

**WATER DISTRICT NO. 65**

**102 N. Main St.**

**Payette, Idaho 83661**

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January 9, 1996

**\*\*ANNUAL MEETING AGENDA\*\***

- A. Chairman's Welcome and Remarks - Wilbur "Brick" Andrew, Chair.
- B. Nominating Committee Report - Byrl Haines, Chair.
  - 1. Motion to Accept
- C. Election of Officers
  - 1. Chairman-Treasurer
  - 2. Vice-Chairman
  - 3. Secretary
- D. Reading of 1995 Annual Meeting Minutes - Marsha Herr, Sec.
  - 1. Motion to Accept
- E. Watermaster Report on 1995 Water Season - Mark Limbaugh, WM
  - 1. Motion to Accept
- F. Report from the Bureau of Reclamation - Jerrold Gregg and Rick Wells
- G. Financial Report - Richard Howard, CPA
  - 1. Motion to Accept
- H. Presentation of 1996 Budget and Assessment - Dale Krause, Spokesman
  - 1. Motion to Accept

Budget Committee
- I. Election of Watermaster
- J. Appointment of Advisory Committee for 1996
  - 1. Motion to Accept
- K. Appointment of Nomination Committee for 1996
  - 1. Motion to Accept
- L. New Business
  - 1. Resolution to Allow Water District Participation in Coalition  
- Bob Henggeler, PRWUA
- J. Adjournment

Water District 65 Advisory Board - 1995:

Jerry Anderson	Enterprise Ditch
<i>Gail Springer</i> Leonard Arbuckle	Bilbrey Ditch
Steve Dobson	Independent
Dale Krause	BCID
Bob Henggeler	Farmer's Co-op
Marcia Herr - Sec.	Letha
Virgil Johnson	Independent
Bill Charters	Last Chance
Monty Pearce	Stewart Ditch
Marc Shigeta	Noble Ditch
Keith Standley	Emmett Irrigation
Cecil Shurtleff	Lower Payette
Duane Van Leuven	Independent
Dave Tuthill	IDWR
John Hartman	BCID - Alternate
Karl Siller	Emmett Irrigation - Alternate

Nominating Committee:

Byrl Haines, Chair  
Steve Dobson  
Keith Standley  
*Gail Springer* ~~Leonard Arbuckle~~  
Dennis Lammey  
Bob Henggeler

Budget Committee:

Dale Krause  
Keith Standley  
George McClelland  
Duane Van Leuven  
Brick Andrew

MEETING MINUTES  
ANNUAL MEETING OF WATER DISTRICT NO. #65

DATE: FEBRUARY 10, 1995  
TIME: 2:00 P.M.  
PLACE: SENIOR CITIZENS HALL, NEW PLYMOUTH, IDAHO

ADVISORY COMMITTEE PRESENT: BOB HENGLER, CECIL SHURTLEFF, MARC SHIGETA, MARCIA HERR, JAY SISLER, VIRGIL JOHNSON, STEVE DOBSON, LEONARD ARBUCKLE, KEITH STANDLEY, JEFFY ANDERSON, DALE KRAUSE, AND DUANE VAN LEUVEN.

OTHERS PRESENT: HELEN BIVINS WATERMASTER WATER DISTRICT #65, HANK BERNTSEN DEPUTY WATERMASTER, DAVE TUTHILL IDWR, RICK WELLS BOR, BRUCE PETERSON, CPA ROY OFR B.C.I.D., JEFFY GREGG BOR,. AN ATTENDANCE SHEET OF OTHERS PRESENT IS IN THE RECORDS.

CHAIRMAN BOB HENGLER OPENED THE MEETING AND RECOGNIZED JERRY GREGG OF THE BOR, RICK WELLS BOR, AND DAVE TUTHILL FROM THE IDWR.

