

A G E N D A

COMMITTEE OF NINE MEETING  
Elks Lodge, Idaho Falls

March 5, 1990

2:00 p.m. Meeting Called to Order  
Leonard Scheer, Chairman

Reading of Minutes of Last Meeting  
Reed Murdock, Secretary

2:30 p.m. Auditor's Report  
Richard Hale

Financial Committee Report  
Reed Murdock

Presentation of:

- 1990 Proposed Budget
- 1990 Resolutions

Other Business

Adjourn

WATER DISTRICT 1 ANNUAL MEETING  
Elks Lodge, Idaho Falls  
March 6, 1990

A G E N D A

- 9:00 a.m. Introduction of Agenda - Leonard Scheer
- 9:10 IWUA Legislative Report - Sherl Chapman  
9:30 IWUA Education Committee Report - Vergil Temple  
9:45 Pat Cole
- 10:00 a.m. Call to Order - Leonard Scheer  
Welcome - Mayor Campbell
- Election of Temporary Chairman  
Election of Temporary Secretary
- Reading of Minutes for 1989
- Selection of Committees
- |              |                                 |
|--------------|---------------------------------|
| Henrys Fork  | Dist. 1 (Main river ab Lorenzo) |
| Lower Valley | Dist. 2 (Feeder Canals)         |
|              | Dist. 3 (Lorenzo to Shelley)    |
|              | Dist. 4 (Below Shelley)         |
- Report on Committees & Elections  
Committees Excused: Credentials, Order of Business
- Roll Call
- Election of Committee of Nine
- Reports - Bureau of Reclamation
- Water Supply Outlook
  - BOR Activities
- Finance Committee Report - Reed Murdock
- 11:45 a.m. Lunch Break (No host luncheon - \$6.00 roast beef)
- 1:00 p.m. Annual Report of the Committee of Nine - Paul Berggren
- 1:15 IDWR Director's Report - Keith Higginson
- 1:45 Adjudication Update - Dave Shaw
- 2:00 Department of Interior - John Bushman
- 2:15 Ron Carlson - Watermaster's Report
- 2:30 p.m. Resolutions & Election of Watermaster  
Unfinished Business  
New Business

ADJOURN

WATER DISTRICT 1 ANNUAL MEETING

Resolutions 1990

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 an accurate and equitable basis.

BE IT FURTHER RESOLVED that 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.

2. That the water users of Water District 1 continue the cooperative program with the Idaho Department of Water Resources as outlined in the Memorandum of Understanding signed by the Chairman of the Committee of Nine and the Director of the Department of Water Resources on March 3, 1979.
3. We recommend that Ronald D. Carlson be re-elected watermaster for the ensuing year. This recommendation shall, under the cooperative program with the IDWR, authorize the watermaster to hire a full time staff of a deputy, two assistants, a secretary, and a data specialist. Thirty-three percent of the watermaster's salary and benefits shall be paid from non-water district funding provided by the Idaho Department of Water Resources.
4. That the duties of the watermaster shall begin on this date and continue for a period of one full year.
5. Proposed Budget for Water District 1 for the year beginning March 1, 1990.

1990 Water District Budget

HYDROGRAPHERS

Teton Basin	1,000 hrs. (+ mi.)	\$ 7,000
Idaho Falls	800 hrs. (+ mi.)	5,000
Lower Valley	400 hrs. (+ mi.)	3,200
Henrys Fork	1,800 hrs. (inc. mi.)	17,000
Teton River	520 hrs. (+ mi.)	3,400
		<u>\$ 35,600</u>

RIVER RIDERS

Rigby & Heise Div.	1,200 hrs. (+ mi.)	\$ 8,000
Blackfoot Division	600 hrs. (+ mi.)	3,000
Swan Valley	480 hrs. (+ mi.)	3,000
Upper Falls River	125 hrs. (+ mi.)	1,200
Willow Creek	5 mos. @ \$550 (inc. mi.)	2,750
Idaho Falls	6 mos. @ \$450 (inc. mi.)	2,500
		<u>\$ 20,450</u>

PROGRAM EXPENSES

ERO		\$ 25,000
Sutron		24,000
Streamgaging		105,000
U of I Studies		38,000
		<u>\$192,000</u>

PERSONNEL EXPENSE

Retirement		\$ 6,200
State Tax		800
Social Security		12,000
Mileage		17,000
State Insurance Fund		2,400
Employment Insurance		1,200
Part-time Help		2,500
Miscellaneous Hydrographer Expense		500
		<u>\$ 42,600</u>

MISCELLANEOUS EXPENSE

IWUA		\$ 500
Otto Otter		500
Postage		1,200
Supplies, phone, copying		1,500
Audit		2,900
Meetings		1,200
		<u>\$ 7,800</u>

WATERMASTER

IDWR Contract		\$230,000
Report		2,200
Travel		2,900
		<u>\$235,100</u>

Total 1990 Budget \$533,550\*

Estimated General Assessment \$408,550

Upper Valley Additions

Committee of Nine		\$ 7,000
Attornies Fees		100,000

*Lower valley 5 1/2 & AF*  
*Upper valley 6 1/2 & AF*

\*Funds from other sources, including the water bank could provide an additional \$125,000 in revenues. These funds will first be used to pay the costs associated with negotiations/litigation related to claimed Indian reserved water rights.

6. 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 cost of delivering water to many diversions is less than their normal assessments when based upon their total season use of water;

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

7. Resolved that the watermaster shall prepare a report in accordance with Idaho Code, Sec. 42-614, which shall become the official billing to the individual water users, canal companies, and irrigation districts, and is hereby authorized to collect all of the expenses of delivering the waters of the district, including his salary and that of his assistants, and shall make all disbursements necessary to the conduct of the business of administering and delivering the waters of the district.

Resolved 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 for the past years water use.

Resolved that copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and the report prepared in accordance with Sec. 42-614, shall be filed with the county clerks of Bonneville, Madison, Teton, and Fremont Counties.

8. WHEREAS, the Committee of Nine has been appointed by the Idaho Water Resource Board pursuant to Sec. 42-1765, Idaho Code, and;

WHEREAS, the watermaster of Water District 1 has traditionally acted on behalf of the Committee of Nine in leasing stored water within Water District 1, and;

WHEREAS, it is necessary to an orderly rental program that the watermaster continue to have the authority to act on behalf of the Committee of Nine,

THEREFORE, BE IT RESOLVED that for the purpose of renting water, the watermaster be considered to be a member of the Committee of Nine.

9. BE IT FURTHER RESOLVED that with the exception noted in Resolution No. 8, we recommend that the Committee of Nine 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, Gooding Canal, A & B Irrigation, and a member from the Burley or Minidoka District; whichever is not currently represented on the regular committee be included. Any canal company or district desiring to have representatives attend meetings of the Committee of Nine should notify the watermaster, who will then advise them of dates and time of committee meetings so that they may have the opportunity to attend such meetings.

10. WHEREAS, it is in the best interest of the water users of Water District 1 to account for all diversions which might adversely affect any prior natural flow or storage diversions;

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

11. WHEREAS, the Committee of Nine represents irrigators from all areas of Water District 1, and;

WHEREAS, the Water Bank Rules specify that the operation of the water bank will be by and for irrigators, and;

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

WHEREAS, questions have arisen over the definition of "land owner" and "water user."

IT IS, THEREFORE, RESOLVED by the water users of Water District 1 this First day of March 1989, that water user and land owner shall be defined as follows:

1. That he owns an irrigated farm that is comprised of more than twenty (20) irrigated acres, that has valid surface water rights deliverable by the Snake River Watermaster.
2. That he has received over 50% of his annual income during the past ten years of his annual income from farming activities within the portion of the Snake River valley served by Water District 1. This definition shall not be used to limit the continuation of any one currently serving on the Committee of Nine and does not apply to advisory members now or in the future.

12. WHEREAS, the Committee of Nine has adopted certain rules to assure the orderly operation of the Water Supply Bank; and,

WHEREAS, these rules have been adopted by the Idaho Water Resources Board,

THEREFORE, BE IT RESOLVED that the following Water Bank Rules be adopted by Water District 1 for 1990:

Rule 1. AUTHORITY AND STATEMENT OF PURPOSE.

1.1. These rules and regulations have been adopted pursuant to Idaho Code, Sec. 42-1765 to assure orderly operation of the Upper Snake Water Supply Bank. Under no circumstances shall these rules and regulations be construed to limit or restrict the authority of the Director of the Department of Water Resources, the Water Resources 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.

1.2. It is the purpose of these rules and regulations to:

1. Provide a process, consistent with the Idaho Code, by which stored water supplies may be made available for a specified period of time to water users who need additional water.
2. Provide incentives for those owning reservoir space and having stored water, which is surplus to their needs, to make such space/water available to other users and uses.
3. Establish a recognized system through which water supplies can be located, identified, advertised, and subsequently bought, sold, or leased.
4. Provide a dependable source of revenue for Water District 1 to make improvements in distribution to expand water supplies or to aid in increasing efficiency in the use of water on the upper Snake River.

1.3. Available water supplies may be purchased from the Water Supply Bank for any beneficial purpose recognized under state law, including the maintenance of minimum stream flows, when all other uses have been met for available supplies. In no case will water be provided for maintaining

flows greater than those established by the Water Resource Board and the Idaho Legislature.

Rule 2. DEFINITIONS.

- 2.1. Acre-foot is a volume of water sufficient to cover one acre of 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 upper Snake Water Supply Bank as operated by the Committee of Nine of Water District 1.
- 2.4. Board means the Idaho Water Resources Board.
- 2.5. Bureau means the federal Bureau of Reclamation or BOR.
- 2.6. Committee means the Committee of Nine unless otherwise specified.
- 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.
- 2.10. Lease is the agreement through which a specific amount of storage space or stored water is obtained from the Water Supply Bank for use during a specified period of time.
- 2.11. Insurance water is stored water that is made available on a continuing basis to supply additional flows for hydropower and other uses only under certain agreed upon drought conditions with payments being made to those agreeing to give up the storage for loss of production.
- 2.12. Lessee is the entity leasing space/water from the Water Supply Bank.
- 2.13. Lessor is the entity providing space/water to the Water Supply Bank.
- 2.14. Milner means Milner Dam or the lowest diversion in Water District 1.

- 2.15. Mitigation means releasing water from storage pursuant to the instructions of the director, to replace projected ground water depletions.
- 2.16. Preference lease means a contract with the water bank for an improved priority to lease water from space assigned to the bank in future years.
- 2.17. Rental Pool Committee means a sub committee of the Committee of Nine composed of the Snake River watermaster, superintendent of the Minidoka Project, and three regular members of the Committee of Nine.
- 2.18. Rental Pool means the reservoir space assigned to the water bank during any given year.
- 2.19. Space means all or any portion of the active impoundment volume of a reservoir measured in acre-feet.
- 2.20. Storage means the portion of the available space that is storing water.
- 2.21. Rent (or rental) means lease.
- 2.22. Watermaster means the watermaster of Water District 1.
- 2.23. Sale means the acquisition of water from space assigned to the water bank.
- 2.24. Paid-out means the space holder construction contact(s) with the U.S. Government have been fulfilled.

Rule 3. GENERAL

- 3.1. It is the policy of the Water Resources Board and the Committee of Nine to operate the Water Supply Bank for the maximum beneficial use of available water supplies.
- 3.2. Operation of the Water Supply Bank will be by and for the irrigators within Water District 1 through the Committee of Nine. All rules and regulations are designed to assure that water stored in federal reclamation reservoirs is first maintained and made available for irrigation before other uses are considered.

- 3.3. The operation of the Water Supply Bank shall in no way recognize any obligation to maintain flows below Milner Dam or assure the minimum stream flows established at the USGS gaging station on the Snake near Murphy unless specific arrangements to do so are made with the watermaster through valid agreements for releasing water for mitigation, insurance contracts, or annual storage lease agreements.
- 3.4. The operation of the "Water Bank" shall be consistent with the statutes creating the Water Supply Bank and the Rules and Regulations of the Idaho Water Resources Board of the provisions of the space holder contracts with the United States.
- 3.5. Storage space is accepted for the water bank on a contingency basis. Payments to the lessor will be made to the extent contract monies are received by the Water Bank pursuant to these rules.
- 3.6. Space assigned to the Water Bank that is evacuated to supply water for uses below Milner shall be the last space to fill in the ensuing year.

Rule 4. MANAGEMENT

- 4.1. The Water Supply Bank shall be operated pursuant to Idaho Code, Sec. 42-1761 to 42-1766 with all policies being established through the approval of the Committee of Nine.
- 4.2. A committee composed of the watermaster, the superintendent of the BOR's Minidoka Project and three members of the Committee of Nine shall be appointed by the chairman and shall have the following general responsibilities:
  1. To determine general policies regarding annual storage leases which may not be covered by the adopted rules and regulations.
  2. To assist the watermaster in the allocation of water leased from the bank if conflicts arise.
  3. To advise the Committee of Nine on water banking activities.

4. To set policies for the disbursement of funds generated by the water bank.
- 4.3. The watermaster shall act as the manager of the water bank. His authority shall include accepting water into the bank, executing lease agreements on behalf of the Committee of Nine, disbursing and investing funds generated through the lease of stored water, and distribution of water supplies from the water bank.

## 5. ASSIGNMENTS.

- 5.1 Any individual, irrigation district, canal company, or other entity who owns space in a reservoir located in Water District 1 may assign any portion of this space to the Water Bank.
- 5.2 Space assignments will be identified by reservoir. If no designation is made in assigning space in federal reservoirs to the water bank it shall be understood that American Fall's space will be assigned before Jackson and Jackson space will be assigned before Palisades's space.
- 5.3. Storage assignments, are subject to the acceptance of the Rental Pool Committee. Reservoir space submitted for assignment may be rejected in whole or in part by the watermaster and Rental Pool Committee or they may place special conditions on uses, allocation, and price if, in the judgment of the Rental Pool Committee, accepting said water will not be in the best interest of the water bank.
- 5.4. Anyone who attempts to assign space to the bank and feels aggrieved by the decision of the Rental Pool Committee may ask for a hearing before the Committee of Nine within fifteen (15) days.
- 5.5. The Committee of Nine, after hearing the arguments of the one claiming to be aggrieved, shall decide the issue by majority vote.
- 5.6. Assignments of storage to the water bank shall be on a priority basis as set forth in rule 6.
- 5.7. Assignments of storage space 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.

- 5.8. Assignments of reservoir space may be made for periods of up to 20 years. Any space assigned for periods in excess of two years shall be subject to rule 9 of these Water Bank Rules and Regulations.
- 5.9. All space assigned to the water bank shall be under the control of the watermaster and the Rental Pool Committee for the duration of the lease.

Rule 6. PRIORITIES.

- 6.1. Anyone holding space in a federal or private reservoir who assigns space for annual lease and designated such space available by July 1 of any year shall share proportionally in the proceeds from the lease of all or part of the yield from such space in that year.
- 6.2. Anyone holding space in a federal reservoir who assign space for annual lease after July 1 of any year shall receive proceeds from the sale of all or any part of the water sold which was made available after July 1 of that year on a "first come" basis.
- 6.3. All water from reservoir space designated for lease before July 1 of any year will be sold before any water from space assigned after July 1 will be sold.
- 6.4. Whenever an assignment 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 amount of water designated.
- 6.5. If a space holder should chose to assign all of his space to the water bank the "yield" of that space shall be determined by the watermaster. Yield will be determined by the percentage the reservoir filled minus evaporation.

Rule 7. LESSOR PRIORITIES.

- 7.1. Any water available through the water bank for annual use shall be provided on a priority basis.
- 7.2. The first priority in acquiring water from the water bank shall be given to those irrigation water users owning space in the various storage reservoirs of the Bureau of Reclamation in the

Snake River Basin above Milner Dam.

- 7.3. The second priority in acquiring stored water from the water bank shall be given to other irrigation water users who divert water above Milner Dam and are located within Water District 1.
- 7.4. Priority among water users of each priority listed above and who execute annual contracts to obtain stored water during a given year shall be determined by the date on which the water user's contract and payment is received at the office of the upper Snake River 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.
- 7.5. Any water user having once initiated a contract for stored water may request water in subsequent years by confirming, in writing, that all of the information on the original lease is true and correct, and by identifying the amount of water he wishes to purchase. The priority in this case will be the date on which payment is received by the watermaster.
- 7.6. Space assigned to the water bank from reservoirs with paid-out federal contracts shall be first reserved for allocation for irrigation purposes. Anyone leasing water from such space for irrigation shall be subject to 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 (RRA). If sufficient space is not available in paid-out reservoirs and stored water is acquired from a reservoir with remaining federal repayment contracts, then anyone acquiring such water shall be responsible for compliance with the limitations and reporting requirements of the RRA.
- 7.7. Any water diverted within Water District 1 without adequate natural flow and storage entitlements will be charged by the watermaster as storage used. Any such unauthorized use of water shall be replaced from available water bank supplies at a cost to the user equal to the established water bank price plus fifty cents (\$ .50) to cover increased administrative costs. The administrative costs may be waived by the watermaster if, in his judgment, such unauthorized use resulted from measurement or

accounting errors.

- 7.8. Water leased under an annual lease agreement and unused for irrigation purposes may be returned to the Water Bank by September 1. Monies refunded shall be reduced to cover the estimated twenty-five cent (\$.25) administrative cost to Water District 1 and twenty-five cents (\$.25) to offset the O & M costs of the lessors.

Rule 8. LEASE PAYMENTS AND WATER COST.

- 8.1. The lease price of water assigned to the water bank shall be set by the Committee of Nine each year.
- 8.2. The price of water available from the water bank shall be set by the Rental Pool Committee and approved by the Committee of Nine each year. The established base price shall be \$2.00 per acre-foot diverted plus an administrative charge of \$ .50 per acre-foot.
- 8.3. The lease price and the administrative charges for leases in excess of one year shall be negotiated by the Rental Pool Committee and the lessee and shall remain as negotiated for the term of the lease.
- 8.4. The lease price for 1990 shall be \$2.50 including administrative charges for both irrigation and non-irrigation water users.
- 8.5. Lease payments to the lessors shall be made in accordance with rule 6 and shall be based upon the data published in 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.
- 8.6. The Rental Pool Committee may authorize the watermaster to make partial payments to lessors based upon provisional data when, in the watermaster's judgment, such partial payments can be made with reasonable certainty.

Rule 9. LONG-TERM LEASES.

- 9.1. The Committee of Nine may arrange leases of storage space for periods not to exceed 20 years.

Such long-term leases will be negotiated on a case-by-case basis and may be supplied from anticipated future annual space/water assignments to the Water Bank or from specific long-term space assignments, or a combination of the two.

- 9.2. Contracts for long-term leases shall not be subject to the provisions of rules 6 and 7, except that the agricultural preferences identified in rule 7 shall apply when there is competition for limited long-term supplies.
- 9.3. Any contract for long-term lease shall contain the following information:
  - A. Name and address of lessor.
  - B. Amount of storage space obligated.
  - C. The lease price.
  - D. The legal description of the point of diversion and place of use.
  - E. The duration of the lease.
  - F. The understanding of responsibilities and exposures if reservoir space does not fill at some time during the term of the lease.
- 9.4. Long-term leases may fall in one of the four following categories:
  1. Preference.
  2. Insurance water.
  3. Lease of long-term assignments.
  4. Negotiated leases.

Rule 10. CATEGORY 1 RULES

- 10.1. A Category 1 lease represents a commitment of the lessee to purchase a specific amount of water from the water bank for some specified period of time, such period not to exceed twenty (20) years. For a Category 1 lease priority shall be considered to be a first priority use as defined in Rule 7.2, provided such use is for irrigation purposes from a point of diversion located upstream from Milner Dam.
- 10.2. Water supplied to a Category 1 lease shall be supplied from the general supplies assigned to the bank for annual sales. Rule 8 shall apply.
- 10.3. A Category 1 lease 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 lease upon receipt of the first year's lease payment. Each successive year the scheduled payment shall be due on or before April 1. Failure of the lessee to meet any scheduled payment shall void the lease.

Rule 11. CATEGORY 2 RULES

- 11.1. A Category 2 lease represents an option to call on a specific volume of stored water under specific conditions that might be outlined in the contract. The lessee will make a predetermined annual payment to the Water Bank each year.
- 11.2. Anyone wishing to assign an option to storage for a period of time may do so by notifying the watermaster and identifying in writing the amount of space to be assigned, the reservoir from which it is assigned, and the term of the assignment.
- 11.3. Monies collected during the term of the option shall be held by the watermaster in an interest bearing account. At such time as the option is exercised all monies collected by the watermaster shall be paid to the spaceholder(s) assigning the insurance space.
- 11.4. If the option is not exercised during the term of the contract all monies collected shall revert to the water district.

Rule 12. CATEGORY 3 RULES.

- 12.1. Anyone owning space in Jackson, Palisades, Ririe, or American Falls Reservoirs may assign space to the Water Supply Bank for a period not to exceed twenty (20) years. The watermaster, rental committee and the one(s) assigning long-term space shall negotiate the terms of any long-term lease with the lessee.
- 12.2. Once the terms of the lease have been reached the watermaster will execute the lease with the lessee. The lease will be considered to be in force once the first annual payment is received by the watermaster, and will continue to be in force as long as the lessee meets the terms of the lease.
- 12.3. Payments due those assigning space to the long-term pool will be made by the watermaster within ten days of his receiving payment from the lessee.

Rule 13. CATEGORY 4 RULES.

13.1. Agreements negotiated between two parties, upon approval of the Committee of Nine, may be facilitated through the Water Bank in the same manner as Category 3 leases provided acceptable arrangements are made to cover the administrative costs of the Water Bank.

13.2. All of the Category 3 rules apply.

14. WHEREAS, it is in the interest of all water users to have the water rights within Water District 1 delivered according to the priority system; and,

WHEREAS, the accounting system now used by Water District 1 requires that each diversion have assigned to it a specific list of decreed, licensed, and storage entitlement; and,

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

NOW, THEREFORE, BE IT RESOLVED that no diversion 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.

15. WHEREAS, Idaho Code, Section 41-605 provides that water districts may, by resolutions adopted at an annual meeting, change the date for annual meetings in subsequent years to any weekday . . . between the Second Monday of January and the Third Monday in March . . ."; and,

WHEREAS, it has been determined that the First day of March is generally acceptable as a meeting day as long as it does not fall on a Saturday, Sunday, or Monday.

WHEREAS, it is the desire of the water users of Water District 1 here assembled to establish the First day of March as the date for further annual meetings unless it should fall on a Saturday, Sunday, or Monday, in which case it shall be scheduled for the First Tuesday in March.

NOW, THEREFORE, BE IT RESOLVED by the water users of Water District 1, meeting this Sixth day of March, 1990, in regular annual session, that the next annual meeting shall be scheduled for Tuesday, March 5, 1991, and subsequent meetings shall be scheduled pursuant to this resolution unless otherwise modified and that the watermaster be directed to give appropriate notices thereof.

Yes

Water District 01  
PROPOSED RESOLUTION

WHEREAS, representatives of Water District 1 have participated in negotiations among the United States, State of Idaho and the Tribes in an attempt to define by agreement the Tribes' claim to water in the Snake River Basin above Hells Canyon; and

WHEREAS, generally the provisions of the proposed Settlement Agreement have been agreed to in principle to the satisfaction of the negotiators; and

WHEREAS, the United States now seeks to withdraw its previous offer to transfer Ririe and Palisades storage, at no cost, to an entity designated by the Committee of Nine to hold said storage water to use in mitigation of the impacts that will occur to water users in the implementation of the Settlement Agreement; and

WHEREAS, said transfer was the cornerstone of Water District 1 negotiators' December 19, 1989, decision to support the Agreement;

NOW, THEREFORE, BE IT RESOLVED that Water District 1 supports the principles of a negotiated settlement agreement of the Sho-Ban Tribes for the Fort Hall Reservation on the basis of the outlined attached hereto as Exhibit "A", which includes the transfer of Ririe and Palisades storage, without cost, to an entity designated by the Committee of Nine.

Yes

Water District 01  
PROPOSED RESOLUTION

WHEREAS, representatives of Water District 1 have participated in negotiations among the United States, State of Idaho and the Tribes in an attempt to define by agreement the Tribes' claim to water in the Snake River Basin above Hells Canyon; and

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WHEREAS, said transfer was the cornerstone of Water District 1 negotiators' December 19, 1989, decision to support the Agreement;

NOW, THEREFORE, BE IT RESOLVED that Water District 1 agrees to be responsible for annual operation and maintenance charges for said storage space after the date of the transfer.

ACCORD: NEGOTIATIONS  
U.S., TRIBES, STATE, WATER USERS  
DATE: 9/1/89

WATER SUPPLY

Blackfoot	150,000	1867	(hold harmless
Bannock	50,000	1867	non-Indian
Snake & Sand Creek	115,000	1867	Blackfoot users
Ross/Lincoln	10,000	1867	to present
Storage	130,000	State	diversion; if
Groundwater	125,000	1867	short on
	580,000		Blackfoot, go to
			Reservation
			groundwater)
Snake & Sand Creek (Non Indian Project Water Users)	60,000	1891	

MARKETING

Palisades	30,000+	above Milner only (would continue Portneuf payback from Palisades)
Am. Falls	50,000-	below Milner
		Tribes form own water bank; I.W.R.B. approve rules

Unallocated storage to water users.

No fish flows except American Falls storage, including rights  
or calls above Hell's Canyon.

TRIBAL CONDITIONS

1. Nothing to preclude Tribes' participation in Galloway.
2. Tribes can enter relicensing process in Hell's Canyon (but  
no new claim for water from above Hell's Canyon).
3. Development Fund:
  - (a) \$15,000,000 from Feds - for state-of-art management  
(any left over used for well field); and
  - (b) \$5,000,000 from State - rehabilitate Equalizing  
Reservoir (can be in-kind contribution).
4. Negotiate with B. of R. on using Palisades water for winter  
flows.

GENERAL CONDITIONS

1. Supply fee and ceded lands within Fort Hall Project.
2. Designation of PIA and Existing Lands.
3. Consumptive use limitation.

2260m

EXHIBIT A

No

R E S O L U T I O N

WHEREAS, it is the responsibility of the Snake River Watermaster to assure the proper delivery of both natural flow and storage supplies to waterusers within Water District #1.

AND WHEREAS, the Watermaster uses the Water Rights Accounting Program to determine which decreed water rights are in effect on the Snake River and its tributaries on a daily basis.

AND WHEREAS, the accuracy of the Water Rights Accounting Program is dependent on the Watermaster gathering and using correct and up to date diversion and flow data.

AND WHEREAS, the Teton River has 18 canal diversions, at least 17 pump diversions, and 12 exchange wells that the Watermaster must account for, with only the canals, 3 pumps, and exchange wells being monitored on a daily basis.

AND WHEREAS, there are pump diversions that are not being accounted for on a daily basis that together divert about 105 c.f.s. from the Teton River.

AND WHEREAS, without these large pump diversions entered into the accounting program on a daily basis there are substantial errors in projecting the water rights in effect on the Teton River causing natural flow rights to be cut sooner than necessary and waterusers not getting the opportunity to use their full decreed rights.

NOW, THEREFORE, BE IT RESOLVED, that the Watermaster collect on a daily basis those large pump diversions on the Teton River that are not currently being monitored and enter that data into the Water Rights Accounting Program along with the canal and other diversion data beginning in the 1990 water year and continuing thereafter.

AND BE IT FURTHER RESOLVED, that the cost of obtaining that additional data be paid by those large diverters since the cost of obtaining the data is unproportionately higher than for the canals.

Yes

R E S O L U T I O N

WHEREAS, the installation and maintenance of adequate measuring devices is required of anyone diverting water from a river, stream or exchange well within Water District 1; and

WHEREAS, the water district has, for many years, been developing an allocation system that will provide the watermaster accurate real time streamflow and diversion data; and

WHEREAS, it is necessary for proper daily water allocation and accounting that pump diversions be included in the water supply computed each day during the irrigation season; and

WHEREAS, the collection of pump data poses special problems for the watermaster because meaningful pump diversion data require the continuous monitoring of pumps; and

WHEREAS, in many cases it is unreasonable for the water users to collectively pay the costs associated with daily trips to collect data in remote points of diversion; and

WHEREAS, the information collected in these trips has proven unsatisfactory because of poor data collecting equipment on site;

NOW, THEREFORE, BE IT RESOLVED by Water District 1 meeting in regular annual session this Sixth day of March 1990 that the term "measuring device" be interpreted to include such data logging and transmitting equipment as the watermaster may deem necessary to acquire adequate daily data for a specific diversion.

Yes

R E S O L U T I O N

WHEREAS, the Department of Water Resources is responsible for water allocation and distribution in the State of Idaho; and

WHEREAS, these responsibilities require measurements to monitor continuously the available water resources of the State; and

WHEREAS, the Idaho Legislature cut funding to the Department in 1983 which resulted in the Department dropping its support of the streamgaging program on the upper Snake River; and

WHEREAS, these are some of the most important gaging sites in the state for purposes of determining water supplies and distributing water rights; and

WHEREAS, the water users of Water District 1, to avoid loss of these stream gages, have assessed themselves to pay the full contributor costs to the United States Geological Survey since the state support was dropped; and

WHEREAS, the flow data from gaging on the upper Snake River is used extensively by people and institutions throughout the state;

NOW, THEREFORE, BE IT RESOLVED by Water District 1 meeting in regular annual session this Sixth day of March 1990 that the Idaho State Legislature be encouraged to restore sufficient monies to the budget of the Idaho Department of Water Resources to restore and assure state support of vital streamgaging on the upper Snake River and its tributaries.

BE IT FURTHER RESOLVED that copies of this resolution be supplied to the Resources Committees of the House and the Senate and to the Governor of the State of Idaho.

R E S O L U T I O N

WHEREAS, the Committee of Nine has been elected to represent the collective interests of Snake River water users; and

WHEREAS, the Committee of Nine has represented all water users in the negotiations with the United States and Indian tribes related to federal water right claims; and

WHEREAS, the negotiations with the tribes are continuing past the deadline set by Judge Hurlbutt in an effort to reach an agreement and avoid costly litigation; and

WHEREAS, the need for water user participation in the negotiations process has not decreased and may expand if it becomes necessary to pursue a resolution through litigation;

NOW, THEREFORE, BE IT RESOLVED that Water District 1 designates the Committee of Nine to represent water users and the "~~status quo~~" in water rights that have been developed under State Law during the past century.

*use their best efforts to protect*

WATER DISTRICT NO. 1 ANNUAL MEETING  
MINUTES

Elks Lodge, Idaho Falls, Idaho  
March 1, 1989

Chairman Phil Hanks started the meeting at 9:10 a.m.

Sherl Chapman reported that there have been a record number of bills introduced in the Idaho Legislature this year. Those of interest to water users include change in point of diversion, length of time irrigation district must keep water in canals, hazardous waste (who is responsible for cleanup and costs), ground water quality monitoring chemical controls (chemicals and fertilization), change of notice for annual meeting notices, change in limits on irrigation district director's wages, provide for recall of directors, antidegradation plan, resolution to rebuild Teton Dam, change on how water district collect funds.

Ruth Gale, Fish & Game biologist, reported on swan crisis. She reported very good cooperation from water user groups to get the water in the river needed at a critical time. In spite of all of these efforts a significant number of swans were lost.

Max Van Den Berg and Signe Blair of Fish and Wildlife presented an award to Water District 1 for efforts in swan crisis.

Mayor Campbell welcomed the group to the City of Idaho Falls.

Chairman Phil Hanks called the annual general business session of Water District 1 to order at 10:00 a.m.

Ron Carlson called for nominations for temporary chairman and secretary. Phil Hanks was nominated as temporary chairman and Reed Murdock was nominated for temporary secretary. Both were elected by acclamation.

The minutes of the 1988 meeting were then read by Reed Murdock and approved as read.

The chairman then recessed for caucus to nominate Committee of Nine and Committees on Credentials and Order of Business.

Ron reported on results of caucus for Committee of Nine and Order of Business and Credentials Committee. The Order of Business and Credentials Committees were then excused.

Lyle Swank called roll for the canal companies.

Dan Stapleman reported on Order of Business. The report is on Order of Business attached.

Next Max Van Den Berg introduced his staff. Max said that reorganization of the BOR has been completed. Water supplies for the last two years rank among the lowest on record. The storage carry over from 1986 provided sufficient water necessary to get by. However, because of the low natural flow and high storage use during 1987, 1988 was the first year that all the reservoirs haven't filled since 1961. Max said he was pleased to have water users intervene on Trout Unlimited case. He advised that the Island Park power plant has been licensed by FERC with many restrictions. Max also said that if Teton Dam is rebuilt, BOR wants to build it. He advised of plans to upgrade Minidoka power plant and to recondition generators at Palisades.

Earl Corless presented slides on BOR reservoir operations. American Falls had less water than Milner at end of season. Erosion control work continued in 1988. Between 10 and 12 miles of riprap has been placed around American Falls Reservoir. Earl said he expects Ririe to physically fill. He said it was necessary to extend the boat ramp at Ririe. Palisades filled physically in 1988 but not on its own right. Jackson Dam is complete, ready to fill. Jackson outflow has been held to 200 cfs. Until Jackson fills for the first time it will be limited to one half foot fill per day. Once filled a stable pool must be maintained for 30 days after fill. The snow surveys for many areas are below normal for February. Earl advised that the needle valve at Grassy Lake quit and was replaced with a temporary gate valve until the new clamshell valve can be put in. Island Park filled in 1988. Earl showed hydrograph of Island Park releases resulting from the swan crisis. Snow in Island Park is above normal. Heise forecast for February is 94% of normal. Earl predicted the Henry's Fork water supply will be about 90% of normal.

DeWitt Moss reported for the Credentials Committee. The committee considered a more specific definition of land owner and water user but recommended the continuation of any incumbent Committee of Nine member for the coming year until final disposition of proposed resolution is known.

The meeting was adjourned for lunch at 11:45 a.m. The meeting reconvened at 1:05 p.m.

Max Van Den Berg defended the Reclamation Reform Act saying inspite of the reporting requirements it is better than 160 acre limitation program it replaces. Harold Short reported that the efforts to control flowering rush have been very expensive and not very successful. He advised that the federal income tax laws consider water received in violation of RRA to be an illegal federal subsidy and the difference between what you paid and what you were supposed to pay must be claimed as income. Harold advised that under present interpretations of contracts water users can pay out but districts can not. He announced that bills have been sent out to anyone not sending in forms. The Bureau's policy is, "no forms -- no water." Harold then showed the current forms being used.

Next Reed Murdock presented the district's financial report.

Then Paul Berggren presented the report of the Committee of Nine. Paul reported that during 1988 irrigators were able to acquire an additional 154,000 acre-feet of water because of the Water Bank. He said that the Committee of Nine has been representing the collective interest of irrigators in the negotiations with the Shoshone-Bannock tribes. The Committee of Nine has been committed to assuring that the relative position of water users are not changed by a settlement of Indian claims. Paul also advised of the Committee of Nine's intervention in the litigation with Trout Unlimited. He contrasted the Trout Unlimited approach with that used to deal with the "icing out" of the Trumpeter swan.

