



State of Idaho  
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

March 13, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

JUDY FAYLE, Secretary  
BOX 134  
LEADORE ID 83464

RE: Water District No. 74-W

Dear Ms. Amonson:

We acknowledge receipt of the Minutes of the Annual Watermaster's Election Meeting held in your district.

Now we need the Oath of Office and Petition for Watermaster Services before the watermaster can be officially certified in your district.

Sincerely,

Harold W Jones  
Water Rights Supervisor

HWJ:sc



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EASTERN REGION

March 13, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

LEMHI COUNTY TREASURER/AUDITOR  
206 COURTHOUSE DR  
SALMON ID 83467

RE: Water District No. 74-W

Dear Sirs:

Enclosed please find copies of the Adopted Budget and Minutes of Water District #74-W. They have been read and approved by this office.

If you have any questions concerning this matter, please feel free to contact this office.

Respectfully submitted,

A handwritten signature in cursive script that reads "Harold W. Jones".

HAROLD W. JONES  
Water Rights Supervisor

Enclosure

HWJ:sc

RECEIVED

MAR 13 1998

Department of Water Resources  
Eastern Region

March 2, 1998  
Leadore City Hall  
Leadore, Idaho 83464

DISTRICT 74-W WATER MEETING

The annual meeting of Water District 74-W was called to order at 1:15 P.M. at the Leadore City Hall by Chairman Carl Ellsworth with ten members or representatives in attendance.

Chairman Ellsworth asked for the reading of the 1997 minutes by Secretary Judy Fayle. Tex Kauer made a motion to accept the minutes as read. Allen Purcell seconds and by unanimous vote the minutes stand approved as read.

Chairman Ellsworth asked for the financial report. Treasurer Judy Fayle reported that the district had \$2,876.85 in the checking account as of March 2, 1998 and that we had earned \$67.57 in interest in 1997. Kurt Bird made a motion to accept the financial report. Milt Slavin seconds and the motion passed.

OLD BUSINESS:

Maintenance on Timber and Hawley Creek was discussed. A 1997 committee consisting of Harry Coleman, James Whittaker, Jim Dartt and Lance Lyon was reelected to oversee the project. Kurt Bird made the motion, and Blair Kauer seconds and the motion passed by unanimous vote.

The secretary informed the membership that the 1997 dividends from the Workman's Comp. Policy consisting of \$300.00 was rolled over to the 1998 payment leaving a balance due of \$186.00 which she paid. Also, there aren't any outstanding monies owed to the District.

Chairman Ellsworth reported that a permit was not needed to remove beaver dams if they were less than one year old. But a permit was needed from the Corp. of Engineers if the dams were more than one year old.

A discussion was held on the credential's committee. Secretary Fayle had forgotten to request the needed information but would do so immediately.

NEW BUSINESS:

ELECTION OF WATERMASTER: Dan and Kelly Smith were the only applications for the watermaster position. James Whittaker made a motion to rehire Dan and Kelly Smith as watermaster of Water District 74-W for the 1998 season. Harry Coleman seconds. Chairman Ellsworth asks if there were any other nominations. With no other nominations he called for a close to the nominations. The motion was voted on and passed by unanimous vote.

ADVISORY BOARD: Chairman Ellsworth called for nominations to be open to elect the advisory board. Harry Coleman made a motion to retain the current advisory board consisting of James Whittaker, Merrill Beyeler and Jim Dartt. Tex Kauer seconds. With no other nominations the election was closed. The motion was approved by unanimous vote.

CHAIRMAN AND SECRETARY/TREASURER: Allen Purcell made a motion to retain Carl Ellsworth as chairman and Judy Fayle as secretary/treasurer for 1998. Harry Coleman seconds the motion and it passed by unanimous vote.

FIXED WAGES FOR WATERMASTER AND SECRETARY/TREASURER: James Whittaker made a motion to retain the same wages for the watermasters and the secretary/treasurer as were paid last year. To the watermasters a total of \$500.00 salary and \$500.00 equipment rental per month and to the secretary/treasurer \$250.00 plus \$50.00 postage per year. Harry Coleman seconds and the motion passed.

BUDGET: The budget for the 1998 season was proposed at \$7,844.00. James Whittaker made a motion to accept the proposed budget of \$7,844.00. Tex Kauer seconds and the motion passed by unanimous vote. After deducting the carry over and the credit/debit amounts the 1998 adjusted billing will be \$5,134.22.

