) of 1982.

RULE 3. GENERAL PROCEDURES.

- 3.1. It is the policy of the water users of Water District 1 and the Committee to operate the Rental Pool under the priorities here-in-after stated for the maximum beneficial use of available water supplies.
- 3.2. A primary purpose in the operation of the Rental Pool will be to benefit the agricultural water users within Water District 1. These procedures are designed to assure that stored water leased to the Rental Pool from federal and other private reservoirs within Water District 1 is rented, or otherwise allocated, in a manner that protects other water rights and assures that water is first made available to meet the irrigation requirements of irrigation water users within Water District 1 before other uses are considered.
- 3.3. The operation of the Rental Pool shall in no way recognize any obligation to maintain flows below Milner Dam or to assure the minimum stream flows established at the USGS gaging station on the Snake River near Murphy unless specific arrangements to do so are made under these procedures.
- 3.4. The operation of the Rental Pool shall be consistent with the statutes creating the Water Supply Bank, the rules and regulations of the Board, and the provisions of the space holder's contracts with the United States.
- 3.5. Storage water is accepted by, or leased to, the Rental Pool on a contingency basis. Payments to the lessor will be made to the extent rental monies are received by Water District 1 in trust for the Committee pursuant to these rules.
- 3.6. The space of storage water leased to the Rental Pool that is rented for uses below Milner shall be the last space to fill in the ensuing year.
- 3.7. No storage water leased to the Rental Pool shall be rented for uses below Milner without the express written consent of the lessor.
- 3.8. It is the policy of the Committee of Nine, in operating the Rental Pool to facilitate annual leases and rentals, to base

all transactions on water stored (storage) rather than reservoir space.

- 3.9. Any Lessor, Lessee, or Applicant aggrieved by a decision of the Rental Pool Committee on matters related to the operations of the Rental Pool may request a hearing before the Committee of Nine within fifteen (15) days after receiving notice in writing of the decision. After hearing the grievance and after review by the Committee of Nine, a decision will be made by the Committee of Nine in writing, setting forth the reasons for its decision, and said review decision must be signed by a majority of the Committee of Nine. The decision of the Committee of Nine may be appealed to the Board.
- 3.10. All leases of stored water within Water District 1, unless the associated change in point of diversion and place of use is being initiated through the statutory transfer process, (with the exception of other approved water rental pools within the District and, specifically, those exclusions applying to the Shoshone-Bannock Indian tribes) shall be transacted through the Water District 1 Rental Pool, unless the transaction is an internal rental within the distribution system of a contracting entity.

RULE 4. MANAGEMENT.

- 4.1. The Rental Pool shall be operated pursuant to Idaho Code, Section 42-1761 to 42-1766 with all policies being established through the approval of the Committee of Nine.
- 4.2. A sub-committee composed of the Watermaster, the superintendent of the BOR's Minidoka Project, and three members of the Committee of Nine appointed by the chairman shall have the following general responsibilities:
 - A. To determine general polices regarding annual storage leases which may not be covered by the adopted procedures of the Committee of Nine.
 - B. To assist the Watermaster in the allocation of water from the Rental Pool when conflicts arise.
 - C. To advise the Committee of Nine on water banking activities.
 - D. To set policies for the disbursement of funds generated by the Rental Pool.

4.3. The Watermaster shall act as the manager of the Rental Pool. His authority shall include accepting water or space into the Rental Pool, executing rental agreements on behalf of the Committee of Nine, disbursing and investing funds generated through the rental of stored water, and distribution of water supplies from the Rental Pool. All funds invested shall be considered public funds for investment purposes pursuant to the Public Depository Law, Chapter 1, Title 57, Idaho Code.

RULE 5. LEASES.

- 5.1. Any person who owns or controls space or storage in a reservoir located in Water District 1 may seek to lease any portion of his space or accrued storage to the Rental Pool.
- 5.2. Leases of space and water accruing therein will be identified by reservoir. If no designation is made by a lessor holding space in more than one reservoir, it shall be understood that American Falls space will be designated before Jackson space and Jackson space will be designated before Palisades space.
- 5.3. Storage leases are subject to the approval of the Rental Pool Committee. Reservoir space submitted for lease to the Rental Pool may be rejected in whole, or in part, by the Rental Pool Committee or they may place special conditions on usage, allocation, and price, if, in the judgment of the Committee, accepting said water will not be in the best interest of the Rental Pool or the water users of Water District 1.
- 5.4. Leases of storage to the Committee shall be on a priority basis as set forth in Rule 6.
- 5.5. Leases of storage to the Committee shall be in writing on forms provided by the Watermaster and shall bear the date they were received in the Watermaster's office in Idaho Falls.
- 5.6. Leases of reservoir space may be made for periods of up to twenty (20) years. Any space leased for periods in excess of two (2) years shall be subject to Rule 9 of these procedures.
- 5.7. All space leased to the Committee shall be under the control of the Watermaster and the Rental Pool Committee for the duration of the lease.
- 5.8. Any lease executed by the Committee at the direction of the Director or the Board, cannot be for a rental charge less than

that charged by the local Committee in any year of said lease.

- 5.9. The lessor (contract holder) is responsible for paying lessor's continuing obligations to the Bureau of Reclamation for construction or annual operation and maintenance.
- 5.10. Subject to the provisions of paragraph 7.5 and 7.6, any lease of space or storage leased to the Rental Pool, or any portion thereof, which has not been rented by the Committee prior to November 1, of that year, shall be terminated, the lease of the space to the Rental Pool shall be null and void, and the storage water not rented shall be returned to the credit of the lessor.

RULE 6. LESSOR PRIORITIES.

- 6.1. Any person holding space in a federal or private reservoir who leases storage to the Rental Pool for annual rental prior to June 1 of any year shall share proportionally with other lessors leasing storage to the Rental Pool prior to that date. Long-term leases shall be considered to be in this time frame.
- 6.2. Any person holding space in a federal or private reservoir who leases storage to the Rental Pool for annual rental after June 1 and before July 1 of any year shall share proportionally with other lessors leasing storage to the Rental Pool within this time frame.
- 6.3. Any person holding space in a federal or private reservoir who leases storage to the Rental Pool for annual rental after July 1 of any year shall receive his share of the proceeds for the rental of all or part of the water rented which was made available after July 1 of that year on a "first come" basis, after water from space leased prior to July 1 has been rented.
- 6.4. All storage leased to the Rental Pool before June 1 of any year will be rented before any storage leased after June 1 is rented. All storage leased to the Rental Pool after June 1 and before July 1 will be rented before any storage leased after July 1 is rented.
- 6.5. Whenever a request to lease storage to the Rental Pool is made for an annual lease it will be assumed that it is the intention of the lessor to assign sufficient space to yield the designated amount of storage.
- 6.6. If a spaceholder should choose to lease all of his space to RENTAL POOL PROCEDURES Page 7

the Rental Pool, the "yield" of that space shall be determined by the watermaster after calculating the percentage of fill of that leased space in that particular reservoir, minus evaporation, and any fill restrictions associated with restrictions arising from Rule 3.6 of these procedures.

RULE 7. LESSEE PRIORITIES.

- 7.1. Any storage available through the Rental Pool prior to June 1 for annual use shall be rented prior to June 1 on a priority basis as hereinafter provided. Any storage available after June 1 and before July 1 for annual use shall be rented prior to July 1 on a priority basis as hereinafter provided. The priority within each priority group hereinafter provided within the above time frames and after July 1 shall be determined by the date of the lessees rental agreement and upon payment in the office of the watermaster within the above time frames.
 - A. The first priority in renting water from the Committee shall be given to those lessees owning space in any of the Bureau's federal storage reservoirs in the District for storage prior to 1979, used for irrigation of lands in the district, for use on said lands, and lessees eligible for mitigation under the 1990 For Hall Indian Water Rights Agreement and who are stockholders in the Mitigation Corporation that has contracted with the BOR for mitigation water, and only to the extent mitigation water is unavailable through sources made available through the Mitigation Corporation.
 - B. The second priority in renting water from the Rental Pool shall be given to lessees for other irrigation uses above Milner, with preference going to lands for which storage was rented prior to 1992.
 - C. The third priority in acquiring stored water from the Rental Pool shall be given to other beneficial uses in the order in which their requests are received.
- 7.2. Priority among each priority class listed above shall be determined by the date on which the water user's contract and payment is received at the office of the Watermaster in Idaho Falls; the earlier in the year the executed lease is received by the Watermaster, the higher the priority in the priority group the entity will receive. Long-term leases shall be in the priorities outlined in Rule 7.1, as initiated in Rule 9.4.

The first lessee who has entered into a long-term rental agreement and has rented storage water prior to 1992, shall have the earliest priority for Rental Pool supplies within his priority class. All subsequent long-term rental agreements shall have the same relative priorities in their appropriate priority group as their rental agreement does to other long-term rental agreements in the same priority group.

