

Notice of Meeting and Agenda Water District 130 Annual Meeting

Virtual Meeting via Zoom, Tuesday February 2, 2021, 2:00pm

Meeting participation information on the bottom of this notice

Designated Meeting Location

650 Addison Ave West Suite 500, Twin Falls Idaho

1. Zoom meeting introduction and review of attendees (Zoom meeting host)
 - a. Review of voting process
2. Call meeting to order (Chairman)
 - a. Welcome, introduction of Advisory Committee and Guests
 - b. Select meeting Chairman and meeting Secretary*
 - c. Review minutes from previous meeting*
3. Water District Report
 - a. Financial Report
 - b. Proposed Budget
 - c. Proposed Resolutions*
 - d. Flow Meter Compliance
 - e. Spring Flows and Recharge
4. Other Business
5. Adjourn

*Items requiring a vote by members of the Water District

Join the meeting by visiting: **zoom.us**, click **JOIN A MEETING**,
Meeting ID **934 3003 5063** and Passcode **2020**

To participate by phone, call **(669)900-6833** then enter Meeting ID **934 3003 5063**

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DEPT OF WATER RESOURCES
SOUTHERN REGION

MINUTES

Water District 130 - 2021 Annual Meeting

Tuesday, February 2, 2021

Virtual Zoom Meeting, broadcast from IDWR Southern Regional Office

650 Addison Avenue West, Suite 500, Twin Falls, Idaho, 83301

Attendance: Nathan Erickson - IDWR, David Graybill - IDWR, Jana Reeder - IDWR, Bob Simpson - City of Carey, Lynn Carlquist, Gary Lemmon, Faye Featherly, Lila Bommer, Jeremy Dalling, Joe Bingham, Meribeth Lomkin – IDL, Phil Neri, Bill Thorpe, Brent Stanger, Bryan Reiter - City of Burley, Connie Flinders, Dan Temple - A&B Irrigation, Darlene Nemnich, Dean Stevenson, Harold Heins, Kresta Davis – IPCO, Russell Patterson, Terry Browning, William McCarthy, Linda Lemmon

Nathan Erickson opened the meeting by describing the logistics of the virtual meeting including explaining voting seems to work better in zoom meetings by asking for “those opposed” rather than “those in favor” of motions. Nathan also collected the meeting attendance, introduced IDWR employees in attendance, and introduced 2020 WD-130 President Bob Simpson.

The meeting was called to order at 2:01 PM by Bob Simpson. Bob welcomed the attendees and introduced the WD-130 Advisory Committee Directors.

Dan Temple nominated Bob Simpson for President, Dean Stevenson seconded the motion, there was no opposition, motion passed.

Dean Stevenson nominated Meribeth Lomkin for Secretary and Lynn Carlquist seconded the motion, there was no opposition, motion passed

Dan Temple moved to approve the 2020 meeting minutes as posted on the IDWR website. Dean Stevenson seconded the motion, there was no opposition, motion passed.

Watermaster Report:

Nathan Erickson, Watermaster for WD-130 and Idaho Department of Water Resources (IDWR) employee provided some background on the WD-130 activities for 2020.

The District completed a review of Water Rights that were affected by the Rangen Water Call. Several of those water right holders had not followed the requirements of the Water Call. Water right holders affected by the Call were notified that they needed to either join a Ground Water District or curtail the use of that Water Right. This led to several water rights holders joining a Ground Water District and caused some shift in the assessments to billed/collected by WD-130 for 2021 and future years.

Magic Valley Ground Water District (MVGWD) has voted to accept year round users (dairy operations water users) as full members. This has shifted some water users from WD-130 to MVGWD.

Financial Report:

Nathan Erickson described the WD-130 Balance sheet as it was displayed on the screen. Nathan explained that this is a slightly updated version from the Balance sheet that has been posted with the meeting notice on the IDWR website. The Water District fiscal year runs March 1 through last day of February each year. Nathan anticipates that there will be approximately \$10,000 additional cost to the Water District from IDWR for the remainder of this Fiscal Year.

WD-130 Budget:

Nathan Erickson explained that the WD-130 Advisory Committee met on December 3, 2020 and discussed/approved a budget for 2021 that is the same as the 2020 budget. In 2020 the District had carry-over funds to include in the budget which decreased the assessment. For 2021, the Advisory Committee recommended keeping the remaining carry-over funds in the bank and slightly increasing the assessment. This is reflected in the updated budget and cost apportionment.

