

WATER DISTRICT 120
ANNUAL MEETING – BLACKFOOT IDAHO
FEBRUARY 9, 2004

WD 120 2004 file

RECEIVED
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Department of Water Resources

I. INTRODUCTION:

LEWIS ROUNDS

II. ELECTION FOR TEMPORAY MEETING CHAIRMAN & SECRETARY

II A. ANNUAL MEETING NOTICE:

II B. VOTING:

II C. WATER DISTRICT DEFINITION:

III. READING OF THE ANNUAL MINUTES OF THE 2003 MEETING

IV. REVIEW THE PROPOSED RESOLUTIONS FOR 2004:

LEWIS ROUNDS : PRESENTATION

V. ELECTION OF ADVISORY BOARD (11 MEMBERS COULD BE ELECTED)*

* NOT ALL ELEVEN POSITIONS NEED TO BE FILLED, AS TO ALLOW FOR EXPANSION
WHEN OTHER BASINS ARE ADDED TO THE WATER DISTRICT 120

VI. WATERMASTER REPORT FOR 2003

LEWIS ROUNDS REPORT: PRESENTAION

VII. CHAIRMAN OF WATERDISTRICT REPORT 2003

TIMOTHY P. DEEG REPORT: ATTACHMENT

VIII. WATER SUPPLY AND GLOBAL RENTAL POOL

RON CARLSON

IX. OTHER BUSINESS

X. ADJOURNMENT

Water District 120
Annual Meeting Minutes
Riverside Inn-Blackfoot
Feb. 10, 2003

The annual meeting of Water District 120 commenced at 2:15 p.m. Lewis Rounds opened the meeting asking for nominations for a temporary chairman and secretary. Neal Powell moved that the district elect Tim Deeg as temporary chairman and Terry Klipfel as secretary. Kevin Michaelson moved that nominations cease. Dane Watkins seconded the motion and a unanimous ballot was cast.

Tim Deeg told members that meeting notice was given to all water right holders as required by Idaho Code. He further explained the purpose of the meeting and gave a brief overview of the voting process, stating the district generally votes one man, one vote unless objections are filed. Tim also gave a brief definition of a Water District.

Tim Deeg asked Terry Klipfel to read the minutes from the last annual meeting. Dane Watkins made a motion to accept the minutes as read. Neal Powell seconded the motion. The motion passed without dissent.

Tim Deeg opened a discussion on proposed resolutions. Lewis said resolutions were basically the same as last year with changes noted by italics or underlines. After reading the resolutions, Lewis explained changes. Resolution #4, b allows for the appointment of a treasurer. Stephanie Mickelson moved to change the word "bills" in resolution 4b to read "assessments". Kevin Michaelson seconded the motion and a unanimous ballot was cast.

Ron Carlson expressed some concern over the order of the resolutions saying it pre-supposes some items. After discussion, members decided to proceed leaving the order the same. Advisors will address the issue at a later date should they deem it necessary.

Lewis talked about resolution 8, explaining the need for additional advisors with the inclusion of basins 25, 27, and 29 in the near future. He said the resolution also provides criteria for the make-up of the committee. Neal Powell said the assembly should note that advisors discussed the need for a representative from municipal or industrial use. Stephanie Mickelson moved to have the word "may" in resolution 8 changed to "shall". Neal Powell seconded the motion and it passed without dissent.

Discussion returned to resolution #4, f. Todd Lowder made a motion to change the word "after" to "on". Neal Powell seconded the motion and it passed unanimously. Ray Duffin moved to add the specific date (second Monday of February, 2004) to #4, f. Stephanie Mickelson seconded the motion and it passed unanimously.

Lewis told members that resolution #10 is new. He suggested the need for an additional paragraph stating "Also be it resolved that fiscal year 2004 assessments for WD120 will be payable and due by January 31, 2004 (per Tim Luke's earlier request). Dane Watkins

made a motion to specify the actual fiscal year beginning and end in paragraph 5 of resolution #10. Gaylen Van Orden seconded the motion and it passed without dissent. Resolutions 11-14 are the same as last year.