- 7.3. Any person having initiated an annual contract for stored water may request water in subsequent years by confirming, in writing, that all of the information on the original rental agreement is true and correct, and by identifying the amount of water he wishes to rent. The priority, in this case, will be the date on which payment is received by the Watermaster.
- 7.4. Space leased to the Rental Pool for more than one year from reservoirs with paid-out federal contracts shall be first reserved for allocation for irrigation purposes. Any person renting water from such space for irrigation shall be subject all applicable water laws of the State of Idaho but shall not as a result be subject to the Federal Reclamation Reform Act of 1982 If sufficient space is not available in (RRA). reservoirs and stored water is rented from a paid-out reservoir with remaining federal repayment contracts, then anyone renting such water may be responsible for compliance with the limitations and reporting requirements of the RRA should the Bureau of Reclamation determine RRA compliance is required.
- 7.5. The Watermaster will use his best efforts to assure that unauthorized diversions of water do not occur. In the case unauthorized diversions do occur, any water diverted within Water District 1 will be charged by the Watermaster as storage Any such unauthorized use of water shall be replaced from available water bank supplies at a cost to the user equal the established water bank price plus an additional seventy-five cents (\$.75) to cover increased administrative The administrative costs may be waived by Watermaster if, in his judgment, such unauthorized resulted from measurement or accounting errors. If there is insufficient storage available in the Rental Pool during the current year, then the obligation of the renter to rent water to replace the stored water used without authorization shall continue to the following year.
- 7.6. Water rented and unused for irrigation purposes may be leased to the Rental Pool by September 1, for rental by the Rental Pool under the same conditions that said water was originally

leased to the Rental Pool. Any proceeds from the re-rent of said water by the Rental Pool shall be refunded to the original renter of said water in the same proportion the rental proceeds are remitted to other lessors of water to the Rental Pool. Water rented from the Rental Pool and not rented by the end of the irrigation season or by March 15 of the following year for non-agricultural uses shall be returned to the lessor or lessors as carry over storage of lessors, and all rights to said water leased from the Rental Pool by the renter shall be deemed to be terminated, except that, renters who own reservoir space may carry over water rented from the Rental Pool in their space for use the following year, unless lost through the subsequent filling of that space.

7.7. No water may be rented after November 1 of each year without the lessor's approval.

RULE 8. LEASE PAYMENTS AND WATER COSTS.

- 8.1. The lease price of the storage rented from the Rental Pool shall be set by the Committee of Nine each year.
- 8.2. The rental price for 1994 shall be \$2.95 per acre foot, including the District administrative charge of \$0.75 per acre foot and the Water Board surcharge of \$0.20 per acre foot, for water diverted for uses above Milner Dam. The 1994 rental price for water delivered below Milner Dam shall be \$7.95 per acre foot, which includes the District administrative charge of \$0.75 per acre foot and the Board surcharge of \$0.20 per acre foot. Two dollars of the \$7.95 shall be retained by the District and distributed in the following year to the lessor if the reservoir space rented for uses below Milner does not fill. The additional \$2.00 paid by the lessee shall be returned to the lessee for each acre foot of space that fills in the following year. No interest will accrue to the lessor or lessee on the \$2.00 held by the District for water rentals below Milner.
 - Any storage space holder who puts water in the rental pool for lease and then subsequently removes all or part of the water from the rental pool shall be charged a \$0.75 per acre foot administrative charge by the District for the water withdrawn.
- 8.3. Lease payments to the lessors shall be made in accordance with the priorities of Rule 6 and shall be based upon the annual report of the Snake River Watermaster. Payments to the lessors shall be considered due and payable once the

Watermaster has calculated the actual water used within Water District 1 for the annual Watermaster's report and the rental payments have been received.

- 8.4. The Rental Pool Committee may authorize the Watermaster to make timely partial payments to the lessors based upon provisional data when, in the judgment of the Rental Pool Committee, such partial payments can be made with reasonable certainty.
- 8.5. All rental monies not paid to lessor's under Rule 8.4 above shall be maintained in a separate interest-bearing account with accrued interest being distributed on a pro-rata basis at the time that final payments are made. The Water District shall be entitled to use all rental funds on an as needed basis provided the accrual of interest due suppliers is not affected. Payments for water rented from the Rental Pool and distributed after October 31 shall be computed on a pro-rata basis for all unrestricted water supplied pursuant to the priorities in Rule 6.

RULE 9. LONG-TERM RENTAL AGREEMENTS.

- 9.1. The Committee of Nine may arrange rentals of storage space for periods not to exceed twenty (20) years. Such long-term rentals will be negotiated on a case-by-case basis and may be supplied from anticipated future annual space/water leases to the Rental Pool or from specific long-term space assignments, or a combination of the two.
- 9.2. Contracts for long-term rentals shall be subject to the provisions of the Rule 6 and 7, unless different provisions are specified in the rental agreement. Long-term rental agreements in excess of five (5) years shall only become effective upon final approval of the lease agreement by the Board.
- 9.3. Any contract for a Long-term Rental Agreement shall contain the following information:
 - A. Name and address of renter.
 - B. Amount of storage space obligated.
 - C. The rental price.
 - D. The legal description of the point of diversion and place of use.

- E. The duration of the rental agreement.
- F. The understanding of responsibilities and exposure if reservoir space does not fill at some time during the term of the rental agreement.
- G. The beneficial use to be achieved through the delivery of water from the rented space.
- 9.4. A long-term rental agreement will be initiated by submitting an application on forms provided by the Watermaster to the Watermaster's office in Idaho Falls. Upon approval of the request by the Committee of Nine, the Watermaster shall initiate the rental upon receipt of the first year's rental payment. Each successive year the scheduled payment shall be due on the date specified in the rental agreement. Failure of the renter to meet any payment shall void the rental agreement and any subsequent rental by that renter shall be under the last priority provided by Rule 7.
- 9.5. For the purposes of Rule 7, the date of the agreement shall be the date the application is received by the Watermaster.

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

- Deliver and account for distribution of natural flow and stored water a) within the District.
- Provide assistance to the Committee of Nine in operating the local b) 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 disbursals of rental pool money.
- Prepare reports and proposed budgets as required by Title 42, Idaho c) Code.
- Provide technical assistance and information to the Committee of Nine d) 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.
- 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.
- This memorandum of understanding supersedes and replaces the memorandum of understanding dated March 3-4,1979.
- 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.

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R. KEITH H	IGGINSON

Department of Water Resources

Chairman

Committee of Nine/Water District No. 1

Date: 3/10/93

COMMITTEE OF NINE

MEETING REIMBURSEMENT RULES

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

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COMMITTEE OF NINE

MEETING REIMBURSEMENT

DATE AND PLACE OF MEETING:	
PURPOSE OF MEETING:	
OFFICIAL POSITION:	
PER DIEM	\$ <u>30.00</u>
PERSONAL CAR USAGE MILES (at 28 cents per mile)	
MEALS	\$
	\$
AIR FARE	\$
	\$
MISCELLANEOUS (Parking, tips, cab, etc.)	\$
TOTAL(Attach all available recei	pts)
	*
	Committee Member (Signature)
APPROVED:	
Chairman, Committee of Nine	
AMOUNT REIMBURSED	
Bookkeeper's	Initials Check #

ANNUAL MEETING MINUTES

Committee of Nine March 2, 1993 - 9:00 a.m. Idaho Falls

Chairman, DeWitt Moss, called the meeting to order at 9:02 a.m. He welcomed those attending and acknowledged John Keys and John Dooley from the Bureau, Sherl Chapman and Ed Clark from the Idaho Water Users, Norm Young from the Idaho Department of Water Resources, and Dave, Rydalch, Chairman, Idaho Water Resource Board.

Mr. Young was first to address the assembled group. He talked of the excellent working relationship between the IDWR and Water District No. 1. Good management and progressive people with open minds has been the key to this. He mentioned the need for reviewing the past Memo of Understanding the Department has with the District. This review and the necessary revisions to keep up with the changes of the past 12-15 years has been completed and will be discussed later. Norm then mentioned the outcome of the lawsuit filed by Twin Falls Canal and the North Side Canal Companies. This settlement called for a continuation of the moratorium on well drilling above Weiser, excepting domestic wells, 10,000 A.F. yearly cap on future consumptive development, and a three-year study to determine the correlation between the Aquifer and ground and surface diversions. Three areas of the adjudication have been finalized and the deadlines for any objections is near. The court case determining whether federal agencies are required to pay adjudication fees is now before the U.S. Supreme Court with arguments scheduled for March 29, 1993. Clive Strong is the attorney for the State of Idaho.