WD-130 Cost Apportionment:

Nathan Erickson described the District's proposed cost apportionment for the 2021 budget year as displayed on the screen.

Review of proposed Resolutions:

Nathan provided an overview of the resolutions and changes proposed for 2021:

- Updated dates/years as needed throughout the resolutions.
- Removed the traditional meeting location (IDFG conference room, Jerome).
- #4. updated with new proposed budget figures. Removed the use of carryover balance toward the budgeted costs.
- Updated some Idaho Code references to match recently revised Idaho Code.

Dean Stevenson moved to accept the resolutions as presented. Gary Lemmon seconded the motion, there was no opposition, motion passed.

Informational Presentations:

David Graybill gave a summary of water meter compliance within WD-130 over the past few years. Among irrigation season water users, the percentage of meters operating correctly/with no problems has grown significantly from about 14% in 2018 to about 84% in 2020. Among year around water users, a similar trend has occurred, with about 93% of water meters operating with no problems in 2020.

Nathan Erickson gave a summary of spring flows and ground water recharge efforts. Nathan mentioned that in a future year one of the IDWR hydrologists could be invited to a WD-130 meeting to provide a more detailed presentation on this subject if the group is interested in that.

Nathan showed and described a map of the mid-Snake River showing spring flow measurement sites and line graphs of spring and reach flows over time.

Nathan provided a summary of natural flow recharge data with graphs and tables. So far, the amount of recharge completed in 2020-2021 is lower volume than the past few years due to moderate water carryover in the reservoir system and lower early season snow pack levels. We may not reach the annual 250,000 acre feet recharge volume goal this winter, but that goal has been exceeded in some recent years.

Other Business/Ground Water District Updates:

Dean Stevenson informed the group that the Magic Valley Ground Water District will not be holding their annual meeting until summer of 2021 in hopes that COVID-19 gathering restrictions will be lessened and the group can meet in person.

Lynn Carlquist indicated that the North Snake Ground Water District will be holding their annual meeting on their usual meeting date, virtually, using a Zoom internet meeting.

No other business was presented.

Dean Stevenson moved to adjourn the meeting, Dan Temple seconded the motion, there was no opposition, motion passed.

Meeting adjourned @ 2:45 PM

Respectfully Submitted,



Meribeth Lomkin,
Secretary

**WATER DISTRICT 130
THOUSAND SPRINGS AREA
2021 RESOLUTIONS**

The water users of the Thousand Springs Area Water District, designated as Water District 130, meeting at the annual district meeting on Tuesday, February 2, 2021 HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

1. That the watermaster perform the duties as required by Chapter 6, Title 42, Idaho Code and in accordance with the duties described in the Final Order Creating Water District 130, signed by the Director of the Idaho Department of Water Resources (IDWR), February 19, 2002.
2. The Idaho Department of Water Resources be elected to provide the watermaster services for Water District 130 and that the Director of IDWR appoint Nathan Erickson, an employee of IDWR, or other employees of IDWR as may be necessary, to serve as the watermaster for the ensuing fiscal year or as otherwise provided in Idaho Code § 42-608(4) and the Memorandum of Understanding dated February 13, 2009 and executed July 13, 2013.
3. Lynn Carlquist be elected Water District 130 treasurer. The duties of the treasurer will be to approve expenses, oversee disbursement of Water District funds, and to prepare or authorize a review of financial affairs of the district at the end of each fiscal year, in accordance with Idaho Code Section 42-619.
4. The budget for Water District 130 for the year beginning March 1, 2021 and ending on February 28, 2022, be as follows: Fifty-five Thousand Two Hundred Thirty One Dollars (\$55,231) for Watermaster duties, and Ten Thousand Two Hundred Fifteen Dollars (\$10,215) for measuring and reporting of diversions not reporting to a subdistrict, for a total budget amount of Sixty-five Thousand Three Hundred Twenty-three Dollars (\$65,323). An itemized budget sheet is attached.
5. The Watermaster of Water District 130 is hereby authorized to collect the assessments of the Water District in accordance with Idaho Code § 42-616.
6. Given that the water district cost for administering water for many water users is greater than their normal assessments would be based upon their total annual use of water, it is resolved that pursuant to Idaho Code § 42-612 (5) the watermaster of Water District 130 is authorized to assess a \$25 minimum charge for watermaster services for water users within his or her jurisdiction.
7. In accordance with Idaho Code § 42-612 (6), the assessment amount for each individual user as shown in the annual adopted budget shall constitute a final determination of the amount due for that year. In the computation of assessments, the watermaster shall use a 5-year rolling average of diversions for each water user.
8. Water users in Water District 130 who are not reporting annual diversions to one of the sub-districts created herein shall report diversions directly to the watermaster of Water District 130. A separate annual fee will be charged by Water District 130 for direct measurement and reporting; this fee will cover costs of periodic evaluation and certification of the measurement device or other method (typically every third year), plus the cost of annual year-end data collection for the diversion.