Before ending discussion on resolutions, Lewis explained that a new resolution would be necessary. This resolution 15 would read "Whereas some small diversions would have regular assessments less than amounts required by WD120 to maintain their accounts, be it resolved that WD 120 will have a minimum charge of \$30.00 on years assessments are sent. Craig Evans made a motion to add the word "when" after "on years". Scott Clawson seconded the motion and it passed unanimously.

After discussion of all resolutions, Tim Deeg asked for a motion to accept the resolutions with the noted changes. Neal Powell made a motion to accept the resolutions. It was seconded by Kevin Michaelson and passed without dissent.

Tim Deeg explained the advisory committee now allowed for eleven members. He further explained that not all would have to be added now. Tim suggested recessing for a period of 15 minutes to meet in sub groups to determine advisory committee recommendations. Dane Watkins made a motion for members to meet in subgroups. Gaylen Van Orden seconded the motion and it passed unanimously. The meeting reconvened 15 minutes later to consider recommendations. The following were recommended for the advisory committee for Aberdeen American Falls GWD: Tim Deeg, Kevin Michaelson, Ray Duffin, and Richard Meyer (municipal user). Bonneville Jefferson GWD: Bill Taylor, Stephanie Mickelson, and Dane Watkins. Bingham GWD: Walter Gay (industrial use), Craig Evans, Scott Clawson, Gaylen Van Orden, and Neal Powell as alternate. Dane Watkins made a motion to accept the advisory committee as recommended. Scott Clawson seconded the motion and it passed unanimously.

Lewis gave the Water District 120 activities report. He spoke briefly of curtailment letters and responses, expected dates of director's reports, and talked about unauthorized diversions. He discussed the measurement program. He said the department was working to provide "stand alone" copies of WMIS to ground water districts and explained results of measurements. In general, power records show a slight reduction of power and water use in the south, and a slight increase in the north. There was some discussion of ground water opt outs. Lewis said that persons having opted out of a ground water district can be reinstated, but directors can decide not to let them return.

Lewis presented slides of the Snake Plain Aquifer that demonstrate how aquifer levels have changed over the years. Lewis said that half of the depletion of the aquifer for the last 20 years took place last year during the drought. Slides were also presented showing reservoir levels, snow pack levels, and how those levels compare to average. When asked how things look compared to last year Ron Carlson said the situation is approximately the same.

Tim Deeg gave an update on replacement water. He explained they were required to provide 28,500 acre-feet of water under the stipulated agreement. This year he said they

were able to obtain water from FMC and Falls Irrigation to meet the obligation. Tim said they would need approximately 18,000 acre-feet to meet the obligation this year. Last year Mitigation Inc. said they could make up the balance of the obligation up to 20,000 acre-feet, but have been unwilling to commit this year. Tim said he has been charged to find water to meet the agreement no matter what the cost, emphasizing that expensive water hurts budgets. Tim said Ron Carlson is working on a plan that should provide water to ground water users on a consistent basis.

There was more discussion on the stipulated agreement and troubling features with the reduction plan. Ron Carlson emphasized the importance of negotiating new agreements based on new technology and new information provided by the water model. Neal Powell asked what the schedule for re-negotiation is and Tim said the plan is to have a new agreement in place before the old agreement lapses. Tim said we shouldn't be obligated for drought situations that affect their water. One member expressed concern over curtailment should it occur, asking which areas would be impacted. Tim Deeg said that coming up with 18,000 acre feet short is a worse case scenario, but the district needs to discuss and plan a strategy should it occur. Despite changes in the aquifer showed by Lewis on the slides, Steve Howser said it is important to remember that change is not entirely due to ground water users. It is important to account for input and all change not related to wells.

Tim Deeg asked Ron Carlson to give an overview of his plan. Ron gave a great deal of historical background. Under this plan, storage water would be made available to ground water users. The plan would make any carry over of storage water available for re-distribution. Distribution of the storage water and prices of that water would be determined by a formula. Ron said this plan would take care of the problem of hunting for water. He said most likely, canal managers (primarily those from Firth to Twin Falls) would serve on the Rental Pool Committee. They would look at the process, its downsides, monitor it through the summer, modify procedures to provide a Global Rental Pool, and seek approval for the plan. Ron talked about benefits of the plan to ground water users and said there was good interest in the proposal.