Keith Higginson reported for Idaho Department of Water Resources. He emphasized the minimal cost for handling the large volume of water delivered in Water District 1. Keith said because of inadequate staffing for the watermaster's office there have been delays in getting data disseminated in a timely manner. He recommended more staffing for Ron's office.

Keith said Water Bank Rules must be concerned with protecting other water users. He then addressed issues related to new appropriations of water. Keith said it is not the time to put the aquifer wells into Water District 1. He announced that the processing of trust water filings is proceeding.

Dave Shaw then reported on the adjudication progress. He said the Department has sent out notices to 21 counties. The mobile office is in Fremont County. Bonneville County will be split according to zip code and served in two blocks. Dave said that although domestic and stockwater claims have been deferred, it is cheaper to file now than to wait and do it in the future. Dave reviewed the information needed to file a claim including, legal description of point of diversion and place of use, source, right number, priority date, and nature of use. Dave advised that negotiations for federal and Indian reserved water rights are going on. Federal entities asserting federal rights include INEL, Forest Service, and Bureau of Land Management.

Next Ron Carlson introduced his staff. Ron then presented the watermaster's report. Ron reviewed the history of the water district and concluded that beneficial change and improvements are frequently precipitated by drought. He indicated that the natural flow passing Heise during 1988 was approximately 3.6 million acre-feet or about 72% of normal. In addition, the storage system did not fill. At the end of 1988 about 400,000 acre-feet of water remained in storage in the entire system. Ron said his office was swamped because of drought and adjudication questions. He said they averaged about 100 people per day through his office seeking assistance. One person on the watermaster's staff was tied up almost continuously by the phone. Ron proposed an automated phone system to provide better user access to information. He said that while this would help, without additional staff inevitably some thing would "fall through the

cracks" at times.

Ron Carlson then read selected resolutions for 1989. Gale Ritchins called for a roll call vote on Resolution No. 3. The result of the vote was 100,567 "yes" votes, 58,525 "no" votes.

Resolution 11 was read. There was some dissent expressed on the stricter qualifications for the Committee of Nine. The motion carried by voice vote.

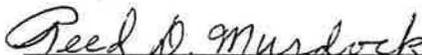
Evan Rasmussen than called for the approval of the first 12 resolutions. His motion was seconded and passed by acclamation. Evan Rasmussen apparently only wanted the first ten resolutions considered. He moved reconsideration of his previous motion. The motion failed.

Paul Berggren presented a plaque to Phil Hanks in recognition of his service as Chairman.

Dale Rockwood then expressed his concern over the proposal to lock up the South Fork of the Snake by some federal designation.

The meeting was adjourned at 3:50 p.m.

Respectfully submitted,

  
REED MURDOCK, Secretary  
Committee of Nine

### 1989 Report of Committee on Credentials:

"We, your Committee on Credentials, recommend the following for your consideration:

1. That the rights represented be determined by roll call in advance of voting. In addition, the officer authorized to vote on behalf of each organization, canal company, or irrigation district also be identified prior to voting.
2. That the companies or other organizations owning decreed or licensed consumptive rights shall be entitled to vote through their duly elected representative or by written proxy. Each stockholder or any company not represented by a duly elected officer or by written proxy shall be entitled to vote the stock held by them.
3. That non-consumptive rights not be recognized in voting.
4. That no person be elected to membership and service on the Committee of Nine, Committee on Organization and Order of Business, or Credential Committee unless he be a land owner and water user in a canal company or district which he represents during the term of his office.
5. The Committee of Nine members elected March 1, 1989 may continue to serve in those positions until the next annual District No. 1 water meeting, pending final definition and disposition of 1989 proposed resolution No. 11 by the full membership of Water District No. 1.

REPORT OF THE COMMITTEE OF NINE

1989

When the Committee of Nine was formed seventy years ago it's main purpose was to keep the watermaster advised of special problems or concerns that arise from time to time in different areas within Water District 1. Historically, the Committee of Nine would only meet once or twice a year. Times have changed. The Committee of Nine, besides its advisory duties, now is the local operating committee for the Snake River Water Supply Bank and represents the collective interests of water users in the ongoing reserved water rights negotiations with the United States and the Bannock-Shoshone tribes. In addition, the committee continues to be involved in the appeal by Trout Unlimited of Judge Callister's Decision in the law suit they brought against the Bureau in 1988. Consequently, the Committee of Nine met on the average of twice per month during 1989. These activities of the committee represent a substantial time commitment that is only justified by the critical nature of the issues we are facing.

Most of the efforts of the Committee of Nine during 1989 were

directed toward reaching a negotiated settlement of Indian reserved water rights claims. The Committee of Nine's position in the negotiations has been to assure that any agreement has no net negative impacts on the water rights system developed on the upper Snake over the past 110 years. In order to meet the January 2nd deadline for a negotiated settlement set by Judge Hurlbutt, late night meetings with the tribe were held during the last days of 1989. At the end of these negotiations the only major issue standing in the way of a settlement related to administration on the Blackfoot River. At the last negotiating session in Boise, on February 22 and 23, 1990 this issue appears to have been resolved. Unfortunately, all of the time and money that has been spent in reaching this point in the negotiations may have been wasted because the United States now has decided to renege on a previous commitment. The agreement developed around the water users consenting to give up natural flow to meet a negotiated 1867 priority for the tribe in exchange for the remaining noncontracted storage in Palisades and Ririe. The United States had agreed to provide this space at no cost to the water users. This was in essence the very heart of the agreement. The Department of Interior has now changed its mind. The proposal by the United States now is to charge water users the annual O & M for Palisades and Ririe

of \$0.20 and \$0.80 per acre foot, respectively. In exchange for paying these costs it may be possible to use some additional stored water if a water user can demonstrate that he has exhausted all other available supplies and that he actually needs additional water. With this showing, water from this space will be made available at a cost of \$2.50 per acre foot. What this really means is that the United States has decided that the water to supply the tribes negotiated rights will come from the natural flow rights of Snake River canal companies without mitigation. This leaves water users in a position of having to prepare for litigation, but not necessarily knowing with whom they will be litigating. Last year water users spent over \$100,000 to intervene on the side of the Bureau of Reclamation in the lawsuit brought by Trout Unlimited. Can we assume that when we sue the Department of Interior the Bureau is going to intervene on our side? Obviously not.

Several things have become clear during the negotiations process. First, irrigated agriculture is seen by the United States as an institution that must be endured, but not encouraged or supported. Second, outside of the current personnel in the project offices of the Bureau of Reclamation, the "New Bureau of Reclamation" no longer should be considered as an ally of irrigators. Third, we

have a majority in the U. S. Congress and the federal bureaucracy who not only do not recognize local economic dependence on agricultural production but apparently believe food comes from the supermarket. Fourth, irrigators are going to have to be prepared to fight lonely battles in the courts and congress to maintain our position until the pendulum of reason swings back toward the center. The water district budget for 1990 reflects the modest preparation for the first skirmish.

One positive thing has come out of the negotiations. Through the process the Committee of Nine was able to agree to Water Bank Rules that assure that those space holders who receive the economic benefits for water marketed below Milner will bear the refill risks. While this clearly is not in the self interest of water bank suppliers, it is fair and demonstrates the ability of the Committee of Nine to reach good decisions on issues over which individual interests may be divided.

During 1989, 450,079 acre-feet of storage space was assigned to the water bank. The combined sales for all uses including the production of hydropower totaled 116,055 acre feet. This relatively low demand of course reflects near normal natural flow supplies. We can anticipate significantly higher demands for supplemental storage

supplies unless the 1990 forecast changes dramatically.

Faced with a pending drought and battles with the Feds it is hard to envision a lower level of activities for the Committee of Nine during 1990. Unless it is the consensus of water users to do otherwise the Committee of Nine will continue to use its best efforts to assure that the status quo in water entitlements will be maintained on the upper Snake into the next century.

## DISBURSEMENTS from February 25, 1989 to February 16, 1990

Social Security & Federal Tax (hydrographers)	\$	8,861.68
Retirement System		6,290.02
Employment Insurance		404.04
State Insurance Fund		2,419.43
State Taxes		590.47
Postage		1,237.00
Petty Cash Reimbursement		100.00
Misc. Office Expense		303.83
Bookshelf Bindery		1,078.00
Misc. Hydrographer Expense		1,697.41
Audit		1,505.00
Bowen Construction		1,080.00
IWUA Membership		500.00
Otto Otter		280.00
Watermaster Travel & Meeting Expense		4,273.80
Committee of Nine		7,359.14
Water District & Water Resource Coop		207,107.48
D.B. Fitzpatrick		2,876.26
Legal Expense - Kent Foster		62,764.10
John Rosholt		1,105.65
Roger Ling		5,022.33
Dr. Brockway		1,703.91
Rental Pool Disbursements		
Rental Refunds		68,650.00
Rental Payments - Balance 1988		134,069.21
Adjudication Payments		114,797.29
Adjudication Interest		15,855.74
USGS/Wackerli Realty		16,413.60
USGS/Streamgaging		76,620.00
U of I - Pump Station		18,889.11
Fremont-Madison Data Coop		2,400.00
PUW Coop		1,087.05
ERO Resources		20,146.44
Sutron		62,650.00
Bitton, Dennis		2,774.70
Blanchard, Gail (\$1,267.40 mi. \$22.50 misc. expense)		3,344.91
Blauer, Harold (\$133.34 misc. expense \$714.40 mi. expense)		2,517.06
Brown, Wilbur (\$4,412.50 auto hire)		9,424.98
Carl, Richard		332.90
King, Helga		647.47
Lenz, Viola (\$631.06 mi.)		1,409.11
Lindsay, Virginia (\$2,015.00 auto hire)		3,845.37
O'Brien, Dee (\$2,896.20 mi.)		7,914.11
Richards, Val (\$4,800 auto hire)		15,937.54
Skaar, Alan		2,629.36
Von Achen, Jack (\$568.80 mi.)		2,585.45
Wheeler, Press		522.90
		<hr/>
	TOTAL	\$ 904,023.94

1989 W.Y.

CASH RECEIPTS

1987 Water Assessments	\$ 110.91
1988 Water Assessments	254,434.55
1990 Water Assessments	15.00
1989 Water Rental	\$289,498.50
1990 Water Rental	\$ 7,535.00
1988 Excess Storage Use	32,243.26
1987 Excess Storage Use	130.00
Bonneville County	\$ 1,573.18
Madison County	558.35
Teton County	0
Contracts	
BOR	\$ 39,050.00
PWU	2,752.50
Miscellaneous Receipts	\$ 14,075.92
Staff gages, FM Teton Gage	
Luncheon Receipts, Interest	
	<hr/>
	\$641,977.20

February 16, 1990

Balances as of 2-24-89

Checking Account Balance \$ 2,588.93

Accounts from 2-24-89 to 2-16-90

Cash Receipts	\$638,359.67
Interest from Shearson-Lehman	948.72
Interest from Checking	2,668.81
Deposit from WCMA Acct. to checking	140,000.00
Deposit from Shearson-Lehman	212,752.56
Deposit from Prudential-Bache	634.00
	<u>\$997,952.69</u>

Paid Outs \$904,023.94

Bank Balance as of 2-16-99 \$ 93,928.75

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Merrill Lynch CMA \$ 17,699.00

D.B. Fitzpatrick  
Equities \$239,500.00

*634,977.20*

2/26/90

	1989 Budgeted	1989 Spent	1990 Budgeted
<u>HYDROGRAPHERS</u>			
Teton Basin	\$ 6,300	\$ 7,914.22	\$ 7,000
Idaho Falls	2,500	2,585.45	5,000
Lower Valley	2,500	2,517.06	3,200
Henry's Fork	15,800	15,937.54	17,000
Teton River	3,300	3,344.91	3,400
	<u>\$30,400</u>	<u>\$32,299.18</u>	<u>\$35,600</u>
<u>RIVER RIDERS</u>			
Rigby & Heise Div.	\$ 7,500	\$ 9,424.98	\$ 8,000
Blackfoot Division	3,000	3,845.37	3,000
Swan Valley	3,000	2,774.70	3,000
Upper Falls River	1,100	1,409.11	1,200
South Leigh	500	0	--
Idaho Falls	0	522.90	2,500
Willow Creek	2,500	2,629.36	2,750
Milner	0	332.90	--
	<u>\$17,600</u>	<u>\$20,939.32</u>	<u>\$20,450</u>
<u>PROGRAM EXPENSES</u>			
ERO Resources			\$ 25,000
Sutron			24,000
Streamgaging			105,000
U of I Studies			38,000
			<u>\$192,000</u>
<u>PERSONNEL EXPENSE</u>			
Retirement	\$ 5,800	\$ 6,290.02	\$ 6,200
State Tax	800	590.47	800
Social Security	16,000	8,861.68	12,000
Mileage	17,000	*	17,000
State Insurance Fund	2,400	2,419.43	2,400
Employment Insurance	1,500	404.04	1,200
Part-time help	2,500	647.47	2,500
Committee of Nine	--	--	--
Misc. Hydrographer Exp.	300	1,697.41	500
	<u>\$46,300</u>	<u>\$20,910.52</u>	<u>\$ 42,600</u>
<u>MISCELLANEOUS EXPENSE</u>			
Otto Otter	\$ 500	\$ 280.00	\$ 500
IWUA	--	--	500
Postage	1,200	1,237.00	1,200
Supplies, Copying, Phone	1,500	403.83	1,500
Audit	2,700	1,505.00	2,900
Meetings	--	978.00	1,200
	<u>\$ 5,900</u>	<u>\$ 4,403.83</u>	<u>\$ 7,800</u>
<u>WATERMASTER</u>			
IDWR Contract	\$205,000	\$207,107.48	\$230,000
Report	2,200	1,078.00	2,200
Travel	2,900	2,995.80	2,900
	<u>\$210,100</u>	<u>\$211,181.28</u>	<u>\$235,100</u>
Total	\$310,300	\$289,734.13	\$533,550
<u>Non-Budget Add On</u>		\$161,958.60	
Total		\$451,692.73	
<u>Upper Valley Add On</u>		\$ 75,666.46	\$107,000
Total		\$527,359.19	\$640,550

\*Mileage included in the Hydrographer & River Rid-

GENERAL

NON BUDGET COSTS - 1989

INDIAN NEGOTIATIONS

ERO Resources \$ 29,753.46  
Travel 720.02  
\$ 30,473.48

HYDROMET

Sutron \$ 62,650.00

STREAMGAGING

USGS \$129,413.80

1988 BILLING CORRECTIONS

Refunds \$ 4,941.96

OTHER PROGRAM COSTS

PWUA \$ 1,339.55  
U of I Studies \$ 18,889.11

ATTORNEYS & CONSULTANTS

Rosholt \$ 1,105.65  
Ling 5,022.33  
Foster 16,660.00  
Brockway 1,703.91  
\$24,491.89

MISCELLANEOUS

Bowen Const. \$ 1,080.00  
IWUA 500.00  
\$ 1,580.00

TOTAL \$273,779.79

SPECIAL REVENUES

Water Bank \$ 57,868.00  
Bureau Reclamation 39,050.00  
Other Revenues 14,903.19

TOTAL \$111,821.19

REMAINING OBLIGATIONS

\$161,958.60

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UPPER VALLEY SPECIAL CHARGES

SPECIAL UPPER VALLEY ASSESSMENTS

Committee of Nine Expenses \$ 7,359.14  
Attorney Fees 68,307.32

TOTAL \$75,666.46

Cost from February 24, 1989 to January, 1990

WATER DISTRICT - WATER RESOURCE ACCOUNT

Funds Transferred (2/24/89)	\$207,107.48	
Balance Coop Funds (2/04/88)	<u>16,088.60</u>	\$223,196.08

Watermaster & Staff		
Salary	\$113,325.03	
Benefits	26,262.88	
Data Processing	1,904.81	
Codex	277.91	
Printing & Misc.	<u>1,568.32</u>	
		- <u>\$143,338.95</u>

*what is this?*

		\$ 79,857.13
General Fund Overhead Charge		- \$ 2,396.80
Indirect Charges		- <u>\$ 34,278.98</u>
Balance		\$ 43,181.35

Wane S.

A G E N D A

COMMITTEE OF NINE MEETING  
Elks Lodge, Idaho Falls

March 5, 1990

RECEIVED  
FEB 27 1990

2:00 p.m.

Meeting Called to Order  
Leonard Scheer, Chairman

Department of Water Resources

Reading of Minutes of Last Meeting  
Reed Murdock, Secretary

2:30 p.m.

Auditor's Report  
Richard Hale

Financial Committee Report  
Reed Murdock

Presentation of:

1990 Proposed Budget  
1990 Resolutions

Other Business

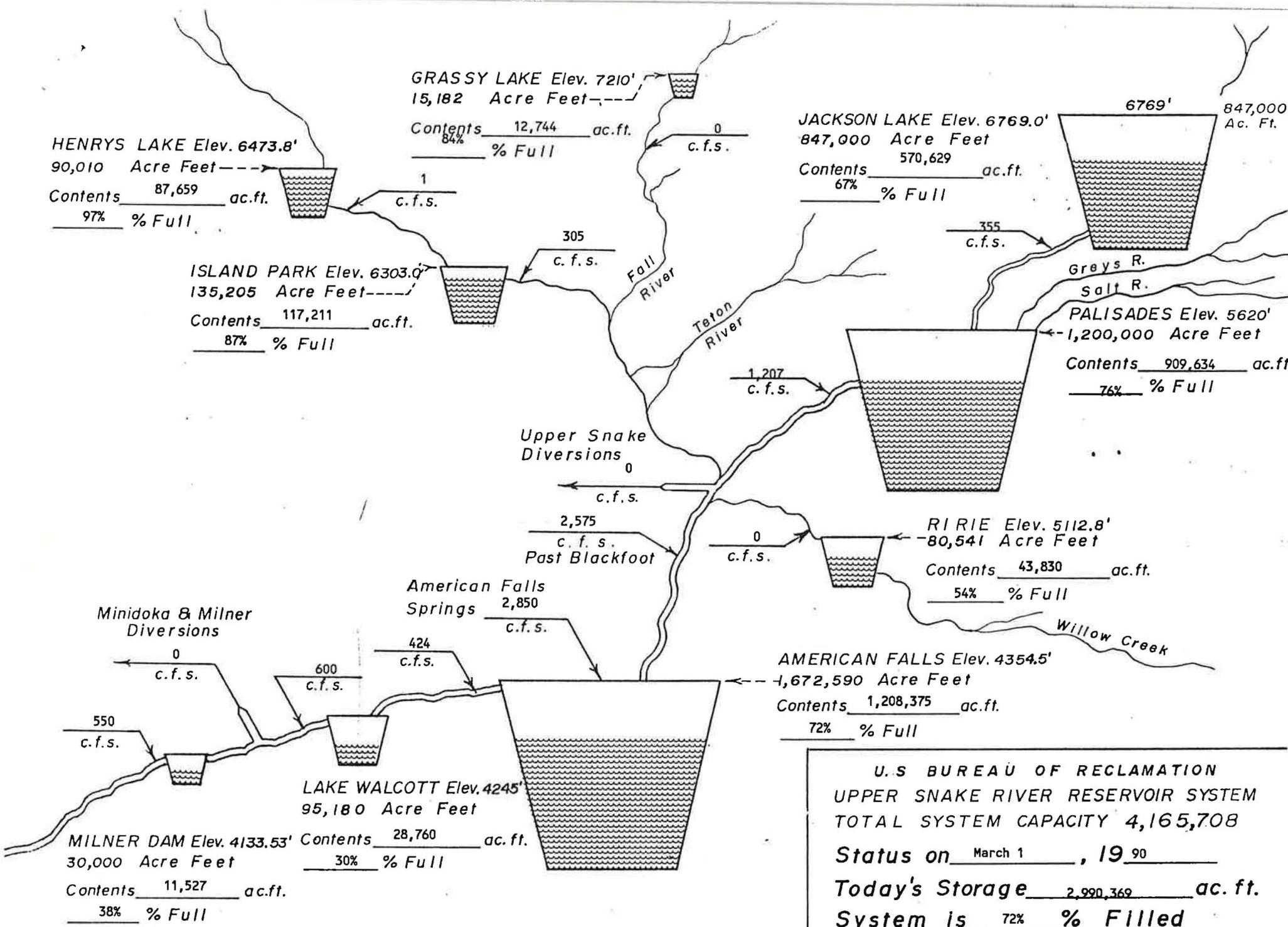
Adjourn

WATER DISTRICT 1 ANNUAL MEETING  
Elks Lodge, Idaho Falls  
March 6, 1990

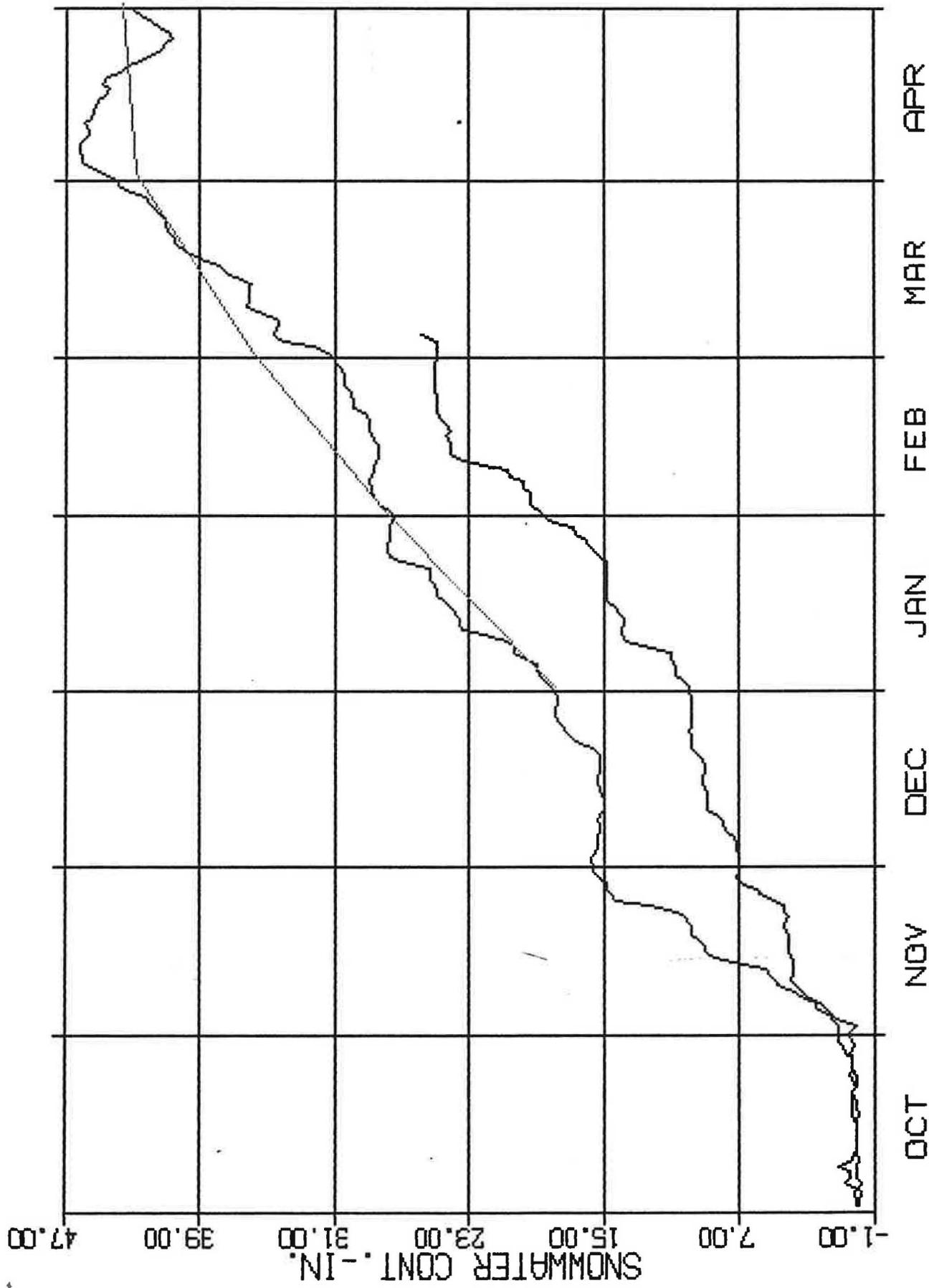
A G E N D A

- 9:00 a.m. Introduction of Agenda - Leonard Scheer
- 9:10 IWUA Legislative Report - Sherl Chapman  
9:30 IWUA Education Committee Report - Vergil Temple
- 10:00 a.m. Call to Order - Leonard Scheer  
Welcome - Mayor Campbell
- Election of Temporary Chairman  
Election of Temporary Secretary
- Reading of Minutes for 1989
- Selection of Committees
- |              |                                 |
|--------------|---------------------------------|
| Henrys Fork  | Dist. 1 (Main river ab Lorenzo) |
| Lower Valley | Dist. 2 (Feeder Canals)         |
|              | Dist. 3 (Lorenzo to Shelley)    |
|              | Dist. 4 (Below Shelley)         |
- Report on Committees & Elections
- Committees Excused: Credentials, Order of Business
- Roll Call
- Election of Committee of Nine
- Reports - Bureau of Reclamation
- a. Water Supply Outlook
  - b. BOR Activities
- Finance Committee Report - Reed Murdock
- 11:45 a.m. Lunch Break (No host luncheon - \$6.00 roast beef)
- 1:00 p.m. Annual Report of the Committee of Nine - Paul Berggren
- 1:15 IDWR Director's Report - Keith Higginson
- 1:45 Adjudication Update - Dave Shaw
- 2:00 Ron Carlson - Watermaster's Report
- 2:30 p.m. Resolutions & Election of Watermaster  
Unfinished Business  
New Business

ADJOURN



U.S. BUREAU OF RECLAMATION  
 UPPER SNAKE RIVER RESERVOIR SYSTEM  
 TOTAL SYSTEM CAPACITY 4,165,708  
 Status on March 1, 1990  
 Today's Storage 2,990,369 ac. ft.  
 System is 72% % Filled



LEWIS LAKE DIVIDE  
 LWSY SE 1990 LWSY SE 1989  
 APR ELEV=7850

WATER DISTRICT 1 ANNUAL MEETING

Resolutions 1990

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 an accurate and equitable basis.

BE IT FURTHER RESOLVED that 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.

2. That the water users of Water District 1 continue the cooperative program with the Idaho Department of Water Resources as outlined in the Memorandum of Understanding signed by the Chairman of the Committee of Nine and the Director of the Department of Water Resources on March 3, 1979.
3. We recommend that Ronald D. Carlson be re-elected watermaster for the ensuing year. This recommendation shall, under the cooperative program with the IDWR, authorize the watermaster to hire a full time staff of a deputy, two assistants, a secretary, and a data specialist. Thirty-three percent of the watermaster's salary and benefits shall be paid from non-water district funding provided by the Idaho Department of Water Resources.
4. That the duties of the watermaster shall begin on this date and continue for a period of one full year.
5. Proposed Budget for Water District 1 for the year beginning March 1, 1990.

1990 Water District Budget

HYDROGRAPHERS

Teton Basin	1,000 hrs. (+ mi.)	\$ 7,000
Idaho Falls	800 hrs. (+ mi.)	5,000
Lower Valley	400 hrs. (+ mi.)	3,200
Henry's Fork	1,800 hrs. (inc. mi.)	17,000
Teton River	520 hrs. (+ mi.)	3,400
		<u>\$ 35,600</u>

RIVER RIDERS

Rigby & Heise Div.	1,200 hrs. (+ mi.)	\$ 8,000
Blackfoot Division	600 hrs. (+ mi.)	3,000
Swan Valley	480 hrs. (+ mi.)	3,000
Upper Falls River	125 hrs. (+ mi.)	1,200
Willow Creek	5 mos. @ \$550 (inc. mi.)	2,750
Idaho Falls	6 mos. @ \$450 (inc. mi.)	2,500
		<u>\$ 20,450</u>

PROGRAM EXPENSES

ERO		\$ 25,000
Sutron		24,000
Streamgaging		105,000
A of I Studies		38,000
		<u>\$192,000</u>

PERSONNEL EXPENSE

Retirement		\$ 6,200
State Tax		800
Social Security		12,000
Mileage		17,000
State Insurance Fund		2,400
Employment Insurance		1,200
Part-time Help		2,500
Miscellaneous Hydrographer Expense		500
		<u>\$ 42,600</u>

MISCELLANEOUS EXPENSE

IWUA		\$ 500
Otto Otter		500
Postage		1,200
Supplies, phone, copying		1,500
Audit		2,900
Meetings		1,200
		<u>\$ 7,800</u>

WATERMASTER

IDWR Contract		\$230,000
Report		2,200
Travel		2,900
		<u>\$235,100</u>

Total 1990 Budget \$533,550\*

Estimated General Assessment \$408,550

Upper Valley Additions

Committee of Nine		\$ 7,000
Attornies Fees		100,000

\*Funds from other sources, including the water bank could provide an additional \$125,000 in revenues. These funds will first be used to pay the costs associated with negotiations/litigation related to claimed Indian reserved water rights.

6. 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 cost of delivering water to many diversions is less than their normal assessments when based upon their total season use of water;

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

7. Resolved that the watermaster shall prepare a report in accordance with Idaho Code, Sec. 42-614, which shall become the official billing to the individual water users, canal companies, and irrigation districts, and is hereby authorized to collect all of the expenses of delivering the waters of the district, including his salary and that of his assistants, and shall make all disbursements necessary to the conduct of the business of administering and delivering the waters of the district.

Resolved 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 for the past years water use.

Resolved that copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and the report prepared in accordance with Sec. 42-614, shall be filed with the county clerks of Bonneville, Madison, Teton, and Fremont Counties.

8. WHEREAS, the Committee of Nine has been appointed by the Idaho Water Resource Board pursuant to Sec. 42-1765, Idaho Code, and;

WHEREAS, the watermaster of Water District 1 has traditionally acted on behalf of the Committee of Nine in leasing stored water within Water District 1, and;

WHEREAS, it is necessary to an orderly rental program that the watermaster continue to have the authority to act on behalf of the Committee of Nine,

THEREFORE, BE IT RESOLVED that for the purpose of renting water, the watermaster be considered to be a member of the Committee of Nine.

9. BE IT FURTHER RESOLVED that with the exception noted in Resolution No. 8, we recommend that the Committee of Nine 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, Gooding Canal, A & B Irrigation, and a member from the Burley or Minidoka District; whichever is not currently represented on the regular committee be included. Any canal company or district desiring to have representatives attend meetings of the Committee of Nine should notify the watermaster, who will then advise them of dates and time of committee meetings so that they may have the opportunity to attend such meetings.

10. WHEREAS, it is in the best interest of the water users of Water District 1 to account for all diversions which might adversely affect any prior natural flow or storage diversions;

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

11. WHEREAS, the Committee of Nine represents irrigators from all areas of Water District 1, and;

WHEREAS, the Water Bank Rules specify that the operation of the water bank will be by and for irrigators, and;

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

WHEREAS, questions have arisen over the definition of "land owner" and "water user."

IT IS, THEREFORE, RESOLVED by the water users of Water District 1 this First day of March 1989, that water user and land owner shall be defined as follows:

1. That he owns an irrigated farm that is comprised of more than twenty (20) irrigated acres, that has valid surface water rights deliverable by the Snake River Watermaster.
2. That he has received over 50% of his annual income during the past ten years of his annual income from farming activities within the portion of the Snake River valley served by Water District 1. This definition shall not be used to limit the continuation of any one currently serving on the Committee of Nine and does not apply to advisory members now or in the future.

12. WHEREAS, the Committee of Nine has adopted certain rules to assure the orderly operation of the Water Supply Bank; and,

WHEREAS, these rules have been adopted by the Idaho Water Resources Board,

THEREFORE, BE IT RESOLVED that the following Water Bank Rules be adopted by Water District 1 for 1990:

Rule 1. AUTHORITY AND STATEMENT OF PURPOSE.

- 1.1. These rules and regulations have been adopted pursuant to Idaho Code, Sec. 42-1765 to assure orderly operation of the Upper Snake Water Supply Bank. Under no circumstances shall these rules and regulations be construed to limit or restrict the authority of the Director of the Department of Water Resources, the Water Resources 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.
- 1.2. It is the purpose of these rules and regulations to:
1. Provide a process, consistent with the Idaho Code, by which stored water supplies may be made available for a specified period of time to water users who need additional water.
  2. Provide incentives for those owning reservoir space and having stored water, which is surplus to their needs, to make such space/water available to other users and uses.
  3. Establish a recognized system through which water supplies can be located, identified, advertised, and subsequently bought, sold, or leased.
  4. Provide a dependable source of revenue for Water District 1 to make improvements in distribution to expand water supplies or to aid in increasing efficiency in the use of water on the upper Snake River.
- 1.3. Available water supplies may be purchased from the Water Supply Bank for any beneficial purpose recognized under state law, including the maintenance of minimum stream flows, when all other uses have been met for available supplies. In no case will water be provided for maintaining

flows greater than those established by the Water Resource Board and the Idaho Legislature.

Rule 2. DEFINITIONS.

- 2.1 Acre-foot is a volume of water sufficient to cover one acre of 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 upper Snake Water Supply Bank as operated by the Committee of Nine of Water District 1.
- 2.4 Board means the Idaho Water Resources Board.
- 2.5 Bureau means the federal Bureau of Reclamation or BOR.
- 2.6. Committee means the Committee of Nine unless otherwise specified.
- 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.
- 2.10. Lease is the agreement through which a specific amount of storage space or stored water is obtained from the Water Supply Bank for use during a specified period of time.
- 2.11. Insurance water is stored water that is made available on a continuing basis to supply additional flows for hydropower and other uses only under certain agreed upon drought conditions with payments being made to those agreeing to give up the storage for loss of production.
- 2.12. Lessee is the entity leasing space/water from the Water Supply Bank.
- 2.13. Lessor is the entity providing space/water to the Water Supply Bank.
- 2.14. Milner means Milner Dam or the lowest diversion in Water District 1.

- 2.15. Mitigation means releasing water from storage pursuant to the instructions of the director, to replace projected ground water depletions.
- 2.16. Preference lease means a contract with the water bank for an improved priority to lease water from space assigned to the bank in future years.
- 2.17. Rental Pool Committee means a sub committee of the Committee of Nine composed of the Snake River watermaster, superintendent of the Minidoka Project, and three regular members of the Committee of Nine.
- 2.18. Rental Pool means the reservoir space assigned to the water bank during any given year.
- 2.19. Space means all or any portion of the active impoundment volume of a reservoir measured in acre-feet.
- 2.20. Storage means the portion of the available space that is storing water.
- 2.21. Rent (or rental) means lease.
- 2.22. Watermaster means the watermaster of Water District 1.
- 2.23. Sale means the acquisition of water from space assigned to the water bank.
- 2.24. Paid-out means the space holder construction contact(s) with the U.S. Government have been fulfilled.