Measurement and reporting fees will appear as a separate line-item charge on the Water District assessment statement. *Measuring and reporting charges paid either to a subdistrict or directly to Water District 130 will not be used to determine voting shares.*

9. An advisory committee shall be elected to provide input to the watermaster and the Director of IDWR. The number and composition of the advisory committee for the ensuing year shall total 12 seats as follows:

- 1 member of the North Snake Ground Water District;
- 1 member of the Magic Valley Ground Water District;
- 1 member of the Carey Valley Ground Water District;
- 1 member of A&B Irrigation District;
- 1 Basin 37 ground water irrigator
- 2 ground water users holding commercial, industrial or municipal water rights;
- 5 spring water users, with at least one representing Basin 37

Additional seats may be added to the committee in subsequent years depending on further revisions or expansions of the water district boundaries, to be determined annually. Each group represented will also select an alternate for each seat. Candidates will be voted on at caucus during the annual meeting. The advisory committee will meet as often as needed to address the structure, governance and operation of the district. Decisions or recommendations of the advisory committee must be made with at least 70% of advisory members present in favor.

10. The elected chair of the Advisory Committee for current Fiscal Year is Bob Simpson. The water users of Water District 130 hereby empower the elected chairman of the advisory committee created herein to do the following as approved by the committee:

Enter into a Memorandum of Understanding between Water District 130 and the Department of Water Resources

Enter into a service contract between Water District 130 and any qualified party, in exchange for monetary compensation, as necessary and as authorized by the adopted annual budget.

Authorize and schedule external financial reviews as needed.

11. Water District 130 includes one or more ground water districts, irrigation districts, municipalities, or other geographical areas where the source of water or nature of water use is common among water right owners and users. Pursuant to the Order creating Water District 130, the following subdistricts are recognized within Water District 130:

- North Snake Ground Water District
- Magic Valley Ground Water District
- Carey Valley Ground Water District
- A&B Irrigation District
- City of Rupert
- City of Burley
- Thousand Springs Area
- Basin 37 Area

12. The sub-districts designated above may have employees or agents who measure and report diversions to Water District 130, and who may provide other services to the sub-district. The Director of IDWR therefore may appoint employees or agents of the sub-districts as assistant watermasters for purposes of measuring and reporting water use to the watermaster of Water District 130. The water district watermaster and the Director of IDWR will provide direction and guidance to assistant watermasters for measuring and reporting of diversions in sub-districts, including but not limited to the following:
 - a. Each sub-district shall prepare an annual report of diversion data to the water district watermaster in accordance with Idaho Code § 42-606, § 42-708, § 42-709, and the direction provided by the Director of IDWR.
 - b. Assistant watermasters from sub-districts shall cooperate and coordinate with the water district watermaster and IDWR in sharing water use information and in the investigation of water uses within sub-districts, including but not limited to investigation of water use to confirm reductions of water use when required, and confirm and report compliance of water use with valid water rights.
 - c. The regulation of diversions, including curtailment of diversions and other water right enforcement actions, shall be the primary responsibility of the water district watermaster or IDWR.
 - d. Sub-districts and sub-district assistant watermasters may cooperate and participate with the water district and IDWR in resolution of unauthorized diversions or other enforcement matters.
 - e. To the extent that sub-district assistant watermasters may otherwise be involved in the regulation or enforcement of diversions, such involvement will be under the instruction of the watermaster or the Director of IDWR.
13. The watermaster, working with the water district advisory committee, shall prepare a proposed budget prior to the annual meeting of the water users of Water District No. 130 in accordance with Idaho Code § 42-616, 42-612 and 42-605(A). It is resolved that the recognized costs of delivery of non-consumptive rights in Water District 130 shall be equal to one-half the approved administrative budget. Such costs shall be apportioned among non-consumptive diversions on a pro-rata basis.
14. Current year assessments shall be due to Water District 130 on or before April 1 of each year.
15. All payments for assessments not received by January 1 of the year following the billing date shall accrue penalties in the amount of 10% of the charge plus interest in the amount of 1% per month, as of the April 1 due date and as provided pursuant to Idaho Code Section 42-613 (4). It is resolved that the Watermaster is authorized pursuant to Idaho Code Section 42-613 (5), to withhold or suspend deliveries of water to any water user who has not paid their assessment charges by January 1 of the year following the billing date.
16. The annual Water District 130 meeting shall hereafter be held on the first Tuesday of February, of each year unless the Director of IDWR should find it necessary to change the meeting date or unless changed by resolution of the district at any annual meeting.
17. The watermaster, deputy watermasters and watermaster assistants are authorized as employees of IDWR under Idaho Code § 42-1701(5) to make reasonable entry on lands within the district, in accordance with IDWR policy, to carry out the duties of the watermaster as instructed by IDWR.