In closing, Ron talked about re-charge, referring to the slides of the aquifer, stating that the aquifer is really much more responsive than we have assumed in the past. If we look at the entire picture and have some good water years, you will find the aquifer is quite stable.

Tim Deeg thanked Ron for presenting his proposal. There was no old or new business. Neal Powell made a motion to adjourn and Kevin Michaelson seconded the motion. The meeting adjourned at 4:45 p.m.

Respectfully submitted,

Terry Klipfel
Temporary Secretary

**Water District 120 Annual Meeting
2004 Resolutions**

The water users of water district 120 meeting at the annual district meeting on February 9, 2004, at the Riverside Inn in Blackfoot, Idaho, 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:
 - 1) The duties described in the Final Order Creating Water District 120, signed by the Director of the Idaho Department of Water Resources (IDWR), February 19, 2002, including:
 - a) Curtail illegal diversions;
 - b) Measure and report the diversions under water rights;
 - c) Enforce the provisions of the stipulated agreements approved by the Director, and;
 - d) Curtail out-of-priority diversions determined by the director to be causing injury to senior priority water rights if not covered by a stipulated agreement or a mitigation plan approved by the Director.
 - 2) Direction and guidance provided by the Director of IDWR pursuant to Idaho Water Law.
 - 3) The annual water district resolutions as adopted herein.
2. Lewis Rounds be elected the watermaster for Water District 120. That the Director of IDWR appoint Lewis Rounds, an employee of IDWR, to provide watermaster services for the ensuing year.
3. As provided in Idaho Code § 42-608(4), the watermaster shall serve throughout the entire year after election at this meeting and upon appointment by the Director.
4. The water users of Water District 120 hereby empower the elected advisory committee to enter into a Memorandum of Understanding between the Water District and the Director of IDWR that will provide for the following:
 - a) Compensation of the watermaster and all related water district expenses for 2004 fiscal year shall be provided by the water district.
 - b) The budget for Water District 120 for the ensuing year will be set at this annual meeting in resolution 10. Appointment of a district treasurer for fiscal year 2004 will occur during a regular or special meeting of the advisory committee of Water District 120 before assessments from the water district are sent.
 - c) The watermaster shall maintain an office for the ensuing year within the IDWR Eastern Regional Office, located in Idaho Falls, Idaho.

- d) IDWR will provide office space, vehicles and the use of all necessary office and field equipment in exchange for compensation as set in the 2004 budget. This arrangement shall not give Water District 120 any ownership interest in any IDWR office space and equipment.
 - e) Districts identified herein are expected to fund, at their own expense during 2004 fiscal year, personnel and equipment necessary for measurement and reporting of diversions within these districts.
 - f) Water District 120 will assume full responsibility for all expenses of Water District 120 following this annual meeting on the second Monday of February 2004.
- 5. Diversions in Water District 120 that are not already measured by one of the districts identified herein shall be measured directly by the water district in the ensuing year and assessed for measuring and reporting at the same rate as that set by the ESPA East Water Measurement District.
- 6. Water District 120 includes one or more ground water districts, irrigation districts or other geographical areas where the source of water or nature of water use is common among water right owners and users. The following ground water districts and irrigation districts may already be measuring and reporting diversions on their own to promote efficiency in the administration of water rights and water management.
 - 1) Aberdeen-American Falls Ground Water District
 - 2) Bingham Ground Water District
 - 3) Bonneville-Jefferson Ground Water District
 - 4) Falls Irrigation
- 7. These districts designated above may have employees who measure and report diversions to the water master of Water District 120 and IDWR. The water master of Water District 120 may therefore appoint employees or agents of these districts as assistant watermasters for purposes of measuring and reporting water use to the watermaster of Water District 120. The water district watermaster and the Director of IDWR will provide direction and guidance to assistant watermasters for measuring and reporting of diversions in these districts, including but not limited to the following:
 - a) Each district responsible for data collection shall provide 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 shall cooperate and coordinate with the water district watermaster and IDWR in sharing water use information.
 - 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 and IDWR.