### Rule 3. GENERAL

- 3.1. It is the policy of the Water Resources Board and the Committee of Nine to operate the Water Supply Bank for the maximum beneficial use of available water supplies.
- 3.2. Operation of the Water Supply Bank will be by and for the irrigators within Water District 1 through the Committee of Nine. All rules and regulations are designed to assure that water stored in federal reclamation reservoirs is first maintained and made available for irrigation before other uses are considered.

- 3.3. The operation of the Water Supply Bank shall in no way recognize any obligation to maintain flows below Milner Dam or assure the minimum stream flows established at the USGS gaging station on the Snake near Murphy unless specific arrangements to do so are made with the watermaster through valid agreements for releasing water for mitigation, insurance contracts, or annual storage lease agreements.
- 3.4. The operation of the "Water Bank" shall be consistent with the statutes creating the Water Supply Bank and the Rules and Regulations of the Idaho Water Resources Board of the provisions of the space holder contracts with the United States.
- 3.5. Storage space is accepted for the water bank on a contingency basis. Payments to the lessor will be made to the extent contract monies are received by the Water Bank pursuant to these rules.
- 3.6. Space assigned to the Water Bank that is evacuated to supply water for uses below Milner shall be the last space to fill in the ensuing year.

Rule 4. MANAGEMENT

- 4.1 The Water Supply Bank shall be operated pursuant to Idaho Code, Sec. 42-1761 to 42-1766 with all policies being established through the approval of the Committee of Nine.
- 4.2. A committee composed of the watermaster, the superintendent of the BOR's Minidoka Project and three members of the Committee of Nine shall be appointed by the chairman and shall have the following general responsibilities:
  1. To determine general policies regarding annual storage leases which may not be covered by the adopted rules and regulations.
  2. To assist the watermaster in the allocation of water leased from the bank if conflicts arise.
  3. To advise the Committee of Nine on water banking activities.

4. To set policies for the disbursement of funds generated by the water bank.
- 4.3. The watermaster shall act as the manager of the water bank. His authority shall include accepting water into the bank, executing lease agreements on behalf of the Committee of Nine, disbursing and investing funds generated through the lease of stored water, and distribution of water supplies from the water bank.

## 5. ASSIGNMENTS.

- 5.1 Any individual, irrigation district, canal company, or other entity who owns space in a reservoir located in Water District 1 may assign any portion of this space to the Water Bank.
- 5.2 Space assignments will be identified by reservoir. If no designation is made in assigning space in federal reservoirs to the water bank it shall be understood that American Fall's space will be assigned before Jackson and Jackson space will be assigned before Palisades's space.
- 5.3. Storage assignments, are subject to the acceptance of the Rental Pool Committee. Reservoir space submitted for assignment may be rejected in whole or in part by the watermaster and Rental Pool Committee or they may place special conditions on uses, allocation, and price if, in the judgment of the Rental Pool Committee, accepting said water will not be in the best interest of the water bank.
- 5.4. Anyone who attempts to assign space to the bank and feels aggrieved by the decision of the Rental Pool Committee may ask for a hearing before the Committee of Nine within fifteen (15) days.
- 5.5. The Committee of Nine, after hearing the arguments of the one claiming to be aggrieved, shall decide the issue by majority vote.
- 5.6. Assignments of storage to the water bank shall be on a priority basis as set forth in rule 6.
- 5.7. Assignments of storage space 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.

- 5.8. Assignments of reservoir space may be made for periods of up to 20 years. Any space assigned for periods in excess of two years shall be subject to rule 9 of these Water Bank Rules and Regulations.
- 5.9. All space assigned to the water bank shall be under the control of the watermaster and the Rental Pool Committee for the duration of the lease.

Rule 6. PRIORITIES.

- 6.1. Anyone holding space in a federal or private reservoir who assigns space for annual lease and designated such space available by July 1 of any year shall share proportionally in the proceeds from the lease of all or part of the yield from such space in that year.
- 6.2. Anyone holding space in a federal reservoir who assign space for annual lease after July 1 of any year shall receive proceeds from the sale of all or any part of the water sold which was made available after July 1 of that year on a "first come" basis.
- 6.3. All water from reservoir space designated for lease before July 1 of any year will be sold before any water from space assigned after July 1 will be sold.
- 6.4. Whenever an assignment 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 amount of water designated.
- 6.5. If a space holder should chose to assign all of his space to the water bank the "yield" of that space shall be determined by the watermaster. Yield will be determined by the percentage the reservoir filled minus evaporation.

Rule 7. LESSOR PRIORITIES.

- 7.1. Any water available through the water bank for annual use shall be provided on a priority basis.
- 7.2. The first priority in acquiring water from the water bank shall be given to those irrigation water users owning space in the various storage reservoirs of the Bureau of Reclamation in the

Snake River Basin above Milner Dam.

- 7.3. The second priority in acquiring stored water from the water bank shall be given to other irrigation water users who divert water above Milner Dam and are located within Water District 1.
- 7.4. Priority among water users of each priority listed above and who execute annual contracts to obtain stored water during a given year shall be determined by the date on which the water user's contract and payment is received at the office of the upper Snake River 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.
- 7.5 Any water user having once initiated a contract for stored water may request water in subsequent years by confirming, in writing, that all of the information on the original lease is true and correct, and by identifying the amount of water he wishes to purchase. The priority in this case will be the date on which payment is received by the watermaster.
- 7.6. Space assigned to the water bank from reservoirs with paid-out federal contracts shall be first reserved for allocation for irrigation purposes. Anyone leasing water from such space for irrigation shall be subject to 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 (RRA). If sufficient space is not available in paid-out reservoirs and stored water is acquired from a reservoir with remaining federal repayment contracts, then anyone acquiring such water shall be responsible for compliance with the limitations and reporting requirements of the RRA.
- 7.7. Any water diverted within Water District 1 without adequate natural flow and storage entitlements will be charged by the watermaster as storage used. Any such unauthorized use of water shall be replaced from available water bank supplies at a cost to the user equal to the established water bank price plus seventy five cents (\$ .75) to cover increased administrative costs. The administrative costs may be waived by the watermaster if, in his judgment, such unauthorized use resulted from measurement or

accounting errors.

- 7.8. Water leased under an annual lease agreement and unused for irrigation purposes may be returned to the Water Bank by September 1. Monies refunded shall be reduced to cover the estimated fifty cent (\$.50) administrative cost to Water District 1 and twenty-five cents (\$.25) to offset the O & M costs of the lessors.

Rule 8. LEASE PAYMENTS AND WATER COST.

- 8.1. The lease price of water assigned to the water bank shall be set by the Committee of Nine each year.
- 8.2. The price of water available from the water bank shall be set by the Rental Pool Committee and approved by the Committee of Nine each year. The established base price shall be \$2.00 per acre-foot diverted plus an administrative charge of \$.75 per acre-foot.
- 8.3. The lease price and the administrative charges for leases in excess of one year shall be negotiated by the Rental Pool Committee and the lessee and shall remain as negotiated for the term of the lease.
- 8.4. The lease price for 1990 shall be \$2.75 including administrative charges for both irrigation and non-irrigation water users.
- 8.5. Lease payments to the lessors shall be made in accordance with rule 6 and shall be based upon the data published in 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.
- 8.6. The Rental Pool Committee may authorize the watermaster to make partial payments to lessors based upon provisional data when, in the watermaster's judgment, such partial payments can be made with reasonable certainty.
- 8.7. Monies received from annual water bank leases that are designated to be paid to the owner of

space committed to the water bank shall be maintained in a separate interest-bearing account with accrued interest being distributed on a pro-rata basis at the time final water bank payments are made. The water district shall be entitled to ~~use~~<sup>use</sup> all water bank funds on an as needed basis provided the accrual of interest due suppliers is not affected.

Rule 9. LONG-TERM LEASES.

- 9.1. The Committee of Nine may arrange leases of storage space for periods not to exceed 20 years. Such long-term leases will be negotiated on a case-by-case basis and may be supplied from anticipated future annual space/water assignments to the Water Bank or from specific long-term space assignments, or a combination of the two.
- 9.2. Contracts for long-term leases shall not be subject to the provisions of rules 6 and 7, except that the agricultural preferences identified in rule 7 shall apply when there is competition for limited long-term supplies.
- 9.3. Any contract for long-term lease shall contain the following information:
  - A. Name and address of lessor.
  - B. Amount of storage space obligated.
  - C. The lease price.
  - D. The legal description of the point of diversion and place of use.
  - E. The duration of the lease.
  - F. The understanding of responsibilities and exposures if reservoir space does not fill at some time during the term of the lease.
- 9.4. Long-term leases may fall in one of the four following categories:
  1. Preference.
  2. Insurance water.
  3. Lease of long-term assignments.
  4. Negotiated leases.

Rule 10. CATEGORY 1 RULES

- 10.1. A Category 1 lease represents a commitment of the lessee to purchase a specific amount of water from the water bank for some specified period of time, such period not to exceed twenty (20) years. For a Category 1 lease priority shall be considered to be a first priority use as defined in Rule 7.2, provided such use is for irrigation purposes from a point of diversion located upstream from Milner Dam.
- 10.2. Water supplied to a Category 1 lease shall be supplied from the general supplies assigned to the bank for annual sales. Rule 8 shall apply.
- 10.3. A Category 1 lease 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 lease upon receipt of the first year's lease payment. Each successive year the scheduled payment shall be due on or before April 1. Failure of the lessee to meet any scheduled payment shall void the lease.

Rule 11. CATEGORY 2 RULES

- 11.1. A Category 2 lease represents an option to call on a specific volume of stored water under specific conditions that might be outlined in the contract. The lessee will make a predetermined annual payment to the Water Bank each year.
- 11.2. Anyone wishing to assign an option to storage for a period of time may do so by notifying the watermaster and identifying in writing the amount of space to be assigned, the reservoir from which it is assigned, and the term of the assignment.
- 11.3. Monies collected during the term of the option shall be held by the watermaster in an interest bearing account. At such time as the option is exercised all monies collected by the watermaster shall be paid to the spaceholder(s) assigning the insurance space.
- 11.4. If the option is not exercised during the term of the contract all monies collected shall revert to the water district.

Rule 12. CATEGORY 3 RULES.

*Lake Walcott*

- 12.1. Anyone owning space in Jackson, Palisades, Ririe, or American Falls Reservoirs may assign space to the Water Supply Bank for a period not to exceed twenty (20) years. The watermaster, rental committee and the one(s) assigning long-term space shall negotiate the terms of any long-term lease with the lessee.
- 12.2. Once the terms of the lease have been reached the watermaster will execute the lease with the lessee. The lease will be considered to be in force once the first annual payment is received by the watermaster, and will continue to be in force as long as the lessee meets the terms of the lease.
- 12.3. Payments due those assigning space to the long-term pool will be made by the watermaster within ten days of his receiving payment from the lessee.

Rule 13. CATEGORY 4 RULES.

- 13.1. Agreements negotiated between two parties, upon approval of the Committee of Nine, may be facilitated through the Water Bank in the same manner as Category 3 leases provided acceptable arrangements are made to cover the administrative costs of the Water Bank.
- 13.2. All of the Category 3 rules apply.
- 14. WHEREAS, it is in the interest of all water users to have the water rights within Water District 1 delivered according to the priority system; and,  
  
WHEREAS, the accounting system now used by Water District 1 requires that each diversion have assigned to it a specific list of decreed, licensed, and storage entitlement; and,

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

NOW, THEREFORE, BE IT RESOLVED that no diversion 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.

15. WHEREAS, Idaho Code, Section 41-605 provides that water districts may, by resolutions adopted at an annual meeting, change the date for annual meetings in subsequent years to any weekday . . . between the Second Monday of January and the Third Monday in March . . ."; and,

WHEREAS, it has been determined that the First day of March is generally acceptable as a meeting day as long as it does not fall on a Saturday, Sunday, or Monday.

WHEREAS, it is the desire of the water users of Water District 1 here assembled to establish the First day of March as the date for further annual meetings unless it should fall on a Saturday, Sunday, or Monday, in which case it shall be scheduled for the First Tuesday in March.

NOW, THEREFORE, BE IT RESOLVED by the water users of Water District 1, meeting this Sixth day of March, 1990, in regular annual session, that the next annual meeting shall be scheduled for Tuesday, March 5, 1991, and subsequent meetings shall be scheduled pursuant to this resolution unless otherwise modified and that the watermaster be directed to give appropriate notices thereof.

*adopted*

R E S O L U T I O N 16

WHEREAS, representatives of Water District 1 have participated in negotiations among the United States, State of Idaho and the Tribes in an attempt to define by agreement the Tribes' claim to water in the Snake River Basin above Hells Canyon; and

WHEREAS, generally the provisions of the proposed Settlement Agreement have been agreed to in principle to the satisfaction of the negotiators; and

WHEREAS, the United States now seeks to withdraw its previous offer to transfer Ririe and Palisades storage, at no cost, to an entity designated by the Committee of Nine to hold said storage water to use in mitigation of the impacts that will occur to water users in the implementation of the Settlement Agreement; and

WHEREAS, said transfer was the cornerstone of Water District 1 negotiators' December 19, 1989, decision to support the Agreement;

NOW, THEREFORE, BE IT RESOLVED that Water District 1 supports the principles of a negotiated settlement agreement of the Sho-Ban Tribes for the Fort Hall Reservation on the basis of the outlined attached hereto as Exhibit "A", which includes the transfer of Ririe and Palisades storage, without cost, to an entity designated by the Committee of Nine.

R E S O L U T I O N 17

WHEREAS, representatives of Water District 1 have participated in negotiations among the United States, State of Idaho and the Tribes in an attempt to define by agreement the Tribes' claim to water in the Snake River Basin above Hells Canyon; and

WHEREAS, generally the provisions of the proposed Settlement Agreement have been agreed to in principle to the satisfaction of the negotiators; and

WHEREAS, the United States now seeks to withdraw its previous offer to transfer Ririe and Palisades storage, at no cost, to an entity designated by the Committee of Nine to hold said storage water to use in mitigation of the impacts that will occur to water users in the implementation of the Settlement Agreement; and

WHEREAS, said transfer was the cornerstone of Water District 1 negotiators' December 19, 1989, decision to support the Agreement;

NOW, THEREFORE, BE IT RESOLVED that Water District 1 agrees to be responsible for annual operation and maintenance charges for said storage space after the date of the transfer.

add to 16

ACCORD: NEGOTIATIONS  
U.S., TRIBES, STATE, WATER USERS  
DATE: 9/1/89

WATER SUPPLY

Blackfoot	150,000	1867	(hold harmless non-Indian Blackfoot users to present diversion; if short on Blackfoot, go to Reservation groundwater)
Bannock	50,000	1867	
Snake & Sand Creek	115,000	1867	
Ross/Lincoln	10,000	1867	
Storage	130,000	State	
Groundwater	<u>125,000</u>	1867	
	580,000		
Snake & Sand Creek (Non Indian Project Water Users)	60,000	1891	

MARKETING

Palisades	80,000+	above Milner only (would continue Portneuf payback from Palisades)
Am. Falls	50,000-	below Milner
		Tribes form own water bank; I.W.R.B. approve rules

Unallocated storage to water users.

No fish flows except American Falls storage, including rights or calls above Hell's Canyon.

TRIBAL CONDITIONS

1. Nothing to preclude Tribes' participation in Galloway.
2. Tribes can enter relicensing process in Hell's Canyon (but no new claim for water from above Hell's Canyon).
3. Development Fund:
  - (a) \$15,000,000 from Feds - for state-of-art management (any left over used for well field); and
  - (b) \$5,000,000 from State - rehabilitate Equalizing Reservoir (can be in-kind contribution).
4. Negotiate with B. of R. on using Palisades water for winter flows.

GENERAL CONDITIONS

1. Supply fee and ceded lands within Fort Hall Project.
2. Designation of PIA and Existing Lands.
3. Consumptive use limitation.

2260m

EXHIBIT A

?

R E S O L U T I O N 18

WHEREAS, the installation and maintenance of adequate measuring devices is required of anyone diverting water from a river, stream or exchange well within Water District 1; and

WHEREAS, the water district has, for many years, been developing an allocation system that will provide the watermaster accurate real time streamflow and diversion data; and

WHEREAS, it is necessary for proper daily water allocation and accounting that pump diversions be included in the water supply computed each day during the irrigation season; and

WHEREAS, the collection of pump data poses special problems for the watermaster because meaningful pump diversion data require the continuous monitoring of pumps; and

WHEREAS, in many cases it is unreasonable for the water users to collectively pay the costs associated with daily trips to collect data in remote points of diversion; and

WHEREAS, the information collected in these trips has proven unsatisfactory because of poor data collecting equipment on site;

NOW, THEREFORE, BE IT RESOLVED by Water District 1 meeting in regular annual session this Sixth day of March 1990 that the term "measuring device" be interpreted to include such data logging and transmitting equipment as the watermaster may deem necessary to acquire adequate daily data for a specific diversion.

R E S O L U T I O N 19

WHEREAS, the Department of Water Resources is responsible for water allocation and distribution in the State of Idaho; and

WHEREAS, these responsibilities require measurements to monitor continuously the available water resources of the State; and

WHEREAS, the Idaho Legislature cut funding to the Department in 1983 which resulted in the Department dropping its support of the streamgaging program on the upper Snake River; and

WHEREAS, these are some of the most important gaging sites in the state for purposes of determining water supplies and distributing water rights; and

WHEREAS, the water users of Water District 1, to avoid loss of these stream gages, have assessed themselves to pay the full contributor costs to the United States Geological Survey since the state support was dropped; and

WHEREAS, the flow data from gaging on the upper Snake River is used extensively by people and institutions throughout the state;

NOW, THEREFORE, BE IT RESOLVED by Water District 1 meeting in regular annual session this Sixth day of March 1990 that the Idaho State Legislature be encouraged to restore sufficient monies to the budget of the Idaho Department of Water Resources to restore and assure state support of vital streamgaging on the upper Snake River and its tributaries.

BE IT FURTHER RESOLVED that copies of this resolution be supplied to the Resources Committees of the House and the Senate and to the Governor of the State of Idaho.

~~#1~~ Teton - voted on -  
not included here

R E S O L U T I O N 20

WHEREAS, the Committee of Nine has been elected to represent the collective interests of Snake River water users; and

WHEREAS, the Committee of Nine has represented all water users in the negotiations with the United States and Indian tribes related to federal water right claims; and

WHEREAS, the negotiations with the tribes are continuing past the deadline set by Judge Hurlbutt in an effort to reach an agreement and avoid costly litigation; and

WHEREAS, the need for water user participation in the negotiations process has not decreased and may expand if it becomes necessary to pursue a resolution through litigation;

NOW, THEREFORE, BE IT RESOLVED that Water District 1 designates the Committee of Nine to represent water users and to use their best efforts to protect the water rights that have been developed under State Law during the past century.

*Approved resolution supporting funding  
of Galloway.*

2/7/90

## 1989 Water District Budget

	<u>Budgeted</u>	<u>Spent</u>
<u>HYDROGRAPHERS</u>		
Teton Basin	\$ 6,300	\$ 6,914.22
Idaho Falls	2,500	2,585.45
Lower Valley	2,500	2,517.06
Henry's Fork	15,800	15,937.54
Teton River	<u>3,300</u>	<u>3,344.91</u>
	\$30,400	\$31,299.18
<u>RIVER RIDERS</u>		
Rigby & Heise Div.	\$ 7,500	\$ 9,424.98
Blackfoot Division	3,000	3,845.37
Swan Valley	3,000	2,774.70
Upper Falls River	1,100	1,409.11
South Leigh	500	0
Idaho Falls	0	522.90
Willow Creek	2,500	2,629.36
Milner	<u>0</u>	<u>305.20</u>
	\$17,600	\$20,911.62
<u>PERSONNEL EXPENSE</u>		
Retirement	\$ 5,800	\$ 5,980.50
State Tax	800	566.02
Social Security	16,000	8,552.32
Mileage	17,000	*
State Insurance Fund	2,400	2,191.43
Employment Insurance	1,500	289.72
Part-time help	2,500	647.47
Committee of Nine	--	--
Miscellaneous Hydrographer Expense	<u>300</u>	<u>1,297.47</u>
	\$46,300	\$19,524.93
<u>MISCELLANEOUS EXPENSE</u>		
Otto Otter	\$ 500	\$ 280.00
Postage	1,200	1,200.00
Supplies, Copying, Phone	1,500	432.34
Audit	2,700	1,505.00
Meetings	<u>--</u>	<u>1,093.57</u>
	\$ 5,900	\$ 4,510.91
<u>WATERMASTER</u>		
IDWR Contract	\$205,000	\$197,107.48
Report	2,200	1,078.00
Travel	<u>2,900</u>	<u>2,751.33</u>
	\$210,100	\$200,936.81
Total	\$310,300	\$277,183.45
Non-Budget Add On		<u>\$168,469.92</u>
Total 1989 General		\$445,653.37
Upper Valley Add On		<u>91,361.59</u>
Total 1989 Costs		\$537,014.94

\* Mileage included in the Hydrographers &amp; River Riders

NORM

3/1/89 - 2/28/90

02

02

KEITH

~~CORR~~  
COLUMBIA COMPACT GEN APPROP  
SESSION LAWS IF LINE ITEM

65-75

BY-LAWS  
of  
SNAKE RIVER MITIGATION WATERS, INC.  
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The purpose of the Snake River Mitigation Waters, Inc. (hereinafter called the "Corporation") is to become the appropriate contracting entity with the Secretary of the United States Department of the Interior, acceptable to the Committee of Nine of Water District 01 of the State of Idaho, for the 80,500 acre feet of noncontracted storage space in Ririe Reservoir and the 18,980 acre feet of noncontracted storage space in Palisades Reservoir, (the storage space in both reservoirs hereinafter called the "mitigation storage"), responsible for the operation and maintenance costs associated with this storage space for all those persons, firms, associations, corporations, bodies politic or subdivision thereof, who become members of this corporation and who have water rights recognized by the laws, rules and regulations of the State of Idaho, and which have been impacted adversely by "The 1990 Fort Hall Indian Water Rights Agreement" (hereinafter called "The Fort Hall Agreement").

ARTICLE I  
Members

Section 1. Qualifications and Obligations. Any person, firm, association, corporation, or body politic or subdivision thereof who have water rights recognized by the laws, rules and regulations of the State of Idaho, and which have been impacted adversely by The Fort Hall Agreement, may become a member of Snake River Mitigation Waters, Inc., (hereinafter called the "Corporation"), provided that he/she or it has first:

- (a) Made a written application for membership therein;
- (b) Produces written proof of a water right recognized by the laws, rules and regulations of the State of Idaho and that said water right has been impacted adversely by "The 1990 Fort Hall Indian Water Rights Agreement";
- (c) Agreed to comply with and be bound by the Articles of Incorporation and By-laws of the Corporation and any policies, rules and regulations adopted by the Board; providing, however, that no person, association, firm, corporation or body politic shall become a member unless and until he/she or it has been accepted for membership by the Board of Directors or the members.

(d) Agreed to provide the Corporation such rights-of-ways for the delivery of water through their respective systems as the Corporation may reasonably require or need to serve its members.

(e) Paid the membership fee required, at the time, by the Board.

## Section 2. Requirements and Rights of Membership.

(a) Membership in this association shall be evidenced by a membership certificate which shall be in such form and shall contain such provisions as shall be determined by the board of directors. No member may hold more than one membership in the Corporation, and no membership in the Corporation shall be transferable, except as provided in these By-laws.

(b) Each member shall be entitled to an allocation by the Board of the mitigation storage in a manner fairly representative of the relative impact of the Fort Hall Agreement upon that member's water rights, as compared with the relative impact of the Fort Hall Agreement upon all members' water rights, taking into consideration all of the relative factors.

All expenses of the Corporation, including its own operating expenses and the maintenance and operation expenses chargeable to the Corporation by the United State Department of the Interior for the mitigation storage shall also be allocated among the members on the basis of the mitigation storage allocated to each of them, in the form of an assessment to be levied by the Board of Directors, regardless of whether the member uses said storage. No member shall be entitled to the use of said mitigation storage until that member's assessments have been paid in full.

Each member shall be notified in writing of his/her or its assessment and said notice shall require the payment thereof within thirty days. In the event said assessment is not paid, in full, within said thirty day period, it shall become delinquent and the member whose delinquency occurs shall not be entitled to the use of said mitigation storage. The board shall notify such delinquent member of the delinquency by certified mail, and shall charge such member, in addition to the assessment, interest thereon at the rate of 12 percent per annum from the date of the delinquency until paid. The board shall then proceed

to collect any unpaid assessment, interest, costs and attorneys fees pursuant to any remedy allowed by law or equity, including the sale of said member's allocation in the mitigation storage.

(c) Each membership certificate shall be appurtenant to the tract or tracts of land for which the same is obtained; no membership certificate shall be transferable separate and apart from the land to which it is appurtenant, without the specific written approval of the Board.

(d) No membership certificate shall be transferred until all indebtedness of every character, including all assessments charged by the Corporation shall have been paid in full. All such indebtedness shall constitute a lien on the property to which the membership is appurtenant until fully paid.

Section 3. Joint Membership. A husband and wife may apply for a joint membership and, subject to their compliance with the requirements set forth in Section 1 of this Article, may be accepted for such membership. The term "member" as used in these By-laws shall be deemed to include a husband and wife holding a joint membership and any provisions relating to the rights and liabilities of membership shall apply equally with respect to the holders of a joint membership. Without limiting the generality of the foregoing, the effect of the hereinafter specified actions by or in respect of the holders of a joint membership shall be as follows:

(a) The presence at a meeting of either or both shall be regarded as the presence of one member and shall constitute a joint waiver of notice of the meeting;

(b) The vote of either separately, or both jointly, shall constitute one joint vote;

(c) A waiver of notice signed by either or both shall constitute a joint waiver;

(d) Notice to either shall constitute notice to both;

(e) Expulsion of either shall terminate the joint membership;

(f) Withdrawal of either shall terminate the joint membership;

(g) Either, but not both spouses, may serve as an officer or board member, provided they meet the qualifications for such office.

Section 4. Conversion of Membership.

(a) A membership may be converted to a joint membership upon the written request of the holder thereof and the agreement by such holder and his or her spouse to comply with the Articles of Incorporation, By-laws and policies, rules and regulations adopted by the Board. Corporation records shall be changed to indicate the changed membership status.

(b) Upon the death of either spouse who is a party to the joint membership, such membership shall be held solely by the survivor. The Corporation records shall be changed to indicate the changed membership status, provided, however, that the estate of the deceased shall not be released from any debts due the Corporation.

Section 5. Termination of Membership Services.

(a) Any member may withdraw from membership upon compliance with such uniform terms and conditions as the Board may prescribe. The Board may, by the affirmative vote of not less than two-thirds of all the members of the Board, expel any member who fails to comply with any of the provisions of the Articles of Incorporation, By-laws, policies, rules or regulations adopted by the Board, but only if such member shall have been given written notice by the Corporation that such failure makes him/her or it liable to expulsion and such failure shall have continued for at least ten days after such notice was given, including but not limited to, disconnection of the right to use of the mitigation storage. Upon written application, any member so expelled may be reinstated as a member by the affirmative vote of two-thirds (2/3's) of the members present, whether in person, or by proxy, at any annual or special meeting. The membership of a member who receives no benefit or use of the mitigation storage may be cancelled by resolution of the Board.

(b) Upon the withdrawal, death, cessation of existence or expulsion of a member, the membership of such member shall thereupon terminate; providing, however, said member's premises which qualify for and have been allocated some of the mitigation storage may still be entitled to some of the benefits if the owner thereof can qualify and become a member pursuant to

the provisions of these By-Laws. Termination of membership in any manner shall not release a member or his estate from any debts due the Corporation.

Section 6. Representation of Corporations, Associations, etc. All corporations, associations, bodies politic, trusts, estates, partnerships and other legally recognized entities or individuals, may vote at any member meeting, and have a representative of their choosing eligible to serve on the Board of Directors or any committee of the Corporation, so long as the governing body or authorizing entity, shall have adopted a proper current resolution wherein the individual who is to so act, is clearly designated. The Board shall provide samples of such resolutions to the individual members who shall request the same.

## ARTICLE II Rights and Liabilities of Members

Property Interest of Members. Upon dissolution, after:

(a) All debts and liabilities of the Corporation shall have been paid; and

(b) All capital furnished through patronage shall have been retired as provided in these By-laws;

the remaining property and assets of the Corporation shall be distributed among the members and former members in the proportion which the aggregate patronage of each bears to the total patronage of all members during the period of existence.

## ARTICLE III Meeting of Members

Section 1. Annual Meeting. The annual meeting of the members shall be held on such date as the Board may from time to time determine between the dates of January 1st and March 31st of each year, at such place within a county served by the Corporation, as selected by the Board and which shall be designated in the notice of the meeting, for the purpose of electing board members, passing upon reports for the previous fiscal year and transacting such other business as may come before the meeting. It shall be the responsibility of the Board to make adequate plans and preparations for the annual meeting. Failure to hold the annual meeting at the designated time shall not work a forfeiture or dissolution of the Corporation.

Section 2. Special Meetings. Special meetings of the members may be called by resolution of the Board, or upon a

written request signed by any three board members, by the President, or by five per centum (5%) or more of all the members, and it shall thereupon be the duty of the Secretary to cause notice of such meeting to be given as hereinafter provided. Special meetings of the members shall be held at a place within one of the counties served by the Corporation as designated by the Board, and shall be specified in the notice of the special meeting.

Section 3. Notice of Members' Meetings. Written or printed notice stating the place, day and hour of the meeting and, in case of a special meeting or an annual meeting at which business requiring special notice is to be transacted, the purpose or purposes for which the meeting is called, shall be delivered not less than twenty days nor more than forty days before the date of the meeting, either personally or by mail, by or at the direction of the Secretary, or upon a default in duty by the Secretary, by the persons calling the meeting, to each member. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the member at his/her or its address as it appears on the records of the Corporation, with postage thereon prepaid. The failure of any member to receive notice of an annual or special meeting of the members shall not invalidate any action which may be taken by the members at any such meeting.

Section 4. Quorum. At least 150 of the total membership, whether present in person, or by proxy, or by absentee ballot, shall constitute a quorum. If less than a quorum is present at any meeting, a majority of those present in person or represented by proxy may adjourn the meeting from time to time without further notice.

Section 5. Voting. Each member shall be entitled to one (1) vote and no more, upon each matter submitted to a vote at a meeting of the members. At all meetings of the members at which a quorum is present, all questions shall be decided by a vote of a majority of the members voting thereon, in person or by proxy, or by absentee ballot, except as otherwise provided by law, the Articles of Incorporation of the Corporation, or these By-laws. If a husband and wife hold a joint membership, they shall jointly be entitled to one (1) vote and no more, upon each matter submitted to a vote at a meeting of the members.

The election of directors shall be by secret ballot. Each member shall have the right to cast as many votes as there are directors to be elected at such election. A member can vote in person or by proxy or by absentee ballot, as provided hereinafter. Each member may cast only one vote for each candidate, either in person, or by proxy, or by absentee

ballot, for those individuals who have been duly nominated, whether by committee or by petition and whose names are on the printed ballot. Cumulative voting shall not be allowed.

The candidates from the member districts to be elected, receiving the highest number of votes, shall be elected for the term specified in Section 2 of Article IV of these By-laws. All tie votes will be resolved by drawing lots.

Section 6. Proxies. At all meetings of members, a member may vote by proxy executed in writing by the member. Proxies may be with written instructions as to how the holder shall vote the same. Such proxy shall be dated and filed with the Secretary before or at the time of the meeting. No proxy shall be voted at any meeting of the members unless it shall designate the particular meeting at which it is to be voted, and no proxy shall be voted at any meeting other than the one so designated or any adjournment of such meeting. No person shall vote as proxy for more than three (3) members at any meeting of the members and no proxy shall be valid after sixty (60) days from the date of its execution. The presence of a member at a meeting of the members shall revoke a proxy theretofore executed by him/her and such member shall be entitled to vote at such meeting in the same manner and with the same effect as if he/she had not executed a proxy.

Section 7. Order of Business. The order of business at the annual meeting of the members and, so far as possible, at all other meetings of the members, shall be essentially as follows, except as otherwise determined by the members at such meeting:

1. Report on the number of members present in person, or by proxy or by absentee ballot, in order to determine the existence of a quorum.
2. Appointment of Credentials Committee, Election Judges, and Clerks of the Election.
3. Reading of the notice of the meeting and proof of the due publication or mailing thereof, or the waiver or waivers of notice of the meeting, as the case may be, unless waived by the membership in actual attendance.
4. Reading of unapproved minutes of previous meetings of the members and the taking of necessary action thereon, unless waived by the membership in actual attendance.
5. Election of board members.

6. Presentation and consideration of reports of officers, directors and committees.

7. Unfinished business.

8. New business.

9. Adjournment.

Section 8. Absentee Balloting. All members are encouraged and urged to attend the annual meeting so as to facilitate broader member participation. In the election process members will be allowed to vote by absentee ballot. The precise procedure for voting by absentee ballot shall be determined by the Board of Directors. Such procedures shall include:

(a) Type of application and method of applying for absentee ballot;

(b) A listing to be sent to the requesting member, with pictures (as available), a brief biography, and statement of each candidate for director to be voted on;

(c) A ballot with the names of all candidates for director on the Board whether nominated by committee or by petition;

(d) A printed ballot with a description of any proposal(s) or business that at the time notice is sent, is known or proposed to be voted on, at the time of the mailing of the ballot;

(e) An addressed envelope within which to return the ballot;

(f) A means of providing for said ballot to remain secret and confidential;

(g) All absentee ballots must be postmarked no later than four (4) days prior to the member meeting and received at the Corporation's office by the date of that meeting;

(h) Absentee ballots may be hand delivered to the Corporation's office by noon of the last regular business day prior to the member meeting;

(i) The absentee ballot and/or proposals shall be sent to each member of record applying for same, within twenty-four (24) hours after receipt of the application therefore, unless applicant shall choose to appear at the Corporation's office no later than noon of the last regular business day prior to the member meeting, to request and cast said ballot, or vote on any proposals.

Section 9. Disputes. All disputes regarding voting, ballots, etc., shall be resolved by the election judges. The decision of the election judges, when certified to the board, shall be final, conclusive and binding on all parties.

#### ARTICLE IV Directors

Section 1. General Powers. The business and affairs of the Corporation shall be managed by a board of nine (9) directors which shall exercise all of the powers of the Corporation except such as are by law, or by the Articles of Incorporation of the Corporation, or by these By-laws conferred upon or reserved to the members. The Corporation shall be divided by the Board of Directors into such districts as the Board determines shall most equitably represent all members. The districts shall be designated on a project map prominently displayed in the Corporation office. Provided that the boundaries of any district or districts may be changed, once established, only upon two-thirds (2/3) vote of all the directors, and providing further that no such change shall affect the term of office for which any director is elected.