John Keys, Regional Director - Bureau of Reclamation:

Endangered Species Act was the start of John's remarks. Competition is now building for the use of water between the snails and the salmon by the fact they require different amounts of water and at different times. He urged for cooperation in finding Upper Snake River water to assist the flushing of salmon smolts. He further mentioned the Bureau had looked at 400 previously recommended water storage facilities and has narrowed those choices to 12 with the idea of evaluating new structures to store water for the salmon. He stated that any water purchased for the fish flush would serve five needs: power generation, in-stream flow, water quality in the Thousand Springs area, recreation, and fish flush. The Bureau is actively pursuing the purchase of space via long term lease option buying to aid in the fish flush proposals. He further stated that this space would not fall under the last to fill rule of the Water Bank pending state approvals. John then answered questions from the audience on varying subjects but centering around where the extra water would be coming from and is it being used for the best need.

John Dooley - Bureau of Reclamation:

The extended six year drought is not over by any means was the center point of John's presentation. The system is 43 percent full and is approximately 1,000,000 A.F behind last year's storage at this date. Dates he encouraged all canal companies and districts to plan for were releases no sooner than April 1, 1993, with diversions no sooner than April 15, 1993. The remainder of his comments dealt with budget items, updates on power plants, lining of banks of American Falls Reservoir, and water spreading.

Earl Corless - Bureau of Reclamation:

1992 was the first year on record at Milner that water demands exceeded natural flow rights in every month of the irrigation season was Earl's opening comment. He continued by showing slides and graphs depicting the continuation of below-normal precipitation and snow accumulation. Some areas are even behind last year at this time.

Sherl Chapman, Executive Director - Idaho Water Users Association:

Salmon issue - Sherl mentioned the ongoing lawsuits to force Idaho water releases for flow augmentation. A bright spot was the formation of a number of concerned Idaho interests to join together to present a voice against these lawsuits. A large amount of his time is spent in attending forums and meetings to reinforce our position and needs as irrigators. Excess water is not being hoarded in Idaho nor is any water being wasted, but is effectively and beneficially being put to use. Also, he stated that, like many others, we feel more water is not the answer to improving salmon smolt migrations. As John Keys stated earlier, there is a growing direct conflict between the needs of the snails and the needs of the salmon.

Water training seminars will be held during the week of March 15-18 at different locations in Southern and Eastern Idaho. Sherl further commented about the salmon recovery team, which is chaired by Don Blevins. Many times, valuable time is lost because of the misinformation that is presented in the different meetings and he encouraged us to disseminate accurate information to the public through the many different organizations which we represent. Concerning legislative issues, he stated that there are many bills before this session of Idaho's Congress dealing with taxation measures and encouraged us to contact our Legislators. Another bill that is being presented has to do with canal companies and districts that deal with subdivisions and the problems that they can create and how these districts and companies can cope with the financial burdens this creates.

Sherl continued by stating Legislative Bills 118, 119, and 120 have language for penalties for ground water pumpers who pump more than their licensed amounts. H.B. 280 allows irrigation companies or districts to go to lending institutions for money on small projects instead of the bonding route. H.B. 322 pertains to regulatory commissions' taking of specific rights, lands, and water without assessed value being compensated. Sherl finalized by talking of the present tax proposals by the Governor and how that would affect

a 550 acre farm under normal conditions. That farm family would receive \$900.00 in tax relief, but an additional \$3,300.00 in new assessed taxes.

Water District No. 1 Meeting:

Dale Rockwood nominated DeWitt Moss to be acting Chairman for the annual meeting. Claude Storer seconded.

Paul Berggren moved nominations cease. Ed Clark seconded. DeWitt was elected by acclamation.

Paul Berggren nominated Leonard Beck to serve as acting Secretary for the annual meeting. Claude Storer seconded.

Dale Rockwood moved nominations cease. John Rosholt seconded. Leonard was elected by acclamation.

Lyle Swank conducted the roll call by companies and districts present.

Claude Lilya moved to accept last year's Minutes and to dispense the reading of them. Glen Davis seconded. Motion passed.

Ron Carlson called for a recess for the purpose of caucus meetings to elect members to serve on the Committee of Nine and the Credentials Committee, if needed.

Upon reconvening the general meeting, Dick Oneida moved that those nominated to the Committee of Nine be approved. Bill McManus seconded. Motion carried without dissent. The full names of those approved are DeWitt Moss, Claude Storer, Dale Rockwood, Dell Raybould, Claude Lilya, Paul Berggren, Wayne Lincoln, James Siddoway, and Dan Stapleman.

Claude Storer - Water Bank:

Thus far in 1993, City of Pocatello has submitted 50,000 A.F of space with no water accruing to that space.

Mr. Storer stated that the District stayed well within the approved budget.

Brad Cannon - Auditor:

An audit has been completed as of October 31, 1992, and he stated that the District was in good financial shape and all accounting procedures examined during the period of the audit were done in an appropriate and businesslike manner.

Dell Raybould moved to accept the Treasurer and the Auditor's report. Dale Rockwood seconded. Motion passed without dissent.

Ron Carlson - Watermaster Report:

In 1992, the system at peak was 77 percent full. Because of this amount in storage, 1992 was the first year that the water assigned to the Water Bank did not meet the requests for water. Plans were formulated on how to handle what was expected to be the driest year on record. Diversions peaked in the space of about two weeks in early April. Efficient management, coupled with weather changes, permitted irrigation to continue throughout the irrigation year, even though projections were for an empty reservoir system by September 1, 1992. Slides and graphs on water recharge were presented to show the comparison of peak spring flows of 1953 with the decline of those flows at the present time. With this concern and the other interests relating to Idaho water, efficient management and cooperation are a necessity for water operations to continue in the future.

DeWitt Moss, Chairman - Committee of Nine Report:

Mr. Moss expressed appreciation to all who helped in the successful completion of the past irrigation season. He voiced concerns in the coming years in regards to water quality and quantity, endangered species, and the Clean Water Act. Among accomplishments of the Committee of Nine was Senate Bill 1450 passage and implementation, rewriting of current Water District No. 1 Resolutions, Memo of Understanding, (MOU) between IDWR and Water District No. 1, and compliance with the State Auditor's report.

In the spring of 1992, the Bureau had requested assistance in the amount of 100,000 A.F to help in the fish flush. With the continuation of the drought, only 4,100 A.F was supplied to the Water Bank and that went to irrigation purposes. New rates for the leasing of water go into effect this year if approved by the IWRB. Ag use above Milner \$2.95. \$2.00 to lessor, \$.75 administration fee Water District No. 1, \$.20 surcharge to Idaho Water Resource Board. Use below Milner will pay an additional \$6.05 of which \$.55 will go to the Idaho Water Resource Board, \$5.50 to the lessor. Past disputes regarding the water rentals have been resolved. This generated the need to establish a fund to handle such disputes in a more timely manner in the future. Environmental concerns have and will continue to provide the present administration with the goal of reallocating water use in government projects, especially in the West, DeWitt projected. He finished by encouraging all to be active in our water concerns and to be united in those efforts.

Don Hale moved to accept the Committee of Nine Report. Chuck Coiner seconded. Motion passed without dissent.

Lunch break 12:00-1:00 p.m. Buffet served \$6.50.

Chairman Moss reconvened the meeting at 1:05 p.m. John Dooley clarified a misunderstanding regarding assessments for 1993. Overall, O.M. average will be \$.22/A.F.

The Resolutions were then presented and voted on in the following manner:

Resolution Nos. 1, 2, and 3, Dan Stapleman moved to accept, Paul Berggren seconded. Motion passed.

Resolution No. 4 Louis Teal moved to accept, Paul Berggren seconded. Motion passed.

Resolution No. 5 Paul Berggren moved to accept, Louis Teal seconded. Motion passed.

Resolution No. 6 Stan Clark moved to accept, Clyde Beck seconded. Motion passed.

Resolution Nos. 8 and 9 Claude Lilya moved to accept, Dale Rockwood seconded, Motion passed.

Resolution No. 10 Dick Oneida moved to accept, Gary Rhodes seconded. Motion passed.

Resolution Nos. 11 and 12 Dell Raybould moved to accept, Louis Teal seconded. Motion passed.

Resolution No. 13 Dale Rockwood moved to accept, Dan Stapleman seconded. Motion passed.

Resolution Nos. 14 and 15 Dan Stapleman moved to accept, Dick Oneida seconded. Motion passed.

Resolution No. 16 Paul Berggren moved to accept, Keith Esplin seconded. Motion passed.

Resolution No. 17 Chuck Coiner moved to accept, Claude Lilya seconded. Motion passed.

Resolution Nos. 18, 19, 20, and 21 Jeff Marotz moved to accept, Clint Ashley seconded. Motion passed.

Resolution Nos. 22 and 23 Jim Siddoway moved to accept, Jeff Marotz seconded. Motion passed.

New Business:

John Keys addressed the question of the possibility of a surcharge per acre foot of storage in a reclamation project. He replied he had heard and seen some information on it, and he will pass the information to Water District No. 1 as he receives it.

Salmon Flow Augmentation Subcommittee Chairman Roger Ling was asked to read their proposed Resolution that was tabled in yesterday's Committee of Nine meeting, which he did.

With no further action or business, meeting adjourned at 2:00 p.m.