- d) The designated districts will first be given the opportunity to resolve unauthorized diversions or other enforcement matters before action is taken by the water master or IDWR.
- e) To the extent that assistant watermasters may otherwise be involved in the regulation or enforcement of diversions, such involvement will be under the instruction of the watermaster and the Director of IDWR.

8. WHEREAS, the water district meets in regular annual session, as provided by state law, and;

WHEREAS, an advisory committee shall be elected at each regular annual session to represent the interests of the water users and to provide input to the watermaster and the Director of IDWR, and;

WHEREAS Idaho Code 42-605 provides for voting by water users and election of an advisory committee, the water users of Water District 120 hereby resolve that the credentials for voting in any district meeting and for serving on the district advisory committee will be as follows:

- a) The advisory committee shall consist of 11 members, of which no more than 3 of these shall represent non-irrigation water users. And be it further resolved that when available there shall be at least three committee members from both the Aberdeen-American Falls Ground Water District and the Bingham Ground Water District and at least two committee members from the Bonneville-Jefferson Ground Water District.
- b) Must be a water user of the district as evidenced by a valid water right or an assessment for water delivery the previous year.
- c) Must have paid all assessments owed to the water district.

9. BE IT RESOLVED that the Water District 120 budget will be approved for a fiscal year that begins November 1 and ends October 31.

BE IT FURTHER RESOLVED that the Water District 120 advisory committee shall hereby be authorized to adapt an interim water district budget for the period between November 1 and the next annual meeting.

10. WHEREAS, it will be necessary for Water District 120 to be self-sufficient and responsible for all cost incurred beginning the day after the annual meeting of Water District 120 held on the second Monday of February 2004, and.

WHEREAS, multiple bills from both water districts, ground water districts, and water measurement districts can be confusing to some water users.

BE IT RESOLVED that the budget for fiscal year 2004 be set at this annual meeting as follows:

Expenses	WD 120
IDWR Contract	61,465
Report/Office Supplies/Mailings	0
Auto/Travel Expenses	2,000
Misc. Equipment	2,000
Meeting Expense	2,000
Totals	\$67,465

ALSO BE IT RESOLVED that fiscal year 2004 assessments for Water District 120 will be payable and due by February 28, 2004.

11. The annual Water District 120 meeting shall hereafter be held on the second Monday of February, of each year unless the Director of IDWR or the Water District 120 advisory committee should find it necessary to change the meeting date or unless changed by resolution of the district at any annual meeting.
12. Copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and the report prepared in accordance with Idaho Code § 42-615, shall be filed with the director of the Department of Water Resources in accordance with Idaho Code § 42-617.
13. The watermaster of Water District 120 shall be responsible for submitting to IDWR annual reports showing water use and such other information that may be deemed necessary by the Director of IDWR in accordance with Idaho Code § 42-606, § 42-708, and § 42-709.
14. The watermaster and assistant watermasters are authorized under Idaho Code § 42-1701(5) to make reasonable entry on lands within the district to carry out the duties of the watermaster as instructed by IDWR. These duties include but are not limited to:
 - a) Monitoring diversion and measuring rate and volume of water diverted from ground water and other public water sources.
 - b) Measuring the depth to water in wells.
 - c) Monitoring the place, period, and nature of use of water to identify unauthorized diversion and use and to determine compliance with mitigation provisions required by agreement or order of IDWR.
15. WHEREAS some small diversions would have regular assessments less than the amount required by the Water District to maintain their account,

WHEREAS many of these small diversions are not currently measured by the Water District, ground water districts, or the irrigation district. and;

WHEREAS measurement of diversions smaller than 0.24 cfs that irrigate 5 or less acres is cost prohibitive and the water use for many of these diversions can be estimated.

BE IT RESOLVED that Water District 120 will have a minimum charge of \$25.00.

