

**ANNUAL MEETING MINUTES**  
**WATER DISTRICT 170 – UPPER SALMON RIVER**  
**Tuesday, January 24, 2017**  
**Advisory Committee - 6:00 pm**  
**General Meeting - 7:00 pm**  
**Custer County Courthouse, Challis ID**

**RECEIVED**  
**FEB 09 2017**  
DEPT OF WATER RESOURCES  
SOUTHERN REGION

The Advisory Committee met briefly prior to the general meeting. Richard Giampedraglia attended representing Thompson Creek Mining, who has not had a representative present for several years. The sub-districts are poorly represented at the WD170 meetings and more effort should be made to keep them engaged.

The group discussed the Advisory seats established for BLM and USFS, and considered eliminating those seats as the federal agencies don't appear to be as interested in District operation as in the past. The decision was to keep the seats intact for 2017 and reach out to members of these agencies during the upcoming year.

After a short discussion on the upcoming meeting and minor proposed changes to the resolutions, the Advisory meeting was adjourned.

The Annual Meeting of Water District 170 was called to order by Chairman Gary Chamberlain at 7:01pm. Twelve District members were in attendance.

Gary Chamberlain was nominated by Charlie Boge for meeting chair; seconded by Jeri D'Orazio and selected on a voice vote. Cindy Yenter was selected to act as meeting secretary.

Copies of 2016 minutes were distributed and reviewed and were approved with no objections.

Cindy Yenter gave a watermaster report which described her field activities in WD170 during 2016 and her goals and plans for WD170 in 2017. She also presented the snowpack report and a brief overview of other water activities in Idaho. That report is attached to these minutes.

The Watermaster made a statement reminding all water users that Stream Channel Alteration permits are required for work below the high water mark in all streams, even for emergency work in response to flooding events. Some discussion ensued regarding the Stream Channel Protection Program.

Chairman Chamberlain presented the proposed 2017 resolutions, which were unchanged from 2016 with the exception of date modifications in Advisory Committee Members and Budget section, and minor language changes in Watermaster Services. IDWR will continue to provide watermaster services, Cindy Yenter will be appointed WD170 Watermaster for 2017, and Water District 170 will continue to have a zero budget in 2017 and will not make assessments. Robert Boren made a motion to adopt the resolutions as proposed. Paul May seconded and the motion passed on a voice vote.

After a short discussion regarding the time and location of future meetings, next year's meeting is set for the fourth Tuesday of January, to be held in Challis at a location and time to be determined at a later date. After the Lemhi Basin is added to WD170, the meeting location might alternate between Challis and Salmon.

The meeting was adjourned at 7:25 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cindy Yenter". The signature is written in black ink and is positioned above a horizontal line.

Cindy Yenter  
102 S Warpath  
Salmon ID 83467

2016 Watermaster Report  
Water District 170  
Cindy Yenter, Watermaster

RECEIVED  
FEB 09 2017  
DEPT OF WATER RESOURCES  
SOUTHERN REGION

**Upper Salmon River Basin Support**

- My IDWR position has been relocated to Salmon. I am operating the IDWR Salmon Field Office – the WD170 office is also officially at this location.
- Most of June and July spent moving and getting the office open and functional.
- Salmon Field Office is intended to provide enhanced customer support for all Upper Salmon water users, program support to other IDWR offices, and increased watermaster accessibility for WD170.

**WD170 Activities, 2016**

- Pahsimeroi NOVs – all have been resolved with the exception of one headgate installation
- New Watermaster in WD71 – provided training and support, filled in at the end of the season when she returned to school.
- WD71 and WD72D – focused on better recordkeeping and updating watermaster field sheets
- Have been working on new water rights lists, and plan to provide all subdistricts with updated watermaster lists prior to this field season.

**WD170 Goals and Plans, 2017**

- Measurement compliance – Pahsimeroi (WD73) groundwater diversions, non-subdistrict diversions, any other non-compliant diversions in other subdistricts.
- Diversion inventories of Lemhi (B74) ground water diversions.
- Begin diversion inventories in B75 (Salmon and tribs from Ellis to Middle Fork).
- Public information meeting and Hearing to add the Lemhi River water districts into WD170. These will be scheduled in the next couple of months.
- Separately, later in the year, IDWR hopes to hold a public information meeting for Basin 75 to talk about the eventual formation of subdistricts in this basin and inclusion into WD170.