Section 2. Election and Tenure of Office. The directors named in the Articles of Incorporation shall constitute the Board of Directors until their respective terms shall end. At each annual meeting, as their separate terms shall end, directors shall be elected for the seat or seats to be filled by and from the members. All directors shall be elected for a term of three years or until their successors shall have been elected and shall have qualified, as in these By-laws and Articles of Incorporation provided. In case of a vacancy created by other than the expiration of such a term, a successor shall be chosen to fill such vacancy, as herein provided, for the unexpired term. If an election of board members shall not be held within the dates or times designated herein for the annual meeting, or at any adjournment thereof, a special meeting of the members shall be held for the purpose of electing board members within a reasonable time thereafter. Board members may be elected by a plurality vote of the members.

Section 3. Qualifications. Any person shall be eligible to become or remain a board member of the Corporation who:

(a) is a member and bona fide resident in the area served or to be served by the Corporation;

(b) is not in any way employed by the United States of America, Department of Interior or Bureau of Reclamation.

Upon establishment of the fact that a board member is holding the office in violation of any of the foregoing provisions, the Board shall remove such board member from office.

Nothing contained in this section shall affect in any manner whatsoever the validity of any action taken at any meeting of the Board.

Section 4. Nominations. It shall be the duty of the Board to appoint, not less than forty (40) days nor more than sixty (60) days before the date of a meeting of the members at which board members are to be elected, a committee on nominations consisting of not less than five (5) nor more than eleven (11) members who shall be selected from different areas of the Corporation, so as to insure equitable representation. No member of the Board may serve on such committee. The committee, keeping in mind the principal of equitable representation, shall prepare and post at the principal office of the Corporation, at least thirty (30) days before the meeting, a list of nominations for board members, which shall include at least two candidates for each Board position to be filled by the election. At any time prior to twenty-five (25) days before the date of the meeting, any fifteen (15) or more members acting together may make other nominations by petition and the Secretary shall post such nominations at the same place where the list of nominations made by the committee is posted. Nominations made by petition, if any, received at least twenty-five (25) days before the meeting, shall be included on the official ballot. As specified in Article III, Section 3, and Article VI, Section 6 of these Bylaws, the Secretary shall be responsible for mailing with the notice of the meeting or separately, but at least twenty (20) days before the date of the meeting, a statement of the number of board members to be elected, the names and addresses of the candidates nominated by the committee or by petition, etc.

Section 5. Removal of Board Member by Members. Any member may bring charges against a board member and, by filing with the Secretary such charges in writing together with a petition signed by at least five per centum (5%) of the members

or 300, whichever is the lesser, may request the removal of such board member by reason thereof. Such board member shall be informed in writing of the charges at least fifteen (15) days prior to the meeting of the members at which the charges are to be considered and shall have an opportunity at the meeting to be heard in person or by counsel and to present evidence in respect of the charges; and the person or persons bringing the charges against him shall have the same opportunity. The question of the removal of such board member shall be considered and voted upon at a meeting of the members called for that purpose. Any vacancy created by such removal shall be filled by appointment by the remaining directors. If the unexpired term of any director thus removed shall be for less than one (1) year, then the appointment shall be for the balance of said unexpired term. If the unexpired term is in excess of one (1) year, then the appointment shall be until the next annual meeting of the members. Nominations for the balance of the unexpired term shall be made as provided for in Section 4 above.

The Board shall establish, by policy, a fair and equitable procedure for such removal proceedings, in order to afford both due process to the director and a full hearing to the members bringing the charges.

Section 6. Vacancies. Subject to the provisions of these By-laws with respect to the filling of vacancies caused by the removal of board members by the members, a vacancy occurring in the Board shall be filled by the affirmative vote of a majority of the remaining board members for the unexpired portion of the term.

Section 7. Compensation. Board members shall not receive any salary for their services as such, except that the board members shall receive a fair and reasonable sum for each day or portion thereof spent on Corporation business such as attendance at meetings, conferences, and training programs or performing committee assignments when authorized by the Board, and the Corporation may also provide insurance and benefits for board members. From time to time the Board shall appoint a representative group of the members, as an ad hoc committee, to review the per diems, allowance, insurance and other benefits, and reimbursements that shall be allowed to the officers and directors. The members of this committee shall be approved by a vote at the annual meeting of the members. This committee shall make its findings and recommendations to the Board. The Board shall have authority to: approve the recommendation; disapprove the recommendation and remain at the current level; or reduce the amount of the recommendation. If the Board shall fail to act upon the same within thirty (30) days, the recommendation shall become binding on the Board. If

authorized by the Board, board members may also be reimbursed for expenses actually and necessarily incurred in carrying out such Corporation business, or granted a reasonable per diem allowance by the Board in lieu of detailed accounting for some of these expenses. No board member, or officer, or close relative of any board member or officer, shall receive any other compensation, benefit, etc., other than those recommended by the Membership Compensation Committee, unless the payment, or compensation, or benefit, shall be specifically authorized by a vote of the general membership, or the service by the board member or his/her close relative, shall have been certified by the Board as an emergency measure.

Section 8. Policies, Rules and Regulations. The Board of Directors shall have power to make and adopt such policies, rules and regulations, not inconsistent with law, the Articles of Incorporation of the Corporation or these By-laws, as it may deem advisable for the management, administration and regulation of the business and affairs of the Corporation, and, upon notice given thereof to the members, such policies, rules and regulations shall become as binding upon the members as if they were contained in the By-laws. The Board shall also adopt policies, rules and/or regulations governing the Board as well as the conduct, discipline and removal of its members.

Section 9. Accounting System and Reports. The Board shall cause to be established and maintained a complete accounting system pursuant to the standards of like or similar corporations. The Board shall also, after the close of each fiscal year, cause to be made by a certified public accountant, a full and complete audit of the accounts, books and financial condition of the Corporation as of the end of such fiscal year. A report of such audit shall be submitted to the members at the next following annual meeting.

#### ARTICLE V Meetings of Board

Section 1. Regular Meetings. A regular meeting of the Board shall be held, without further notice, immediately after, and at the same place as, the annual meeting of the members. A regular meeting of the Board shall also be held monthly at such time and place within one of the counties served by the Corporation as designated by the Board. Such regular monthly meeting may be held without notice other than such resolution fixing the time and place thereof.

Section 2. Special Meetings. Special meetings of the Board may be called by the President or by any three (3) board members, and it shall thereupon be the duty of the Secretary to

cause notice of such meeting to be given as hereinafter provided. The President, or board members calling the meeting shall fix the time and place for the holding of the meeting.

Section 3. Notice of Board Meetings. Written notice of the time, place and purpose of any special meeting of the Board shall be delivered to each board member either personally or by mail, by or at the direction of the Secretary, or upon a default in duty by the Secretary, by the President or the board member calling the meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail addressed to the board member at his address as it appears on the records of the Corporation, with postage thereon prepaid, at least five days before the date set for the meeting.

Section 4. Quorum. A majority of the Board shall constitute a quorum, provided, that if less than such majority of the Board is present at said meeting, a majority of the Board present may adjourn the meeting from time to time; and provided further, that the Secretary shall notify any absent board members of the time and place of such adjourned meeting. The act of a majority of the board members present at a meeting at which a quorum is present shall be the act of the Board, except as otherwise provided in these By-laws.

#### ARTICLE VI Officers

Section 1. Number. The officers of the Corporation shall be a President, Vice President, Secretary and Treasurer, and such other officers as may be determined by the Board of Directors from time to time. The offices of Secretary and Treasurer may be held by the same person.

Section 2. Election and Term of Office. The officers shall be elected by ballot, or by voice vote if there is no contest for the seat or seats to be filled, annually by and from the Board of Directors at the first meeting of the Board of Directors held after each annual meeting of the members. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. Each officer shall hold office until the first meeting of the Board of Directors following the next succeeding annual meeting of the members or until his/her successor shall have been duly elected and shall have qualified, subject to the provisions of these By-laws with respect to the removal of officers.

Section 3. Removal of Officers and Agents by the Board. Any officer or agent elected or appointed by the Board may be removed by the Board whenever in its judgment the best

interests of the Corporation will be served thereby. In addition, any member of the Corporation may bring charges in writing together with a petition signed by five per centum (5%) of the members or 300, whichever is the lesser, requesting the removal of such officer. The officer against whom such charges have been brought shall be informed in writing of the charges at least fifteen (15) days prior to the Board meeting at which the charges are to be considered and shall have an opportunity at the meeting to be heard in person or by counsel and to present evidence in respect of the charges; and the person or persons bringing the charges against him/her shall have the same opportunity. In the event the Board does not remove such officer, the question of his removal shall be considered and voted upon at the next meeting of the members.

The Board shall establish, by policy, fair and impartial procedures for such removal proceedings, so as to afford due process to both the officer and the agent, and a full hearing to those bringing the charges.

Section 4. President. The President shall:

(a) be the principal executive officer of the Corporation and, unless otherwise determined by the members or the Board, shall preside at all meetings of the members and the Board;

(b) sign all appropriate contracts with the United States Department of Interior and its secretary, acceptable to the Committee of Nine of Water District 01, for the mitigation storage, and any and all other appropriate contracts, deeds, mortgages, deeds of trust, notes, bonds, contracts or other instruments authorized by the Board to be executed, except in cases in which the signing and execution thereof shall be expressly delegated by the Board or by these By-laws to some other officer or agent of the Corporation, or shall be required by law to be otherwise signed or executed; and

(c) in general perform all duties incident to the office of President and such other duties as may be prescribed by the Board from time to time.

Section 5. Vice President. In the absence of the President, or in the event of his/her inability or refusal to act, the Vice President shall perform the duties of the President, and when so acting shall have all the powers of and be subject to all the restrictions upon the President. The Vice President shall also perform such other duties as from time to time may be assigned to him by the Board.

Section 6. Secretary. The Secretary shall be responsible for:

- (a) keeping the minutes of the meetings of the members and of the Board in books provided for that purpose;
- (b) seeing that all notices are duly given in accordance with these By-laws or as required by law;
- (c) the safekeeping of the corporate books and records and the seal of the Corporation and affixing the seal of the Corporation to all documents, the execution of which on behalf of the Corporation under its seal is duly authorized in accordance with the provisions of these By-laws;
- (d) keeping a register of the names and post office addresses of all members which shall be furnished to the Secretary by the member;
- (e) keeping on file at all times a complete copy of the Articles of Incorporation and By-laws of the Corporation containing all amendments thereto which copy shall always be open to the inspection of any member and at the expense of the Corporation, furnishing a copy of the By-laws and of all amendments thereto to any member upon request; and
- (f) in general performing all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him by the Board.

Section 7. Treasurer. The Treasurer shall be responsible for:

- (a) custody of all funds and securities of the Corporation;
- (b) the receipt of and the issuance of receipts for all monies due and payable to the Corporation and for the deposit of all such monies in the name of the Corporation in such bank or banks as shall be selected in accordance with the provisions of these By-laws; and
- (c) the general performance of all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him by the Board.

Section 8. Manager. The Board may appoint a manager and Chief Executive Officer of the Corporation, who may be, but who shall not be required to be, a member of the Corporation. The manager shall perform such duties and shall exercise such authority as the Board may from time to time vest in the manager. The Manager in behalf of the Corporation shall be responsible for determining and administering the hiring, promotion, compensation, discipline, supervision and discharge of all Corporation employees and personnel.

Section 9. Bonds of Officers. The Treasurer and any other officer or agent of the Corporation charged with responsibility for the custody of any of its funds or property shall be bonded in such sum and with such surety as the Board shall determine. The Board in its discretion may also require any other officer, agent or employees of the Corporation to be bonded in such amount and with such surety as it shall determine.

Section 10. Compensation. The compensation, if any, of any officer, agent or employee who is also a director, or close relative of a director, shall be determined pursuant to the provisions of Article IV, Section 6 of these By-laws. The powers, duties and compensation of the General Manager shall be fixed by the Board of Directors. The duties, compensation, etc., of other agents and employees shall be fixed by the General Manager.

Section 11. Reports. The officers of the Corporation shall submit at each annual meeting of the members, reports covering the business of the Corporation for the previous fiscal year. Such reports shall set forth the condition of the Corporation at the close of such fiscal year.

#### ARTICLE VII Financial Transactions

Section 1. Contracts. Except as otherwise provided in these By-laws, the Board may authorize any officer or officers, agent or agents to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation, and such authority may be general or confined to specific instances.

Section 2. Checks, Drafts, etc. All checks, drafts or other orders for the payment of money, and all notes, bonds or other evidences of indebtedness issued in the name of the Corporation shall be signed and/or countersigned by such officer or officers, agent or agents, employee or employees of the Corporation in such manner as shall from time to time be determined by resolution of the Board.

Section 3. Deposits. All funds except petty cash of the Corporation, shall be deposited from time to time to the credit of the Corporation in such bank or banks as the Board may select.

ARTICLE VIII  
Non-Profit Operation

Section 1. Interest or Dividends on Capital Prohibited. The Corporation shall at all times be operated on a non-profit basis for the mutual benefit of its members. No interest or dividends shall be paid or payable by the Corporation on any capital furnished by its members.

Section 2. Patronage Capital. The Corporation's operations shall be so conducted that all members will through their patronage, furnish capital for the Corporation. In order to induce patronage and to assure that the Corporation will operate on a non-profit basis the Corporation is obligated to account on a patronage basis to all its members for all amounts received and receivable from its members for its services in excess of operating costs and expenses properly chargeable. All such amounts in excess of operating costs and expenses at the moment of receipt by the Corporation are received with the understanding that they are furnished by the members as capital. The Corporation is obligated to pay by credits to a capital account for each member all such amounts in excess of operating costs and expenses. The books and records of the Corporation shall be set up and kept in such a manner that at the end of each fiscal year the amount of capital, if any, so furnished by each member is clearly reflected and credited in an appropriate record to the capital account of each member, and the Corporation shall, within a reasonable time after the close of the fiscal year, notify each member of the amount of capital so credited to his/her account.

All such amounts credited to the capital account of any member shall have the same status as though they had been paid to the member in cash in pursuance of a legal obligation to do so and the member had then furnished the Corporation corresponding amounts for capital.

All other amounts received by the Corporation from its operations in excess of costs and expenses shall, insofar as permitted by law, be (a) used to offset any losses incurred during the current or any prior fiscal year and (b) to the extent not needed for that purpose, allocated to its members on a patronage basis and any amount so allocated shall be included as part of the capital credited to the accounts of members, as herein provided.

In the event of dissolution or liquidation of the Corporation, after all outstanding indebtedness of the Corporation shall have been paid, outstanding capital credits shall be retired without priority, on a pro rata basis, before any payments are made on account of property rights of members. If, at any time prior to dissolution or liquidation, the Board shall determine that the financial condition of the Corporation shall not be impaired thereby, the capital credited to members accounts may be retired in full or in part. Retirements of capital shall be made in a fair, equitable, and percentage basis, with all members sharing a portion of said retirement, based on the total percentage their individual capital credits bear to the entire capital or patronage held by the Corporation. The Board may also retire capital credits on a year to year basis on a first in first out basis, or in a combination of first in first out and total accumulated patronage, as the Board, in its discretion, determines will be fair and equitable to all members and in the best interests of the Corporation.

Capital credited to the account of each member shall be assignable only on the books of the Corporation pursuant to written instruction from the assignor and only to successors in interest or successors in occupancy, in all or a part of such member's premises served by the Corporation, unless the Board, acting under policies of general application, shall determine otherwise.

Notwithstanding any other provision of these By-laws, the Board at its discretion, shall have the power at any time upon the death of any member, if the legal representatives of his estate shall request in writing that the capital credited to any such member be retired prior to the time such capital would otherwise be retired under the provisions of these By-laws, to retire capital credited to any such member immediately upon such terms and conditions as the Board, acting under policies of general application, and the legal representatives of such member's estate shall agree upon; provided, however, that the financial condition of the Corporation will not be impaired thereby.

In the event any member shall for a period of five (5) years, fail to claim the capital credits authorized by the Board to be paid to that member, then it shall be deemed that said member has made a gift or donation of the same to the Corporation.

Said capital credits thus donated shall be utilized by the Board of Directors to enhance the development of the Corporation, its members, its employees and the Corporation's

community. Pursuant to this section, after five (5) years, the Board of Directors, by Resolution, may determine that it is the intent of said member to donate any approved but unclaimed capital credit payments to the Corporation. In particular, it is the intent of each member that under no conditions shall any of their unclaimed capital credits escheat to any State Treasurer, under any statute or theory of law.

The members of the Corporation, by dealing with the Corporation, acknowledge that each of the terms and provisions of the Articles of Incorporation and By-laws shall constitute and be a contract between the Corporation and each member, and both the Corporation and the members are bound by such contract, as fully as though each member had individually signed a separate instrument containing such terms and provisions. The provisions of this Article of the By-laws shall be called to the attention of each member of the Corporation by posting in a conspicuous place in the Corporation's office.

#### ARTICLE IX Waiver of Notice

Section 1. Waiver of Notice. Any member or board member may waive, in writing, any notice of a meeting required to be given by these By-laws. The attendance of a member or board member at any meeting shall constitute a waiver of notice of such meeting by such member or board member, except in case a member or board member shall attend a meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting has not been lawfully called or convened.

#### ARTICLE X Disposition of Property

The Corporation may not sell, lease or otherwise dispose of all or any substantial portion of its property, particularly the mitigation storage, unless such sale, lease or other disposition is authorized at a meeting of the members thereof by the affirmative vote of not less than two-thirds of all of the members of the Corporation, and unless the notice of such proposed sale, lease or other disposition shall have been

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franchises and permits of the Corporation, whether acquired or to be acquired, and wherever situated, as well as the revenues and income therefrom, all upon such terms and conditions as the Board shall determine, to secure any indebtedness of the Corporation and to carry on the day to day operations of the Corporation. Upon proper notice to the members, the Board may, upon the affirmative authorization of a two-thirds of all members of a Corporation, sell, lease, merge or otherwise dispose of all or a substantial portion of its property to another Corporation, doing business in the State, pursuant to the Act under which this Corporation is incorporated. This Article of the By-laws can only be amended upon a two-thirds affirmative vote of all of the members of the Corporation.

ARTICLE XI  
Fiscal Year

Section 1. Fiscal Year. The fiscal year of the Corporation shall begin on the first day of January of each year and shall end on the thirty-first day of December of the same year.

ARTICLE XII  
Membership in Other Organizations

The Corporation shall not become a member of or purchase stock in any other organization without an affirmative vote of the members at a meeting called as provided in these By-laws, and the notice of said meeting shall specify that action is to be taken upon such proposed membership or stock purchase as an item of business; provided, however, that the Corporation may, upon the authorization of the Board of Directors, purchase stock in or become a members of, any corporation, organization or Corporation organized on a non-profit basis for the purpose of engaging in the acquisition, maintenance and operation of water storage reservoirs.

ARTICLE XIII  
Seal

The corporate seal of the Corporation shall have inscribed thereon the name of the Corporation and the words "Corporate Seal, State of Idaho".

ARTICLE XIV  
Rules of Order

The Corporation hereby adopts as its official rule book for parliamentary procedure, for use in its meetings, the latest edition of Roberts Rules of Order. Said rules will

govern procedure in all meetings of the Corporation, both membership meetings and meetings of the Board of Directors.

ARTICLE XV  
Amendments

Except as expressly provided herein, these By-laws may be altered, amended or repealed by the members at any regular or special meeting, provided the notice of such meeting shall have contained a copy of the proposed alteration, amendment or repeal. The alteration, amendment or repeal of the By-laws must be certified by a majority of the directors and the Secretary of the Corporation, and recorded in the Book of By-laws kept in the registered office of the Corporation. The date of the meeting at which the alteration, amendment or repeal was enacted must be stated in the margin of the place where the original form of the By-laws, altered, amended or repealed, appears and a reference must there also be made to the page of the book and By-laws where the alteration, amendment or fact of repeal is stated. The alteration, amendment or repeal shall not take effect until the provisions of this article are fully complied with.

ARTICLE XVI  
Indemnification and Liability Insurance

Section 1. Indemnification.

(a) The Corporation shall indemnify any person who was or is a party or is threatened with being made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, including all appeals other than an action, suit or proceeding by or in the right of the Corporation by reason of the fact that he/she is or was a Director, officer or employee of the Corporation, or is or was serving at the request of the Corporation as a Director, officer or employee of another corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorneys' fees) judgments, decrees, fines, penalties and amounts paid in settlement actually and reasonably incurred by him/her in connection with such action, suit or proceeding if he/she acted in good faith and in a manner he/she reasonably believed to be in or not opposed to the best interest of the Corporation, and, with respect to any criminal action or proceeding, had no reasonable cause to believe his/her conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not of itself create a presumption that the person did not act in good faith or in a manner which he/she reasonably believed to be in or not opposed

to the best interest of the Corporation or, with respect to any criminal action, suit or proceeding, that he/she had reasonable cause to believe that his/her conduct was unlawful.

(b) The Corporation shall indemnify any person who was or is a party or is threatened with being made a party to any threatened, pending or completed action, suit or proceeding, including all appeals, by or in the right of the Corporation to procure a judgment in its favor by reason of the fact that he/she is or was a Director, officer or employee of the Corporation, or is or was serving at the request of the Corporation as a Director, officer or employee of another corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorneys' fees) actually and reasonably incurred by him/her in connection with the defense or settlement of such action, suit or proceeding up to the amount that would reasonably have been expended in his/her defense determined in the manner provided for in subsection (d) if such action, suit or proceeding had been prosecuted to a conclusion. However, indemnification under this subsection shall be made only if the person to be indemnified acted in good faith and in a manner he/she reasonably believed to be in or not opposed to the best interests of the Corporation and no such indemnification shall be made in respect of any claim, issue or matter as to which such person shall have been finally adjudged to be liable for negligence or misconduct in the performance of his/her duty to the Corporation unless, and only to the extent that, the court or body in or before which such action, suit or proceeding was finally determined, or any court of competent jurisdiction, shall determine upon application that, despite the adjudication of liability but in view of all the circumstances of the cases, such person is fairly and reasonably entitled to indemnify for such expenses or other amounts paid as such court shall deem proper.

(c) Without limiting the right of any Director, officer or employee of the Corporation to indemnification under any other subsection hereof, if such person has been substantially and finally successful on the merits or otherwise in defense of any action, suit or proceeding referred to in subsections (a) and (b), he/she shall be indemnified against expenses (including attorneys' fees) actually and reasonably incurred by him/her in connection therewith.

(d) Except in a situation governed by subsection (c), any indemnification under subsections (a) and (b) unless ordered by a court shall be made by the Corporation only as authorized in the specific case upon a determination that indemnification of the Director, officer or employee is proper in the circumstances because he/she has met with applicable

standard of conduct set forth in subsections (a) and (b). Such determination shall be made (1) by the Board of Directors by a majority vote of a quorum consisting of Directors who are not or were not parties to or threatened with such action, suit or proceeding, or any other action, suit or proceeding arising from the same or similar operative facts, or (2) if such a quorum is not obtainable, or even if obtainable, if a majority of such quorum of disinterested Directors so directs, by independent legal counsel compensated by the Corporation in a written opinion, or (3) if there be no disinterested Directors, whether or not a quorum, so directs, by vote in person or by proxy of the Holders of a majority of the members entitled to vote in the election of Directors.

(e) Expenses of each person indemnified hereunder incurred defending a civil, criminal, administrative or investigative action, suit or proceeding (including all appeals) or threat thereof, may be paid by the Corporation in advance of the final disposition of such action, suit or proceeding as authorized by the Board of Directors, whether a disinterested quorum exists or not, upon receipt of an undertaking by or on behalf of the Director, officer or employee to repay such expenses unless it shall ultimately be determined that he/she is entitled to be indemnified by the Corporation.

(f) The indemnification provided by this Article shall not be deemed exclusive of or in any way to limit any other rights to which any person indemnified may be or may become entitled as a matter of law, by the articles, regulations, agreements, insurance, vote of members or otherwise, with respect to action in his/her official capacity and with respect to action in another capacity while holding such office and shall continue as to a person who has ceased to be a Director, officer or employee and shall inure to the benefit of the heirs, executors and administrators of such a person.

(g) Subsections (a) through (f) of this Article shall apply to such agents of the Corporation as are designated at any time by the Board of Directors.

(h) If any part of this Article shall be found, in any action, suit or proceeding, to be invalid or ineffective, the validity and the effect of the remaining parts shall not be affected.

Section 2. Liability Insurance. The Corporation may purchase and maintain insurance on behalf of any person who is or was a Director, officer, employee or designated agent of another corporation, partnership, joint venture, trust or other



ARTICLES OF INCORPORATION  
of

SNAKE RIVER MITIGATION WATERS, INC.

A Nonprofit Corporation

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KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, by these presents, voluntarily associate ourselves together for the purpose of forming a non-profit corporation, and we do hereby certify:

FIRST: The name of the corporation is Snake River Mitigation Waters, Inc.

SECOND: The purposes for which this corporation is formed are:

The purpose of the Snake River Mitigation Waters, Inc. (hereinafter called the "Corporation") is to become the appropriate contracting entity with the Secretary of the United States Department of the Interior, acceptable to the Committee of Nine of Water District 01 of the State of Idaho, for the 80,500 acre feet of noncontracted storage space in Ririe Reservoir and the 18,980 acre feet of noncontracted storage space in Palisades Reservoir, (the storage space in both reservoirs hereinafter called the "mitigation storage"), responsible for the operation and maintenance costs associated with this storage space for all those persons, firms, associations, corporations, bodies politic or subdivision thereof, who become members of this corporation and who have water rights recognized by the laws, rules and regulations of the State of Idaho, and which have been impacted adversely by "The 1990 Fort Hall Indian Water Rights Agreement" (hereinafter called "The Fort Hall Agreement").

To own, acquire, lease, hold, manage, control, operate and maintain water rights and water storage and distribution systems in behalf of its members; and to do all and every thing necessary, suitable and proper for the accomplishment of said purposes, either alone or in association with other corporations, partnerships, firms or individuals, including the right to own real and personal property, to borrow money and to hold and obtain franchises, water rights, water permits, water licenses, water decrees and water courses by any lawful means.

To do and transact any or all lawful business for which corporations may be incorporated under the laws of the State of Idaho.

THIRD: This corporation is formed and shall be operated as a non-profit corporation pursuant to the terms and conditions of its Bylaws, rules and regulations.

FOURTH: The address of the initial registered office of the corporation is \_\_\_\_\_, and the name of its initial registered agent at such address is \_\_\_\_\_.

FIFTH: That the term for which this corporation is to exist shall be perpetual, from and after the date of its incorporation, unless sooner dissolved or disincorporated, pursuant to law.

SIXTH: The affairs of the corporation shall be conducted by a Board of Directors of not less than seven nor more than nine members, the exact number of which and the time and manner of their election, as well as their terms, shall, from time to time, be fixed by the Bylaws.

The initial Officers and Board of Directors shall consist of the following nine (9) persons whose names and addresses are as follows:

<u>Name</u>	<u>Address</u>
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SEVENTH: This Corporation shall be non-stock, but shall have members, each of which shall have equal rights with all other members, and any person, firm, entity, corporation or body politic may become a member in the Corporation by complying with the Bylaws, rules and regulations of the corporation.

The total number of members of this corporation which have actually been subscribed and paid for is the sum of (9), and following are the names of the persons who have subscribed for membership and their mailing addresses are as follows:

<u>Name</u>	<u>Address</u>	<u>No. of Shares</u>
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EIGHTH: The incorporators further certify that their primary objective is to make certain that they and all others whose water rights are adversely impacted by the provisions of the 1990 Fort Hall Indian Water Rights Agreement" have an appropriate entity, within the time required by said agreement, that is legally capable and otherwise acceptable to the Secretary of the United States Department of the Interior and the Committee of Nine of Water District 01 of the State of

Idaho, to contract with said Secretary of the United States Department of the Interior, for the present 80,500 acre feet of noncontracted storage space in Ririe Reservoir and the 18,980 acre fee of noncontracted storage space in Palisades Reservoir.

Therefore, the incorporators, by themselves and/or by themselves and others, to insure the existence of such a contracting agency, further certify that this corporation shall do all things necessary and legal to gain said primary objective, including but not limited to the promotion of the formation of an irrigation district or districts, if needed, either under existing Idaho Statutory provisions or as said statutes may be amended to accomodate this and similar kinds of situations; to work with and in cooperation with any other entity, either public or private, that may be deemed to be the contracting agency with the said Secretary of the United States Department of the Interior, if, for any valid legal reason, this corporation is deemed not to have the authority to be said Contracting Agency.

NINTH: The name and address of incorporators:

<u>Name</u>	<u>Address</u>
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DATED This \_\_\_\_ day of \_\_\_\_\_, 1990.

SNAKE RIVER MITIGATION WATERS,  
INC.

By: \_\_\_\_\_  
President

By: \_\_\_\_\_  
Vice-President

By: \_\_\_\_\_  
Secretary

STATE OF IDAHO, )  
County of )  
ss.

I, the undersigned, a notary public, do hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, 1990, personally appeared before me \_\_\_\_\_, who, being by me first duly sworn, declared that they are the President, Vice-President and Secretary, respectively, of SNAKE RIVER MITIGATION WATERS, INC.; that they signed the foregoing document as such officers of said corporation; and that the

statements therein contained are true.

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Notary Public for Idaho  
Residing at: Rexburg, Idaho  
My Commission Expires: 11-15-93

**WATER DISTRICT 01**

**1990 PROCEDURES**

WATER BANK RULES

Passed at March, 1990 Annual Meeting

12. WHEREAS, the Committee of Nine has adopted certain rules to assure the orderly operation of the Water Supply Bank; and,

WHEREAS, these rules have been adopted by the Idaho Water Resources Board,

THEREFORE, BE IT RESOLVED that the following Water Bank Rules be adopted by Water District 1 for 1990:

Rule 1. AUTHORITY AND STATEMENT OF PURPOSE.

- 1.1. These rules and regulations have been adopted pursuant to Idaho Code, Sec. 42-1765 to assure orderly operation of the Upper Snake Water Supply Bank. Under no circumstances shall these rules and regulations be construed to limit or restrict the authority of the Director of the Department of Water Resources, the Water Resources 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.
- 1.2. It is the purpose of these rules and regulations to:
1. Provide a process, consistent with the Idaho Code, by which stored water supplies may be made available for a specified period of time to water users who need additional water.
  2. Provide incentives for those owning reservoir space and having stored water, which is surplus to their needs, to make such space/water available to other users and uses.
  3. Establish a recognized system through which water supplies can be located, identified, advertised, and subsequently bought, sold, or leased.
  4. Provide a dependable source of revenue for Water District 1 to make improvements in distribution to expand water supplies or to aid in increasing efficiency in the use of water on the upper Snake River.

- 1.3. Available water supplies may be purchased from the Water Supply Bank for any beneficial purpose recognized under state law, including the maintenance of minimum stream flows, when all other uses have been met for available supplies. In no case will water be provided for maintaining flows greater than those established by the Water Resource Board and the Idaho Legislature.

## Rule 2. DEFINITIONS.

- 2.1 Acre-foot is a volume of water sufficient to cover one acre of 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 upper Snake Water Supply Bank as operated by the Committee of Nine of Water District 1.
- 2.4 Board means the Idaho Water Resources Board.
- 2.5 Bureau means the federal Bureau of Reclamation or BOR.
- 2.6. Committee means the Committee of Nine unless otherwise specified.
- 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.
- 2.10. Lease is the agreement through which a specific amount of storage space or stored water is obtained from the Water Supply Bank for use during a specified period of time.
- 2.11. Insurance water is stored water that is made available on a continuing basis to supply additional flows for hydropower and other uses only under certain agreed upon drought conditions with payments being made to those agreeing to give up the storage for loss of production.

- 2.12. Lessee is the entity leasing space/water from the Water Supply Bank.
- 2.13. Lessor is the entity providing space/water to the Water Supply Bank.
- 2.14. Milner means Milner Dam or the lowest diversion in Water District 1.
- 2.15. Mitigation means releasing water from storage pursuant to the instructions of the director, to replace projected ground water depletions.
- 2.16. Preference lease means a contract with the water bank for an improved priority to lease water from space assigned to the bank in future years.
- 2.17. Rental Pool Committee means a sub committee of the Committee of Nine composed of the Snake River watermaster, superintendent of the Minidoka Project, and three regular members of the Committee of Nine.
- 2.18. Rental Pool means the reservoir space assigned to the water bank during any given year.
- 2.19. Space means all or any portion of the active impoundment volume of a reservoir measured in acre-feet.
- 2.20. Storage means the portion of the available space that is storing water.
- 2.21. Rent (or rental) means lease.
- 2.22. Watermaster means the watermaster of Water District 1.
- 2.23. Sale means the acquisition of water from space assigned to the water bank.
- 2.24. Paid-out means the space holder construction contact(s) with the U.S. Government have been fulfilled.

### Rule 3. GENERAL

- 3.1. It is the policy of the Water Resources Board and the Committee of Nine to operate the Water Supply Bank for the maximum beneficial use of available water supplies.

- 3.2. Operation of the Water Supply Bank will be by and for the irrigators within Water District 1 through the Committee of Nine. All rules and regulations are designed to assure that water stored in federal reclamation reservoirs is first maintained and made available for irrigation before other uses are considered.
- 3.3. The operation of the Water Supply Bank shall in no way recognize any obligation to maintain flows below Milner Dam or assure the minimum stream flows established at the USGS gaging station on the Snake near Murphy unless specific arrangements to do so are made with the watermaster through valid agreements for releasing water for mitigation, insurance contracts, or annual storage lease agreements.
- 3.4. The operation of the "Water Bank" shall be consistent with the statutes creating the Water Supply Bank and the Rules and Regulations of the Idaho Water Resources Board of the provisions of the space holder contracts with the United States.
- 3.5. Storage space is accepted for the water bank on a contingency basis. Payments to the lessor will be made to the extent contract monies are received by the Water Bank pursuant to these rules.
- 3.6. Space assigned to the Water Bank that is evacuated to supply water for uses below Milner shall be the last space to fill in the ensuing year.

#### Rule 4. MANAGEMENT

- 4.1. The Water Supply Bank shall be operated pursuant to Idaho Code, Sec. 42-1761 to 42-1766 with all policies being established through the approval of the Committee of Nine.
- 4.2. A committee composed of the watermaster, the superintendent of the BOR's Minidoka Project and three members of the Committee of Nine shall be appointed by the chairman and shall have the following general responsibilities:
  1. To determine general policies regarding annual storage leases which may not be covered by the adopted rules and regulations.

2. To assist the watermaster in the allocation of water leased from the bank if conflicts arise.
  3. To advise the Committee of Nine on water banking activities.
  4. To set policies for the disbursement of funds generated by the water bank.
- 4.3. The watermaster shall act as the manager of the water bank. His authority shall include accepting water into the bank, executing lease agreements on behalf of the Committee of Nine, disbursing and investing funds generated through the lease of stored water, and distribution of water supplies from the water bank.