Leonard Beck, Secretary

Approved:

DeWitt A. Moss, Chairman

203099312

STATE OF IDAHO WATER DISTRICT 1

Ronald Carlson Watermaster (208) 525-7172

900 N. Skyline Drive Idaho Falls, Idaho 83402

Committee of Nine

February 22, 1994

Clive J. Strong Deputy Attorney General Chief, Natural Resources Division Statehouse, Room 210 Boise, Idaho 83720-1000 Rebecca Craven
Deputy Counsel
Nez Perce Tribal Executive Committee
P.O. Box 305
Lapwai, ID 83540

Dear Mr. Strong and Ms. Craven:

Thank you for your letter of February 4, 1994, regarding the negotiations of the Nez Perce Tribe's water right claims. Obviously, the issue is one of tremendous importance to the Tribe and the entire state and we congratulate you on getting started with the development of a process to address the myriad of issues. Because of the importance of water in the state and all the people who live here, I believe it is imperative that representation at the negotiations include those parties who have interests that would be affected by any settlement. Therefore, a process that includes those parties is crucial to reaching a result that will provide for finality. Any agreed group that does not reflect participation by the necessary parties will only be a partial solution and will not avoid the protracted hearings that a comprehensive settlement would hopefully avoid.

The Committee of Nine represents many of the Upper Snake River irrigation interests. The Committee can provide valuable inputs and help in reaching a settlement. We look forward to being a full participant in the negotiations. The Committee understands the importance of the proceeding and has agreed to commit the resources necessary to address the issues. The Committee is in the process of selecting the appropriate representative(s) to participate.

It is also important to recognize that while the Committee represents a significant number of the Snake interests, each of the interests may have specific concerns or issues that would have to be addressed in any settlement. It is crucial that the process finally adopted be flexible to the extent these specific interests are also accommodated. The complexity and scope of the development of the water resources of the state necessitate this approach. The Committee of Nine looks forward to helping craft a solution that addresses the concerns of all.

Thank you,

DEWITT A. MOSS, Chairman Committee of Nine



State of Idaho

Water District 1

RONALD CARLSON WATERMASTER

(208) 525-7172

Fax (208) 525-7177

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

IDWR DIRECTOR KEITH HIGGINSON

February 22, 1994

COMMITTEE OF NINE

CHAIRMAN Dewitt Moss Jerome

VICE CHAIRMAN Claude Storer Idaho Falls

SECRETARY Leonard Beck - Alt Burley

Dan Stappleman

James Siddoway

Teton

Paul Berggren Blackfoot

Dale Rockwood Idaho Falls



Wayne Lincoln Filer

Dell Raybould Rexburg Mr. John Keys, III
Regional Director
Bureau of Reclamation
PN Regional Office
1150 North Curtis Road
Boise, ID 83706-1234

Re:

Request for Water by United States of Water District 01

Water Bank Rules

Dear Mr. Keys:

The Rental Pool Committee and the Committee of Nine of Water District 01 have carefully considered your request that the administrative fee and "last to fill" rules of the Water District 01 Water Bank be waived for stored water held in the name of the United States (but not contracted to other users) to be taken for flow augmentation below Milner Dam.

As you know, stored water accruing to the space of spaceholders in reclamation facilities above Milner is a vital and necessary supply of water to insure sufficient water supplies for the irrigation of lands served by each spaceholder. A necessary and integral part of the storage accruing to a spaceholder is the right to carry over stored water from year to vear to insure an adequate supply of water during periods of short water supplies in the Snake River above Milner Dam. To the extent stored water is used for other purposes by any spaceholder, including the lease of the water from the Rental Pool, less water is carried over each year, thereby affecting the refill capabilities of each facility. To the extent storage facilities do not refill, the water supply of each spaceholder in that facility is impacted. Through the operation of the Water Bank, spaceholders in Water District 01 have been willing, from time to time, to make some of their stored water available to other irrigators above Milner, notwithstanding the fact that the proposed use of this stored water has impact on all spaceholders if the reservoirs do not refill the following year. Spaceholders have been willing to forego their claim of injury, recognizing the benefit provided to those persons or entities who do not have a sufficient water supply and the additional benefits that are derived from the use of stored water for agricultural purposes in the recharge of the eastern Snake Plain aguifer, which results in additional natural discharges back to the river

Mr. John Keys, III February 22, 1994 Page 2

from the aquifer. To make sure that the injury to existing spaceholders is somewhat limited, the "last-to-fill" rule was incorporated into the rules of the Rental Pool. As you know, this last-to-fill rule applies to any water provided through the Rental Pool that is not diverted above Milner and therefore provides no benefit to the lands being irrigated within Water District 01. The last-to-fill rule insures that the refill capabilities of other spaceholders in the reclamation facilities above Milner are not injured when stored water is released through the Rental Pool for use below Milner. For these reasons, there is no practical or legal basis upon which the last-to-fill rule may be waived in regard to stored water released by the United States for flow augmentation in the Lower Snake and Columbia River Basins, most of which is not even in the State of Idaho.

As to the administrative fee paid to Water District 01, the Rental Pool Committee fully analyzed the purpose of such fee. As you know, all persons receiving the delivery of water in Water District 01 are required to pay their annual assessments of Water District 01 for this delivery. As additional administrative costs are incurred in operating the Water Bank, a flat fee was adopted as part of the cost for renting water from the Rental Pool to insure that such costs did not increase the costs for water delivery by the Watermaster in the Water District. A waiver of this administrative fee for the United States would set a dangerous precedent in the operation of the Rental Pool. It would, in essence, require the water users within Water District 01 and the persons renting water from the Water District to subsidize the water provided through the Rental Pool to the United States. This would neither be fair to the water users of Water District 01 and other spaceholders, but would be a denial of equal protection and discriminatory. If Water District 01 was to grant a waiver of the administrative fee for uncontracted storage water of the United States being provided through the Water Bank, other spaceholders would also seek to have the administrative fee waived when a spaceholder leasing water from its storage space directs the use to which that spaceholder desires the water to be used.

For the above reasons, we respectfully deny your request for the waiver of these rules for the benefit of the United States.

Very truly yours,

DEWITT A. MOSS, Chairman

Committee of Nine



State of Idaho

Water District 1

RONALD CARLSON WATERMASTER

(208) 525-7172

Fax (208) 525-7177

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

IDWR DIRECTOR KEITH HIGGINSON

February 22, 1994

COMMITTEE OF NINE

CHAIRMAN Dewitt Moss Jerome

VICE CHAIRMAN Claude Storer Idaho Falls

SECRETARY Leonard Beck - Alt Burley

Dan Stappleman

James Siddoway

Paul Berggren

Dale Rockwood Idaho Falls

ude Lilya ackfoot

Wayne Lincoln

Dell Raybould Rexburg Mr. Larry W. Cope President and CEO Clear Springs Foods P.O. Box 712 Buhl, Idaho 83316

Re:

Renting Water for Ground Water Recharge

Dear Mr. Cope:

At your request, the Committee of Nine has reviewed the Rental Pool rules and concluded that water can be leased from the Rental Pool for recharge purposes. If your company should wish to rent water for this purpose, the rental priority would be determined by the date your rental agreement and payment is received in the office of the Snake River Watermaster in Idaho Falls. However, the priority for acquiring water for recharge purposes would be subject to the irrigation preference in the Rental Pool rules.

Your cost for acquiring water during 1994 will be \$2.95 per acre-foot. This price includes the fees going to the Idaho Water Resource Board and Water District 01. Those providing storage for recharge would not be subject to the Rental Pool's last to fill rule, so water supplied for "agricultural uses only" would be available to you after the irrigation priorities have been filled.

If we can be of further assistance, please feel free to contact Ron Carlson at the Water District office in Idaho Falls.