**Water News outside WD170**

- The Salmon River downstream from City of Salmon has been designated a federal navigable waterway pursuant to the Rivers and Harbors Act. The impact of this designation is the loss of the irrigation exemption to the stream channel permit requirement. Not sure at this time how many diversions are affected. COE is working on a method to streamline the lengthy permitting process and grant annual permits to irrigators for necessary headgate maintenance.
- IDWR created water districts to administer ground water in the Raft River and Mountain Home areas.
- IDWR created a Ground Water Management Area over the entire Eastern Snake Plain Aquifer.

- In October, IDWR issued a comprehensive ground water measurement order requiring flow meters on all ESPA regulated wells (not including *de minimus* uses). The purpose of this order was to aid in implementation of the Surface Water Coalition settlement.
- In November, a new Ground Water District was created by water users in the Big Lost River area.
- The North Idaho Adjudication is in full swing.
- On Jan 17, 2017 IDWR Director signed an order curtailing ground water right holders with priorities junior to June 20, 1989 in the Surface Water Coalition call.
- We're having a great water year so far – complete with ice jams and flooding.

**WATER DISTRICT 170  
UPPER SALMON RIVER**

RECEIVED

FEB 09 2017

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

**PREVIOUSLY ADOPTED RESOLUTIONS WILL REMAIN IN EFFECT UNTIL CHANGED BY  
SUBSEQUENT RESOLUTION OR OTHERWISE ALTERED BY MAJORITY VOTE OF THE  
WATER RIGHT OWNERS IN THEIR ANNUAL MEETING OR SPECIAL MEETING CALLED  
FOR SUCH PURPOSE**

**DISTRICT BYLAWS**

**Adopted 2007**

The Idaho Department of Water Resources (IDWR) Watermaster Handbook and related Idaho Statutes (both as may be duly amended from time to time) and Resolutions as duly approved by the water right owners of the District shall serve as the Upper Salmon Water District No. 170 Bylaws.

**WATERMASTER TERM OF SERVICE**

**Adopted 2008**

Until changed by subsequent Resolution or otherwise altered by majority vote of the water right owners in their Annual Meeting or special meeting called for such purpose, it is herewith resolved that The USWD Watermaster's term of service shall begin upon annual meeting election and continue until the next annual meeting.

**ELECTION OF OFFICERS**

**Adopted 2007**

Until changed by subsequent Resolution or otherwise altered by majority vote of the water right owners in their Annual Meeting or special meeting called for such purpose, it is herewith resolved that District Officers shall be elected at the end of each Annual Meeting allowing incumbents to conduct the entire meeting and Agenda business prior to any potential change(s).

**OFFICER AUTHORITY**

**Adopted 2007**

Upon being duly elected by water right owner majority vote at their Annual Meeting the Secretary/ Treasurer shall, until replaced by subsequent majority vote of the water right owners in their Annual Meeting or special meeting called for such purpose, have full authority to sign on behalf of the District including, but not limited to, the District bank account(s). The Chairman and Watermaster shall also have alternate signature authority for the District bank account(s).

**WATER RIGHT OWNERSHIP BY MULTIPLE PARTIES**

**Adopted 2007**

Any water right(s) owned by more than one individual (or married couple) shall declare a single individual (or married couple) who shall represent all other owner's interests and be the primary contact with the District on relevant District issues.

**WATERMASTER ACCESS**

**Adopted 2009**

Until changed by subsequent Resolution or otherwise altered by majority vote of the water right owners in their Annual Meeting or special meeting called for such purpose, it is herewith resolved that all users shall provide for watermaster access to control structures and measuring devices. If the access is through a locked gate, the user shall, upon request by the watermaster, provide to the watermaster or deputy watermaster a key or combination to such locks.

**ANNUAL MEETING DATE**

**Adopted 2007**

Until changed by subsequent Resolution or otherwise altered by majority vote of the water right owners in their Annual Meeting or special meeting called for such purpose, it is herewith resolved that the Water district 170 Annual Meeting shall be the fourth (4th) Tuesday in January on a date, time and place to be determined at the Annual Meeting each successive year.