#### 5. ASSIGNMENTS.

- 5.1 Any individual, irrigation district, canal company, or other entity who owns space in a reservoir located in Water District 1 may assign any portion of this space to the Water Bank.
- 5.2 Space assignments will be identified by reservoir. If no designation is made in assigning space in federal reservoirs to the water bank it shall be understood that American Fall's space will be assigned before Jackson and Jackson space will be assigned before Palisades's space.
- 5.3. Storage assignments, are subject to the acceptance of the Rental Pool Committee. Reservoir space submitted for assignment may be rejected in whole or in part by the watermaster and Rental Pool Committee or they may place special conditions on uses, allocation, and price if, in the judgment of the Rental Pool Committee, accepting said water will not be in the best interest of the water bank.
- 5.4. Anyone who attempts to assign space to the bank and feels aggrieved by the decision of the Rental Pool Committee may ask for a hearing before the Committee of Nine within fifteen (15) days.
- 5.5. The Committee of Nine, after hearing the arguments of the one claiming to be aggrieved, shall decide the issue by majority vote.

- 5.6. Assignments of storage to the water bank shall be on a priority basis as set forth in rule 6.
- 5.7. Assignments of storage space 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.
- 5.8. Assignments of reservoir space may be made for periods of up to 20 years. Any space assigned for periods in excess of two years shall be subject to rule 9 of these Water Bank Rules and Regulations.
- 5.9. All space assigned to the water bank shall be under the control of the watermaster and the Rental Pool Committee for the duration of the lease.

Rule 6. PRIORITIES.

- 6.1. Anyone holding space in a federal or private reservoir who assigns space for annual lease and designated such space available by July 1 of any year shall share proportionally in the proceeds from the lease of all or part of the yield from such space in that year.
- 6.2. Anyone holding space in a federal reservoir who assign space for annual lease after July 1 of any year shall receive proceeds from the sale of all or any part of the water sold which was made available after July 1 of that year on a "first come" basis.
- 6.3. All water from reservoir space designated for lease before July 1 of any year will be sold before any water from space assigned after July 1 will be sold.
- 6.4. Whenever an assignment 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 amount of water designated.
- 6.5. If a space holder should chose to assign all of his space to the water bank the "yield" of that space shall be determined by the watermaster. Yield will be determined by the percentage the reservoir filled minus evaporation.

Rule 7. LESSOR PRIORITIES.

- 7.1. Any water available through the water bank for annual use shall be provided on a priority basis.
- 7.2. The first priority in acquiring water from the water bank shall be given to those irrigation water users owning space in the various storage reservoirs of the Bureau of Reclamation in the Snake River Basin above Milner Dam.
- 7.3. The second priority in acquiring stored water from the water bank shall be given to other irrigation water users who divert water above Milner Dam and are located within Water District 1.
- 7.4. Priority among water users of each priority listed above and who execute annual contracts to obtain stored water during a given year shall be determined by the date on which the water user's contract and payment is received at the office of the upper Snake River 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.
- 7.5. Any water user having once initiated a contract for stored water may request water in subsequent years by confirming, in writing, that all of the information on the original lease is true and correct, and by identifying the amount of water he wishes to purchase. The priority in this case will be the date on which payment is received by the watermaster.
- 7.6. Space assigned to the water bank from reservoirs with paid-out federal contracts shall be first reserved for allocation for irrigation purposes. Anyone leasing water from such space for irrigation shall be subject to 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 (RRA). If sufficient space is not available in paid-out reservoirs and stored water is acquired from a reservoir with remaining federal repayment contracts, then anyone acquiring such water shall be responsible for compliance with the limitations and reporting requirements of the RRA.
- 7.7. Any water diverted within Water District 1 without adequate natural flow and storage entitlements will be charged by the watermaster

as storage used. Any such unauthorized use of water shall be replaced from available water bank supplies at a cost to the user equal to the established water bank price plus seventy five cents (\$ .75) to cover increased administrative costs. The administrative costs may be waived by the watermaster if, in his judgment, such unauthorized use resulted from measurement or accounting errors.

- 7.8. Water leased under an annual lease agreement and unused for irrigation purposes may be returned to the Water Bank by September 1. Monies refunded shall be reduced to cover the estimated fifty cent (\$ .50) administrative cost to Water District 1 and twenty-five cents (\$ .25) to offset the O & M costs of the lessors.

Rule 8. LEASE PAYMENTS AND WATER COST.

- 8.1. The lease price of water assigned to the water bank shall be set by the Committee of Nine each year.
- 8.2. The price of water available from the water bank shall be set by the Rental Pool Committee and approved by the Committee of Nine each year. The established base price shall be \$2.00 per acre-foot diverted plus an administrative charge of \$ .75 per acre-foot.
- 8.3. The lease price and the administrative charges for leases in excess of one year shall be negotiated by the Rental Pool Committee and the lessee and shall remain as negotiated for the term of the lease.
- 8.4. The lease price for 1990 shall be \$2.75 including administrative charges for both irrigation and non-irrigation water users.
- 8.5. Lease payments to the lessors shall be made in accordance with rule 6 and shall be based upon the data published in 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.
- 8.6. The Rental Pool Committee may authorize the watermaster to make partial payments to lessors based upon provisional data when, in the

watermaster's judgment, such partial payments can be made with reasonable certainty.

- 8.7. Monies received from annual water bank leases that are designated to be paid to the owner of space committed to the water bank shall be maintained in a separate interest-bearing account with accrued interest being distributed on a pro-rata basis at the time final water bank payments are made. The water district shall be entitled to use all water bank funds on an as needed basis provided the accrual of interest due suppliers is not affected.

Rule 9. LONG-TERM LEASES..

- 9.1. The Committee of Nine may arrange leases of storage space for periods not to exceed 20 years. Such long-term leases will be negotiated on a case-by-case basis and may be supplied from anticipated future annual space/water assignments to the Water Bank or from specific long-term space assignments, or a combination of the two.
- 9.2. Contracts for long-term leases shall not be subject to the provisions of rules 6 and 7, except that the agricultural preferences identified in rule 7 shall apply when there is competition for limited long-term supplies.
- 9.3. Any contract for long-term lease shall contain the following information:
- A. Name and address of lessor.
  - B. Amount of storage space obligated.
  - C. The lease price.
  - D. The legal description of the point of diversion and place of use.
  - E. The duration of the lease.
  - F. The understanding of responsibilities and exposures if reservoir space does not fill at some time during the term of the lease.
- 9.4. Long-term leases may fall in one of the four following categories:
- 1. Preference.
  - 2. Insurance water.
  - 3. Lease of long-term assignments.
  - 4. Negotiated leases.

Rule 10. CATEGORY 1 RULES

- 10.1. A Category 1 lease represents a commitment of the lessee to purchase a specific amount of water from the water bank for some specified period of time, such period not to exceed twenty (20) years. For a Category 1 lease priority shall be considered to be a first priority use as defined in Rule 7.2, provided such use is for irrigation purposes from a point of diversion located upstream from Milner Dam.
- 10.2. Water supplied to a Category 1 lease shall be supplied from the general supplies assigned to the bank for annual sales. Rule 8 shall apply.
- 10.3. A Category 1 lease 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 lease upon receipt of the first year's lease payment. Each successive year the scheduled payment shall be due on or before April 1. Failure of the lessee to meet any scheduled payment shall void the lease.

Rule 11. CATEGORY 2 RULES

- 11.1. A Category 2 lease represents an option to call on a specific volume of stored water under specific conditions that might be outlined in the contract. The lessee will make a predetermined annual payment to the Water Bank each year.
- 11.2. Anyone wishing to assign an option to storage for a period of time may do so by notifying the watermaster and identifying in writing the amount of space to be assigned, the reservoir from which it is assigned, and the term of the assignment.
- 11.3. Monies collected during the term of the option shall be held by the watermaster in an interest bearing account. At such time as the option is exercised all monies collected by the watermaster shall be paid to the spaceholder(s) assigning the insurance space.
- 11.4. If the option is not exercised during the term of the contract all monies collected shall revert to the water district.

Rule 12. CATEGORY 3 RULES.

- 12.2 Anyone owning space in Jackson, Palisades, Ririe, or American Falls Reservoirs may assign space to the Water Supply Bank for a period not to exceed twenty (20) years. The watermaster, rental committee and the one(s) assigning long-term space shall negotiate the terms of any long-term lease with the lessee.
- 12.2. Once the terms of the lease have been reached the watermaster will execute the lease with the lessee. The lease will be considered to be in force once the first annual payment is received by the watermaster, and will continue to be in force as long as the lessee meets the terms of the lease.
- 12.3. Payments due those assigning space to the long-term pool will be made by the watermaster within ten days of his receiving payment from the lessee.

Rule 13. CATEGORY 4 RULES.

- 13.1. Agreements negotiated between two parties, upon approval of the Committee of Nine, may be facilitated through the Water Bank in the same manner as Category 3 leases provided acceptable arrangements are made to cover the administrative costs of the Water Bank.
- 13.2. All of the Category 3 rules apply.



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 1, 1990

Collen Wray  
150 Shoup Ave.  
Suite 15  
Idaho Falls, ID 83401  
Water District #01

Dear Ms. Wray:

The Department of Water Resources is planning to conduct training sessions for watermasters during late March or early April. Your watermaster will be notified of the time and place following the annual meeting.

The Department anticipates a full eight hours of training. Your water district should allocate sufficient funds to pay the watermaster his wages during the training, and the cost of mileage and meals. Allocation of \$200 to \$300 will probably be sufficient.

The Department strongly encourages attendance of your watermaster to a training session. He should attend unless unforeseeable circumstances prevent attendance.

Respectfully,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Manager  
Water Right Permits Section

GS:js

cc. Regions



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 14, 1990

Ron Carlson  
150 Shoup #15  
Idaho Falls, ID 83402  
Water District #01

Dear Mr. Carlson:

NOTICE OF WATERMASTER TRAINING

The Department has scheduled a training session for watermasters on Thursday, March 29, 1990, at the Idaho State Police Conference Room, 5205 South 5th, Pocatello, Idaho. Training will begin at 10:00 a.m. and will continue until approximately 4:00 p.m. with a break at noon for lunch.

Attached is a draft agenda listing topics for discussion. Attendance at the training sessions is essential. Ron Carlson, watermaster for the Snake River, and I will be leading the discussion. We hope you can attend.

Sincerely,

GARY SPACKMAN, Manager  
Water Right Permits Section

GS:js

Enclosure

LAIRD NOH  
DISTRICT 23  
TWIN FALLS COUNTY

HOME ADDRESS  
ROUTE 1, BOX 65  
KIMBERLY, IDAHO 83341  
RESIDENCE: (208) 733-3617



REC'D  
MAR 16 1990



COMMITTEES  
AGRICULTURAL AFFAIRS  
CHAIRMAN  
RESOURCES & ENVIRONMENT  
EDUCATION

Department of Water Resources

# Idaho State Senate

CAPITOL BUILDING  
BOISE

*Norm*  
*PLEASE GET FOR*  
*KNOW ABOUT THIS*

Senator Atwell Parry  
CoChair, Joint Finance and Appropriations Committee  
Idaho State Legislature

March 19, 1990

Dear Senator Parry:

This is to formally request a full financial audit of the operations and accounts of Water District Number One. It is my understanding that Water District Number One, which is responsible for the delivery of virtually all surface waters above Milner Dam on the Snake River, operates as an entity within the Department of Water Resources. Through a separate management-supervisory organization, the Committee of Nine, large sums are collected, invested and expended for purposes related to the management of the water delivery system.

A member of the legislative auditor's staff has advised that the above accounts are not regularly audited through the normal and routine procedures of auditing the Department of Water Resources.

Concerns have been raised to me by the Twin Falls and North Side Canal Companies, major irrigating operating companies and members of the Committee of Nine, of sufficient magnitude and persistence that an audit is required. Representatives of the canal companies and I will be glad to visit with you in greater detail about this serious matter.

Sincerely yours,

Laird Noh

cc: Keith Higginson, Director, Department of Water Resources  
Mr. Ron Carlson, Watermaster, Water District Number One  
Mr. Jack Eakin, Manager, Twin Falls Canal Company  
Mr. Ted Diehl, Manager, North Side Canal Company

Vault —  
Put in WO  
01 file.  
NY

July 25, 1990

FROM: Bob Sutter, Idaho Department of Water Resources  
TO: Don Barnett  
COPY: Alan Robertson, Norm Young, Ron Carlson  
SUBJECT: Crosscut Canal Water Accounting

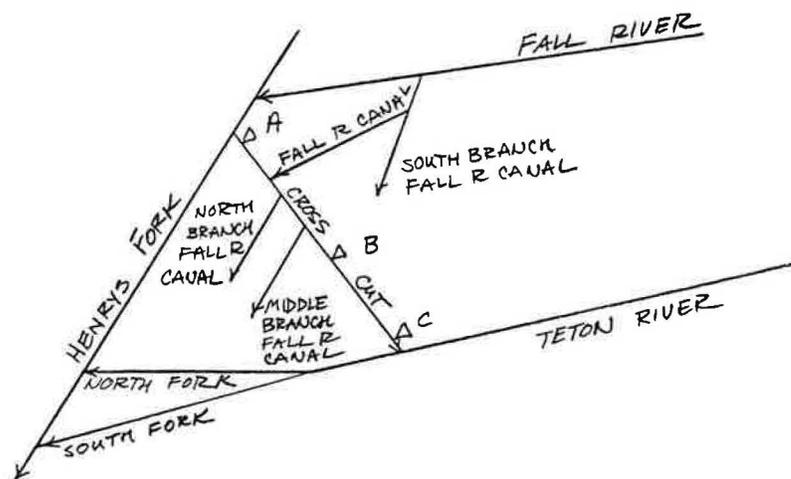
The Crosscut Canal diverts flow from the Henrys Fork to lands irrigated by the Fall River Canal Company and/or to the Teton River where the flow is rediverted or passes back downstream to the Henrys Fork. This memo describes the Upper Snake (Water District 01) water right accounting procedures used to account for this water.

There are three gages on the Crosscut Canal: 1) at the head where it diverts from the Henrys Fork, 2) below the diversions to the Fall River Canal Company lands, and 3) at the end where it enters the Teton River. In the diagram below, these gages are labeled points A, B, and C, respectively. The difference in flow from point A to point B is considered part of the diversion of the Fall River Canal Company and is treated the same as if the diversion were made from the Fall River through the main Fall River Canal.

The flow at point B, below the diversions to the Fall River Canal Company, is considered an alternate routing of water down the Henrys Fork and is not charged to any water user as long as at least an equivalent flow reaches the Teton River. If the flow at point C, the entry to the Teton River, is less than that at point B, the difference is considered an

unnatural loss and is then accounted for as stored water use by the Crosscut Canal (Fremont-Madison). If the flow at C is greater than B, the gain is treated as a natural flow gain to the Teton River.

As to the nature of the flow at the end of the Crosscut Canal, there is no determination made of what it is, nor is it necessary for the accounting. This flow could be natural flow from the Henrys Fork passing to downstream users, stored water passing downstream below the Teton, stored water passing to users on the Teton, or a combination of these. Actual use of stored water on the Teton is determined by the diversion of the individual canals. Anytime the rate of diversion of any canal exceeds its natural flow rights, stored water is charged to that canal. Therefore, other than the charging of losses from point B to point C, the operation of the Crosscut Canal is exclusively physical and does not affect the water right accounting in itself. For instance, all else remaining the same (losses, diversions, etc.) an increase or decrease in the flow of the Crosscut Canal will not change the amount of stored water charged to any user or district.



HENRYS LAKE Elev. 6473.8'  
90,010 Acre Feet  
Contents 89,060 ac.ft.  
99% % Full

GRASSY LAKE Elev. 7210'  
15,182 Acre Feet  
Contents 15,127 ac.ft.  
100% % Full

JACKSON LAKE Elev. 6769.0'  
847,000 Acre Feet  
846,241  
Contents 100% ac.ft.  
100% % Full

ISLAND PARK Elev. 6303.0'  
135,205 Acre Feet  
Contents 131,493 ac.ft.  
97% % Full

6769'  
847,000 Ac. Ft.  
Contents 100% ac.ft.  
100% % Full

PALISADES Elev. 5620'  
1,200,000 Acre Feet  
Contents 1,009,941 ac.ft.  
84% % Full

Upper Snake  
Divisions  
11,800  
c.f.s.

2,120  
c.f.s.  
Past Blackfoot

American Falls  
Springs  
3,000  
c.f.s.

RIRIE Elev. 5112.8'  
80,541 Acre Feet  
Contents 55,937 ac.ft.  
69% % Full

Minidoka & Milner  
Divisions

12,480  
c.f.s.

8,940  
c.f.s.

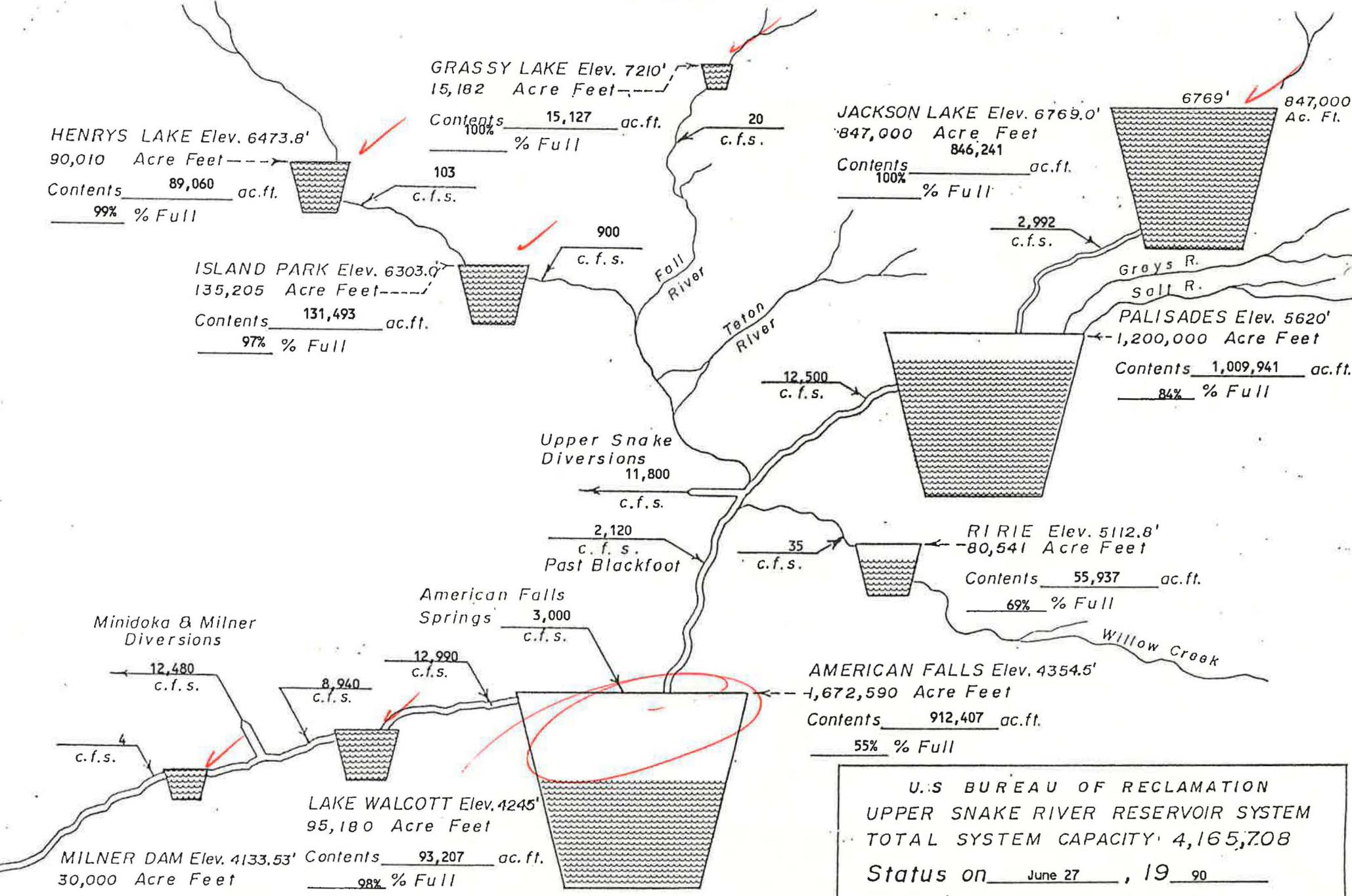
12,990  
c.f.s.

AMERICAN FALLS Elev. 4354.5'  
1,672,590 Acre Feet  
Contents 912,407 ac.ft.  
55% % Full

MILNER DAM Elev. 4133.53'  
30,000 Acre Feet  
Contents 37,589 ac.ft.  
125% % Full

LAKE WALCOTT Elev. 4245'  
95,180 Acre Feet  
Contents 93,207 ac.ft.  
98% % Full

U.S BUREAU OF RECLAMATION  
UPPER SNAKE RIVER RESERVOIR SYSTEM  
TOTAL SYSTEM CAPACITY 4,165,708  
Status on June 27, 19 90  
Today's Storage 3,191,002 ac. ft.  
System is 77% % Filled  
8/29/89 E.M.C.





IDAHO WATER RESOURCES RESEARCH INSTITUTE  
Morrill Hall, University of Idaho, Moscow, Idaho 83843 (208) 885-6429

cc Ron C  
Alison L

RHA

RECEIVED  
FEB 10 1989

*Research and Extension Center  
Route 1 3793 N. 3600 E.  
Kimberly, ID 83341  
(208) 423-4691*

Department of Water Resources

February 8, 1989

Mr. Norm Young  
Idaho Department of Water Resources  
1301 Orchard Ave  
Boise, ID 83720

Subject: Meeting with Lower Snake River Water Users on Snake River Allocation Procedures

Dear Norm:

I met with Jack Eakin and Ted Diehl to discuss their continuing concerns about the allocation process and computer model operations on the upper Snake River. Basically, their concerns are with the procedures for calculating the natural flow at Neeley upon which their natural flow right and storage assessment are based. Difficulty in projecting natural flow or storage requirements has led to decisions to purchase storage which later turned out to be unnecessary. This has proved somewhat embarrassing, and they would like to explore alternatives to prevent the situation in the future. Granted, in good water years this situation does not occur, but we will have additional low water years in the future.

As you are aware, a number of concurrent situations or events has occurred this past year which is beginning to polarize the lower users and upper valley users regarding Snake River operations. The drought has certainly brought out the concern for equitable water distribution and adherence to the requirement to protect downstream water right holders. Serious concerns regarding the impact of future ground-water development in the non-trust water area resulted in the filing of petitions for inclusion of ground-water in Water District No 1 and a moratorium on continued development. These concerns have added to the antagonism between upper and lower valley users and the ground-water pumpers. In addition, the approval of the FERC license for the Milner power plant has been viewed by upper valley users as an attempt by the Twin Falls and Northside users to 'get in bed' with Idaho Power and somehow tie up additional upper Snake River water.

The growing concerns are creating disunity and mistrust among heretofore reasonably united irrigation entities and individuals and, if the trend is not curtailed, could lead to problems potentially overshadowing the Swan Falls debacle. I believe the approach should be to provide adequate information and education to all the players on specific concerns, and to enhance the dialog

*Mr. Norm Young*  
*February 8, 1989*  
*Page 2*

between managers and water administrators. The meeting on February 23 was suggested for this reason and, I believe, will provide an opportunity to answer many questions not previously addressed by Ron Carlson or Department personnel.

I have enclosed a list of items which I believe should be addressed by your staff at the meeting. Both Jack Eakin and Ted Diehl would like to meet at 8:00 am, if possible, to allow a full morning for discussion if necessary. They have a Water Users Association Legislative Committee meeting at 1:30 PM.

Sincerely,



C. E. Brockway, P.E.

CEB:af

cc: Jack Eakin  
Ted Diehl  
Gary Slette  
Alan Robertson

## **CONCERNS OF LOWER VALLEY WATER USERS WITH SNAKE RIVER WATER ALLOCATION PROCEDURES**

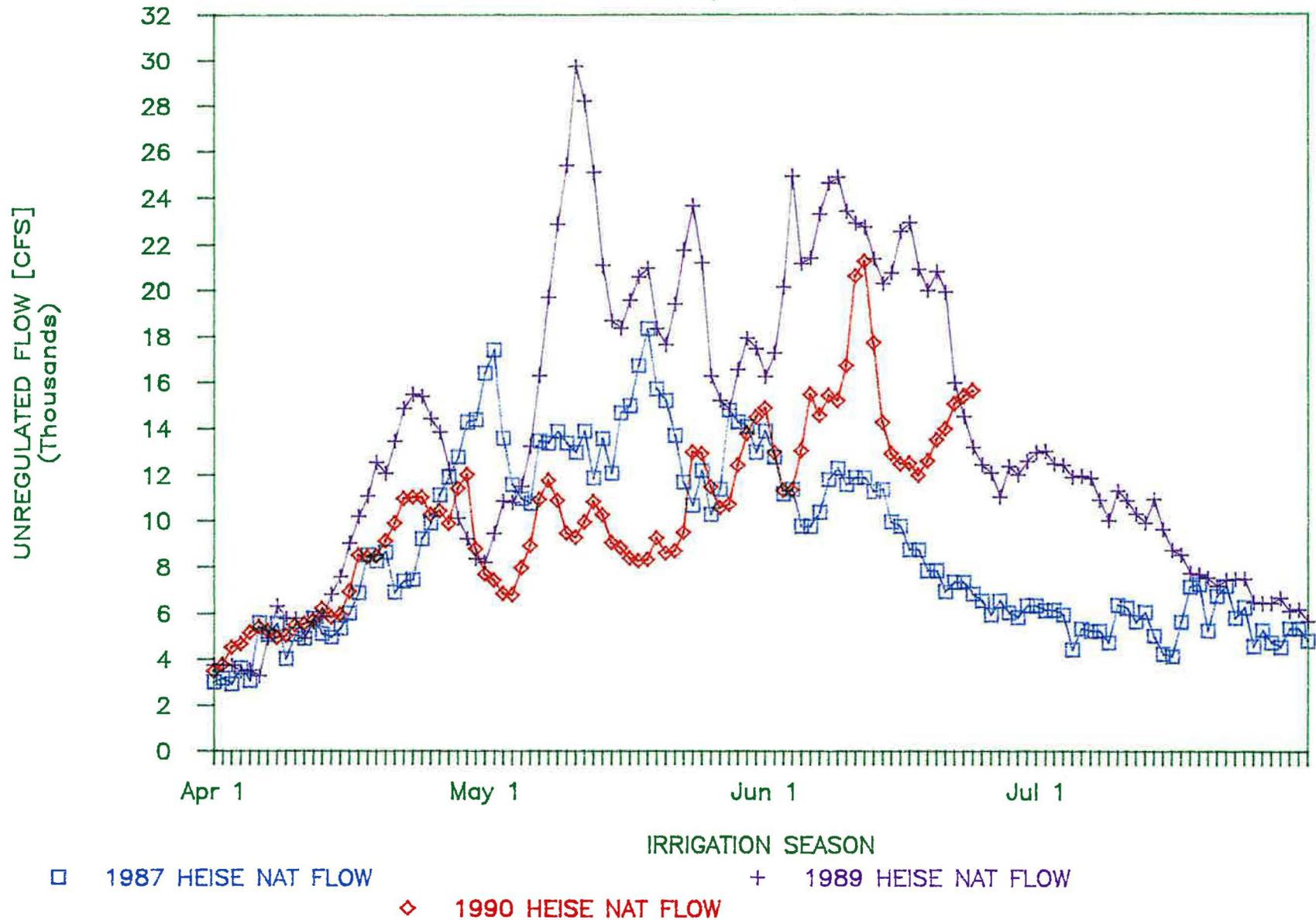
1. General procedure for determination of natural flow at Neeley. How does the model work?
2. Any evidence of historical changes in spring flow?
3. Specific comparison of Newell formula and current procedure.
4. Explanation of and description of actual or potential use of Kjelstrom's approach; i.e., Spring Creek.
5. Procedures being taken to improve timeliness of data used in model; i.e., river station gages.
6. Procedures being taken to reduce large fluctuations in computed daily or short term natural flow.
6. Effect of errors in American Falls storage changes.
7. Effect of errors in estimate of American Falls evaporation estimates.
8. Procedures used to improve timeliness of information dissemination to users re: natural flow, storage charges, etc.
9. Any procedures which lower users could adopt or assist with to make the system function better.
10. Is the TFCC and NSCC natural flow right being used to 'take up all the slack' in the Upper Snake allocation system?

Expected attendance at February 23, 1989 meeting:

- . Ted Diehl—Northside Canal Company
- . Jack Eakin—Twin Falls Canal Company
- . Gary Slette—Counsel for Canal Companies
- . Chuck Brockway

# TOTAL NATURAL FLOW AT HEISE

—1987, 1989, 1990—





STATEMENT OF FINANCIAL POSITION  
ACTUAL COMPARED TO BUDGET  
MONTH OF JUNE 1990

	ACTUAL	BUDGET	VARIANCE
CHECKING			
BANK OF COMMERCE	149504.16	---	149504.16
SUBTOTAL CHECKING	149504.16	---	149504.16
SAVINGS			
BANK OF COMMERCE	5672.29	---	5672.29
SUBTOTAL SAVINGS	5672.29	---	5672.29
TOTAL ASSETS	155176.45	---	155176.45
EQUITY			
NET WORTH	155176.45	---	155176.45
SUBTOTAL EQUITY	155176.45	---	155176.45
TOTAL DEBT AND EQUITY	155176.45	---	155176.45

ASSET & LIABILITY ACCOUNTS

		ACTIVITY FOR MONTH		MONTH END BALANCE	
		DEBIT	CREDIT	DEBIT	CREDIT
CHECKING	ACCOUNT NUMBER 050 - BANK OF COMMERCE	13246.82		149504.16	
SAVINGS	ACCOUNT NUMBER 100 - BANK OF COMMERCE	0.00		5672.29	
SUBTOTAL ASSET & LIABILITY ACCOUNTS		13246.82	0.00	155176.45	0.00
NET WORTH			13246.82		155176.45
TOTAL ASSET & LIABILITY ACCOUNTS		13246.82	13246.82	155176.45	155176.45

## INCOME &amp; EXPENSE ACCOUNTS

	ACCOUNT NUMBER	DESCRIPTION	ACTIVITY FOR MONTH		MONTH END BALANCE	
			DEBIT	CREDIT	DEBIT	CREDIT
INCOME	600	- C89-CONTRACT 1989	0.00			0.00
INCOME	612	- D88-DELIVERY 1988	0.00			170.00
INCOME	602	- D89-DELIVERY 1989		32027.44		419467.84
INCOME	601	- DC89-DELIVERY 1989(COUNTI		22.99		252.55
INCOME	611	- E88-EXCESS STORAGE COST	0.00			4685.20
INCOME	603	- E89-EXCESS STORAGE COSTS		25.00		822.50
INCOME	604	- I90-INTEREST INCOME(CHECK	0.00			1455.88
INCOME	605	- M90-MISCELLANEOUS INCOME		29.50		3096.36
INCOME	610	- R90-RENTAL INCOME (GROSS)		45060.25		79370.60
INCOME	606	- REF-STATE INSURANCE REFUN	0.00			0.00
INCOME	607	- T01-FUND TRANSFER (WCMA)	0.00			0.00
INCOME	608	- T02-FUND TRANS(SHEAR & LE	0.00			73025.09
INCOME	609	- T03-FUND TRANS(PALIS W.U)	0.00			0.00
EXPENSE	804	- HYD-FALL RIVER	0.00		0.00	
EXPENSE	803	- HYD-HENRY'S FORK VAL RICH	1200.00		4800.00	
EXPENSE	801	- HYD-IDAHO FALLS JACK VON	347.75		347.75	
EXPENSE	802	- HYD-LOWER VAL. HAROLD BLA	456.00		456.00	
EXPENSE	800	- HYD-TETON BASIN DEE O'BRAI	430.50		997.50	
EXPENSE	805	- HYD-TETON RIVER GAIL BLAN	188.50		188.50	
EXPENSE	855	- LEGAL-CITY OF IDAHO FALLS	0.00		103.20	
EXPENSE	856	- LEGAL-S.R. TROUT LIMITED	0.00		3318.60	
EXPENSE	844	- MISEX-ANNUAL MEETING	0.00		1335.00	
EXPENSE	843	- MISEX-AUDIT	0.00		2469.80	
EXPENSE	842	- MISEX-COPYING COSTS	0.00		0.00	
EXPENSE	838	- MISEX-IWUA	0.00		500.00	
EXPENSE	840	- MISEX-OFFICE SUPPLIES	38.57		167.47	
EXPENSE	837	- MISEX-OTTO OTTER	0.00		220.00	
EXPENSE	839	- MISEX-POSTAGE	50.00		550.00	
EXPENSE	841	- MISEX-TELEPHONE	0.00		0.00	
EXPENSE	826	- PEREX-EMPLOYMENT INSURANC	0.00		18.45	
EXPENSE	852	- PEREX-FEDERAL TAX	769.24		2135.59	
EXPENSE	828	- PEREX-MISC HYDROGRAPH EXP	78.28		213.72	
EXPENSE	827	- PEREX-PART TIME HELP	0.00		0.00	
EXPENSE	822	- PEREX-RETIREMENT	83.13		501.59	
EXPENSE	824	- PEREX-SOCIAL SECURITY		384.62		735.95
EXPENSE	825	- PEREX-STATE INSURANCE FUN	0.00		0.00	
EXPENSE	823	- PEREX-STATE TAX		17.60		19.85
EXPENSE	829	- PERMI-MILAGE DEE O'BRIAN	196.20		392.40	
EXPENSE	832	- PERMI-MILAGE GAIL BLANCHA	124.40		124.40	
EXPENSE	836	- PERMI-MILAGE HARLOD BLAUE	164.40		164.40	
EXPENSE	830	- PERMI-MILAGE JACK VON ACH	97.80		97.80	
EXPENSE	834	- PERMI-MILAGE LYLE LINDSAY	325.00		443.16	
EXPENSE	835	- PERMI-MILAGE MRS. LENZ	0.00		0.00	
EXPENSE	831	- PERMI-MILAGE VAL RICHARDS	400.00		1600.00	
EXPENSE	833	- PERMI-MILAGE WILBER BROWN	675.00		825.00	
EXPENSE	814	- PROEX-ERO RESOURCES		1191.99	11692.91	
EXPENSE	857	- PROEX-IDWR STREAM GAGING	46055.00		46055.00	
EXPENSE	815	- PROEX-SUTRON MAINTENANCE	0.00		3450.00	
EXPENSE	817	- PROEX-U. OF I. STUDIES	0.00		0.00	
EXPENSE	816	- PROEX-USGS STREAM GAGING	0.00		36380.00	
EXPENSE	854	- PROXX-D ST. RENTAL USGS	1367.80		5471.20	