Very truly yours,

DEWITT A. MOSS, Chairman

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Committee of Nine

02229404

	1993	1993	1994
	Budgeted	Actual	Budgeted
HYDROGRAPHERS			
Teton Basin	\$ 8,000	\$ 7,170	\$ 8,000
Idaho Falls	4,500	1,515	4,500
Lower Valley	7,000	1,792	6,000
Henrys Fork	16,000	16,380	17,000
Teton River	4,100	4,433	4,500
	\$ 39,600	\$ 31,290	\$ 40,000
RIVER RIDERS			
Rigby & Heise Div.	\$ 6,500	\$ 7,105	\$ 6,500
Blackfoot Division	3,000	2,411	3,000
Swan Valley	4,500	6,300	5,500
Upper Falls River	1,000	897	1,000
Idaho Falls	1,000	525	3,000
Willow Creek	3,000	3,121	1,000
Milner	360	390	360
	\$ 19,360	\$ 20,749	\$ 20,360
PROGRAM EXPENSES			
Automation	\$ 15,000	\$ 0	\$ 15,000
Sutron	52,000	34,020	52,000
Streamgaging	105,000	128,513	108,410
U of I Studies	2,000	0	4,000
	\$174,000	\$162,533	\$179,410
EQUIPMENT EXPENSES		A 4 400	A A O O O
Furniture	\$ 1,000	\$ 1,102	\$ 1,000
Computer	6,500	0	6,500
PC's	3,000	2 1 102	3,000
DEDGOMET BUDBNG	\$ 10,500	\$ 1,102	\$ 10,500
PERSONNEL EXPENS Retirement	\$ 5,000	\$ 4,409	\$ 5,000
Social Security	\$ 5,000 5,000	4,529	5,000
Mileage	21,000	23,385	21,000
State Insurance Fund	2,500	3,423	3,500
Employment Insurance	500	281	500
Part-time help (F-Mad)	4,900	7,160	4,900
Misc. Hydrographer Exp.	500	1,375	500
Treasurer	5,000	6,215	7,500
22 000 02 02	\$ 44,400	\$ 50,777	\$ 47,900
MISCELLANEOUS EXPENSE	7,	, ,,,,,	,,
Otto Otter	\$ 500	\$ 264	\$ 1,000
IWUA	1,000	5,625	500
Postage	2,200	1,830	2,500
Supplies, Copying, Phone	2,000	1,076	2,000
Audit	5,500	4,527	5,500
Meetings	1,200	981	1,200
Legal Fees	500	2,185	10,500
	\$ 12,900	\$ 16,488	\$ 23,200
<u>WATERMASTER</u>			
IDWR Contract	\$254,330	\$221,536	\$254,330
Report	4,500	1,250	4,500
Travel	1,500	3,708	3,500
	\$260,330	\$226,494	\$262,330
COMMITTEE OF NINE	\$ 10,000	\$ 7,571	10,000
Total	\$571,090	\$517,004	\$593,700
	4		
UPPER VALLEY ADD ON			
Legal	65,000	39,764	65,000
Total	\$636,090	\$556,768	\$658,700

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138,000.0	
10,460.0	
136.85	
522.72	
206.39	
438.10	
8,304.0	
452.5	
465.0	
160,694.1	
92	
108.92	
.00	
300.00	
108.33 1,260.00	
33	

Inc/Exp Description	11/ 1/93- 2/28/94
685-TREASURER'S EXPENSES:	
686-TREASURER'S SALARY	390.00
688-MILEAGE TREASURER'S	47.00
TOTAL 685-TREASURER'S EXPENSES	437.00
Total 650-Personnel Expense	5,668.14
700-Miscellaneous:	F00 00
702-IWUA	500.00
703-Postage	1,129.00
704-Office Supplies	216.43
707-Audit	3,000.00
708-Meetings:	
710-Meetings-General	6.93
708-Meetings - Other	1,850.14
Total 708-Meetings	1,857.07
715-Legal:	
718-Misc.	29.00
Total 715-Legal	29.00
725-Fees for 1526,1620,1621	96.95
745-Miscellaneous	49.19
Total 700-Miscellaneous	6,877.64
750-Watermaster:	
760-IDWR Contract	75,000.00
770-Annual Book	1,518.30
780-Travel	1,344.25
Total 750-Watermaster	77,862.55
955-Committee of Nine:	
960-Dale Rockwood	99.88
961-Leonard Beck	151.60
962-Paul Berggren	67.30
966-Claude Storer	450.94
968-Claude Lilya	890.28
Total 955-Committee of Nine 975-Upper Valley Expense:	1,660.00
980-Legal & Other Exp.	11,982.03
Total 975-Upper Valley Expense	11,982.03
Total 599-Operating Expenses	114,459.28
Payroll-:	
Comp FICA-	273.11
Comp FUTA-	45.39
Comp MCARE-	63.89
Comp PERSI-	125.95
Comp SUI-	47.29
Gross-	4,405.00

Inc/Exp Description	11/ 1/93- 2/28/94
Total Payroll-	4,960.63
Expenses - Other	0.00
TOTAL EXPENSES	119,419.91
TOTAL INCOME/EXPENSE	41,274.25

Inc/Exp Description	11/ 1/93- 2/28/9 4	
INCOME/EXPENSE		
INCOME		
400-Fee Income:		2 222 22
404-Contract Palisade		3,200.00
410-Delivery 1989		-80.00
411-Delivery 1990		-20.00
412-Delivery 1991		-40.00
413-Delivery 1992		-60.00
420-Delivery Bonn. Co. 1990	-	12.51
Total 400-Fee Income		3,012.51
450-Rental Income:		
455-WD 1 Adm. Fee from WB	_	138,000.00
Total 450-Rental Income		138,000.00
459-Streamgaging Misc.		10,460.00
480-Dividend/Interest Income:		
481-Merrill Lynch '92		2,136.85
482-Interest 1526-General 92		4,522.72
485-Interest (checking) '92		206.39
486-Interest Fee Acct		1,438.10
Total 480-Dividend/Interest Income	-	8,304.06
490-Miscellaneous Income		452.59
492-State Insurance Refund		465.00
TOTAL INCOME		160,694.16
EXPENSES		
599-Operating Expenses:		
600- Program Expenses:		
610- Streamgaging:		
	10 100 00	
613- D St. Rental USGS	10,108.92	
Total 611- USGS Coop	10,108	3.92
Total 610- Streamgaging	10,108.92	
Total 600- Program Expenses		10,108.92
640-Equipment Expenses:		
642-Computer		300.00
Total 640-Equipment Expenses	-	300.00
650-Personnel Expense:		
660-Mileage:		
665-Mileage (Lindsay)	108	3.33
667-Mileage (Richards)	1,260	0.00
668-Mileage (Brown)	-	0.00
Total 660-Wilesco		 1 729 22
Total 660-Mileage		1,728.33
675-State Insurance Fund Exp.		3,502.81

SUMMARY REPORT 11/ 1/93 Through 2/28/94

	11/ 1/93-
Inc/Exp Description	2/28/94
685-TREASURER'S EXPENSES:	
686-TREASURER'S SALARY	390.00
688-MILEAGE TREASURER'S	47.00
TOTAL 685-TREASURER'S EXPENS	SES 437.00
Total 650-Personnel Expense	5,668.14
700-Miscellaneous:	500.00
702-IWUA	500.00
703-Postage	1,129.00 216.43
704-Office Supplies	3,000.00
707-Audit	3,000.00
708-Meetings:	6.93
710-Meetings-General	
708-Meetings - Other	1,850.14
Total 708-Meetings	1,857.07
715-Legal: 718-Misc.	29.00
Total 715-Legal	29.00
725-Fees for 1526,1620,1621	96.95
745-Miscellaneous	49. 19
Total 700-Miscellaneous	6,877.64
750-Watermaster:	
760-IDWR Contract	75,000. 00
770-Annual Book	1,518.30
780-Travel	1,344.25
Total 750-Watermaster	77,862.55
955-Committee of Nine:	
960-Dale Rockwood	99.88
961-Leonard Beck	151.60
962-Paul Berggren	67.30
966-Claude Storer	450.94
968-Claude Lilya	890.28
Total 955-Committee of Nine 975-Upper Valley Expense:	1,660.00
980-Legal & Other Exp.	11,982.03
Total 975-Upper Valley Expense	11,982.03
Total 599-Operating Expenses	114,459.28
Payroll-:	
Comp FICA-	273.11
Comp FUTA-	45.39
Comp MCARE-	63.89
Comp PERSI-	125.95
Comp SUI-	47.29
Gross-	4,405.00

Inc/Exp Description	11/ 1/93- 2/28/94	
Total Payroll-	4,960.63	
Expenses - Other	0.00	
TOTAL EXPENSES	119,419.91	
TOTAL INCOME/EXPENSE	41,274.25	
TRANSFERS		
TO 100-Petty Cash	-100.00	
TO 102-Cash-Bank of Commerce	-228,122.62	
TO 104-Cash-Merrill Lynch	-390.98	
TO 200-Adjudication Payable	-111,040.00	
TO 240-PAYROLL PAYABLE	-5,048.99	
TO 250-PAYROLL TAXES PAYABLE	-732.95	
TO 270-OTHER SERVICE PAYABLE	-2,571.38	
TO Payroll-FICA-	-1,801.14	
TO Payroll-FWH-	-550.00	
TO Payroll-MCARE-	-421.28	
TO Payroll SUL	-1,895.58	
TO Payroll-SUI- TO Payroll-SWHID-	-66.18 -211.17	
FROM 102-Cash-Bank of Commerce	123,705.72	
FROM 110-Savings-Gen.Fund-1526	180,000.00	
FROM 111-ML-Committee of Nine	390.98	
FROM 120-Assessments Rec.	45,127.94	
FROM 250-PAYROLL TAXES PAYABLE	732.95	
FROM Payroll-FICA-	859.26	
FROM Payroll-FUTA-	45.39	
FROM Payroll-FWH-	424.00	
FROM Payroll-MCARE-	200.99	
FROM Payroll-PERSI-	1,243.17	
FROM Payroll-SUI-	47.29	
FROM Payroll-SWHID-	174.58	
TOTAL TRANSFERS	0.00	
OVERALL TOTAL	41,274.25	