## **WATER DISTRICT 170 UPPER SALMON RIVER**

---

**PREVIOUSLY ADOPTED RESOLUTIONS WILL REMAIN IN EFFECT UNTIL CHANGED BY  
SUBSEQUENT RESOLUTION OR OTHERWISE ALTERED BY MAJORITY VOTE OF THE  
WATER RIGHT OWNERS IN THEIR ANNUAL MEETING OR SPECIAL MEETING CALLED  
FOR SUCH PURPOSE**

### **DISTRICT PAYMENT TERMS**

**Adopted 2007**

1. Annual Adopted Budget payment shall be payable on or before March 1; any other billing within thirty (30) days following such billing; the postmark date will be considered the date of payment.
2. If not paid by April 1st the water user shall be charged in accordance with Statute 42-613 which provides for a late fee of 10% of the amount and interest of 1% per month.
3. If not paid in full (partial payments shall not be acceptable) including Late Fee by April 1st, Treasurer shall so inform the Watermaster who shall immediately terminate water delivery to the water right owner who is in payment default.
4. Treasurer must thereafter receive the original invoice amount, Late Fee(s) plus a \$25.00 Watermaster Service Fee before Treasurer shall advise the Watermaster who shall then again deliver the applicable right(s).
5. A returned or insufficient fund check shall require the Treasurer to so advise the Watermaster who shall immediately terminate the appropriate water delivery. All monies originally due plus applicable bank charges and any charges then resulting from unmet District payment terms must be paid in cash, cashier's check or money order before Treasurer shall so advise the Watermaster who shall then deliver the appropriate water right(s).
6. In the event payment in full is not received by the end of the then current irrigation season (or sooner if the Treasurer determines sale of the property and associated water right[s] is imminent), the Treasurer may, on behalf of the District, initiate legal action in Small Claims Court against the water right owner(s). Eventual recovery is to include costs incurred by such action as well as all other monies due.

Note: When a water delivery termination is imminent and there are others utilizing the same diversion that could be affected, those others affected shall, whenever possible, be advised of said delivery termination as soon as possible after the problem arises so they shall have the opportunity, if they so desire, to deal with the matter as they may deem appropriate before water delivery is reduced by the amount covered by the applicable right(s) being terminated

### **PROXY VOTING & SUBORDINATED WATER RIGHTS**

**Adopted 2007**

1. In accordance with District Bylaws, proxy votes shall not be allowed "except that in the absence of the owner a right may be voted by another person present who has the use of the right for the ensuing season, such as a tenant, lesser or contract purchaser".
2. In such case(s) or whenever a right is subordinated and/or "worked" by anyone other than the owner a form adopted and provided by the District shall be completed and returned to the Secretary/Treasurer to remain on file throughout the term stating with whom such agreement exists, whether such voting right is granted, and/or granting authority to represent the water right owner on any other water issues that may arise during the irrigation season or balance of the agreement term to be recorded by water right owner with the County Recorder of jurisdiction.

## **WATER DISTRICT 170 UPPER SALMON RIVER**

---

**PREVIOUSLY ADOPTED RESOLUTIONS WILL REMAIN IN EFFECT UNTIL CHANGED BY  
SUBSEQUENT RESOLUTION OR OTHERWISE ALTERED BY MAJORITY VOTE OF THE  
WATER RIGHT OWNERS IN THEIR ANNUAL MEETING OR SPECIAL MEETING CALLED  
FOR SUCH PURPOSE**

### **ADVISORY COMMITTEE STRUCTURE**

**Adopted 2014**

A Water District No. 170 Advisory Committee shall be elected to provide input to the watermaster and the Director of IDWR. The Water District No. 170 Advisory Committee shall be comprised as follows:

Sub-district representatives (6 total): Stanley Basin (1 seat), Clayton Area (1 seat), Garden Creek (1 seat),  
Challis Creek (1 seat), Morgan Creek (1 seat), Pahsimeroi Basin (1 seat)  
Basin 72 non sub-district area irrigation (2 seats)  
Basin 71 & 72 commercial/industrial/ municipal/other uses (2 seats)  
US Forest Service (1 seat)  
US Bureau of Land Management (1 seat)  
Non-Voting members from Basins 74-75

Seats may be added to or subtracted from the Water District No. 170 Advisory Committee in subsequent years depending on further revisions or expansions of the district boundaries to be determined as necessary. Each group represented may also select an alternate for each seat.

