

June 7, 2023
Leadore City Community Building
202 S. Railroad St.
Leadore, ID 83464

WATER DISTRICT 74-W ADVISORY BOARD MEETING MINUTES

Water District 74-W Chairman Thayne Kauer called the meeting to order with the full advisory board and six District members/representatives present.

NEW BUSINESS

- 1) **WATERMASTER/ASSISTANT WATERMASTER:** Douglas Beyeler motioned to accept the resignation of Gregory Ellingford as watermaster. Carl Ellsworth seconded. Motion carried. James Whittaker motioned to have the watermaster be responsible for Big Timber, Little Timber, and Texas Creeks, paying the watermaster \$900.00 monthly in wages and \$1,800.00 monthly in equipment rental and the assistant watermaster be responsible for Canyon, Hawley, and Eighteen Mile Creeks plus the wells, paying the assistant watermaster \$400.00 monthly in wages and \$600.00 monthly in equipment rental. Kurt Bird seconded. Motion carried.
Carl Ellsworth motioned to hire Kerry Purcell as Water District 74-W Watermaster. Charlie Stipe seconded. Motion carried.
Carl Ellsworth motioned to hire Gerald "Red" Pierce as Assistant Watermaster for Water District 74-W. Kurt Bird seconded. Motion carried.
- 2) **BIG TIMBER CREEK HIGH FLOW WATER RIGHT:** Merrill Beyeler motioned to withdraw the Big Timber Creek water right # 74-16030 application # 79927. Charlie Stipe seconded. Motion carried.
- 3) **OTHER BUSINESS:**
 - a. **FLUSH FLOW:** Going to make attempt for the flushing flow per Lemhi Settlement. It will count as one of the 2 in 5 years even if 420 cfs is not met at McFarland Campground. 72-hr flush starting Friday, June 9, 2023. Only high-water needs to be shut off. Tyler's and Beyeler's are voluntarily going to shut off all water associated with easement lands.
 - b. **BIG TIMBER TRASH AND DEBRIS:** Thayne turned in the emergency stream alteration permit. Trash and debris can be removed if the bank and stream bed are not disturbed. James Whittaker motioned to get the trash effecting Kerry Purcell between June 20th and July 10th as conditions allow. Kurt Bird seconded. Motion carried.

ADJOURNMENT: The meeting was adjourned at 12:30 pm.

Water users and/or representatives in attendance were:

Thayne Kauer – District Chairman
Kur Bird – Advisory Board
James Whittaker – Advisory Board
Douglas Beyeler – Advory Board
Charlie Stipe
Merrill Beyeler
Carl Ellsworth
Boyd Foster
Merritt Udy

Respectfully Submitted,



Douglas Beyeler,
Secretary/Treasurer

Henman, Christina

From: Whitney, Rob
Sent: Monday, June 12, 2023 10:23 AM
To: Henman, Christina
Cc: Graybill, David; Visosky, Steven
Subject: FW: WD74W Watermaster Resignation

Christina,

Can you please add this email to WD 74W documents along with the documents related to the resignation and subsequent advisory committee meeting concerning replacement watermaster(s)?

Thanks!

RW

From: Whitney, Rob
Sent: Thursday, June 1, 2023 2:22 PM
To: kauer10@live.com; beyelerd@yahoo.com; carlellsworth@me.com; fjwhitt@yahoo.com
Cc: Graybill, David <David.Graybill@idwr.idaho.gov>; Carter, Meghan <Meghan.Carter@idwr.idaho.gov>; Luke, Tim <Tim.Luke@idwr.idaho.gov>
Subject: WD74W Watermaster Resignation

Gentlemen,

After communication with members of the WD74W Advisory Committee, it is evident that the recently elected WD74W Watermaster, Greg Ellingford, resigned via text message sent to Doug Beyeler on or about May 9, 2023. On May 19, 2023, IDWR received written a complaint from James Whittaker concerning Ellingford's "Unsatisfactory" performance. Subsequent communication between IDWR and members of the advisory committee suggest Ellingford has not attempted to perform watermaster services for WD74W since sending the text message to Doug Beyeler.

Copied below is part of Idaho Code § 42-605(10) outlining the process that must be followed when a watermaster resigns. The complaint submitted by James Whittaker will be retained by IDWR, but it would be premature for IDWR to schedule a hearing to consider removal of the watermaster when a more expeditious process can be initiated by the water district advisory committee.

If a duly elected or appointed watermaster resigns, dies or is physically unable to perform the duties of the office during the remainder of the elected or appointed watermaster term of service, then the director is authorized to appoint a successor for the unexpired term as provided in paragraphs (a) and (b) of this subsection.#

(a) If a water district advisory committee has been chosen as provided in subsection (6) of this section, the water district advisory committee shall meet to either nominate a successor watermaster or request a special meeting as provided in subsection (11) of this section to elect a new watermaster. Upon receipt of a nomination from a majority of the members of the water district

advisory committee, the director is authorized to appoint the nominated successor watermaster for the unexpired term.#

Please remember that advisory committee meetings are subject to open meeting law. Any related meeting notice and the meeting agenda should be sent to me or David Graybill for posting to Townhall Idaho. If you have any additional questions, feel free to contact me or David.

Regards,

Rob Whitney
Water Distribution Section