Welcome to the Water District 120 Annual Meeting

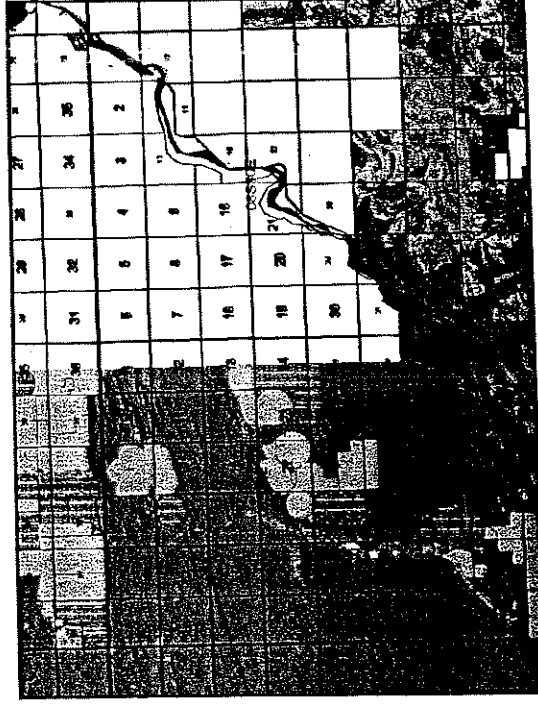
Riverside Inn
Blackfoot, Idaho
February 9, 2004
2:00 PM

What did the water district do last year?

- Worked with IDWR to identify diversions that belong in the district.
- Used satellite photos to locate potentially illegal diversions.
- Audited some diversions for proper measurement methods.
- Held quarterly advisory committee meetings.

Unauthorized Diversions

- 640 total acres identified as potential unauthorized
- Several irrigators contacted and informed or questioned about the questionable acres.
- A couple of irrigators had to perform transfers of water rights to correct discrepancies.
- Most are differences between WR acres and actual acres NOT irrigation of more acres than allowed.





Auditing Measurement Program?

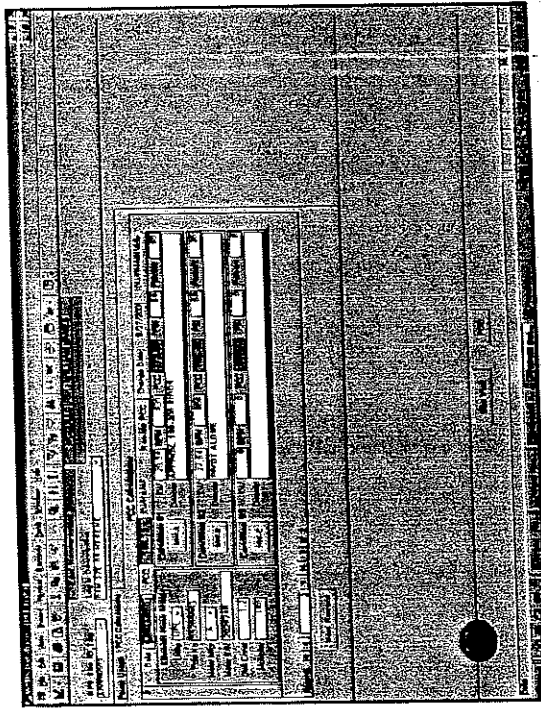
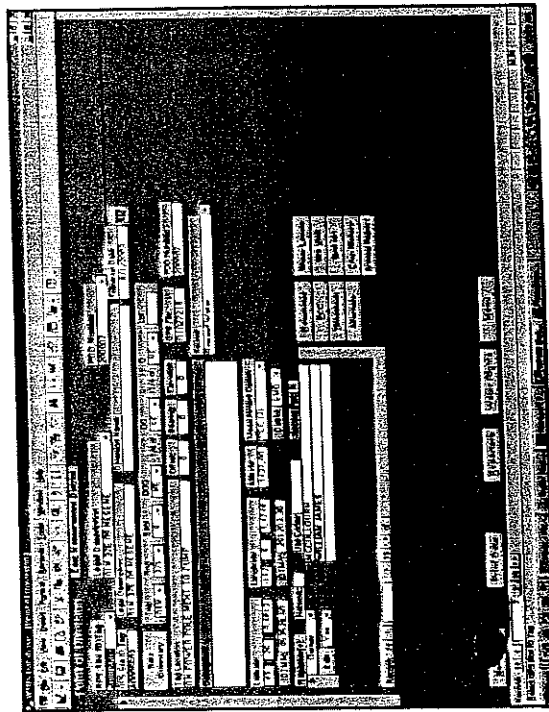
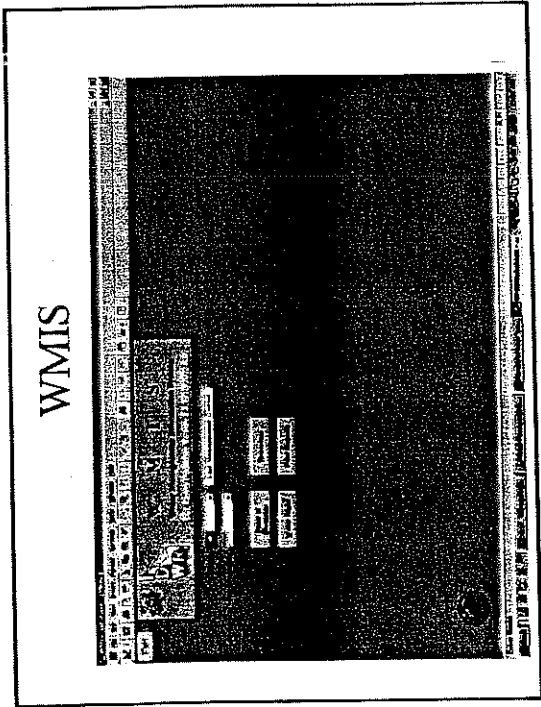
- All wells must be measured once every third year and reported every year.
- Inventory of diversion is necessary for accurate reporting.
- Measurement can be billed separately from WD or GWD.
- Goal of Auditing program is to measure between 5 and 10% of those diversions measured by GWD.