## INCOME &amp; EXPENSE ACCOUNTS

		ACTIVITY FOR MONTH		MONTH END BALANCE	
		DEBIT	CREDIT	DEBIT	CREDIT
EXPENSE	ACCOUNT NUMBER 821 - PROXX-D. B. FITZPATRICK	0.00		934.34	
EXPENSE	ACCOUNT NUMBER 819 - PROXX-FREMONT-MAD CO-OP	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 820 - PROXX-PALIS WATER USER CO	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 818 - PROXX-SUTRON (NEW SIGHTS)	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 807 - RIVER-BLACKFOOT DIV LINDS	330.00		450.00	
EXPENSE	ACCOUNT NUMBER 811 - RIVER-IDAHO FALLS WHEELER	100.00		100.00	
EXPENSE	ACCOUNT NUMBER 813 - RIVER-MILNER AREA CARL	30.00		120.00	
EXPENSE	ACCOUNT NUMBER 806 - RIVER-RIGBY & HEISE DIV	945.00		1155.00	
EXPENSE	ACCOUNT NUMBER 810 - RIVER-SOUTH LIEGH CREEK	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 808 - RIVER-SWAN VAL. D. BITTON	560.00		560.00	
EXPENSE	ACCOUNT NUMBER 809 - RIVER-UPPER FALLS RIVER L	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 812 - RIVER-WILLOW CREEK SKARR	500.00		500.00	
EXPENSE	ACCOUNT NUMBER 851 - UPPER-COMMITTEE OF NINE	0.00		1431.60	
EXPENSE	ACCOUNT NUMBER 850 - UPPER-LEGAL EXPENSES	0.00		27529.71	
EXPENSE	ACCOUNT NUMBER 846 - WMAST-ANNUAL BOOK	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 845 - WMAST-IDWR CONTRACT	10000.00		60000.00	
EXPENSE	ACCOUNT NUMBER 853 - WMAST-MEETINGS	0.00		14.50	
EXPENSE	ACCOUNT NUMBER 847 - WMAST-TRAVEL	0.00		154.00	
SUBTOTAL INCOME & EXPENSE ACCOUNTS		65512.57	78759.39	217968.59	583101.82
NET INCOME (DEBIT)/LOSS (CREDIT)		13246.82		365133.23	
TOTAL INCOME & EXPENSE ACCOUNTS		78759.39	78759.39	583101.82	583101.82

STATEMENT OF FINANCIAL POSITION  
ACTUAL RESULTS  
FISCAL YEAR ENDING IN 1990

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
CHECKING												
BANK OF COMMERCE	22154	22154	23162	71877	136257	149504	-	-	-	-	-	-
SUBTOTAL CHECKING	22154	22154	23162	71877	136257	149504	-	-	-	-	-	-
SAVINGS												
BANK OF COMMERCE	-	-	-	5672	5672	5672	-	-	-	-	-	-
SUBTOTAL SAVINGS	-	-	-	5672	5672	5672	-	-	-	-	-	-
TOTAL ASSETS	22154	22154	23162	77549	141930	155176	-	-	-	-	-	-
EQUITY												
NET WORTH	22154	22154	23162	77549	141930	155176	-	-	-	-	-	-
SUBTOTAL EQUITY	22154	22154	23162	77549	141930	155176	-	-	-	-	-	-
TOTAL DEBT AND EQUITY	22154	22154	23162	77549	141930	155176	-	-	-	-	-	-

STATEMENT OF INCOME AND EXPENSE  
ACTUAL RESULTS  
FISCAL YEAR ENDING IN 1990

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
INCOME													
DB8-DELIVERY 1988	-	-	170	-	-	-	-	-	-	-	-	-	170
DB9-DELIVERY 1989	-	-	246525	70280	70635	32027	-	-	-	-	-	-	419469
DC89-DELIVERY 1989(COUNTI	-	-	109	106	15	23	-	-	-	-	-	-	253
EB8-EXCESS STORAGE COST	-	-	2307	2331	47	-	-	-	-	-	-	-	4685
EB9-EXCESS STORAGE COSTS	-	-	798	-	-	25	-	-	-	-	-	-	823
I90-INTEREST INCOME(CHECK	-	-	605	476	375	-	-	-	-	-	-	-	1456
M90-MISCELLANEOUS INCOME	-	-	2988	63	16	30	-	-	-	-	-	-	3096
R90-RENTAL INCOME (GROSS)	-	-	9970	4133	20207	45060	-	-	-	-	-	-	79371
T02-FUND TRANS(SHEAR & LE	-	-	71780	1246	-	-	-	-	-	-	-	-	73025
TOTAL INCOME	-	-	335252	78635	91294	77165	-	-	-	-	-	-	582346
EXPENSE													
HYD-HENRY'S FORK VAL RICH	-	-	1200	1200	1200	1200	-	-	-	-	-	-	4800
HYD-IDAHO FALLS JACK VON	-	-	-	-	-	348	-	-	-	-	-	-	348
HYD-LOWER VAL. HAROLD BLA	-	-	-	-	-	456	-	-	-	-	-	-	456
HYD-TETON BASIN DEE O'BRI	-	-	-	-	567	431	-	-	-	-	-	-	998
HYD-TETON RIVER GAIL BLAN	-	-	-	-	-	189	-	-	-	-	-	-	189
LEGAL-CITY OF IDAHO FALLS	-	-	-	103	-	-	-	-	-	-	-	-	103
LEGAL-S.R. TROUT LIMITED	-	-	-	2516	803	-	-	-	-	-	-	-	3319
MISEX-ANNUAL MEETING	-	-	1335	-	-	-	-	-	-	-	-	-	1335
MISEX-AUDIT	-	-	-	2470	-	-	-	-	-	-	-	-	2470
MISEX-IWUA	-	-	-	500	-	-	-	-	-	-	-	-	500
MISEX-OFFICE SUPPLIES	-	-	-	50	79	39	-	-	-	-	-	-	167
MISEX-OTTO OTTER	-	-	-	220	-	-	-	-	-	-	-	-	220
MISEX-POSTAGE	-	-	500	-	-	50	-	-	-	-	-	-	550
PEREX-EMPLOYMENT INSURANC	-	-	-	-	18	-	-	-	-	-	-	-	18
PEREX-FEDERAL TAX	-	-	-81	44	1403	769	-	-	-	-	-	-	2136
PEREX-MISC HYDROGRAPH EXP	-	-	-	123	12	78	-	-	-	-	-	-	214
PEREX-RETIREMENT	-	-	171	196	52	83	-	-	-	-	-	-	502
PEREX-SOCIAL SECURITY	-	-	-94	-94	-163	-385	-	-	-	-	-	-	-736
PEREX-STATE TAX	-	-	-	-	-2	-18	-	-	-	-	-	-	-20
PERMI-MILAGE DEE O'BRIAN	-	-	-	-	196	196	-	-	-	-	-	-	392
PERMI-MILAGE GAIL BLANCHA	-	-	-	-	-	124	-	-	-	-	-	-	124
PERMI-MILAGE HARLOD BLAUE	-	-	-	-	-	164	-	-	-	-	-	-	164
PERMI-MILAGE JACK VON ACH	-	-	-	-	-	98	-	-	-	-	-	-	98
PERMI-MILAGE LYLE LINDSAY	-	-	-	-	118	325	-	-	-	-	-	-	443
PERMI-MILAGE VAL RICHARDS	-	-	400	400	400	400	-	-	-	-	-	-	1600
PERMI-MILAGE WILBER BROWN	-	-	-	-	150	675	-	-	-	-	-	-	825
PROEX-ERO RESOURCES	-	-	12885	-	-	-1192	-	-	-	-	-	-	11693
PROEX-IDWR STREAM GAGING	-	-	-	-	-	46055	-	-	-	-	-	-	46055
PROEX-SUTRON MAINTENANCE	-	-	3450	-	-	-	-	-	-	-	-	-	3450
PROEX-USGS STREAM GAGING	-	-	36380	-	-	-	-	-	-	-	-	-	36380
PROXX-D ST. RENTAL USGS	-	-	1368	1368	1368	1368	-	-	-	-	-	-	5471
PROXX-D. B. FITZPATRICK	-	-	934	-	-	-	-	-	-	-	-	-	934
RIVER-BLACKFOOT DIV LINDS	-	-	-	-	120	330	-	-	-	-	-	-	450
RIVER-IDAHO FALLS WHEELER	-	-	-	-	-	100	-	-	-	-	-	-	100

STATEMENT OF INCOME AND EXPENSE  
ACTUAL COMPARED TO BUDGET  
MONTH OF JUNE 1990

	** MONTH **			** YEAR TO DATE **		
	ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE
INCOME						
DBB-DELIVERY 1988	---	---	---	170.00	---	170.00
DB9-DELIVERY 1989	32027.44	---	32027.44	419467.84	---	419467.84
DC89-DELIVERY 1989(COUNTI	22.99	---	22.99	252.55	---	252.55
EB8-EXCESS STORAGE COST	---	---	---	4685.20	---	4685.20
EB9-EXCESS STORAGE COSTS	25.00	---	25.00	822.50	---	822.50
I90-INTEREST INCOME(CHECK	---	---	---	1455.88	---	1455.88
M90-MISCELLANEOUS INCOME	29.50	---	29.50	3096.36	---	3096.36
R90-RENTAL INCOME (GROSS)	45060.25	---	45060.25	79370.60	---	79370.60
T02-FUND TRANS(SHEAR & LE	---	---	---	73025.09	---	73025.09
TOTAL INCOME	77165.18	---	77165.18	582346.02	---	582346.02
EXPENSE						
HYD-HENRY'S FORK VAL RICH	1200.00	1250.00	50.00	4800.00	8400.00	3600.00
HYD-IDAHO FALLS JACK VON	347.75	349.00	0.25	347.75	2499.99	2152.24
HYD-LOWER VAL. HAROLD BLA	456.00	456.00	---	456.00	1412.00	956.00
HYD-TETON BASIN DEE O'BRI	430.50	507.00	76.50	997.50	2142.00	1144.50
HYD-TETON RIVER GAIL BLAN	188.50	188.50	---	188.50	878.50	690.00
LEGAL-CITY OF IDAHO FALLS	---	2777.75	2777.75	103.20	16666.50	16563.30
LEGAL-S.R. TROUT LIMITED	---	2777.75	2777.75	3318.60	16666.50	13347.90
MISEX-ANNUAL MEETING	---	---	---	1335.00	---	-1335.00
MISEX-AUDIT	---	---	---	2469.80	2900.00	430.20
MISEX-COPYING COSTS	---	80.59	80.59	---	483.52	483.52
MISEX-IWUA	---	---	---	500.00	500.00	---
MISEX-OFFICE SUPPLIES	38.57	80.59	42.02	167.47	483.52	316.05
MISEX-OTTO OTTER	---	---	---	220.00	250.00	30.00
MISEX-POSTAGE	50.00	50.00	---	550.00	650.00	100.00
MISEX-TELEPHONE	---	80.50	80.50	---	483.00	483.00
PEREX-EMPLOYMENT INSURANC	---	100.00	100.00	18.45	600.00	581.55
PEREX-FEDERAL TAX	769.24	---	-769.24	2135.59	---	-2135.59
PEREX-MISC HYDROGRAPH EXP	78.29	80.00	1.72	213.72	225.00	11.28
PEREX-PART TIME HELP	---	208.34	208.34	---	1250.00	1250.00
PEREX-RETIREMENT	83.13	181.00	97.87	501.59	2911.00	2409.41
PEREX-SOCIAL SECURITY	-384.62	1222.00	1606.62	-735.95	5663.00	6398.95
PEREX-STATE INSURANCE FUN	---	200.00	200.00	---	1200.00	1200.00
PEREX-STATE TAX	-17.60	98.75	116.35	-19.85	358.50	378.35
PERMI-MILAGE DEE O'BRIAN	196.20	525.00	328.80	392.40	795.00	402.60
PERMI-MILAGE GAIL BLANCHA	124.40	320.00	195.60	124.40	320.00	195.60
PERMI-MILAGE HARLOD BLAUE	164.40	150.00	-14.40	164.40	290.00	125.60
PERMI-MILAGE JACK VON ACH	97.80	132.00	34.20	97.80	132.00	34.20
PERMI-MILAGE LYLE LINDSAY	325.00	325.00	---	443.16	651.00	207.84
PERMI-MILAGE MRS. LENZ	---	96.00	96.00	---	96.00	96.00
PERMI-MILAGE VAL RICHARDS	400.00	400.00	---	1600.00	2400.00	800.00
PERMI-MILAGE WILBER BROWN	675.00	725.00	50.00	825.00	1449.00	624.00
PROEX-ERD RESOURCES	-1191.99	---	1191.99	11692.91	12885.00	1192.09
PROEX-IDWR STREAM GAGING	46055.00	46055.00	---	46055.00	50206.40	4151.40

STATEMENT OF INCOME AND EXPENSE  
ACTUAL COMPARED TO BUDGET  
MONTH OF JUNE 1990

** MONTH **			** YEAR TO DATE **		
ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE

EXPENSE - CONTINUED

PROEX-SUTRON MAINTENANCE	---	---	---	3450.00	6000.00	2550.00
PROEX-U. OF I. STUDIES	---	---	---	---	18999.98	18999.98
PROEX-USGS STREAM GAGING	---	---	---	36380.00	36380.00	---
PROXX-D ST. RENTAL USGS	1367.80	1367.80	---	5471.20	8206.80	2735.60
PROXX-D. B. FITZPATRICK	---	---	---	934.34	---	-934.34
PROXX-SUTRON (NEW SIGHTS)	---	1000.00	1000.00	---	6000.00	6000.00
RIVER-BLACKFOOT DIV LINDS	330.00	407.00	77.00	450.00	1237.00	787.00
RIVER-IDAHO FALLS WHEELER	100.00	117.00	17.00	100.00	833.00	733.00
RIVER-MILNER AREA CARL	30.00	---	-30.00	120.00	---	-120.00
RIVER-RIGBY & HEISE DIV	945.00	1277.00	332.00	1155.00	2787.00	1632.00
RIVER-SWAN VAL. D. BITTON	560.00	600.00	40.00	560.00	1000.00	440.00
RIVER-UPPER FALLS RIVER L	---	203.00	203.00	---	203.00	203.00
RIVER-WILLOW CREEK SKARR	500.00	508.33	8.33	500.00	916.66	416.66
UPPER-COMMITTE OF NINE	---	583.32	583.32	1431.60	3499.98	2068.38
UPPER-LEGAL EXPENSES	---	2777.75	2777.75	27529.71	16666.50	-10863.21
WMAST-ANNUAL BOOK	---	1100.00	1100.00	---	2200.00	2200.00
WMAST-IDWR CONTRACT	10000.00	19166.66	9166.66	60000.00	114999.98	54999.98
WMAST-MEETINGS	---	100.00	100.00	14.50	600.00	585.50
WMAST-TRAVEL	---	241.66	241.66	154.00	1449.98	1295.98
 TOTAL EXPENSE	 63918.36	 88864.29	 24945.93	 217212.79	 357827.31	 140614.52
 NET INCOME	 13246.82	 -88864.29	 102111.11	 365133.23	 -357827.31	 722960.54



Client: WATER DISTRICT NO.1

Account #: 860929

Date: JUNE 27, 1990

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SANDY DALTON

SUMMARY OF INVESTMENTS

TICKER SYMBOL	COMPANY	QUANTITY	AVERAGE PURCHASE PRICE PER SHARE	AVERAGE COST	PRICE AS OF 06/27/90	MARKET VALUATION AS OF 06/27/90	CURRENT YIELD	% OF ASSETS
YELL	Yellow Freight	300	\$27.480	\$8,244.64	\$28.500	\$8,550.00	2.7	3.4
		TOTALS		\$244,720.08		\$250,195.50		

P.04

JUN-27-90 WED 11:08 DB FITZPATRICK & CO

Client: WATER DISTRICT NO.1  
 Account #: 860929  
 Date: JUNE 27, 1990  
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 SANDY DALTON



SUMMARY OF INVESTMENTS

TICKER SYMBOL	COMPANY	QUANTITY	AVERAGE PURCHASE PRICE PER SHARE	AVERAGE COST	PRICE AS OF 06/27/90	MARKET VALUATION AS OF 06/27/90	CURRENT YIELD	% OF ASSETS
ADCT	ADC Tele.	300	\$19.010	\$5,702.00	\$21.250	\$6,375.00	0.0	2.5
T	Amer. Telo. & Teleg.	200	\$44.460	\$8,891.59	\$38.500	\$7,700.00	3.4	3.1
BIR	Birmingham Steel	200	\$29.990	\$5,998.57	\$18.875	\$3,775.00	2.6	1.5
BA	Boeing Company	100	\$60.930	\$6,092.90	\$57.750	\$5,775.00	2.6	2.3
BOHM	Bohemia, Inc.	386	\$26.400	\$10,190.71	\$15.500	\$5,983.00	1.3	2.4
CMB	Chase Manhattan Bank	200	\$29.130	\$5,826.00	\$23.875	\$4,775.00	10.4	1.9
CPQ	Compaq Computer	100	\$95.390	\$9,538.83	\$118.000	\$11,800.00	0.0	4.7
FRE	Federal Home Loan	100	\$79.170	\$7,916.75	\$75.000	\$7,500.00	2.1	3.0
FEXC	First Executive	2,000	\$3.560	\$7,127.00	\$3.125	\$6,250.00	0.0	2.5
FRX	Forest Labs	150	\$40.750	\$6,112.30	\$43.500	\$6,525.00	0.0	2.6
GMF	Great Western finance	450	\$16.230	\$7,302.38	\$17.875	\$8,043.75	4.7	3.2
HAN	Hanson	500	\$11.220	\$5,608.38	\$20.750	\$10,375.00	4.5	4.1
IBN	Internat'L Bus. Machines	100	\$121.630	\$12,163.19	\$117.625	\$11,762.50	4.1	4.7
IWG	Iowa Illinois Gas	300	\$23.350	\$7,003.96	\$21.250	\$6,375.00	15.7	2.5
JCP	J.C. Penney	100	\$74.290	\$7,429.25	\$60.000	\$6,000.00	4.6	2.4
JH	John Harland	225	\$23.530	\$5,293.26	\$23.625	\$5,315.62	3.3	2.1
KMG	Kerr-Mcgee	100	\$51.170	\$5,116.75	\$43.750	\$4,375.00	3.0	1.7
LDMFB	Laidlaw Manufacturing	400	\$22.000	\$8,802.00	\$21.250	\$8,500.00	1.3	3.4
LTR	Loews Corporation	50	\$64.140	\$3,207.19	\$111.500	\$5,575.00	0.9	2.2
MRK	Merck & Co.	125	\$80.910	\$10,114.19	\$83.500	\$10,437.50	2.2	4.1
MMH	Minnesota Mining/Manu.	75	\$86.530	\$6,489.60	\$85.500	\$6,412.50	3.4	2.5
MOT	Motorola, Inc.	100	\$60.420	\$6,041.75	\$82.625	\$8,262.50	0.9	3.3
GAS	Nicor, Inc.	200	\$42.690	\$8,537.53	\$37.625	\$7,525.00	5.6	3.0
OCF	Owens Corning	200	\$32.130	\$6,426.03	\$23.375	\$4,675.00	0.0	1.9
PPW	Pacificorp	400	\$22.420	\$8,967.47	\$20.750	\$8,300.00	6.7	3.3
PEP	Pepsico, Inc.	125	\$64.160	\$8,020.44	\$76.375	\$9,546.87	1.3	3.8
RBK	Reebok	350	\$19.230	\$6,730.99	\$17.375	\$6,081.25	1.7	2.4
RLM	Reynolds Metals	100	\$60.780	\$6,078.05	\$56.625	\$5,662.50	3.2	2.2
SC	Shell Transport	200	\$45.220	\$9,043.34	\$48.125	\$9,625.00	5.1	3.8
SLM	Student Loan Marketing	100	\$54.300	\$5,430.40	\$50.375	\$5,037.50	2.0	2.0
TYSMA	Tyson Foods	400	\$23.940	\$9,577.00	\$30.500	\$12,200.00	0.1	4.8
UST	UST, Inc.	200	\$13.460	\$2,691.67	\$30.500	\$6,100.00	3.6	2.4
WMT	Wal-Mart Stores	150	\$46.690	\$7,003.96	\$60.000	\$9,000.00	0.5	3.6

JUN-27-90 WED 11:08 DB FITZPATRICK & CO

JUN-27-90 WED 11:07 DB FITZPATRICK & CO P.02

Client: WATER DISTRICT NO.1  
 Account #: 860929  
 Date: JUNE 27, 1990  
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 SANDY DALTON



PORTFOLIO PERFORMANCE RESULTS

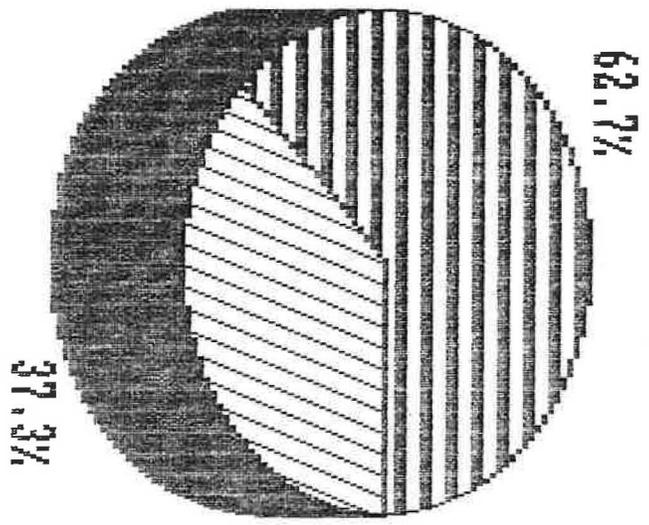
	CURRENT MARKET VALUE	PERCENT OF TOTAL
TOTAL EQUITIES	\$250,195.50	99.12%
CASH EQUIVALENTS	\$2,217.25	0.88%
<b>TOTAL</b>	<b>\$252,412.75</b>	<b>100.00%</b>

SUMMARY OF TRANSACTIONS

	DATE	QUANTITY	PRICE*	TOTAL AMOUNT
<b>PURCHASES</b>				
Boeing Company	06-13-90	100	\$60.929	\$6,092.90
Student Loan Marketing Assn.	06-13-90	100	\$54.304	\$5,430.40
Minnesota Mining/Manu.	06-13-90	75	\$86.528	\$6,489.60
<b>TOTAL PURCHASES</b>				<b>\$18,012.90</b>
<b>SELLS</b>				
Reynolds Metals	06-13-90	100	\$56.819	\$5,681.90
John Harland	06-13-90	200	\$23.308	\$4,661.64
UST, Inc.	06-13-90	200	\$29.252	\$5,850.40
<b>TOTAL SELLS</b>				<b>\$16,193.94</b>
<b>ADDITIONS</b>				
Transfer	06-15-90			\$245.99
<b>TOTAL ADDITIONS</b>				<b>\$245.99</b>

\* Price includes commission.

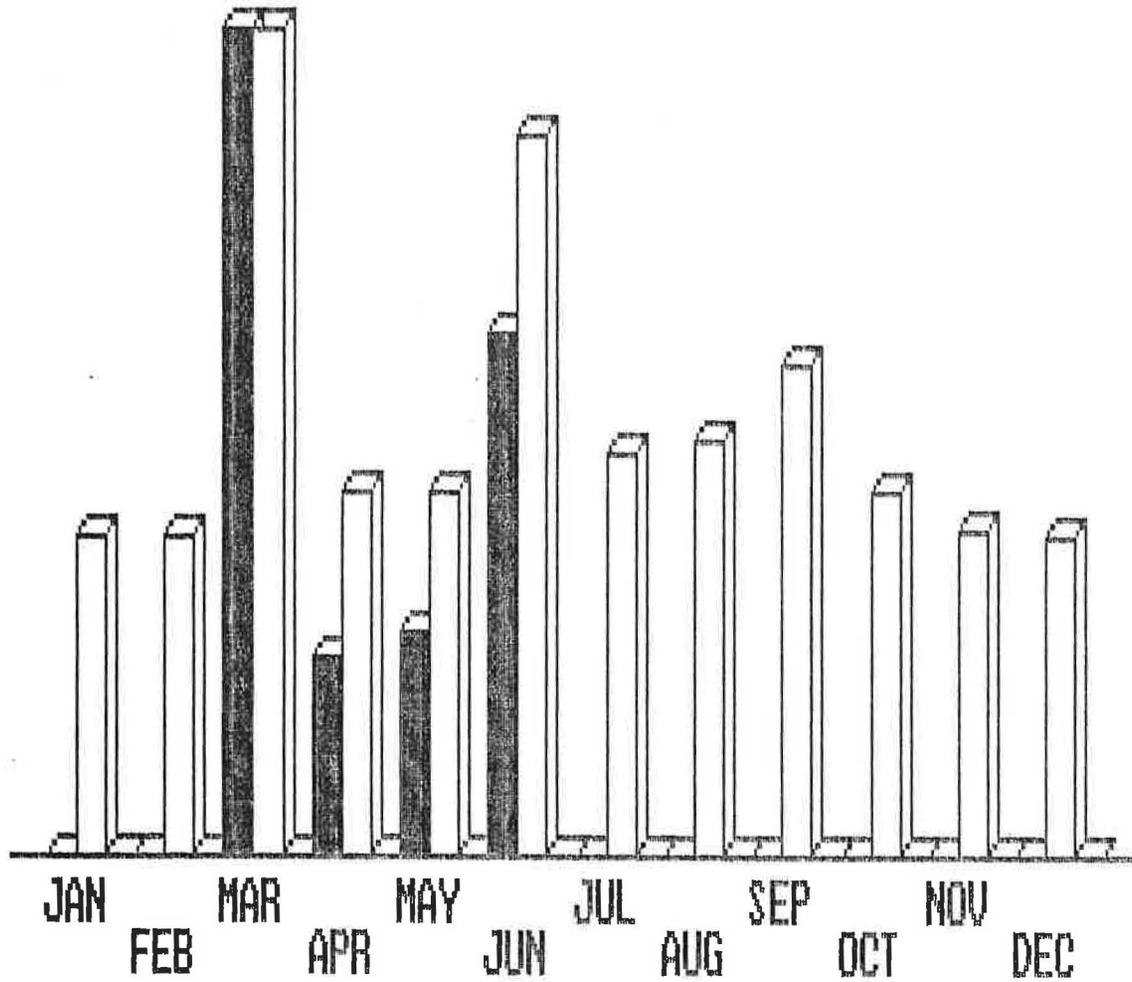
WATER DISTRICT 1  
INCOME STATEMENT  
ACTUAL FOR 6 MONTHS ENDING JUNE 1990



 Expense

 Net Income

**Total Expense**  
**Actual VS Budget in 1990 - WATER DISTRICT 1**



ACTUAL	JAN	0
	FEB	0
	MAR	102134
	APR	24247
	MAY	26914
	JUN	63918
	JUL	0
	AUG	0
	SEP	0
	OCT	0
	NOV	0
	DEC	0
BUDGET	JAN	38800
	FEB	39075
	MAR	102301
	APR	44197
	MAY	44589
	JUN	88864
	JUL	49473
	AUG	51067
	SEP	60327
	OCT	44652
	NOV	39700
	DEC	38903

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GENERAL LEDGER FOR THE MONTH OF JUNE 1990 - PAGE NUMBER 1

DATE	A/C#	ACCOUNT-NAME	TRANS TYPE	TRANS #	PAYEE/PAYOR	MEMO	AMOUNT	CLRD
		* CHECKING ACCOUNT NUMBER 050 - BANK OF COMMERCE				BEGINNING BALANCE	136257.34	* *
06/07/90	SPT	SPLIT - DETAIL FOLLOWS:	DEPOSIT	25	DEPOSIT		39551.91	N
	610	R90-RENTAL INCOME (GROSS)	DEPOSIT	25	SPLIT ACCOUNT DETAIL	AMOUNT = 16967.50		
	602	D89-DELIVERY 1989	DEPOSIT	25	SPLIT ACCOUNT DETAIL	AMOUNT = 21392.42		
	814	PROEX-ERO RESOURCES	DEPOSIT	25	SPLIT ACCOUNT DETAIL	AMOUNT = 1191.99		
06/13/90	SPT	SPLIT - DETAIL FOLLOWS:	DEPOSIT	26	DEPOSIT	SOLD GAGE \$29.50	28661.89	N
	610	R90-RENTAL INCOME (GROSS)	DEPOSIT	26	SPLIT ACCOUNT DETAIL	AMOUNT = 26556.75		
	601	DC89-DELIVERY 1989(COUNTI	DEPOSIT	26	SPLIT ACCOUNT DETAIL	AMOUNT = 15.49		
	602	D89-DELIVERY 1989	DEPOSIT	26	SPLIT ACCOUNT DETAIL	AMOUNT = 2060.15		
	605	M90-MISCELLANEDUS INCOME	DEPOSIT	26	SPLIT ACCOUNT DETAIL	AMOUNT = 29.50		
06/25/90	SPT	SPLIT - DETAIL FOLLOWS:	DEPOSIT	27	DEPOSIT		10143.37	N
	610	R90-RENTAL INCOME (GROSS)	DEPOSIT	27	SPLIT ACCOUNT DETAIL	AMOUNT = 1536.00		
	601	DC89-DELIVERY 1989(COUNTI	DEPOSIT	27	SPLIT ACCOUNT DETAIL	AMOUNT = 7.50		
	602	D89-DELIVERY 1989	DEPOSIT	27	SPLIT ACCOUNT DETAIL	AMOUNT = 8574.87		
	603	E89-EXCESS STORAGE COSTS	DEPOSIT	27	SPLIT ACCOUNT DETAIL	AMOUNT = 25.00		
06/01/90	SPT	SPLIT - DETAIL FOLLOWS:	CHECK	1628	WILBUR BROWN		-1444.75	N
	806	RIVER-RIGBY & HEISE DIV	CHECK	1628	SPLIT ACCOUNT DETAIL	AMOUNT = -945.00		
	822	PEREX-RETIREMENT	CHECK	1628	SPLIT ACCOUNT DETAIL	AMOUNT = 50.46		
	824	PEREX-SOCIAL SECURITY	CHECK	1628	SPLIT ACCOUNT DETAIL	AMOUNT = 72.29		
	833	PERMI-MILAGE WILBER BROWN	CHECK	1628	SPLIT ACCOUNT DETAIL	AMOUNT = -675.00		
	852	PEREX-FEDERAL TAX	CHECK	1628	SPLIT ACCOUNT DETAIL	AMOUNT = 41.00		
	823	PEREX-STATE TAX	CHECK	1628	SPLIT ACCOUNT DETAIL	AMOUNT = 11.50		
06/01/90	SPT	SPLIT - DETAIL FOLLOWS:	CHECK	1629	RICHARD CARL		-27.70	N
	813	RIVER-MILNER AREA CARL	CHECK	1629	SPLIT ACCOUNT DETAIL	AMOUNT = -30.00		
	824	PEREX-SOCIAL SECURITY	CHECK	1629	SPLIT ACCOUNT DETAIL	AMOUNT = 2.30		
06/01/90	SPT	SPLIT - DETAIL FOLLOWS:	CHECK	1630	VIRGINIA LINDSAY		-612.13	N
	807	RIVER-BLACKFOOT DIV LINDS	CHECK	1630	SPLIT ACCOUNT DETAIL	AMOUNT = -330.00		
	822	PEREX-RETIREMENT	CHECK	1630	SPLIT ACCOUNT DETAIL	AMOUNT = 17.62		
	824	PEREX-SOCIAL SECURITY	CHECK	1630	SPLIT ACCOUNT DETAIL	AMOUNT = 25.25		
	834	PERMI-MILAGE LYLE LINDSAY	CHECK	1630	SPLIT ACCOUNT DETAIL	AMOUNT = -325.00		
06/01/90	SPT	SPLIT - DETAIL FOLLOWS:	CHECK	1631	J. DEE O'BREIN		-570.78	N
	800	HYD-TETON BASIN DEE O'BRI	CHECK	1631	SPLIT ACCOUNT DETAIL	AMOUNT = -430.50		
	822	PEREX-RETIREMENT	CHECK	1631	SPLIT ACCOUNT DETAIL	AMOUNT = 22.99		
	824	PEREX-SOCIAL SECURITY	CHECK	1631	SPLIT ACCOUNT DETAIL	AMOUNT = 32.93		
	829	PERMI-MILAGE DEE O'BRIAN	CHECK	1631	SPLIT ACCOUNT DETAIL	AMOUNT = -196.20		
06/01/90	SPT	SPLIT - DETAIL FOLLOWS:	CHECK	1632	VAL RICHARDS		-1338.67	N
	803	HYD-HENRY'S FORK VAL RICH	CHECK	1632	SPLIT ACCOUNT DETAIL	AMOUNT = -1200.00		
	822	PEREX-RETIREMENT	CHECK	1632	SPLIT ACCOUNT DETAIL	AMOUNT = 64.08		
	824	PEREX-SOCIAL SECURITY	CHECK	1632	SPLIT ACCOUNT DETAIL	AMOUNT = 91.80		
	823	PEREX-STATE TAX	CHECK	1632	SPLIT ACCOUNT DETAIL	AMOUNT = 24.45		
	852	PEREX-FEDERAL TAX	CHECK	1632	SPLIT ACCOUNT DETAIL	AMOUNT = 81.00		
	831	PERMI-MILAGE VAL RICHARDS	CHECK	1632	SPLIT ACCOUNT DETAIL	AMOUNT = -400.00		
06/01/90	SPT	SPLIT - DETAIL FOLLOWS:	CHECK	1633	ALAN SKAAR		-431.60	N