18. In the event that a vote by shares pursuant to Idaho Code § 42-605 (4), is requested during any annual meeting, a credentials committee will be assembled to determine the number of votes cast by individual water users or by subdistricts. The credentials committee shall be comprised of the following parties:

- a. the current Watermaster
- b. the assistant Watermaster or a representative from each subdistrict present at the meeting, which is authorized to measure and report diversions
- c. an IDWR representative

Any water user who is a member of either the North Snake Ground Water District or the Magic Valley Ground Water District, and who, in the event of a vote by shares at the annual meeting, wishes to vote his or her own shares, must notify the ground water district board and the water district in writing prior to the annual meeting. After all individuals have cast votes, any unvoted subdistrict shares may be cast by proxy by the Ground Water District Chairman as authorized under Idaho Code § 42-5224(7).

WATER DISTRICT 130
FINANCIAL REPORT AND BALANCE SHEET FY2020
February 2, 2021

Beginning Cash Balance March 1, 2020	\$51,471.61
Total Bank Deposits March 1, 2020 to December 31, 2020	<u>\$41,296.31</u>
	\$92,767.92
Total Payments to IDWR	- \$51,146.64
Misc payments, refunds, bank charges	- \$16.77
Total Due to IDWR Oct 2020 - Dec 2020	- \$16,736.69
Cash on hand February 2, 2021	<u>\$24,867.82</u>
Expected due to IDWR Jan 2021 - Feb 2021	- \$10,000.00
Estimated balance March 1, 2021	<u>\$14,867.82</u>
Measurement and Reporting Estimated carryover for 2020	\$492.00
Water District Administrative Estimated carryover for 2020	\$14,375.82

**WATER DISTRICT 130
BUDGET 2021
February 2, 2021**

Administrative Charges for all diversions

Watermaster Services		\$55,231
Watermaster	500 hours	
Assistant Watermaster	400 hours	
Estimated 2020 Carryover	\$14,376	
Recommended Administrative Assessment		\$55,231

Measuring and Reporting Charges for non-subdistrict only

Watermaster Services	150 hours	\$8,367
Clerical Staff	50 hours	\$1,725
<i>Measuring and Reporting Subtotal</i>		\$10,092
Estimated 2020 Carryover	\$492	
227 POINTS @ \$45		\$10,215
Recommended M & R Assessment		\$10,215

Total 2021 Budget **\$65,323**

Total 2021 Assessment **\$65,446**

WATER DISTRICT 130 COST APPORTIONMENT FOR 2021

PROPOSED ADMINISTRATIVE ASSESSMENT- **\$55,231**

Consumptive diversions = **\$27,616**

	<u>Total Avg AF</u>	<u>No. users</u>	<u>No. pods</u>	<u>Aggregate Share</u>	
WD130 Reporters	49,946	96	178	\$2,400 *	
WD130 Small Users		111		\$2,775 *	
A&B Irrigation District	164,665		190	\$5,696	
City of Rupert	4,696		26	\$162	
Magic Valley GWD	207,981		481	\$7,195	
North Snake GWD	178,130		851	\$6,162	
North Snake GWD Small Users		129		\$3,225 *	
	605,417		1726	\$27,616	<u>Cost/AF</u>
					\$0.0346

*Aggregate share for WD 130 non subdistrict reporters and small users was calculated by assessing each user the \$25 minimum.

Nonconsumptive diversions = **\$27,616**

	<u>Total Avg AF</u>	<u>No. users</u>	<u>No. pods</u>	<u>Aggregate Share</u>	
WD130 Non consumptive	2,960,348		49	\$27,616	<u>Cost/AF</u>
					\$0.0093

Total Average Diversions: **3,565,765 acre-feet**

Total PODs: **1775**

Total number of diversions reporting to WD 130: **227**

Anticipated measurement charge for non-subdistrict diversions: **\$45.00**
\$10,215.00