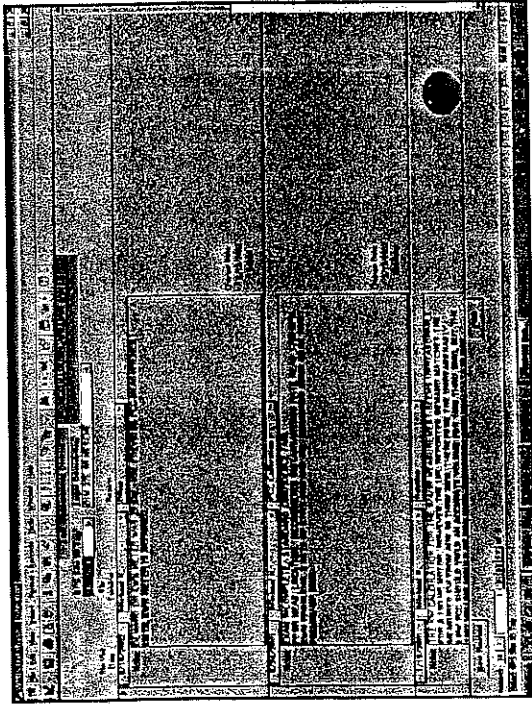
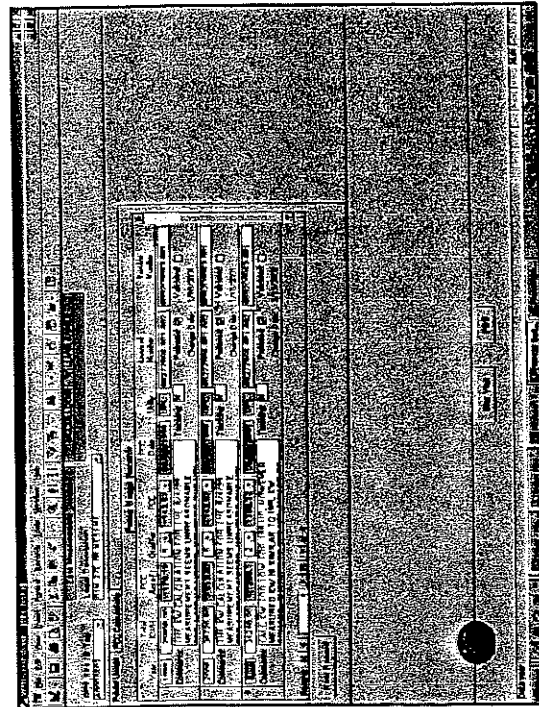
Measurement for WD 120

- Handled through GWD or WMD.
- Many in basin 29 who used to be measured by EWMD will now be measured by WD 120.
- All diversions must be measured at least once every three years. (Important for agreements).
- Stand alone copies of WMIS (water measurement information system) available to GWD.

