

Water District 120 Annual Meeting
Minutes
February 14, 2005
American Falls High School

Tim Deeg called the annual meeting of Water District 120 to order at 2:25 p.m. Other advisors in attendance were Terrell Sorenson, Stephanie Micklesen, Craig Evans, Scott Clawson, Dane Watkins, Bill Taylor, Kevin Michaelson, Richard Meyer, Walter Gay, and alternate Rich Line. In all, there were approximately 90 meeting attendees. Tim asked for nominations for meeting chairman and secretary. Stephanie Micklesen made a motion to elect Tim Deeg chairman and Terry Klipfel secretary. Dane Watkins seconded the motion and it passed unanimously.

Tim asked members if they would like Terry to read the minutes from last year's meeting. Stephanie Micklesen made a motion to dispense with the reading of the minutes and accept them as written. Terrell Sorensen seconded the motion and it passed without dissent.

Tim Deeg read the annual meeting notice, explained the voting procedures according to Idaho code, and gave the definition of a water district. Tim then asked Lewis Rounds to give the water master report.

Lewis began by showing the boundaries of Water District 120. He gave a list and breakdown of Water District 120 employees, and discussed accomplishments of district personnel over the past year. They included working to identify diversions within the district, using satellite photos to locate illegal diversions, auditing some of the diversions for proper measurement methods, and holding quarterly advisory committee meetings. He discussed the progress made on illegal diversions, saying that some of the pumps had been turned on too early, or too late. He said that seven irrigators had been contacted or informed about questionable acres. Some of those irrigators had to perform transfers of their water rights to correct discrepancies. In other cases, it was determined that actual acres irrigated did not exceed what was allowed by the water right.

Lewis talked about measurements, stating that they can be done by water district, or ground water district personnel. He then discussed measurement audits, explaining that they would be done every three years for the purpose of insuring accurate reporting. The auditing goal would be to re-measure between 5% and 10% of the diversions measured, and explained how the audits are conducted. He also showed sample screens from the WMIS data base, discussed ET, its data sources and benefits to the irrigator, and the benefit in providing a more accurate number of depletion rather than actual water pumped. Lewis also explained maps showing ground water level comparisons and gave Snotel Site information. Tim Deeg asked if there were any questions about the water master report and there were none.

Lewis asked Tim Deeg to give the chairman's report. Having completed his third term as chairman, Tim thanked patrons, the advisory board, Lewis Rounds, Terry Klipfel, and the

rest of the IDWR staff for their support and efforts to provide assistance to Water District 120. Tim gave a brief history of difficulties and challenges faced by water users within Water District 120, and gave an overview of the Stipulated Agreement. Tim said the agreement provided a "safe harbor" for ground water rights providing they complied with the basic elements of agreement. This agreement was not perfect, Tim said, but it was developed under adverse conditions, and was the best obtainable condition at that time. Tim discussed the history of providing replacement water for the agreements from 2002 through the extension period in 2004, which allowed for the operation of junior, out of priority diversions to operate as they had in the past. Tim talked about the delivery calls of 2004, stating that they have brought about many changes in surface/groundwater negotiations. He also said they are working on finding water for 2005, but said that there is no extension of the agreement for 2005. Tim also talked about work being done by the state legislative committee and subcommittee, including the recent "Strawman Proposal". He discussed the delivery call made by seven irrigation companies on January 12, 2005, motions to intervene by the IGWA, including the mitigation plan filed on February 8, 2005, and the recent meeting of ground and surface water users with the governor and leadership to continue the negotiation process. He also talked about the motion filed by Idaho Power to intervene in the Surface Water Delivery Call. Tim said that representatives from the ground water districts and surface water users are continuing to meet and are working on water issues such as measurement, compliance, mitigation, funding, and projects which can be incorporated into a Comprehensive Long Term Aquifer Management Plan.

Tim asked Ron Carlson to talk about conjunctive management. Ron discussed, at length, water calls, mitigation, and management verses regulation, and water law administration, stating that all water law flows out of constitutional principles. Ron told members of Water District 120 that they are lucky to have Lewis Rounds as their water master because of his perspective on water issues. Ron also discussed the benefits of ET and the delivery system, giving several examples. He told members that the best alternative in an uncertain process is for the water district to find ways to mitigate/negotiate settlements. Ron showed several slides on snow averages in different places throughout the state and discussed the water supply situation. Ron said that if the drought trend continues, looking at a four-year accumulation basis, 2005 could be the shortest water supply year in history. Ron said the next legislative session could prove interesting and said because there is so much at stake, ground water users need to be very active. Upon completion of Ron's presentation, Tim Deeg asked Wendy Murphy to give the financial report.

Wendy reported cash on hand for the water district as of Oct. 31, 2004, of \$54,094, and an accounts receivable balance of \$6,737, leaving total assets to Water District 120 at \$60,881. Liabilities totaled \$19,989, and net income for 2004 was \$40,892, providing a total of assets to the water district of \$60,881. Income between Feb. 2004 and Oct. 2004 totaled \$60,957, with the majority of income coming from assessments and late fees. Total expenses of the district for the year were \$20,065. A majority of this was the IDWR contract for personnel (\$19,911). Other expenses were the costs of office supplies, equipment, and meeting expenses. The Water District's net income was \$40,892.

Estimated 2005 Expenses for the IDWR contract are \$66,300. Other budgeted expenses include \$1,500 for general office expenses, \$2,000 for auto expenses, \$3,000 for equipment, and \$2,000 for meeting expenses. The total proposed budget for November 2004 through October 2005 is \$74,800.

Tim Deeg asked for a motion to accept the financial report. Dane Watkins made the motion. Stephanie Micklesen seconded the motion and the financial report passed as presented by Wendy.

Lewis Rounds began discussion of the resolutions, stating they are the same as last year with date changes. Steve Houser made a motion to accept the 2005 resolutions as printed. Stephanie Micklesen seconded the motion and the resolutions passed without dissent.

The next item on the agenda was the election of the board of directors. Tim Deeg asked for a motion to recess for 15 minutes in order that the various groups could meet to discuss whom they would like as representatives on the board. Dane Watkins made the motion and Bill Taylor seconded it. It passed by unanimous vote. Nominated directors and alternates for the 2005 advisory committee included the following:

Aberdeen Am. Falls GWD

Tim Deeg
Kevin Michaelson
Terrell Sorenson
Richard Mayer

Bingham GWD

Craig Evans
Scott Clawson
Gaylen Van Orden
Walter Gay

Bonn/Jeff GWD

Bill Taylor
Dane Watkins
Stephanie Micklesen

Alternates

Richard Line
Kirk Atkinson
Dan Hammond

Alternates

Neil Powell

Alternates

Marla Tribble

Dane Watkins made a motion to elect the slate of directors and alternates as presented. Todd Louder seconded the motion and the board was elected by unanimous vote.

Next Tim Deeg talked about a letter, in the form of a new resolution, for members to consider. The letter asks the director to put the remainder of the East Water Measurement District into Water District 120, rather than the proposed Water District 110 for geopolitical reasons. After some discussion as to the benefits of doing so, Stephanie Micklesen made a motion to accept the new resolution to present to the director. Steve Hauser seconded the motion and it passed unanimously. Tim Deeg asked if there was anymore business. There was none. Dane Watkins made a motion to adjourn the meeting. Walter Gay seconded the motion and members voted to adjourn at 4:45 p.m.