INTEREST RATE: Harry Coleman made a motion to retain the current interest rate of 10% on unpaid water monies. Tex Kauer seconds the motion. The motion passed by unanimous vote.

RESOLUTIONS: The resolutions stand as revised in 1996. Milt Slavin made a motion to retain the current resolutions without change. Kurt Bird seconds. The motion passed.

NOTIFICATION: Tex Kauer made a motion to retain the current method of meeting notification - which is by mail. Kurt Bird seconds. The motion passed.

CREDENTIAL COMMITTEE: Kurt Bird made a motion to elect the advisory board consisting of James Whittaker, Merrill Beyeler and Jim Dartt as the credential committee. Tex Kauer seconds. The motion passed by unanimous vote.

CHECKING ACCOUNT SIGNATURES: Secretary Fayle notified the members it had come to her attention that we need a new third party to sign on our checking account at First Security Bank since Dennis Studebaker had moved. Blair Kauer made a motion to elect Merrill Beyeler to replace Dennis Studebaker as the third party signature. Allen Purcell seconds and the motion passed.

GENERAL DISCUSSIONS: Tex and Blair Kauer asked about the weir location on Hawley Creek. It was reported that it should be approximately 1/4 mile from the diversion point. Blair Kauer reported that they had done a lot of ditch maintenance on Hawley Creek just to get the water back in the ditch. Could they be reimbursed for the cost? It was the consensus that the work had to be approved by the advisory board before the work was done to qualify for reimbursement.

Chairman Ellsworth informed the members of the decision on Issue 5-A - Reynolds Creek. Judge Hurlbert held everyone to their decreed water rights with no high water right usage. This is under appeal but could have an impact on our district. Blair Kauer reported that the Lemhi Irrigation District is taking a wait and see approach. But has considered financial support in the appeals process if it would benefit them. It has increased assessments for financial support of the legal fund. Blair said all water decrees after 1980 were affected.

James Whittaker said Clive Strong will not negotiate high water useage in the Lemhi Adjudication. He thinks that Govenor Batt, Al Lance and the Congressional people should take a more aggressive approach.

Chairman Ellsworth reported that Lawsuit 962 stresses the water quality issue. No corrals or feedlots by creek. We are a none point source if pollution. If we become a point source of pollution there will be fines and permits required.

Beva Clark ask if anyone knew of a County Law about fines being issued for water on a county road due to irrigating. No one knew of any fines in our area.

Having concluded all business of Water District 74-W Chairman Ellsworth adjourned the meeting at 2:10 P.M.

Water users and/or representatives in attendance were:

Carl Ellsworth  
Beva Clark  
Milt Slavin  
Allen Purcell  
Tex Kauer

Sharyl Beyeler  
Kurt Bird  
James Whittaker  
Harry Coleman  
Blair Kauer

Respectfully submitted,



Judy Fayle  
Secretary/Treasurer

Water District 74-W  
Leadore, Idaho 83464

RETAINED RESOLUTIONS & MOTIONS FROM 1991 MINUTES  
WITH REVISIONS FROM THE 1994, 1995 & 1996 MINUTES.

That the secretary be paid \$250.00 per year, plus \$50.00 for telephone and postage.

That the watermaster be paid \$1,000.00 per month; \$500.00 wages, \$500.00 equipment rental, withholding \$50.00 per month until end of season, at which time if all paperwork and reports are turned in to the secretary and okayed for being turned in to the State Department of Water Resources, the watermaster shall receive the \$50.00 per month withheld, or the sum total of \$325.00. If the paperwork and reports are not completed, and the secretary has to finish them, then the secretary will receive the withheld \$50.00 per month, up to the sum of \$325.00.

That the watermaster, one advisory board member and one user of that creek get together and go up that creek and locate all headgates and weirs, so that there will be no question on that creek, of order and locations of said headgates and weirs.

That the amounts payable by each water user be shown in the adopted budget become due and payable May 1<sup>st</sup>. Said amounts, if not so paid, shall bear interest at the rate of 10% when paid, until paid. That the Lemhi County Treasurer will bill and collect funds for Water District 74-W.

That the watermaster can be signed on by one user anytime after April 1<sup>st</sup>, or is automatically on duty May 1<sup>st</sup>, to serve until October 1<sup>st</sup>, after which time he can be signed on until October 15<sup>th</sup> at the request of one water user.