How are measurements made?

- Most are made with a non invasive sonic flow meter and compared to pump power usage.
- Some diversions require flow meters and user reporting.
- Accurate measurement almost always requires cooperation from the irrigator for reporting conditions.

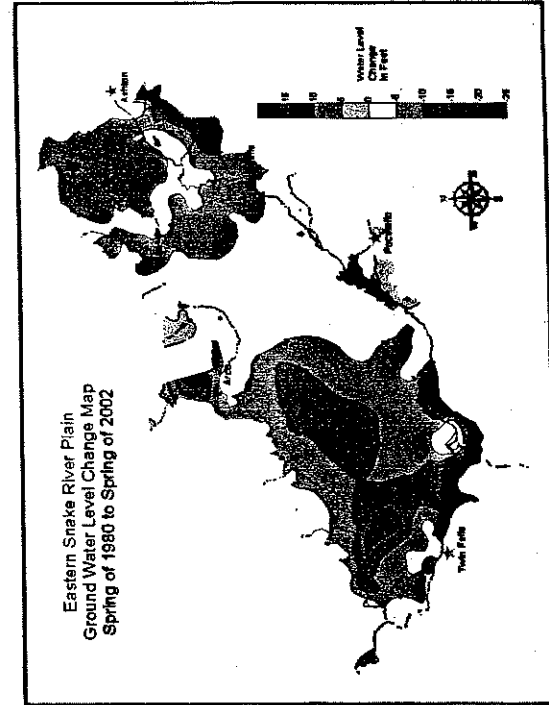
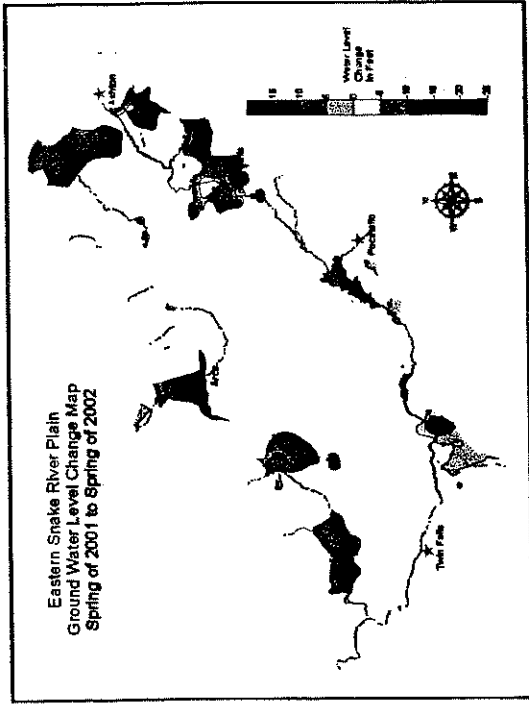
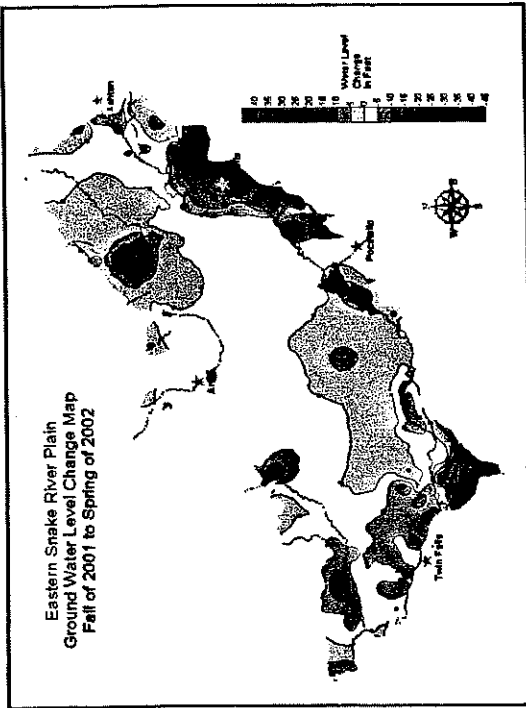




Budget Considerations

- The budget you passed here at this annual meeting was for \$67,463
- The per acre foot used charge for WD 120 is \$0.10.
- A per diversion or minimum charge of \$25 will be assessed to those diversions in the WD that are not measured.
- A minimum charge of \$50 plus an additional \$0.10 per acre foot used will be charged to those diversions that are measured by the WD.