WATER DISTRICT 1  
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DATE	A/C#	ACCOUNT NAME	TRANS TYPE	TRANS #	PAYEE/PAYOR	MEMO	AMOUNT	CLR'D
CHECKING ACCOUNT NUMBER 050 - BANK OF COMMERCE (CONTINUED)								
	812	RIVER-WILLOW CREEK SKARR	CHECK	1633	SPLIT ACCOUNT DETAIL	AMOUNT =	-500.00	
	822	PEREX-RETIREMENT	CHECK	1633	SPLIT ACCOUNT DETAIL	AMOUNT =	26.70	
	824	PEREX-SOCIAL SECURITY	CHECK	1633	SPLIT ACCOUNT DETAIL	AMOUNT =	38.25	
	852	PEREX-FEDERAL TAX	CHECK	1633	SPLIT ACCOUNT DETAIL	AMOUNT =	2.00	
	823	PEREX-STATE TAX	CHECK	1633	SPLIT ACCOUNT DETAIL	AMOUNT =	1.45	
06/01/90	SPT	SPLIT - DETAIL FOLLOWS:	CHECK	1634	M.P. WHEELER			-87.01 N
	811	RIVER-IDAHO FALLS WHEELER	CHECK	1634	SPLIT ACCOUNT DETAIL	AMOUNT =	-100.00	
	822	PEREX-RETIREMENT	CHECK	1634	SPLIT ACCOUNT DETAIL	AMOUNT =	5.34	
	824	PEREX-SOCIAL SECURITY	CHECK	1634	SPLIT ACCOUNT DETAIL	AMOUNT =	7.65	
06/01/90	SPT	SPLIT - DETAIL FOLLOWS:	CHECK	1635	JACK VON ACHEN			-400.38 N
	801	HYD-IDAHO FALLS JACK VON	CHECK	1635	SPLIT ACCOUNT DETAIL	AMOUNT =	-347.75	
	822	PEREX-RETIREMENT	CHECK	1635	SPLIT ACCOUNT DETAIL	AMOUNT =	18.57	
	824	PEREX-SOCIAL SECURITY	CHECK	1635	SPLIT ACCOUNT DETAIL	AMOUNT =	26.60	
	830	PERMI-MILAGE JACK VON ACH	CHECK	1635	SPLIT ACCOUNT DETAIL	AMOUNT =	-97.80	
06/01/90	SPT	SPLIT - DETAIL FOLLOWS:	CHECK	1636	MELVIN WEEKS			-424.50 N
	808	RIVER-SWAN VAL. D. BITTON	CHECK	1636	SPLIT ACCOUNT DETAIL	AMOUNT =	-500.00	
	824	PEREX-SOCIAL SECURITY	CHECK	1636	SPLIT ACCOUNT DETAIL	AMOUNT =	38.25	
	852	PEREX-FEDERAL TAX	CHECK	1636	SPLIT ACCOUNT DETAIL	AMOUNT =	31.00	
	823	PEREX-STATE TAX	CHECK	1636	SPLIT ACCOUNT DETAIL	AMOUNT =	6.25	
06/01/90	808	RIVER-SWAN VAL. D. BITTON	CHECK	1637	DENNIS BITTON	PART TIME HELP		-60.00 N
06/05/90	840	MISEX-OFFICE SUPPLIES	CHECK	1638	CAROUSEL OFFICE SUPPLIES			-38.57 N
06/05/90	857	PROEX-IDWR STREAM GAGING	CHECK	1639	DEPT OF WATER RESOURCES	FOR FISCAL YEAR 1990	-46055.00	N
06/13/90	845	WMAST-IDWR CONTRACT	CHECK	1640	DEPT OF WATER RESOURCES		-10000.00	N
06/13/90	828	PEREX-MISC HYDROGRAPH EXP	CHECK	1641	DATA INDUSTRIAL	INPLLR REPAIR KITS	-62.28	N
06/13/90	854	PROXX-D ST. RENTAL USGS	CHECK	1642	CLAYTON INVESTMENTS		-1367.80	N
06/13/90	839	MISEX-POSTAGE	CHECK	1643	U.S. POSTOFFICE		-50.00	N
06/14/90	823	PEREX-STATE TAX	CHECK	1644	STATE TAX COMMISSION		-26.70	N
06/14/90	822	PEREX-RETIREMENT	CHECK	1646	PUBLIC EMPLOYEES RETIREME		-323.31	N
06/21/90	SPT	SPLIT - DETAIL FOLLOWS:	CHECK	1647	GAIL BLANCHARD			-288.41 N
	805	HYD-TETON RIVER GAIL BLAN	CHECK	1647	SPLIT ACCOUNT DETAIL	AMOUNT =	-188.50	
	822	PEREX-RETIREMENT	CHECK	1647	SPLIT ACCOUNT DETAIL	AMOUNT =	10.07	
	824	PEREX-SOCIAL SECURITY	CHECK	1647	SPLIT ACCOUNT DETAIL	AMOUNT =	14.42	
	832	PERMI-MILAGE GAIL BLANCHA	CHECK	1647	SPLIT ACCOUNT DETAIL	AMOUNT =	-124.40	
06/21/90	SPT	SPLIT - DETAIL FOLLOWS:	CHECK	1648	HAROLD BLAUR			-576.52 N
	802	HYD-LOWER VAL. HAROLD BLA	CHECK	1648	SPLIT ACCOUNT DETAIL	AMOUNT =	-456.00	
	822	PEREX-RETIREMENT	CHECK	1648	SPLIT ACCOUNT DETAIL	AMOUNT =	24.35	
	824	PEREX-SOCIAL SECURITY	CHECK	1648	SPLIT ACCOUNT DETAIL	AMOUNT =	34.88	
	823	PEREX-STATE TAX	CHECK	1648	SPLIT ACCOUNT DETAIL	AMOUNT =	0.65	
	836	PERMI-MILAGE HARLOD BLAUE	CHECK	1648	SPLIT ACCOUNT DETAIL	AMOUNT =	-164.40	
	828	PEREX-MISC HYDROGRAPH EXP	CHECK	1648	SPLIT ACCOUNT DETAIL	AMOUNT =	-16.00	
06/25/90	852	PEREX-FEDERAL TAX	CHECK	1649	FEDERAL TAX DEPOSIT		-924.24	N
					ENDING BALANCE		149504.16	\$\$\$
* SAVINGS ACCOUNT NUMBER 100 - BANK OF COMMERCE						BEGINNING BALANCE	5672.29	\$\$\$
NO ACTIVITY DURING REPORT PERIOD -						ENDING BALANCE	5672.29	\$\$\$
* INCOME ACCOUNT NUMBER 600 - C89-CONTRACT 1989						BEGINNING BALANCE	0.00	\$\$\$
NO ACTIVITY DURING REPORT PERIOD -						ENDING BALANCE	0.00	\$\$\$

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DATE	A/C#	ACCOUNT NAME	TRANS TYPE	TRANS #	PAYEE/PAYOR	MEMO	AMOUNT	CLRD	
* INCOME ACCOUNT NUMBER 612 - D88-DELIVERY 1989							BEGINNING BALANCE	170.00	**
NO ACTIVITY DURING REPORT PERIOD -							ENDING BALANCE	170.00	***
* INCOME ACCOUNT NUMBER 602 - D89-DELIVERY 1989							BEGINNING BALANCE	387440.40	**
06/07/90	050	BANK OF COMMERCE	DEPOSIT	25	DEPOSIT		21392.42	N	
06/13/90	050	BANK OF COMMERCE	DEPOSIT	26	DEPOSIT	SOLD GAGE \$29.50	2060.15	N	
06/25/90	050	BANK OF COMMERCE	DEPOSIT	27	DEPOSIT		8574.87	N	
							ENDING BALANCE	419467.84	***
* INCOME ACCOUNT NUMBER 601 - D89-DELIVERY 1989(COUNTI							BEGINNING BALANCE	229.56	**
06/13/90	050	BANK OF COMMERCE	DEPOSIT	26	DEPOSIT	SOLD GAGE \$29.50	15.49	N	
06/25/90	050	BANK OF COMMERCE	DEPOSIT	27	DEPOSIT		7.50	N	
							ENDING BALANCE	252.55	***
* INCOME ACCOUNT NUMBER 611 - E88-EXCESS STORAGE COST							BEGINNING BALANCE	4685.20	**
NO ACTIVITY DURING REPORT PERIOD -							ENDING BALANCE	4685.20	***
* INCOME ACCOUNT NUMBER 603 - E89-EXCESS STORAGE COSTS							BEGINNING BALANCE	797.50	**
06/25/90	050	BANK OF COMMERCE	DEPOSIT	27	DEPOSIT		25.00	N	
							ENDING BALANCE	822.50	***
* INCOME ACCOUNT NUMBER 604 - I90-INTEREST INCOME(CHECK							BEGINNING BALANCE	1455.88	**
NO ACTIVITY DURING REPORT PERIOD -							ENDING BALANCE	1455.88	***
* INCOME ACCOUNT NUMBER 605 - M90-MISCELLANEOUS INCOME							BEGINNING BALANCE	3066.86	**
06/13/90	050	BANK OF COMMERCE	DEPOSIT	26	DEPOSIT	SOLD GAGE \$29.50	29.50	N	
							ENDING BALANCE	3096.36	***
* INCOME ACCOUNT NUMBER 610 - R90-RENTAL INCOME (GROSS)							BEGINNING BALANCE	34310.35	**
06/07/90	050	BANK OF COMMERCE	DEPOSIT	25	DEPOSIT		16967.50	N	
06/13/90	050	BANK OF COMMERCE	DEPOSIT	26	DEPOSIT	SOLD GAGE \$29.50	26556.75	N	
06/25/90	050	BANK OF COMMERCE	DEPOSIT	27	DEPOSIT		1536.00	N	
							ENDING BALANCE	79370.60	***
* INCOME ACCOUNT NUMBER 606 - REF-STATE INSURANCE REFUN							BEGINNING BALANCE	0.00	**
NO ACTIVITY DURING REPORT PERIOD -							ENDING BALANCE	0.00	***
* INCOME ACCOUNT NUMBER 607 - T01-FUND TRANSFER (WCHA)							BEGINNING BALANCE	0.00	**
NO ACTIVITY DURING REPORT PERIOD -							ENDING BALANCE	0.00	***
* INCOME ACCOUNT NUMBER 608 - T02-FUND TRANS(SHEAR & LE							BEGINNING BALANCE	73025.09	**
NO ACTIVITY DURING REPORT PERIOD -							ENDING BALANCE	73025.09	***
* INCOME ACCOUNT NUMBER 609 - T03-FUND TRANS(PALIS W.U)							BEGINNING BALANCE	0.00	**
NO ACTIVITY DURING REPORT PERIOD -							ENDING BALANCE	0.00	***
* EXPENSE ACCOUNT NUMBER 804 - HYD-FALL RIVER							BEGINNING BALANCE	0.00	**
NO ACTIVITY DURING REPORT PERIOD -							ENDING BALANCE	0.00	***
* EXPENSE ACCOUNT NUMBER 803 - HYD-HENRY'S FORK VAL RICH							BEGINNING BALANCE	3600.00	**
06/01/90	050	BANK OF COMMERCE	CHECK	1632	VAL RICHARDS		1200.00	N	

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DATE	A/C#	ACCOUNT-NAME	TRANS TYPE	TRANS #	PAYEE/PAYOR	MEMO	AMOUNT	CLRD	
EXPENSE ACCOUNT NUMBER 803 - HYD-HENRY'S FORK VAL RICH (CONTINUED)							ENDING BALANCE	4800.00	***
* EXPENSE ACCOUNT NUMBER 801 - HYD-IDAHO FALLS JACK VON							BEGINNING BALANCE	0.00	**
06/01/90	050	BANK OF COMMERCE	CHECK	1635	JACK VON ACHEN		347.75	N	
							ENDING BALANCE	347.75	***
* EXPENSE ACCOUNT NUMBER 802 - HYD-LOWER VAL. HAROLD BLA							BEGINNING BALANCE	0.00	**
06/21/90	050	BANK OF COMMERCE	CHECK	1648	HAROLD BLAUR		456.00	N	
							ENDING BALANCE	456.00	***
* EXPENSE ACCOUNT NUMBER 800 - HYD-TETON BASIN DEE O'BRI							BEGINNING BALANCE	567.00	**
06/01/90	050	BANK OF COMMERCE	CHECK	1631	J. DEE O'BREIN		430.50	N	
							ENDING BALANCE	997.50	***
* EXPENSE ACCOUNT NUMBER 805 - HYD-TETON RIVER GAIL BLAN							BEGINNING BALANCE	0.00	**
06/21/90	050	BANK OF COMMERCE	CHECK	1647	GAIL BLANCHARD		188.50	N	
							ENDING BALANCE	188.50	***
* EXPENSE ACCOUNT NUMBER 855 - LEGAL-CITY OF IDAHO FALLS							BEGINNING BALANCE	103.20	**
							NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	103.20	***
* EXPENSE ACCOUNT NUMBER 856 - LEGAL-S.R. TROUT LIMITED							BEGINNING BALANCE	3318.60	**
							NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	3318.60	***
* EXPENSE ACCOUNT NUMBER 844 - MISEX-ANNUAL MEETING							BEGINNING BALANCE	1335.00	**
							NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	1335.00	***
* EXPENSE ACCOUNT NUMBER 843 - MISEX-AUDIT							BEGINNING BALANCE	2469.80	**
							NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	2469.80	***
* EXPENSE ACCOUNT NUMBER 842 - MISEX-COPYING COSTS							BEGINNING BALANCE	0.00	**
							NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	0.00	***
* EXPENSE ACCOUNT NUMBER 838 - MISEX-IWUA							BEGINNING BALANCE	500.00	**
							NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	500.00	***
* EXPENSE ACCOUNT NUMBER 840 - MISEX-OFFICE SUPPLIES							BEGINNING BALANCE	128.90	**
06/05/90	050	BANK OF COMMERCE	CHECK	1638	CAROUSEL OFFICE SUPPLIES		38.57	N	
							ENDING BALANCE	167.47	***
* EXPENSE ACCOUNT NUMBER 837 - MISEX-OTTO OTTER							BEGINNING BALANCE	220.00	**
							NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	220.00	***
* EXPENSE ACCOUNT NUMBER 839 - MISEX-POSTAGE							BEGINNING BALANCE	500.00	**
06/13/90	050	BANK OF COMMERCE	CHECK	1643	U.S. POSTOFFICE		50.00	N	
							ENDING BALANCE	550.00	***
* EXPENSE ACCOUNT NUMBER 841 - MISEX-TELEPHONE							BEGINNING BALANCE	0.00	**
							NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	0.00	***
* EXPENSE ACCOUNT NUMBER 826 - PEREX-EMPLOYMENT INSURANC							BEGINNING BALANCE	18.45	**
							NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	18.45	***

WATER DISTRICT 1  
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DATE	A/C#	ACCOUNT NAME	TRANS TYPE	TRANS #	PAYEE/PAYOR	MEMO	AMOUNT	CLRD	
* EXPENSE ACCOUNT NUMBER 852 - PEREX-FEDERAL TAX							BEGINNING BALANCE	1366.35	**
06/01/90	050	BANK OF COMMERCE	CHECK	1628	WILBUR BROWN		-41.00	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1632	VAL RICHARDS		-81.00	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1633	ALAN SKAAR		-2.00	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1636	MELVIN WEEKS		-31.00	N	
06/25/90	050	BANK OF COMMERCE	CHECK	1649	FEDERAL TAX DEPOSIT		924.24	N	
							ENDING BALANCE	2135.59	***
* EXPENSE ACCOUNT NUMBER 826 - PEREX-MISC HYDROGRAPH EXP							BEGINNING BALANCE	135.44	**
06/13/90	050	BANK OF COMMERCE	CHECK	1641	DATA INDUSTRIAL	IMPLR REPAIR KITS	62.28	N	
06/21/90	050	BANK OF COMMERCE	CHECK	1648	HAROLD BLAUR		16.00	N	
							ENDING BALANCE	213.72	***
* EXPENSE ACCOUNT NUMBER 827 - PEREX-PART TIME HELP							BEGINNING BALANCE	0.00	**
NO ACTIVITY DURING REPORT PERIOD -							ENDING BALANCE	0.00	***
* EXPENSE ACCOUNT NUMBER 822 - PEREX-RETIREMENT							BEGINNING BALANCE	418.46	**
06/01/90	050	BANK OF COMMERCE	CHECK	1628	WILBUR BROWN		-50.46	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1630	VIRGINIA LINDSAY		-17.62	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1631	J. DEE O'BREIN		-22.99	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1632	VAL RICHARDS		-64.08	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1633	ALAN SKAAR		-26.70	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1634	M.P. WHEELER		-5.34	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1635	JACK VON ACHEN		-18.57	N	
06/14/90	050	BANK OF COMMERCE	CHECK	1646	PUBLIC EMPLOYEES RETIREME		323.31	N	
06/21/90	050	BANK OF COMMERCE	CHECK	1647	GAIL BLANCHARD		-10.07	N	
06/21/90	050	BANK OF COMMERCE	CHECK	1648	HAROLD BLAUR		-24.35	N	
							ENDING BALANCE	501.59	***
* EXPENSE ACCOUNT NUMBER 824 - PEREX-SOCIAL SECURITY							BEGINNING BALANCE	-351.33	**
06/01/90	050	BANK OF COMMERCE	CHECK	1628	WILBUR BROWN		-72.29	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1629	RICHARD CARL		-2.30	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1630	VIRGINIA LINDSAY		-25.25	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1631	J. DEE O'BREIN		-32.93	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1632	VAL RICHARDS		-91.80	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1633	ALAN SKAAR		-38.25	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1634	M.P. WHEELER		-7.65	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1635	JACK VON ACHEN		-26.60	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1636	MELVIN WEEKS		-38.25	N	
06/21/90	050	BANK OF COMMERCE	CHECK	1647	GAIL BLANCHARD		-14.42	N	
06/21/90	050	BANK OF COMMERCE	CHECK	1648	HAROLD BLAUR		-34.88	N	
							ENDING BALANCE	-735.95	***
* EXPENSE ACCOUNT NUMBER 825 - PEREX-STATE INSURANCE FUN							BEGINNING BALANCE	0.00	**
NO ACTIVITY DURING REPORT PERIOD -							ENDING BALANCE	0.00	***
* EXPENSE ACCOUNT NUMBER 823 - PEREX-STATE TAX							BEGINNING BALANCE	-2.25	**
06/01/90	050	BANK OF COMMERCE	CHECK	1628	WILBUR BROWN		-11.50	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1632	VAL RICHARDS		-24.45	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1633	ALAN SKAAR		-1.45	N	
06/01/90	050	BANK OF COMMERCE	CHECK	1636	MELVIN WEEKS		-6.25	N	

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DATE	A/C#	ACCOUNT-NAME	TRANS TYPE	TRANS #	PAYEE/PAYDR	MEMO	AMOUNT	CLRD
EXPENSE ACCOUNT NUMBER 823 - PEREX-STATE TAX (CONTINUED)								
06/14/90	050	BANK OF COMMERCE	CHECK	1644	STATE TAX COMMISSION		26.70	N
06/21/90	050	BANK OF COMMERCE	CHECK	1648	HAROLD BLAUR		-0.65	N
						ENDING BALANCE	-19.85	***
* EXPENSE ACCOUNT NUMBER 829 - PERMI-MILAGE DEE O'BRIAN								
06/01/90	050	BANK OF COMMERCE	CHECK	1631	J. DEE O'BREIN		196.20	N
						BEGINNING BALANCE	196.20	**
						ENDING BALANCE	392.40	***
* EXPENSE ACCOUNT NUMBER 832 - PERMI-MILAGE GAIL BLANCHARD								
06/21/90	050	BANK OF COMMERCE	CHECK	1647	GAIL BLANCHARD		124.40	N
						BEGINNING BALANCE	0.00	**
						ENDING BALANCE	124.40	***
* EXPENSE ACCOUNT NUMBER 836 - PERMI-MILAGE HAROLD BLAUR								
06/21/90	050	BANK OF COMMERCE	CHECK	1648	HAROLD BLAUR		164.40	N
						BEGINNING BALANCE	0.00	**
						ENDING BALANCE	164.40	***
* EXPENSE ACCOUNT NUMBER 830 - PERMI-MILAGE JACK VON ACH								
06/01/90	050	BANK OF COMMERCE	CHECK	1635	JACK VON ACHEN		97.80	N
						BEGINNING BALANCE	0.00	**
						ENDING BALANCE	97.80	***
* EXPENSE ACCOUNT NUMBER 834 - PERMI-MILAGE LYLE LINDSAY								
06/01/90	050	BANK OF COMMERCE	CHECK	1630	VIRGINIA LINDSAY		325.00	N
						BEGINNING BALANCE	118.16	**
						ENDING BALANCE	443.16	***
* EXPENSE ACCOUNT NUMBER 835 - PERMI-MILAGE MRS. LENZ								
						BEGINNING BALANCE	0.00	**
						NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	0.00	***
* EXPENSE ACCOUNT NUMBER 831 - PERMI-MILAGE VAL RICHARDS								
06/01/90	050	BANK OF COMMERCE	CHECK	1632	VAL RICHARDS		400.00	N
						BEGINNING BALANCE	1200.00	**
						ENDING BALANCE	1600.00	***
* EXPENSE ACCOUNT NUMBER 833 - PERMI-MILAGE WILBUR BROWN								
06/01/90	050	BANK OF COMMERCE	CHECK	1628	WILBUR BROWN		675.00	N
						BEGINNING BALANCE	150.00	**
						ENDING BALANCE	825.00	***
* EXPENSE ACCOUNT NUMBER 814 - PROEX-ERO RESOURCES								
06/07/90	050	BANK OF COMMERCE	DEPOSIT	25	DEPOSIT		-1191.99	N
						BEGINNING BALANCE	12884.90	**
						ENDING BALANCE	11692.91	***
* EXPENSE ACCOUNT NUMBER 857 - PROEX-IDWR STREAM GAGING								
06/05/90	050	BANK OF COMMERCE	CHECK	1639	DEPT OF WATER RESOURCES	FDR FISCAL YEAR 1990	46055.00	N
						BEGINNING BALANCE	0.00	**
						ENDING BALANCE	46055.00	***
* EXPENSE ACCOUNT NUMBER 815 - PROEX-SUTRON MAINTENANCE								
						BEGINNING BALANCE	3450.00	**
						NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	3450.00	***
* EXPENSE ACCOUNT NUMBER 817 - PROEX-U. OF I. STUDIES								
						BEGINNING BALANCE	0.00	**
						NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	0.00	***
* EXPENSE ACCOUNT NUMBER 816 - PROEX-USGS STREAM GAGING								
						BEGINNING BALANCE	36380.00	**
						NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	36380.00	***
* EXPENSE ACCOUNT NUMBER 854 - PROXX-D ST. RENTAL USGS								
06/13/90	050	BANK OF COMMERCE	CHECK	1642	CLAYTON INVESTMENTS		1367.80	N
						BEGINNING BALANCE	4103.40	**

WATER DISTRICT 1  
GENERAL LEDGER FOR THE MONTH OF JUNE 1990 - PAGE NUMBER 7

---DATE---	A/C#	ACCOUNT-NAME	-----	TRANS TYPE	-----	TRANS #	PAYEE/PAYOR	-----	MEMO	-----	AMOUNT	CLRD
EXPENSE ACCOUNT NUMBER 854 - PROXX-D ST. RENTAL US6S (CONTINUED)												
									ENDING BALANCE		5471.20	***
* EXPENSE ACCOUNT NUMBER 821 - PROXX-D. B. FITZPATRICK									BEGINNING BALANCE		934.34	**
									NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE		934.34	***
* EXPENSE ACCOUNT NUMBER 819 - PROXX-FREMONT-MAD CO-OP									BEGINNING BALANCE		0.00	**
									NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE		0.00	***
* EXPENSE ACCOUNT NUMBER 820 - PROXX-PALIS WATER USER CO									BEGINNING BALANCE		0.00	**
									NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE		0.00	***
* EXPENSE ACCOUNT NUMBER 818 - PROXX-SUTRON (NEW SIGHTS)									BEGINNING BALANCE		0.00	**
									NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE		0.00	***
* EXPENSE ACCOUNT NUMBER 849 - RENT-PAYMENTS									BEGINNING BALANCE		232110.79	**
									NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE		232110.79	***
* EXPENSE ACCOUNT NUMBER 848 - RENT-RENTAL REFUND									BEGINNING BALANCE		0.00	**
									NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE		0.00	***
* EXPENSE ACCOUNT NUMBER 807 - RIVER-BLACKFOOT DIV LINDS									BEGINNING BALANCE		120.00	**
06/01/90	050	BANK OF COMMERCE		CHECK		1630	VIRGINIA LINDSAY				330.00	N
									ENDING BALANCE		450.00	***
* EXPENSE ACCOUNT NUMBER 811 - RIVER-IDAHO FALLS WHEELER									BEGINNING BALANCE		0.00	**
06/01/90	050	BANK OF COMMERCE		CHECK		1634	M.P. WHEELER				100.00	N
									ENDING BALANCE		100.00	***
* EXPENSE ACCOUNT NUMBER 813 - RIVER-MILNER AREA CARL									BEGINNING BALANCE		90.00	**
06/01/90	050	BANK OF COMMERCE		CHECK		1629	RICHARD CARL				30.00	N
									ENDING BALANCE		120.00	***
* EXPENSE ACCOUNT NUMBER 806 - RIVER-RIGBY & HEISE DIV									BEGINNING BALANCE		210.00	**
06/01/90	050	BANK OF COMMERCE		CHECK		1628	WILBUR BROWN				945.00	N
									ENDING BALANCE		1155.00	***
* EXPENSE ACCOUNT NUMBER 810 - RIVER-SOUTH LIEGH CREEK									BEGINNING BALANCE		0.00	**
									NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE		0.00	***
* EXPENSE ACCOUNT NUMBER 808 - RIVER-SWAN VAL. D. BITTON									BEGINNING BALANCE		0.00	**
06/01/90	050	BANK OF COMMERCE		CHECK		1636	MELVIN WEEKS				500.00	N
06/01/90	050	BANK OF COMMERCE		CHECK		1637	DENNIS BITTON				60.00	N
									PART TIME HELP			
									ENDING BALANCE		560.00	***
* EXPENSE ACCOUNT NUMBER 809 - RIVER-UPPER FALLS RIVER L									BEGINNING BALANCE		0.00	**
									NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE		0.00	***
* EXPENSE ACCOUNT NUMBER 812 - RIVER-WILLOW CREEK SKARR									BEGINNING BALANCE		0.00	**
06/01/90	050	BANK OF COMMERCE		CHECK		1633	ALAN SKAAR				500.00	N
									ENDING BALANCE		500.00	***
* EXPENSE ACCOUNT NUMBER 851 - UPPER-COMMITTEE OF NINE									BEGINNING BALANCE		1431.60	**
									NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE		1431.60	***

WATER DISTRICT 1  
 GENERAL LEDGER FOR THE MONTH OF JUNE 1990 - PAGE NUMBER 8

---DATE---	A/C#-ACCOUNT-NAME-----	TRANS TYPE-----	TRANS #	PAYEE/PAYOR-----	MEMO-----	AMOUNT--	CLRD
	* EXPENSE ACCOUNT NUMBER 850 - UPPER-LEGAL EXPENSES					BEGINNING BALANCE	27529.71 * *
						NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	27529.71 ***
	* EXPENSE ACCOUNT NUMBER 846 - WMAST-ANNUAL BOOK					BEGINNING BALANCE	0.00 * *
						NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	0.00 ***
	* EXPENSE ACCOUNT NUMBER 845 - WMAST-IDWR CONTRACT					BEGINNING BALANCE	50000.00 * *
06/13/90	050 BANK OF COMMERCE	CHECK	1640	DEPT OF WATER RESOURCES		10000.00	N
						ENDING BALANCE	60000.00 ***
	* EXPENSE ACCOUNT NUMBER 853 - WMAST-MEETINGS					BEGINNING BALANCE	14.50 * *
						NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	14.50 ***
	* EXPENSE ACCOUNT NUMBER 847 - WMAST-TRAVEL					BEGINNING BALANCE	154.00 * *
						NO ACTIVITY DURING REPORT PERIOD - ENDING BALANCE	154.00 ***

ASSET & LIABILITY ACCOUNTS

		ACTIVITY FOR MONTH		MONTH END BALANCE	
		DEBIT	CREDIT	DEBIT	CREDIT
CHECKING	ACCOUNT NUMBER 050 - BANK OF COMMERCE	13246.82		149504.16	
SAVINGS	ACCOUNT NUMBER 100 - BANK OF COMMERCE	0.00		5672.29	
SUBTOTAL ASSET & LIABILITY ACCOUNTS		13246.82	0.00	155176.45	0.00
NET WORTH			13246.82		155176.45
TOTAL ASSET & LIABILITY ACCOUNTS		13246.82	13246.82	155176.45	155176.45

WATER DISTRICT 1  
 GENERAL LEDGER - ACCOUNT SUMMARY FOR THE MONTH OF JUNE 1990 - PAGE NUMBER 10

INCOME & EXPENSE ACCOUNTS

		ACTIVITY FOR MONTH		MONTH END BALANCE	
		DEBIT	CREDIT	DEBIT	CREDIT
INCOME	ACCOUNT NUMBER 600 - C89-CONTRACT 1989	0.00			0.00
INCOME	ACCOUNT NUMBER 612 - D88-DELIVERY 1988	0.00			170.00
INCOME	ACCOUNT NUMBER 602 - D89-DELIVERY 1989		32027.44		419467.84
INCOME	ACCOUNT NUMBER 601 - DC89-DELIVERY 1989(COUNTI		22.99		252.55
INCOME	ACCOUNT NUMBER 611 - E88-EXCESS STORAGE COST	0.00			4685.20
INCOME	ACCOUNT NUMBER 603 - E89-EXCESS STORAGE COSTS		25.00		822.50
INCOME	ACCOUNT NUMBER 604 - I90-INTEREST INCOME(CHECK	0.00			1455.88
INCOME	ACCOUNT NUMBER 605 - M90-MISCELLANEOUS INCOME		29.50		3096.36
INCOME	ACCOUNT NUMBER 610 - R90-RENTAL INCOME (GROSS)		45060.25		79370.60
INCOME	ACCOUNT NUMBER 606 - REF-STATE INSURANCE REFUN	0.00			0.00
INCOME	ACCOUNT NUMBER 607 - T01-FUND TRANSFER (WCMA)	0.00			0.00
INCOME	ACCOUNT NUMBER 608 - T02-FUND TRANS(SHEAR & LE	0.00			73025.09
INCOME	ACCOUNT NUMBER 609 - T03-FUND TRANS(PALIS W.U)	0.00			0.00
EXPENSE	ACCOUNT NUMBER 804 - HYD-FALL RIVER	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 803 - HYD-HENRY'S FORK VAL RICH	1200.00		4800.00	
EXPENSE	ACCOUNT NUMBER 801 - HYD-IDAHO FALLS JACK VON	347.75		347.75	
EXPENSE	ACCOUNT NUMBER 802 - HYD-LOWER VAL. HAROLD BLA	456.00		456.00	
EXPENSE	ACCOUNT NUMBER 800 - HYD-TETON BASIN DEE O'BRI	430.50		997.50	
EXPENSE	ACCOUNT NUMBER 805 - HYD-TETON RIVER GAIL BLAN	188.50		188.50	
EXPENSE	ACCOUNT NUMBER 855 - LEGAL-CITY OF IDAHO FALLS	0.00		103.20	
EXPENSE	ACCOUNT NUMBER 856 - LEGAL-S.R. TROUT LIMITED	0.00		3318.60	
EXPENSE	ACCOUNT NUMBER 844 - MISEX-ANNUAL MEETING	0.00		1335.00	
EXPENSE	ACCOUNT NUMBER 843 - MISEX-AUDIT	0.00		2469.80	
EXPENSE	ACCOUNT NUMBER 842 - MISEX-COPYING COSTS	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 838 - MISEX-IWUA	0.00		500.00	
EXPENSE	ACCOUNT NUMBER 840 - MISEX-OFFICE SUPPLIES	38.57		167.47	
EXPENSE	ACCOUNT NUMBER 837 - MISEX-OTTO OTTER	0.00		220.00	
EXPENSE	ACCOUNT NUMBER 839 - MISEX-POSTAGE	50.00		550.00	
EXPENSE	ACCOUNT NUMBER 841 - MISEX-TELEPHONE	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 826 - PEREX-EMPLOYMENT INSURANC	0.00		18.45	
EXPENSE	ACCOUNT NUMBER 852 - PEREX-FEDERAL TAX	769.24		2135.59	
EXPENSE	ACCOUNT NUMBER 828 - PEREX-MISC HYDROGRAPH EXP	78.28		213.72	
EXPENSE	ACCOUNT NUMBER 827 - PEREX-PART TIME HELP	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 822 - PEREX-RETIREMENT	83.13		501.59	
EXPENSE	ACCOUNT NUMBER 824 - PEREX-SOCIAL SECURITY		384.62		735.95
EXPENSE	ACCOUNT NUMBER 825 - PEREX-STATE INSURANCE FUN	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 823 - PEREX-STATE TAX		17.60		19.85
EXPENSE	ACCOUNT NUMBER 829 - PERMI-MILAGE DEE O'BRIAN	196.20		392.40	
EXPENSE	ACCOUNT NUMBER 832 - PERMI-MILAGE GAIL BLANCHA	124.40		124.40	
EXPENSE	ACCOUNT NUMBER 836 - PERMI-MILAGE HARLOD BLAUE	164.40		164.40	
EXPENSE	ACCOUNT NUMBER 830 - PERMI-MILAGE JACK VON ACH	97.80		97.80	
EXPENSE	ACCOUNT NUMBER 834 - PERMI-MILAGE LYLE LINDSAY	325.00		443.16	
EXPENSE	ACCOUNT NUMBER 835 - PERMI-MILAGE MRS. LENZ	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 831 - PERMI-MILAGE VAL RICHARDS	400.00		1600.00	
EXPENSE	ACCOUNT NUMBER 833 - PERMI-MILAGE WILBER BROWN	675.00		825.00	
EXPENSE	ACCOUNT NUMBER 814 - PROEX-ERG RESOURCES		1191.99	11692.91	
EXPENSE	ACCOUNT NUMBER 857 - PROEX-IDWR STREAM GAGING	46055.00		46055.00	
EXPENSE	ACCOUNT NUMBER 815 - PROEX-SUTRON MAINTENANCE	0.00		3450.00	
EXPENSE	ACCOUNT NUMBER 817 - PROEX-U. OF I. STUDIES	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 816 - PROEX-USGS STREAM GAGING	0.00		36380.00	
EXPENSE	ACCOUNT NUMBER 854 - PROXX-D ST. RENTAL USGS	1367.80		5471.20	

WATER DISTRICT 1  
 GENERAL LEDGER - ACCOUNT SUMMARY FOR THE MONTH OF JUNE 1990 - PAGE NUMBER 11

INCOME & EXPENSE ACCOUNTS

		ACTIVITY FOR MONTH		MONTH END BALANCE	
		DEBIT	CREDIT	DEBIT	CREDIT
EXPENSE	ACCOUNT NUMBER 821 - PROXX-D. B. FITZPATRICK	0.00		934.34	
EXPENSE	ACCOUNT NUMBER 819 - PROXX-FREMONT-MAD CD-OP	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 820 - PROXX-PALIS WATER USER CO	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 818 - PROXX-SUTRON (NEW SIGHTS)	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 849 - RENT-PAYMENTS	0.00		232110.79	
EXPENSE	ACCOUNT NUMBER 848 - RENT-RENTAL REFUND	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 807 - RIVER-BLACKFOOT DIV LINDS	330.00		450.00	
EXPENSE	ACCOUNT NUMBER 811 - RIVER-IDAHO FALLS WHEELER	100.00		100.00	
EXPENSE	ACCOUNT NUMBER 813 - RIVER-MILNER AREA CARL	30.00		120.00	
EXPENSE	ACCOUNT NUMBER 806 - RIVER-RIGBY & HEISE DIV	945.00		1155.00	
EXPENSE	ACCOUNT NUMBER 810 - RIVER-SOUTH LIEGH CREEK	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 808 - RIVER-SWAN VAL. D. BITTON	560.00		560.00	
EXPENSE	ACCOUNT NUMBER 809 - RIVER-UPPER FALLS RIVER L	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 812 - RIVER-WILLOW CREEK SKARR	500.00		500.00	
EXPENSE	ACCOUNT NUMBER 851 - UPPER-COMMITTE OF NINE	0.00		1431.60	
EXPENSE	ACCOUNT NUMBER 850 - UPPER-LEGAL EXPENSES	0.00		27529.71	
EXPENSE	ACCOUNT NUMBER 846 - WMAST-ANNUAL BOOK	0.00		0.00	
EXPENSE	ACCOUNT NUMBER 845 - WMAST-IDWR CONTRACT	10000.00		60000.00	
EXPENSE	ACCOUNT NUMBER 853 - WMAST-MEETINGS	0.00		14.50	
EXPENSE	ACCOUNT NUMBER 847 - WMAST-TRAVEL	0.00		154.00	
SUBTOTAL INCOME & EXPENSE ACCOUNTS		65512.57	78759.39	450079.38	583101.82
NET INCOME (DEBIT)/LOSS (CREDIT)		13246.82		133022.44	
TOTAL INCOME & EXPENSE ACCOUNTS		78759.39	78759.39	583101.82	583101.82

*Nancy Met*  
*Frank* *FBS*

WATER DISTRICT 1 ANNUAL MEETING  
Elks Lodge, Idaho Falls  
March 6, 1990

A G E N D A

*WAVE*  
*LOOK AT PAGE 5*  
*AND FOLLOWING*  
*PAGES - NEW*  
*WATER BANK*  
*FILES*

- 9:00 a.m. Introduction of Agenda - Leonard Scheer
- 9:10 IWUA Legislative Report - Sherl Chapman
- 9:30 IWUA Education Committee Report - Vergil Temple
- 9:45 Pat Cole
- 10:00 a.m. Call to Order - Leonard Scheer
- Welcome - Mayor Campbell
- Election of Temporary Chairman
- Election of Temporary Secretary
- Reading of Minutes for 1989
- Selection of Committees
- Henrys Fork Dist. 1 (Main river ab Lorenzo)
- Lower Valley Dist. 2 (Feeder Canals)
- Dist. 3 (Lorenzo to Shelley)
- Dist. 4 (Below Shelley)
- Report on Committees & Elections
- Committees Excused: Credentials, Order of Business
- Roll Call
- Election of Committee of Nine
- Reports - Bureau of Reclamation
- a. Water Supply Outlook
- b. BOR Activities
- Finance Committee Report - Reed Murdock
- 11:45 a.m. Lunch Break (No host luncheon - \$6.00 roast beef)
- 1:00 p.m. Annual Report of the Committee of Nine - Paul Berggren
- 1:15 IDWR Director's Report - Keith Higginson
- 1:45 Adjudication Update - Dave Shaw
- 2:00 Department of Interior - John Bushman
- 2:15 Ron Carlson - Watermaster's Report
- 2:30 p.m. Resolutions & Election of Watermaster
- Unfinished Business
- New Business

ADJOURN

WATER DISTRICT 1 ANNUAL MEETING

Resolutions 1990

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 an accurate and equitable basis.