	2/28/94
Account	Balance
ASSETS	
CURRENT ASSETS	
100-Petty Cash	150.00
102-Cash-Bank of Commerce	2,927.49
104-Cash-Merrill Lynch	118,395.49
108-Savings-Bank of Comm.	0.00
110-Savings-Gen.Fund-1526	286,258.33
111-ML-Committee of Nine	89,853.11
112-Uncollected WB Funds	100,000.00
113-Savings-Rent.Pool Pow	0.00
114-Savings-Rent.Pool Ag	0.00
115-Savings-WD01 Fee Acct	217,591.00
120-Assessments Rec.	35,329.45
121-A/R - UV ATTY FEES	16,995.46
122-DUE FROM WATER BANK	13,177.00
132-Funds Held By IDWR	9,407.81
134-'90 Excess Receivable	0.00
136-INVENTORY	46,643.50
140-EQUIPMENT	16,039.97
145-ACCUM DEPRECIATN-EQUP	-13,483.43
YTD Payroll Adj-	0.00
Undeposited received payments	0.00
TOTAL CURRENT ASSETS	939,285.18
TOTAL ASSETS	939,285.18
• • • • • • • • • • • • • • • • • • •	
LIABILITIES	
CURRENT LIABILITIES	
200-Adjudication Payable	0.00
201-1993 Water Bank	0.00
202-WR-Water Bank	0.00
210-Second Yr. Power Fees	0.00
211-Prepaid Water Leases	0.00
212-Water Bank Supplier	0.00
213-'90 Water Bank Suppli	0.00
222-DUE TO WATER BANK	3,343.16
240-PAYROLL PAYABLE	0.00
250-PAYROLL TAXES PAYABLE	753.17
260-ACC VACATION PAYABLE	15,692.17
270-OTHER SERVICE PAYABLE	
	0.00
Payroll-FICA-	
Payroll-FICA- Payroll-FUTA-	0.00
Payroll-FICA-	0.00 159.96
Payroll-FICA- Payroll-FUTA- Payroll-FWH- Payroll-MCARE-	0.00 159.96 45.39
Payroll-FICA- Payroll-FUTA- Payroll-FWH-	0.00 159.96 45.39 79.00
Payroll-FICA- Payroll-FUTA- Payroll-FWH- Payroll-MCARE- Payroll-PERSI- Payroll-SUI-	0.00 159.96 45.39 79.00 37.42 439.85 14.04
Payroll-FICA- Payroll-FUTA- Payroll-FWH- Payroll-MCARE- Payroll-PERSI-	0.00 159.96 45.39 79.00 37.42 439.85

Account	2/28/94 Balance
TOTAL CURRENT LIABILITIES	20,602.41
TOTAL LIABILITIES	20,602.41
EQUITY	
EQUITY ACCOUNTS	
300-Operations Fund	877,408.52
310-Journal Entries	0.00
TOTAL EQUITY ACCOUNTS	877,408.52
CURRENT EARNINGS	41,274.25
TOTAL EQUITY	918,682.77
TOTAL LIABILITIES AND EQUITY	939,285.18

WaterBank-All Accounts 2/27/94

		./93 – 3/94
INCOME/EXPENSE		
INCOME		
500-1993 Water Bank Rental		17.68
501-1994 Water Rental		47,026.78
700-interest income:		
701-ag-1621 interest	311.00	
702-power-1620 interest	2,452.28	
Total 700-interest income		2,763.28
TOTAL INCOME	_	49,807.74
EXPENSES		
1100-fee on acct 1621 &1620		44.56
1300-Rental Pool Expenses:		
1301-Supplier Payment	31,894.57	
1302-Water Resource Board Fee	3,189.46	
1303-WD 01 Fee	11,960.45	
Total 1300-Rental Pool Expenses		47,044.48
TOTAL EXPENSES	-	47,089.04
TOTAL INCOME/EXPENSE	-	2,718.70

WaterBank-All Accounts 2/27/94

Account	2/28/94 Balance
ASSETS	
CURRENT ASSETS	
102-WESTONE CHECKING	40,825.48
110-Sav-R.P. Ag-1621	33,479.07
112-Savings-R.P. Pwr-1620	195,588.28
119-RECEIVALBE-EX USE-BOR	0.00
120-RECEIVABLES	0.00
122-DUE FROM W.D.	3,343.16
Receivables-A/R Account	12,579.23
Undeposited received payments	0.00
TOTAL CURRENT ASSETS	285,815.22
TOTAL ASSETS	285,815.22
LIABILITIES	
CURRENT LIABILITIES	
200-1993 WB Liability	20.65
201-1994 WB Liability	47,026.78
205-PAYABLE-WR BOARD	0.00
210-1990 Excess Use-Liab.	1,000.10
211-1991 Excess Use-Liab.	7,925.45
212-1992 Excess Use-Liab.	7,324.44
215-Water District No. 1	0.00
222-DUE TO WATER DISTRICT	30,162.25
290-DEFERRED REVENUE	191,750.00
TOTAL CURRENT LIABILITIES	285,209.67
TOTAL LIABILITIES	285,209.67
EQUITY	×
EQUITY ACCOUNTS	
Open Bal Equity-Opening Bal Equity	0.00
TOTAL EQUITY ACCOUNTS	0.00
CURRENT EARNINGS	605.55
TOTAL EQUITY	605.55
TOTAL LIABILITIES AND EQUITY	285,815.22

1994 Water Bank Suppliers

Date	Supplier	Supplied (acre-feet)	Amount Yield (acre-feet)
02/08/94	Heise Hot Springs, Inc	100	
02/08	Alice E. Harris	7.5	
02/08	M.J. Danielson	85	
02/17	Reva Fullmer	300	
02/18	Harvey Field	15	
02/24	GH Munns	<u>15</u>	
		522.5	

1994 WATER BANK RENTAL REQUESTS

DATE	APPLICANT	<u>AF</u>	AMOUNT PD	DIVERSION
<u>1993</u>				
12/16 12/22 12/28	Glen Dale Farms Henry Peterson Blaine Larsen Wade Fleming Verl Bitter John McCulloch	3,000 8 6,000 20 160 33.9	8,850.00 23.60 17,700.00 59.00 472.00 100.00	Second Crk New Sweden #13046020
12/30 1994	Terry Reed	96	283.20	Mattson-Craig
01/14	Burgess Canal	6,000	17,700.00	Burgess
01/21	Kelly Mai	225	663.75	Gooding Canal
2/10	Betty Wagner	59.4	163.35	Milner Irrig. (Short 11.88)
2/18	Vance-Payne	338.98	1,000.00	Burgess
2/22	Convington Bros.	1,400	4,130.00	Sunnydell
Total	as of 02/22	17,341.28	51,144.90	

WATER DISTRICT 1

GENERAL PURPOSE FINANCIAL STATEMENTS
WITH
INDEPENDENT AUDITORS' REPORT

YEAR ENDED OCTOBER 31, 1993

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725 S. Woodruff Ave. P.O. Box 1895 Idaho Falls, ID 83403-1895 208-529-9276 FAX: 208-523-1406

INDEPENDENT AUDITORS' REPORT

124 E. Main Street Rexburg, ID 83440-1997 208-356-3677 FAX: 208-356-3689

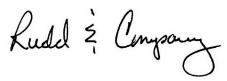
Department of Water Resources Water District 1 Idaho Falls, Idaho

We have audited the accompanying general purpose financial statements of Water District 1, as of October 31, 1993, and for the year then ended, as listed in the table of contents. These financial statements are the responsibility of the District's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the general purpose financial statements referred to above present fairly, in all material respects, the financial position of Water District 1, as of October 31, 1993, and the results of its operations and cash flows for the year then ended, in conformity with generally accepted accounting principles.