Representatives for sub-district areas will be selected during that sub-district's annual meeting. The sub-district will notify the WD170 watermaster of the representative(s) selected following the sub- district annual meeting. Representatives for the non-sub-district groups will be selected at the WD170 annual meeting. The Water District No. 170 Advisory Committee will meet as often as needed to address the structure, governance and operation of the district.

### **2017 ADVISORY COMMITTEE MEMBERS**

**Adopted 2017**

Basin 72 non sub-district area irrigation (2 seats) – Gary Chamberlain, Charlie Boge  
Basin 71 & 72 commercial/industrial/ municipal/other uses (2 seats) –  
City of Challis, Cory Rice  
Thompson Creek Mine, Richard Giampedraglia  
US Forest Service –  
US Bureau of Land Management -  
Sub-district representatives – To be selected by each entity

### **WATERMASTER SERVICES**

**Adopted 2017**

Watermaster services for the USWD shall be provided by IDWR and that the Director name or appoint a Department employee to serve as the USWD Watermaster for each ensuing year at no expense to the USWD.

**WATER DISTRICT 170  
UPPER SALMON RIVER**

---

**PREVIOUSLY ADOPTED RESOLUTIONS WILL REMAIN IN EFFECT UNTIL CHANGED BY  
SUBSEQUENT RESOLUTION OR OTHERWISE ALTERED BY MAJORITY VOTE OF THE  
WATER RIGHT OWNERS IN THEIR ANNUAL MEETING OR SPECIAL MEETING CALLED  
FOR SUCH PURPOSE**

**2017 BUDGET RESOLUTION**

**Adopted 2017**

Recognizing that the Idaho Department of Water Resources (IDWR) has offered to provide watermaster services for water district No. 170 for the ensuing year, and that IDWR has offered to provide these services at no cost to the users of Water District No. 170 with the understanding that water users in areas organized as sub-districts within Water District No. 170 will each elect and fund a sub-district watermaster to perform the day to day duties within their subdistrict, it is resolved that,

- 1) The existing sub-districts will each adopt a budget to be collected from the users within the respective sub-districts only, and that users not within that sub-district will not be responsible for any portion of that sub-district budget.
- 2) The proposed 2017 Water District No. 170 budget for watermaster services other than sub- district operations, is \$0.00.



**WATER DISTRICT 170  
ADOPTED BUDGET 2017**

Date: January 24, 2017

**RECEIVED**  
**FEB 09 2017**  
DEPT OF WATER RESOURCES  
SOUTHERN REGION

<b><i>Administrative Charge</i></b>			
Watermaster Services		\$0	
Financial Review		\$0	
<b><i>Administrative Subtotal</i></b>		<hr/> \$0	
Estimated 2016 Carryover	\$0		
<b>Recommended Administrative Assessment</b>		<b>\$0</b>	
<b><i>Measuring and Reporting Charges-for non-subdistrict diversions</i></b>			
Watermaster Assistants		\$0	
Clerical Staff		\$0	
<b><i>Measuring and Reporting Subtotal</i></b>		<hr/> \$0	
Estimated 2016 Carryover	\$0		
<b>Recommended M &amp; R Assessment</b>		<b>\$0</b>	
<b>Total 2017 Budget</b>		<b>\$0</b>	
<b>Total 2017 Assessment</b>		<table border="1"><tr><td><b>\$0</b></td></tr></table>	<b>\$0</b>
<b>\$0</b>			

**AGENDA  
WATER DISTRICT 170  
2017 ANNUAL MEETING  
Tuesday, January 24, 7:00 pm  
Custer County Courthouse  
Challis ID**

**RECEIVED  
FEB 09 2017  
DEPT OF WATER RESOURCES  
SOUTHERN REGION**

Call Meeting to Order

Gary Chamberlain

Selection of Meeting Chairman and Secretary

Gary Chamberlain

Read and Approve 2016 Minutes

Watermaster Report  
-2016 Activites  
-2017 Goals and Objectives

Cindy Yenter

Present 2017 of Proposed Resolution and Budget

Chairman

Revision and/or Adoption of Budget and Resolutions,  
Election of Watermaster

Chairman

Other Items of Business

Set Time and Place of Next Annual Meeting

Adjournment of Meeting