Water District 120 Water Use by Group			
District or User Group	Mean Vol (ac-ft)	Mean Vol (ac-ft)	Total WD 120 Budget \$7,463
Aberdeen-Jim Falls GWD	218,194	0.10 per AF	\$21,819.40
Bingham GWD	213,818		\$21,381.80
Bon-Jeff GWD	127,040		\$12,704.00
Falls Irrig Dist	8,652		\$865.20
City of Aberdeen	1,428		\$142.80
City of American Falls	2,057		\$205.70
City of Blackfoot	408		\$40.80
City of Chubbuck	1,308		\$130.80
City of Idaho Falls	8,731		\$873.10
City of Pocatello	1,230		\$123.00
City of Postville WPC	679		\$67.90
WD 120 Individual Users	23,407		\$2,340.70
Reductions for cities for 2004	608,341		\$60,834.10
Total cities assessment	14,139		\$1,413.90
Additional income			
Measurement charge = \$50 min and \$0.10 per AF			\$7,463.70
Small unmeasured diversions @ \$25.00 min			\$1.25
Total income			\$70,175.90

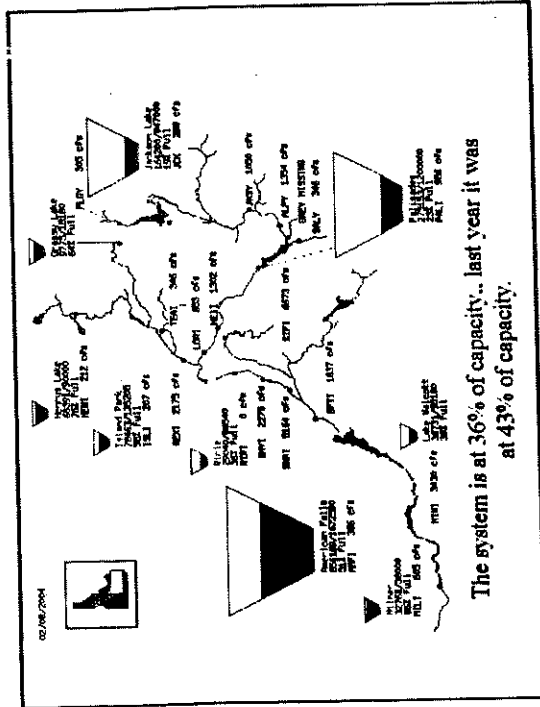


Why don't we check ground
water levels more often?

Why Don't We Check All Water Levels?



It can be very expensive to measure ground water levels.



Questions?

DAHO PANHANDLE REGION
As of MONDAY, FEBRUARY 9, 2004

BASIN	SNOW WATER EQUIVALENT Percent of Average For Today	SNOW WATER EQUIVALENT Percent of April 1 Peak
DAHO PANHANDLE REGION		71
CLEARWATER BASIN		108
SALMON BASIN		99
WEISER BASIN		100
PAYETTE BASIN		103
BOISE BASIN		98
BIG WOOD BASIN		90
LITTLE WOOD BASIN		88
LITTLE LOST, BIRCH BASINS		87
MEDICINE LODGE, BEAVER, CAMAS BASINS		84
HEWY'S FORK, TETON BASINS		110
SNAKE BASIN ABOVE PALISADES		112
WILLOW, BLACKFOOT, PORTNEUF BASINS		98
OAKLEY BASIN		111
SALMON FALLS BASIN		110
BRUNEAU BASIN		121
CWYTHEE BASIN		123
BEAR RIVER BASIN		137
		90