January 26, 1994





WATER DISTRICT 1 BALANCE SHEETS OCTOBER 31, 1993

		Water				Total
		District		Water		(Memor-
		Operating		Bank		andum
ASSETS		Fund		Fund		Only)
CURRENT ASSETS:		1 4114				<u> </u>
Cash and Cash Equivalents	\$	664,073	\$		\$	664,073
Restricted Cash and Cash Equivalents	•	200,000		223,951		423,951
Assessments Receivable		65,756				65,756
Upper Valley Attorney Fees to be Assessed		16,996				16,996
Water Bank Users Receivable				154,985		154,985
Due from Other Funds		162,706				162,706
Funds Held by Department of Water Resources		9,408				9,408
Excess Storage Users Receivable		>, .cc		12,568		12,568
Inventory		46,644		,		46,644
Inventory						
TOTAL CURRENT ASSETS		1,165,583		391,504		1,557,087
PROPERTY AND EQUIPMENT:		4 6 9 4 9				16040
Equipment		16,040				16,040
Less Accumulated Depreciation		(13,483)				(13,483)
						0.555
NET PROPERTY AND EQUIPMENT		2,557				2,557
	\$	1,168,140	\$	391,504	\$	1,559,644
	<u> </u>	1,100,110	Ψ_	371,301	<u> </u>	1,557,0 + 1
LIABILITIES ANI) FU	JND EQUIT	<u>Y</u>			
CURRENT LIABILITIES:	•		•	20.505	•	104 407
Accounts Payable	\$	113,612	\$	20,795	\$	134,407
Water Bank Suppliers Payable				3		3
Excess Storage Suppliers Payable				16,250		16,250
Payroll and Related Taxes Payable		8,562				8,562
Due to Other Funds				162,706		162,706
Deferred Revenue				191,750		191,750
Accrued Compensated Absences		15,692				15,692
		127.966		201 504		520 270
TOTAL CURRENT LIABILITIES		137,866		391,504		529,370
FUND EQUITY:						
Retained Earnings - Reserved		200,000				200,000
Retained Earnings - Unreserved		830,274				830,274
	\$	1,168,140	\$	391,504	\$	1,559,644

The Accompanying Notes are an Integral Part of the Financial Statements.

WATER DISTRICT 1 STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN RETAINED EARNINGS YEAR ENDED OCTOBER 31, 1993

		Water District Operating Fund	Water Bank Fund		Total (Memor- andum Only)
OPERATING REVENUES:	•	5 61 400	•	•	561 400
Water Assessments	\$	561,490	\$	\$	561,490
Water Rental			452,883		452,883
Miscellaneous		2,849			2,849
TOTAL OPERATING REVENUE		564,339	452,883		1,017,222
OPERATING EXPENSES:					
Bad Debts			4,514		4,514
Bookshelf Bindery		1,250			1,250
Coalition for Idaho Water		5,000			5,000
Committee of Nine		7,571			7,571
Department of Water Resources		221,536			221,536
Depreciation		1,439			1,439
Idaho Water Users Association		625			625
Improvements		34,020			34,020
Interest			2,333		2,333
Legal		2,185			2,185
Meetings		1,015			1,015
Miscellaneous		808			808
Office		1,076	83		1,159
Payroll and Related Expenses		92,053			92,053
Postage		1,830			1,830
Professional Fees		4,527			4,527
Storage Space Rental			7,442		7,442
Stream Gauging		129,044			129,044
Travel		3,707			3,707
Treasurer		6,215			6,215
Water Bank Refunds			30,828		30,828
Water Bank Supplier Payments			162,006		162,006
Water Resources Board			16,201		16,201
TOTAL OPERATING EXPENSES		513,901	223,407		737,308

OPERATING INCOME BEFORE NONOPERATIN	NG		
REVENUE	50,438	229,476	279,914
NONOPERATING REVENUE:			
Interest Income	23,630	4,677	28,307
NET INCOME BEFORE OTHER FINANCING			
SOURCES (USES)	74,068	234,153	308,221
OTHER FINANCING SOURCES (USES):			
Transfers In	234,153		234,153
Transfers Out		(234,153)	(234,153)
TOTAL OTHER FINANCING SOURCES	S		
(USES)	234,153	(234,153)	
NET INCOME	308,221		308,221
RETAINED EARNINGS AT			
OCTOBER 31, 1992	722,053		722,053
RETAINED EARNINGS AT			
OCTOBER 31, 1993	\$ 1,030,274	\$	\$ 1,030,274

WATER DISTRICT 1 STATEMENTS OF CASH FLOWS YEAR ENDED OCTOBER 31, 1993

	Water		Total
	District	Water	(Memor-
	Operating	Bank	andum
	Fund	Fund	Only)
CASH FLOWS FROM OPERATING ACTIVITIES:			
Operating Income	33,442	\$ 229,476	\$ 262,918
Adjustments to Reconcile Operating Income			
to Net Cash Provided by Operating Activities:			
Depreciation	1,439		1,439
Changes in assets and liabilities:			
Increase in assessments receivable	(418)		(418)
Increase in water bank users receivable		(154,985)	(154,985)
Increase in due from other funds	(162,622)		(162,622)
Increase in funds held by Department			
of Water Resources	(3,464)		(3,464)
Decrease in excess storage users receivable		35,774	35,774
Increase in accounts payable	53,081	20,795	73,876
Decrease in water bank suppliers payable		(67,754)	(67,754)
Decrease in excess storage suppliers payable		(31,803)	(31,803)
Increase in payroll and related expenses	3,620		3,620
Increase in due to other funds		162,622	162,622
Increase in deferred revenue		191,750	191,750
Decrease in accrued compensated absences	(1,003)		 (1,003)
•			
NET CASH FLOWS PROVIDED (USED) BY			
OPERATING ACTIVITIES	(75,925)	385,875	 309,950
CASH FLOWS FROM NONCAPITAL			
FINANCING ACTIVITIES:			
Operating transfers in	234,153		234,153
Operating transfers out		(234,153)	 (234,153)
NET CASH FLOWS PROVIDED (USED) BY		(00 4 1 50)	
NONCAPITAL FINANCING ACTIVITIES	234,153	(234,153)	
CASH FLOWS FROM CAPITAL AND			
RELATED FINANCING ACTIVITIES:			
	(1,102)		(1,102)
Acquisition of Equipment	(1,102)		 (1,102)

CASH FLOWS FROM INVESTING ACTIVITIES:			
Interest Income	23,630	4,677	28,307
NET INCREASE IN CASH AND			
CASH EQUIVALENTS	180,756	156,399	337,155
CASH AND CASH EQUIVALENTS			
AT NOVEMBER 1, 1992	683,317	67,552	750,869
CASH AND CASH EQUIVALENTS			
AT OCTOBER 31, 1993	\$ 864,073	\$ 223,951	\$ 1,088,024

SUPPLEMENTAL DISCLOSURE OF CASH FLOW INFORMATION:
Cash paid during the year for interest -- 2,333

WATER DISTRICT 1 STATEMENT OF EXPENSES BUDGETARY BASIS - BUDGET TO ACTUAL YEAR ENDED OCTOBER 31, 1993

		WATER DISTRICT OPERATING FUND				
						Variance
						Favorable
		Budget		Actual	<u>n</u>	<u>Infavorable</u>)
OPERATING EXPENSES:						
Bookshelf Bindery	\$	4,500	\$	1,250	\$	3,250
Capital Acquisitions		10,500		1,102		9,398
Coalition for Idaho Water				5,000		(5,000)
Committee of Nine		10,000		7,571		2,429
Department of Water Resources		254,330		221,536		32,794
Depreciation				1,439		(1,439)
Idaho Water Users Association		1,000		625		375
Improvements		67,000		34,020		32,980
Legal		500		2,185		(1,685)
Legal - Upper Valley		65,000		39,764		25,236
Meetings		1,200		1,015		185
Miscellaneous		500		808		(308)
Office		2,000		1,076		924
Payroll and Related Expenses		98,360		92,053		6,307
Postage		2,200		1,830		370
Professional Fees		5,500		4,527		973
Stream Gauging		107,000		129,044		(22,044)
Travel		1,500		3,707		(2,207)
Treasurer		5,000		6,215		(1,215)
	•	(26,000	•	55486	•	01 202
TOTAL OPERATING EXPENSES	\$	636,090	\$	554,767	\$_	81,323

WATER DISTRICT 1 NOTES TO FINANCIAL STATEMENTS OCTOBER 31, 1993

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:

Water Districts were established in 1903 by the Legislature with the duty of directing and controlling the distributions of water within each District assigned to the State Reclamation Engineer (later changed to the Department of Water Resources). The Upper Snake River drainage was designated as District 1. The Idaho Code was amended in 1986 to clarify the status of the Districts in that each shall be "considered an instrumentality of the State of Idaho".

In 1919 a group of nine water users from District 1 met with the State Reclamation Engineer to request the creation of a permanent Watermaster system. This group became known as the Committee of Nine and represented the collective interests of the various members of the District. The primary purpose of the Committee was to assure that proper distributions of available water supplies were made.

Beginning in 1979, the Committee of Nine could assist in the marketing of stored water from water banks as authorized by the Water Resource Board. Water Banks are a system which allows owners of water a means of "renting" amounts surplus to their needs to others without violating various requirements of Idaho Code.

The District is governed by the Department of Water Resources which confirms the selection of a Watermaster by the members of the District. The District meets annually at which time the members select a Watermaster, adopt various resolutions governing the activities of the District and Water Supply Bank and elect the local advisory committee members known as the Committee of Nine. The Committee of Nine is responsible for assisting the Water Resource Board in the operations of the Water Supply Bank and to advise the Watermaster on the general operations of the District.

Water District 1 is responsible to the Department of Water Resources and water right holders of the District to make proper distribution of available water supplies within the District as appropriated.

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Fund Accounting

The accounts of the Water District are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts which comprise its assets, liabilities, fund equity, revenues and expenses. The funds are as follows:

Water District Operating Fund - This fund is used to account for the Water District's general activities.