BE IT FURTHER RESOLVED that 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.

2. That the water users of Water District 1 continue the cooperative program with the Idaho Department of Water Resources as outlined in the Memorandum of Understanding signed by the Chairman of the Committee of Nine and the Director of the Department of Water Resources on March 3, 1979.
3. We recommend that Ronald D. Carlson be re-elected watermaster for the ensuing year. This recommendation shall, **under the cooperative program with the IDWR**, authorize the watermaster to hire a full time staff of a deputy, two assistants, a secretary, and a data specialist. Thirty-three percent of the watermaster's salary and benefits shall be paid from non-water district funding provided by the Idaho Department of Water Resources.
4. That the duties of the watermaster shall begin on this date and continue for a period of one full year.
5. Proposed Budget for Water District 1 for the year beginning March 1, 1990.

1990 Water District Budget

HYDROGRAPHERS

Teton Basin	1,000 hrs. (+ mi.)	\$ 7,000
Idaho Falls	800 hrs. (+ mi.)	5,000
Lower Valley	400 hrs. (+ mi.)	3,200
Henrys Fork	1,800 hrs. (inc. mi.)	17,000
Teton River	520 hrs. (+ mi.)	<u>3,400</u>
		\$ 35,600

RIVER RIDERS

Rigby & Heise Div.	1,200 hrs. (+ mi.)	\$ 8,000
Blackfoot Division	600 hrs. (+ mi.)	3,000
Swan Valley	480 hrs. (+ mi.)	3,000
Upper Falls River	125 hrs. (+ mi.)	1,200
Willow Creek	5 mos. @ \$550 (inc. mi.)	2,750
Idaho Falls	6 mos. @ \$450 (inc. mi.)	<u>2,500</u>
		\$ 20,450

PROGRAM EXPENSES

ERO		\$ 25,000
Sutron		24,000
Streamgaging		105,000
A of I Studies		<u>38,000</u>
		\$192,000

PERSONNEL EXPENSE

Retirement		\$ 6,200
State Tax		800
Social Security		12,000
Mileage		17,000
State Insurance Fund		2,400
Employment Insurance		1,200
Part-time Help		2,500
Miscellaneous Hydrographer Expense		<u>500</u>
		\$ 42,600

MISCELLANEOUS EXPENSE

IWUA		\$ 500
Otto Otter		500
Postage		1,200
Supplies, phone, copying		1,500
Audit		2,900
Meetings		<u>1,200</u>
		\$ 7,800

WATERMASTER

IDWR Contract		\$230,000
Report		2,200
Travel		<u>2,900</u>
		\$235,100

Total 1990 Budget \$533,550\*

Estimated General Assessment \$408,550

Upper Valley Additions

Committee of Nine		\$ 7,000
Attornies Fees		100,000

\*Funds from other sources, including the water bank could provide an additional \$125,000 in revenues. These funds will first be used to pay the costs associated with negotiations/litigation related to claimed Indian reserved water rights.

6. 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 cost of delivering water to many diversions is less than their normal assessments when based upon their total season use of water;

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

7. Resolved that the watermaster shall prepare a report in accordance with Idaho Code, Sec. 42-614, which shall become the official billing to the individual water users, canal companies, and irrigation districts, and is hereby authorized to collect all of the expenses of delivering the waters of the district, including his salary and that of his assistants, and shall make all disbursements necessary to the conduct of the business of administering and delivering the waters of the district.

Resolved 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 for the past years water use.

Resolved that copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and the report prepared in accordance with Sec. 42-614, shall be filed with the county clerks of Bonneville, Madison, Teton, and Fremont Counties.

8. WHEREAS, the Committee of Nine has been appointed by the Idaho Water Resource Board pursuant to Sec. 42-1765, Idaho Code, and;

WHEREAS, the watermaster of Water District 1 has traditionally acted on behalf of the Committee of Nine in leasing stored water within Water District 1, and;

WHEREAS, it is necessary to an orderly rental program that the watermaster continue to have the authority to act on behalf of the Committee of Nine,

THEREFORE, BE IT RESOLVED that for the purpose of renting water, the watermaster be considered to be a member of the Committee of Nine.

9. BE IT FURTHER RESOLVED that with the exception noted in Resolution No. 8, we recommend that the Committee of Nine 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, Gooding Canal, A & B Irrigation, and a member from the Burley or Minidoka District; whichever is not currently represented on the regular committee be included. Any canal company or district desiring to have representatives attend meetings of the Committee of Nine should notify the watermaster, who will then advise them of dates and time of committee meetings so that they may have the opportunity to attend such meetings.

10. WHEREAS, it is in the best interest of the water users of Water District 1 to account for all diversions which might adversely affect any prior natural flow or storage diversions;

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

11. WHEREAS, the Committee of Nine represents irrigators from all areas of Water District 1, and;

WHEREAS, the Water Bank Rules specify that the operation of the water bank will be by and for irrigators, and;

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

WHEREAS, questions have arisen over the definition of "land owner" and "water user."

IT IS, THEREFORE, RESOLVED by the water users of Water District 1 this First day of March 1989, that water user and land owner shall be defined as follows:

1. That he owns an irrigated farm that is comprised of more than twenty (20) irrigated acres, that has valid surface water rights deliverable by the Snake River Watermaster.
2. That he has received over 50% of his annual income during the past ten years of his annual income from farming activities within the portion of the Snake River valley served by Water District 1. This definition shall not be used to limit the continuation of any one currently serving on the Committee of Nine and does not apply to advisory members now or in the future.

12. WHEREAS, the Committee of Nine has adopted certain rules to assure the orderly operation of the Water Supply Bank; and,

WHEREAS, these rules have been adopted by the Idaho Water Resources Board,

THEREFORE, BE IT RESOLVED that the following Water Bank Rules be adopted by Water District 1 for 1990:

Rule 1. AUTHORITY AND STATEMENT OF PURPOSE.

- 1.1. These rules and regulations have been adopted pursuant to Idaho Code, Sec. 42-1765 to assure orderly operation of the Upper Snake Water Supply Bank. Under no circumstances shall these rules and regulations be construed to limit or restrict the authority of the Director of the Department of Water Resources, the Water Resources 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.
- 1.2. It is the purpose of these rules and regulations to:
  1. Provide a process, consistent with the Idaho Code, by which stored water supplies may be made available for a specified period of time to water users who need additional water.
  2. Provide incentives for those owning reservoir space and having stored water, which is surplus to their needs, to make such space/water available to other users and uses.
  3. Establish a recognized system through which water supplies can be located, identified, advertised, and subsequently bought, sold, or leased.
  4. Provide a dependable source of revenue for Water District 1 to make improvements in distribution to expand water supplies or to aid in increasing efficiency in the use of water on the upper Snake River.
- 1.3. Available water supplies may be purchased from the Water Supply Bank for any beneficial purpose recognized under state law, including the maintenance of minimum stream flows, when all other uses have been met for available supplies. In no case will water be provided for maintaining

flows greater than those established by the Water Resource Board and the Idaho Legislature.

Rule 2. DEFINITIONS.

- 2.1. Acre-foot is a volume of water sufficient to cover one acre of 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 upper Snake Water Supply Bank as operated by the Committee of Nine of Water District 1.
- 2.4. Board means the Idaho Water Resources Board.
- 2.5. Bureau means the federal Bureau of Reclamation or BOR.
- 2.6. Committee means the Committee of Nine unless otherwise specified.
- 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.
- 2.10. Lease is the agreement through which a specific amount of storage space or stored water is obtained from the Water Supply Bank for use during a specified period of time.
- 2.11. Insurance water is stored water that is made available on a continuing basis to supply additional flows for hydropower and other uses only under certain agreed upon drought conditions with payments being made to those agreeing to give up the storage for loss of production.
- 2.12. Lessee is the entity leasing space/water from the Water Supply Bank.
- 2.13. Lessor is the entity providing space/water to the Water Supply Bank.
- 2.14. Milner means Milner Dam or the lowest diversion in Water District 1.

- 2.15. Mitigation means releasing water from storage pursuant to the instructions of the director, to replace projected ground water depletions.
- 2.16. Preference lease means a contract with the water bank for an improved priority to lease water from space assigned to the bank in future years.
- 2.17. Rental Pool Committee means a sub committee of the Committee of Nine composed of the Snake River watermaster, superintendent of the Minidoka Project, and three regular members of the Committee of Nine.
- 2.18. Rental Pool means the reservoir space assigned to the water bank during any given year.
- 2.19. Space means all or any portion of the active impoundment volume of a reservoir measured in acre-feet.
- 2.20. Storage means the portion of the available space that is storing water.
- 2.21. Rent (or rental) means lease.
- 2.22. Watermaster means the watermaster of Water District 1.
- 2.23. Sale means the acquisition of water from space assigned to the water bank.
- 2.24. Paid-out means the space holder construction contact(s) with the U.S. Government have been fulfilled.

Rule 3. GENERAL

- 3.1. It is the policy of the Water Resources Board and the Committee of Nine to operate the Water Supply Bank for the maximum beneficial use of available water supplies.
- 3.2. Operation of the Water Supply Bank will be by and for the irrigators within Water District 1 through the Committee of Nine. All rules and regulations are designed to assure that water stored in federal reclamation reservoirs is first maintained and made available for irrigation before other uses are considered.

- 3.3. The operation of the Water Supply Bank shall in no way recognize any obligation to maintain flows below Milner Dam or assure the minimum stream flows established at the USGS gaging station on the Snake near Murphy unless specific arrangements to do so are made with the watermaster through valid agreements for releasing water for mitigation, insurance contracts, or annual storage lease agreements.
- 3.4. The operation of the "Water Bank" shall be consistent with the statutes creating the Water Supply Bank and the Rules and Regulations of the Idaho Water Resources Board of the provisions of the space holder contracts with the United States.
- 3.5. Storage space is accepted for the water bank on a contingency basis. Payments to the lessor will be made to the extent contract monies are received by the Water Bank pursuant to these rules.
- 3.6. Space assigned to the Water Bank that is evacuated to supply water for uses below Milner shall be the last space to fill in the ensuing year.

Rule 4. MANAGEMENT

- 4.1. The Water Supply Bank shall be operated pursuant to Idaho Code, Sec. 42-1761 to 42-1766 with all policies being established through the approval of the Committee of Nine.
- 4.2. A committee composed of the watermaster, the superintendent of the BOR's Minidoka Project and three members of the Committee of Nine shall be appointed by the chairman and shall have the following general responsibilities:
  1. To determine general policies regarding annual storage leases which may not be covered by the adopted rules and regulations.
  2. To assist the watermaster in the allocation of water leased from the bank if conflicts arise.
  3. To advise the Committee of Nine on water banking activities.

4. To set policies for the disbursement of funds generated by the water bank.
- 4.3. The watermaster shall act as the manager of the water bank. His authority shall include accepting water into the bank, executing lease agreements on behalf of the Committee of Nine, disbursing and investing funds generated through the lease of stored water, and distribution of water supplies from the water bank.

## 5. ASSIGNMENTS.

- 5.1 Any individual, irrigation district, canal company, or other entity who owns space in a reservoir located in Water District 1 may assign any portion of this space to the Water Bank.
- 5.2 Space assignments will be identified by reservoir. If no designation is made in assigning space in federal reservoirs to the water bank it shall be understood that American Fall's space will be assigned before Jackson and Jackson space will be assigned before Palisades's space.
- 5.3. Storage assignments, are subject to the acceptance of the Rental Pool Committee. Reservoir space submitted for assignment may be rejected in whole or in part by the watermaster and Rental Pool Committee or they may place special conditions on uses, allocation, and price if, in the judgment of the Rental Pool Committee, accepting said water will not be in the best interest of the water bank.
- 5.4. Anyone who attempts to assign space to the bank and feels aggrieved by the decision of the Rental Pool Committee may ask for a hearing before the Committee of Nine within fifteen (15) days.
- 5.5. The Committee of Nine, after hearing the arguments of the one claiming to be aggrieved, shall decide the issue by majority vote.
- 5.6. Assignments of storage to the water bank shall be on a priority basis as set forth in rule 6.
- 5.7. Assignments of storage space 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.

- 5.8. Assignments of reservoir space may be made for periods of up to 20 years. Any space assigned for periods in excess of two years shall be subject to rule 9 of these Water Bank Rules and Regulations.
- 5.9. All space assigned to the water bank shall be under the control of the watermaster and the Rental Pool Committee for the duration of the lease.

Rule 6. PRIORITIES.

- 6.1. Anyone holding space in a federal or private reservoir who assigns space for annual lease and designated such space available by July 1 of any year shall share proportionally in the proceeds from the lease of all or part of the yield from such space in that year.
- 6.2. Anyone holding space in a federal reservoir who assign space for annual lease after July 1 of any year shall receive proceeds from the sale of all or any part of the water sold which was made available after July 1 of that year on a "first come" basis.
- 6.3. All water from reservoir space designated for lease before July 1 of any year will be sold before any water from space assigned after July 1 will be sold.
- 6.4. Whenever an assignment 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 amount of water designated.
- 6.5. If a space holder should chose to assign all of his space to the water bank the "yield" of that space shall be determined by the watermaster. Yield will be determined by the percentage the reservoir filled minus evaporation.

Rule 7. LESSOR PRIORITIES.

- 7.1. Any water available through the water bank for annual use shall be provided on a priority basis.
- 7.2. The first priority in acquiring water from the water bank shall be given to those irrigation water users owning space in the various storage reservoirs of the Bureau of Reclamation in the

Snake River Basin above Milner Dam.

- 7.3. The second priority in acquiring stored water from the water bank shall be given to other irrigation water users who divert water above Milner Dam and are located within Water District 1.
- 7.4. Priority among water users of each priority listed above and who execute annual contracts to obtain stored water during a given year shall be determined by the date on which the water user's contract and payment is received at the office of the upper Snake River 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.
- 7.5 Any water user having once initiated a contract for stored water may request water in subsequent years by confirming, in writing, that all of the information on the original lease is true and correct, and by identifying the amount of water he wishes to purchase. The priority in this case will be the date on which payment is received by the watermaster.
- 7.6. Space assigned to the water bank from reservoirs with paid-out federal contracts shall be first reserved for allocation for irrigation purposes. Anyone leasing water from such space for irrigation shall be subject to 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 (RRA). If sufficient space is not available in paid-out reservoirs and stored water is acquired from a reservoir with remaining federal repayment contracts, then anyone acquiring such water shall be responsible for compliance with the limitations and reporting requirements of the RRA.
- 7.7. Any water diverted within Water District 1 without adequate natural flow and storage entitlements will be charged by the watermaster as storage used. Any such unauthorized use of water shall be replaced from available water bank supplies at a cost to the user equal to the established water bank price plus seventy five cents (\$.75) to cover increased administrative costs. The administrative costs may be waived by the watermaster if, in his judgment, such unauthorized use resulted from measurement or

accounting errors.

- 7.8. Water leased under an annual lease agreement and unused for irrigation purposes may be returned to the Water Bank by September 1. Monies refunded shall be reduced to cover the estimated fifty cent (\$ .50) administrative cost to Water District 1 and twenty-five cents (\$ .25) to offset the O & M costs of the lessors.

Rule 8. LEASE PAYMENTS AND WATER COST.

- 8.1. The lease price of water assigned to the water bank shall be set by the Committee of Nine each year.
- 8.2. The price of water available from the water bank shall be set by the Rental Pool Committee and approved by the Committee of Nine each year. The established base price shall be \$2.00 per acre-foot diverted plus an administrative charge of \$ .75 per acre-foot.
- 8.3. The lease price and the administrative charges for leases in excess of one year shall be negotiated by the Rental Pool Committee and the lessee and shall remain as negotiated for the term of the lease.
- 8.4. The lease price for 1990 shall be \$2.75 including administrative charges for both irrigation and non-irrigation water users.
- 8.5. Lease payments to the lessors shall be made in accordance with rule 6 and shall be based upon the data published in 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.
- 8.6. The Rental Pool Committee may authorize the watermaster to make partial payments to lessors based upon provisional data when, in the watermaster's judgment, such partial payments can be made with reasonable certainty.
- 8.7. Monies received from annual water bank leases that are designated to be paid to the owner of

space committed to the water bank shall be maintained in a separate interest-bearing account with accrued interest being distributed on a pro-rata basis at the time final water bank payments are made. The water district shall be entitled to use all water bank funds on an as needed basis provided the accrual of interest due suppliers is not affected.

Rule 9. LONG-TERM LEASES.

- 9.1. The Committee of Nine may arrange leases of storage space for periods not to exceed 20 years. Such long-term leases will be negotiated on a case-by-case basis and may be supplied from anticipated future annual space/water assignments to the Water Bank or from specific long-term space assignments, or a combination of the two.
- 9.2. Contracts for long-term leases shall not be subject to the provisions of rules 6 and 7, except that the agricultural preferences identified in rule 7 shall apply when there is competition for limited long-term supplies.
- 9.3. Any contract for long-term lease shall contain the following information:
  - A. Name and address of lessor.
  - B. Amount of storage space obligated.
  - C. The lease price.
  - D. The legal description of the point of diversion and place of use.
  - E. The duration of the lease.
  - F. The understanding of responsibilities and exposures if reservoir space does not fill at some time during the term of the lease.
- 9.4. Long-term leases may fall in one of the four following categories:
  1. Preference.
  2. Insurance water.
  3. Lease of long-term assignments.
  4. Negotiated leases.

Rule 10. CATEGORY 1 RULES

- 10.1. A Category 1 lease represents a commitment of the lessee to purchase a specific amount of water from the water bank for some specified period of time, such period not to exceed twenty (20) years. For a Category 1 lease priority shall be considered to be a first priority use as defined in Rule 7.2, provided such use is for irrigation purposes from a point of diversion located upstream from Milner Dam.
- 10.2. Water supplied to a Category 1 lease shall be supplied from the general supplies assigned to the bank for annual sales. Rule 8 shall apply.
- 10.3. A Category 1 lease 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 lease upon receipt of the first year's lease payment. Each successive year the scheduled payment shall be due on or before April 1. Failure of the lessee to meet any scheduled payment shall void the lease.

Rule 11. CATEGORY 2 RULES

- 11.1. A Category 2 lease represents an option to call on a specific volume of stored water under specific conditions that might be outlined in the contract. The lessee will make a predetermined annual payment to the Water Bank each year.
- 11.2. Anyone wishing to assign an option to storage for a period of time may do so by notifying the watermaster and identifying in writing the amount of space to be assigned, the reservoir from which it is assigned, and the term of the assignment.
- 11.3. Monies collected during the term of the option shall be held by the watermaster in an interest bearing account. At such time as the option is exercised all monies collected by the watermaster shall be paid to the spaceholder(s) assigning the insurance space.
- 11.4. If the option is not exercised during the term of the contract all monies collected shall revert to the water district.

Rule 12. CATEGORY 3 RULES.

- 12.1. Anyone owning space in Jackson, Palisades, Ririe, or American Falls Reservoirs may assign space to the Water Supply Bank for a period not to exceed twenty (20) years. The watermaster, rental committee and the one(s) assigning long-term space shall negotiate the terms of any long-term lease with the lessee.
- 12.2. Once the terms of the lease have been reached the watermaster will execute the lease with the lessee. The lease will be considered to be in force once the first annual payment is received by the watermaster, and will continue to be in force as long as the lessee meets the terms of the lease.
- 12.3. Payments due those assigning space to the long-term pool will be made by the watermaster within ten days of his receiving payment from the lessee.

Rule 13. CATEGORY 4 RULES.

- 13.1. Agreements negotiated between two parties, upon approval of the Committee of Nine, may be facilitated through the Water Bank in the same manner as Category 3 leases provided acceptable arrangements are made to cover the administrative costs of the Water Bank.
- 13.2. All of the Category 3 rules apply.

~~14. WHEREAS, it is in the interest of all water users to have the water rights within Water District 1 delivered according to the priority system; and,~~

~~WHEREAS, the accounting system now used by Water District 1 requires that each diversion have assigned to it a specific list of decreed, licensed, and storage entitlement; and,~~

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

NOW, THEREFORE, BE IT RESOLVED that no diversion 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.

15. WHEREAS, Idaho Code, Section 41-605 provides that water districts may, by resolutions adopted at an annual meeting, change the date for annual meetings in subsequent years to any weekday . . . between the Second Monday of January and the Third Monday in March . . ."; and,

WHEREAS, it has been determined that the First day of March is generally acceptable as a meeting day as long as it does not fall on a Saturday, Sunday, or Monday.

WHEREAS, it is the desire of the water users of Water District 1 here assembled to establish the First day of March as the date for further annual meetings unless it should fall on a Saturday, Sunday, or Monday, in which case it shall be scheduled for the First Tuesday in March.

NOW, THEREFORE, BE IT RESOLVED by the water users of Water District 1, meeting this Sixth day of March, 1990, in regular annual session, that the next annual meeting shall be scheduled for Tuesday, March 5, 1991, and subsequent meetings shall be scheduled pursuant to this resolution unless otherwise modified and that the watermaster be directed to give appropriate notices thereof.

R E S O L U T I O N 16

WHEREAS, representatives of Water District 1 have participated in negotiations among the United States, State of Idaho and the Tribes in an attempt to define by agreement the Tribes' claim to water in the Snake River Basin above Hells Canyon; and

WHEREAS, generally the provisions of the proposed Settlement Agreement have been agreed to in principle to the satisfaction of the negotiators; and

WHEREAS, the United States now seeks to withdraw its previous offer to transfer Ririe and Palisades storage, at no cost, to an entity designated by the Committee of Nine to hold said storage water to use in mitigation of the impacts that will occur to water users in the implementation of the Settlement Agreement; and

WHEREAS, said transfer was the cornerstone of Water District 1 negotiators' December 19, 1989, decision to support the Agreement;

NOW, THEREFORE, BE IT RESOLVED that Water District 1 supports the principles of a negotiated settlement agreement of the Sho-Ban Tribes for the Fort Hall Reservation on the basis of the outlined attached hereto as Exhibit "A", which includes the transfer of Ririe and Palisades storage, without cost, to an entity designated by the Committee of Nine.

R E S O L U T I O N 17

WHEREAS, representatives of Water District 1 have participated in negotiations among the United States, State of Idaho and the Tribes in an attempt to define by agreement the Tribes' claim to water in the Snake River Basin above Hells Canyon; and

WHEREAS, generally the provisions of the proposed Settlement Agreement have been agreed to in principle to the satisfaction of the negotiators; and

WHEREAS, the United States now seeks to withdraw its previous offer to transfer Ririe and Palisades storage, at no cost, to an entity designated by the Committee of Nine to hold said storage water to use in mitigation of the impacts that will occur to water users in the implementation of the Settlement Agreement; and

WHEREAS, said transfer was the cornerstone of Water District 1 negotiators' December 19, 1989, decision to support the Agreement;

NOW, THEREFORE, BE IT RESOLVED that Water District 1 agrees to be responsible for annual operation and maintenance charges for said storage space after the date of the transfer.

PAGE: 003

ACCORD: NEGOTIATIONS  
U.S., TRIBES, STATE, WATER USERS  
DATE: 9/1/89

WATER SUPPLY

Blackfoot	150,000	1867	(hold harmless
Bannock	50,000	1867	non-Indian
Snake & Sand Creek	115,000	1867	Blackfoot users
Ross/Lincoln	10,000	1867	to present
Storage	130,000	State	diversion; if
Groundwater	<u>125,000</u>	1867	short on
	580,000		Blackfoot, go to
			Reservation
			groundwater)
Snake & Sand Creek	60,000	1891	
(Non Indian Project			
Water Users)			

MARKETING

Palisades	80,000+	above Milner only (would
		continue Portneuf payback
		from Palisades)
Am. Falls	50,000-	below Milner
		Tribes form own water
		bank; I.W.R.B. approve
		rules

Unallocated storage to water users.

No fish flows except American Falls storage, including rights or calls above Hell's Canyon.

TRIBAL CONDITIONS

1. Nothing to preclude Tribes' participation in Galloway.
2. Tribes can enter relicensing process in Hell's Canyon (but no new claim for water from above Hell's Canyon).
3. Development Fund:
  - (a) \$15,000,000 from Feds - for state-of-art management (any left over used for well field); and
  - (b) \$5,000,000 from State - rehabilitate Equalizing Reservoir (can be in-kind contribution).
4. Negotiate with B. of R. on using Palisades water for winter flows.

GENERAL CONDITIONS

1. Supply fee and ceded lands within Fort Hall Project.
2. Designation of PIA and Existing Lands.
3. Consumptive use limitation.

2260m

EXHIBIT A

R E S O L U T I O N 18

WHEREAS, the installation and maintenance of adequate measuring devices is required of anyone diverting water from a river, stream or exchange well within Water District 1; and

WHEREAS, the water district has, for many years, been developing an allocation system that will provide the watermaster accurate real time streamflow and diversion data; and

WHEREAS, it is necessary for proper daily water allocation and accounting that pump diversions be included in the water supply computed each day during the irrigation season; and

WHEREAS, the collection of pump data poses special problems for the watermaster because meaningful pump diversion data require the continuous monitoring of pumps; and

WHEREAS, in many cases it is unreasonable for the water users to collectively pay the costs associated with daily trips to collect data in remote points of diversion; and

WHEREAS, the information collected in these trips has proven unsatisfactory because of poor data collecting equipment on site;

NOW, THEREFORE, BE IT RESOLVED by Water District 1 meeting in regular annual session this Sixth day of March 1990 that the term "measuring device" be interpreted to include such data logging and transmitting equipment as the watermaster may deem necessary to acquire adequate daily data for a specific diversion.

R E S O L U T I O N 19

WHEREAS, the Department of Water Resources is responsible for water allocation and distribution in the State of Idaho; and

WHEREAS, these responsibilities require measurements to monitor continuously the available water resources of the State; and

WHEREAS, the Idaho Legislature cut funding to the Department in 1983 which resulted in the Department dropping its support of the streamgaging program on the upper Snake River; and

WHEREAS, these are some of the most important gaging sites in the state for purposes of determining water supplies and distributing water rights; and

WHEREAS, the water users of Water District 1, to avoid loss of these stream gages, have assessed themselves to pay the full contributor costs to the United States Geological Survey since the state support was dropped; and

WHEREAS, the flow data from gaging on the upper Snake River is used extensively by people and institutions throughout the state;

NOW, THEREFORE, BE IT RESOLVED by Water District 1 meeting in regular annual session this Sixth day of March 1990 that the Idaho State Legislature be encouraged to restore sufficient monies to the budget of the Idaho Department of Water Resources to restore and assure state support of vital streamgaging on the upper Snake River and its tributaries.

BE IT FURTHER RESOLVED that copies of this resolution be supplied to the Resources Committees of the House and the Senate and to the Governor of the State of Idaho.

R E S O L U T I O N 20

WHEREAS, the Committee of Nine has been elected to represent the collective interests of Snake River water users; and

WHEREAS, the Committee of Nine has represented all water users in the negotiations with the United States and Indian tribes related to federal water right claims; and

WHEREAS, the negotiations with the tribes are continuing past the deadline set by Judge Hurlbutt in an effort to reach an agreement and avoid costly litigation; and

WHEREAS, the need for water user participation in the negotiations process has not decreased and may expand if it becomes necessary to pursue a resolution through litigation;

NOW, THEREFORE, BE IT RESOLVED that Water District 1 designates the Committee of Nine to represent water users and to use their best efforts to protect the water rights that have been developed under State Law during the past century.

DISBURSEMENTS from February 25, 1989 to February 16, 1990

Social Security & Federal Tax (hydrographers)	\$	8,861.68
Retirement System		6,290.02
Employment Insurance		404.04
State Insurance Fund		2,419.43
State Taxes		590.47
Postage		1,237.00
Petty Cash Reimbursement		100.00
Misc. Office Expense		303.83
Bookshelf Bindery		1,078.00
Misc. Hydrographer Expense		1,697.41
Audit		1,505.00
Bowen Construction		1,080.00
IWUA Membership		500.00
Otto Otter		280.00
Watermaster Travel & Meeting Expense		4,273.80
Committee of Nine		7,359.14
Water District & Water Resource Coop		207,107.48
D.B. Fitzpatrick		2,876.26
Legal Expense - Kent Foster		62,764.10
John Rosholt		1,105.65
Roger Ling		5,022.33
Dr. Brockway		1,703.91
Rental Pool Disbursements		
Rental Refunds		68,650.00
Rental Payments - Balance 1988		134,069.21
Adjudication Payments		114,797.29
Adjudication Interest		15,855.74
USGS/Wackerli Realty		16,413.60
USGS/Streamgaging		76,620.00
U of I - Pump Station		18,889.11
Fremont-Madison Data Coop		2,400.00
PUW Coop		1,087.05
ERO Resources		20,146.44
Sutron		62,650.00
Bitton, Dennis		2,774.70
Blanchard, Gail (\$1,267.40 mi. \$22.50 misc. expense)		3,344.91
Blauer, Harold (\$133.34 misc. expense \$714.40 mi. expense)		2,517.06
Brown, Wilbur (\$4,412.50 auto hire)		9,424.98
Carl, Richard		332.90
King, Helga		647.47
Lenz, Viola (\$631.06 mi.)		1,409.11
Lindsay, Virginia (\$2,015.00 auto hire)		3,845.37
O'Brien, Dee (\$2,896.20 mi.)		7,914.11
Richards, Val (\$4,800 auto hire)		15,937.54
Skaar, Alan		2,629.36
Von Achen, Jack (\$568.80 mi.)		2,585.45
Wheeler, Press		522.90
		<hr/>
TOTAL	\$	904,023.94

1989 W.Y.

CASH RECEIPTS

1987 Water Assessments	\$ 110.91
1988 Water Assessments	254,434.55
1990 Water Assessments	15.00
1989 Water Rental	\$289,498.50
1990 Water Rental	\$ 7,535.00
1988 Excess Storage Use	32,243.26
1987 Excess Storage Use	130.00
Bonneville County	\$ 1,573.18
Madison County	558.35
Teton County	0
Contracts	
BOR	\$ 39,050.00
PWU	2,752.50
Miscellaneous Receipts	\$ 14,075.92
Staff gages, FM Teton Gage	
Luncheon Receipts, Interest	
	<hr/>
	\$641,977.20

GENERAL

NON BUDGET COSTS - 1989

INDIAN NEGOTIATIONS

ERO Resources	\$ 29,753.46
Travel	720.02
	<u>\$ 30,473.48</u>

HYDROMET

Sutron	\$ 62,650.00
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STREAMGAGING

USGS	\$129,413.80
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1988 BILLING CORRECTIONS

Refunds	\$ 4,941.96
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OTHER PROGRAM COSTS

PWUA	\$ 1,339.55
U of I Studies	\$ 18,889.11

ATTORNEYS & CONSULTANTS

Rosholt	\$ 1,105.65
Ling	5,022.33
Foster	16,660.00
Brockway	1,703.91
	<u>\$24,491.89</u>

MISCELLANEOUS

Bowen Const.	\$ 1,080.00
IWUA	500.00
	<u>\$ 1,580.00</u>

TOTAL	<u>\$273,779.79</u>
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SPECIAL REVENUES

Water Bank	\$ 57,868.00
Bureau Reclamation	39,050.00
Other Revenues	<u>14,903.19</u>

TOTAL	<u>\$111,821.19</u>
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REMAINING OBLIGATIONS

\$161,958.60

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UPPER VALLEY SPECIAL CHARGES

SPECIAL UPPER VALLEY ASSESSMENTS

Committee of Nine Expenses	\$ 7,359.14
Attorney Fees	<u>68,307.32</u>

TOTAL	<u>\$75,666.46</u>
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