Water Bank Fund - This fund is used to account for rental of Water Bank water supply and the related expenses to the Water Resources Board and the Water District.

Basis of Accounting

The accounts of the district are organized on a basis similar to that of a governmental enterprise fund, which is used to account for operations that are financed and operated in a manner similar to business enterprises (i.e. where the intent of the governing body is that the costs of providing goods and services to the general public on a continuing basis be financed or recovered primarily through user charges). The accrual basis of accounting is used. Revenues are recognized when they are earned and expenses are recognized when they are incurred.

Budgets

The Water District adopts a budget for operating expenses at the annual meeting for the District's operating fund. The budget is prepared on a basis generally consistent with generally accepted accounting principles, except that expenses for capital acquisitions are budgeted. The reported operating expense amounts exclude actual capital acquisitions since they are capitalized and included in equipment.

The following is the adjustment to operating expenditures:

	Reported Amounts	Adjustment for Capital Acquisitions	Budgeted Amount
Total Operating Expenses	\$553,665	\$ 1,102	\$ 554,767

The District does not adopt a budget for the Water Bank Fund. Expenses are dependent on Water Bank rental income which varies from year to year based on water supply and cannot be predicted in advance. Therefore, a budget to actual comparison is not presented for the Water Bank.

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Cash and Cash Equivalents

Cash and cash equivalents are identified as cash and short-term, highly liquid investments. Cash and cash equivalents for the Water District 1, include cash in checking and savings accounts and investments in the Idaho State Treasurer's pooled investment account.

Investments

Idaho Code provides authorization for the District to invest in certain state and local governmental bonds and obligations, time deposit accounts, U.S. Government and Farm Credit System obligations and bonds, repurchase agreements, and savings and deposit accounts.

Property and Equipment

Property and equipment is recorded at cost. Depreciation is provided using the straight-line method over estimated useful lives of the related assets of five years.

The District purchases various data collection platforms (DCP's) and other equipment which are placed into service and become part of the overall water system. The water system is composed of several storage facilities and delivery systems which are owned by various entities and organizations. The District has a policy of expensing items as they are placed in service as part of the water system.

Memorandum Only - Total Columns

Total columns of the general purpose financial statements are captioned "memorandum only" to indicate that they are presented only to facilitate financial analyses. Data in these columns do not present financial position, results of operation, or cash flows in conformity with generally accepted accounting principles. Neither are such data comparable to a consolidation. Interfund eliminations have not been made in the aggregation of this data.

2. CASH AND CASH EQUIVALENTS

At October 31, 1993, the carrying amount of the District's deposits (savings and checking accounts) was \$19,679, and the bank balance was \$37,855. The bank balance of \$19,679 was covered by Federal Depository Insurance.

The District has invested \$760,334 with the Idaho State Treasurer's pooled investment account. The State Treasurer invests in time certificates of deposit, local government tax anticipation notes, federal loans, U.S. Treasury Notes and other U.S. Governmental securities. Information regarding insurance or collateralization of amounts invested in the pooled accounts is not available.

2. CASH AND CASH EQUIVALENTS (Continued)

The District has invested \$308,011 at Merrill Lynch in a Working Capital Management Money Account. Investment are in a mutual fund which invests in direct obligations of the U.S. Government. These ivestments are held in the District's name and are uninsured and not collateralized.

3. RESTRICTED CASH AND CASH EQUIVALENTS

Restricted cash and cash equivalents in the Water District operating fund of \$200,000 include \$100,000 for rental pool payment disputes which are deemed the responsibility of the District and \$100,000 for specific purposes authorized by the Committee of Nine. These purposes include District expenses, educational projects, and legislative and agency deliberations, and advisory comittee expenses.

Restricted cash and cash equivalents in the Water Bank Fund of \$233,951 include funds held for the payment of Water Bank suppliers and administrative costs.

4. ASSESSMENTS RECEIVABLE

Assessments are billed at the end of the water year in the spring. Although a bad debt was recorded in the current period, the District has not incurred significant bad debts in the past and does not recognize any allowance for uncollectible accounts due to the legally enforceable nature of these assessments.

5. UPPER VALLEY ATTORNEY FEES TO BE ASSESSED

The Water District incurs legal services on behalf of certain upper Sanke River valley users. The charges for these services are passed on to the users through additional assessments in the following year. The balance in this account represents attorney fees which have been incurred but have not yet been assessed to the respective users.

6. FUNDS HELD BY DEPARTMENT OF WATER RESOURCES

The Department of Water Resources provides the Water District with office space, administrative support and personnel. The District pays the Department monthly for these services in advance based on an estimate of the costs and balance of prior advance payments. The balance of funds held by the Department represents excess advance funds to be applied to future periods.

7 EXCESS STORAGE USERS RECEIVABLE AND SUPPLIERS PAYABLE

All water deliveries of the District are accounted for as being either a fulfillment of a water right or as a sale of stored water. Excess storage users receivable represents water delivered to users in excess of their water rights, which has not been paid for by users at year end. Excess storage suppliers payable represents the amount due to suppliers for stored water that has been sold during the year. A portion of the amount charged to excess storage users is paid to the Water District and the Water Resources Board for administrative costs.

8. ACCRUED COMPENSATED ABSENCES

Annual leave accrues at various rates according to the length of continuous employment. The amount earned is based on actual hours worked. The maximum annual leave which may be accumulated ranges from 24 to 42 days, depending on length of employment. Upon separation from state employment, employees will receive a lump-sum payment for earned but unused annual leave at the hourly rate of pay for the employee's grade and step.

9. INTERFUND RECEIVABLES AND PAYABLES

Interfund receivables and payables at October 31, 1993, were as follows:

	Receivable	Payable
Water District Operating Fund	\$162,706	\$
Water Bank Fund		162,706
	\$162,706	\$162,706

10. PAYROLL AND RELATED EXPENSES

Included in payroll and related expenses are costs associated with the District contracting with several individuals to perform the various tasks of diverting and measuring water flows. Salary and reimbursement rates for travel are negotiated by the Watermaster and approved by the District at the annual meeting.

Payroll related expenses include payroll taxes and benefits.

11. STORAGE SPACE RENTAL

The District rents an enclosed storage area for various equipment, vehicles and supplies. A portion of the space is sublet to U.S. Geological Survey in exchange for stream gauging services performed by the U.S.G.S.

12. PENSION PLAN

Substantially all full-time employees and certain part-time employees of the Water District are members in the Public Employee Retirement System of Idaho (the System), a cost-sharing, multiple employer plan established by the Legislature of the State of Idaho. The Water District's total payroll for all employees for 1993 was \$194,521 of which \$165,628 was covered payroll for employee members in the System. The System is a defined benefit plan requiring both member and employer contributions.

After five years of credited service, members become fully vested in retirement benefits earned to date. Members are eligible for retirement benefits upon attainment of the ages specified for their employment classification. For each year of credited service, the annual service retirement allowance is 1.75 percent or 2.075 percent (depending upon employee classification) of the average monthly salary for the highest consecutive sixty months. Effective October 1, 1993, the annual service retirement allowance rates changed to 1.833 percent or 2.150 percent depending upon employee classification. The eligibility and amount of allowance differs for early retirement, service retirement, vested retirement and disability retirement.

The System's funding policy provides for periodic employer contributions at actuarially determined rates, expressed as percentages of annual covered payroll, to accumulate sufficient assets to pay benefits when due. The employer and employee contribution rates as a percentage of salary are as follows:

	Contribution Rates at June 30, 1993		Contribution Rates Effective October 1, 1993	
Employee Group	Employer	Employee	Employer	Employee
General	9.75%	5.84%	10.63%	6.38%

Total contributions to the System for 1993 amounted to \$16,543 by the Water District and \$9,914 by members representing 9.99 percent and 5.99 percent of covered payroll, respectively. The Water District's 1993 actuarially determined contributions comprised .01 percent of the System's fiscal 1993 employer contributions of \$124,814,301.

12. PENSION PLAN (Continued)

The pension benefit obligation is a standardized disclosure measure of the present value of pension benefits, adjusted for the effects of projected salary increased and any step-rate benefits estimated to be payable in the future as a result of employee service to date. The measure is the actuarial present value of credited projected benefits as is intended to help users assess the System's funding status on a going-concern basis, assets progress made in accumulating sufficient assets to pay benefits when due, and make comparisons among public employee retirement systems. The System's pension benefit obligation was determined as part of an actuarial valuation at June 30, 1993. As of that date, the System's unfunded pension benefit obligation was as follows (in millions):

Total pension benefit obligation	\$ 3,013.9
Net assets available for benefits, at cost	2,121.4
Unfunded pension benefit obligation	<u>\$ 892.5</u>

Ten year historical trend data is presented as additional information in the financial statements of the System for the year ended June 30, 1993. This additional data provides information about progress made by the System in accumulating sufficient assets to pay benefits when due.