CHAIRMAN HENGLER ASKED MR. TUTHILL TO GIVE AN EXPLANATION ABOUT VOTING PROCEDURES ON RESOLUTIONS. DAVE EXPLAINED THAT THROUGHOUT THE STATE, THE PATTERN IS ONE PERSON ONE VOTE, BUT IF EVEN ONE PERSON IN THE GROUP REQUESTS THAT THE VOTING BE DONE BY SHARES, THEN IT IS DONE THAT WAY. NORMALLY IT IS BASED ON THE AMOUNT OF MONEY PAID BY A GIVEN COMPANY - HOWEVER, THE PAYETTE DISTRICT HAS NEVER HAD AN ASSESSMENT, SO IT WILL BE BASED ON ACRES IRRIGATED. IF VOTING BY SHARES IS REQUESTED, THEN THE CHAIRMAN WILL APPOINT A CREDENTIALS COMMITTEE AND THEY WILL DETERMINE HOW MANY SHARES EACH COMPANY HAS. THE PERSON CASTING THE BLOCK VOTE IS THE CHAIRMAN OF THE DISTRICT OR SOMEONE SO DESIGNATED. PROXY VOTES CAN BE MADE IF A PERSON HAS A LETTER OF PROXY.

FIRST ORDER OF BUSINESS WAS TO ELECT A CHAIRMAN. BOB H. INTRODUCED THE NOMINATING COMMITTEE - BYRL HAINES, KEITH STANDLEY, BILL BURT, STEVE DOBSON, AND LEONARD ARBUCKLE, BYRL HAINES WAS SPOKESMAN. THE COMMITTEE DUANE VAN LEUVEN FOR CHAIRMAN. KEITH STANDLEY NOMINATED W. BRICK ANDREWS FROM THE FLOOR AND ASKED TO VOTE "WATER".

BOB H. CALLED FOR A MOTION TO CEASE NOMINATIONS. MOTION BY DENNIS LAMMEY AND 2ND BY DON CUTBIRTH. MOTION CARRIED.

THE VOTING SESSION WAS CONDUCTED BY DAVE TUTHILL. B.C.I.D., E.I.D., F.C.I.D., NOBLE DITCH COMPANY, LOWER PAYETTE, INDEPENDENTS AND LETHA IRRIGATION COMPANY MADE UP THE CREDENTIALS COMMITTEE. JERRY GREGG BOR, SAID THAT THE FEDERAL STORAGE WOULD BE VOTED BY THE INDIVIDUAL DITCH COMPANIES AND NOT BY THE BOR.

## THE COMPANIES AND THE NUMBER OF ACRES THAT THEY VOTED:

HIGBY RANCH	869	VIRGIL JOHNSON	DUANE V.L.
BLACK CANYON	53,000	DALE KRAUSE	BRICK ANDREWS
EMMETT IRRIGATION	23,000	KEITH STANDLEY	BRICK A.
NOBLE DITCH	8700	LARRY SMELZEL	DUANE V.L.
LETHA IRRIGATION	5096	MARCIA HERR	DUANE V.L.
INDEPENDENTS	600	STEVE DOBSON	DUANE V.L.
FARMERS COOP.	15,000	BOB HENGLER	DUANE V.L.
BILBREY DITCH	821	LEONARD ARBUCKLE	DUANE V.L.
LOWER PAYETTE	13,000	CECIL SHURTLEFF	DUANE V.L.
ENTERPRISE	3800	MARK WINDWARD	DUANE V.L.
TSCHUDY	114	SHIRLEY FISHER	DUANE V.L.
LAST CHANCE	5600	DON CUTBIRTH	DUANE V.L.
JAY SISLER	172	JAY SISLER	DECLINED TO VOTE
	<u>129600</u>		

BRICK ANDREWS 76,000  
DUANE VAN LEUVEN 53,600

BRICK ANDREWS ASKED TO BE RECOGNIZED AND TO SAY A FEW WORDS BEFORE THE ROLL CALL VOTE. HE SAID THERE WOULD HAVE TO BE SOME MODIFICATIONS IN THE PROPOSED BUDGET TO ACCOMODATE LONG DISTANCE PHONE CALLS AND MILEAGE FOR HIM IF HE WAS ELECTED.

STEVE DOBSON TOOK THE ROLL CALL VOTE. THE CREDENTIALS COMMITTEE VERIFIED THE VOTE. BOB CONGRATULATED BRICK ON HIS ELECTION AND NOTED THAT THEY HAD WORKED TOGETHER ALOT - ESPECIALLY SO IN 1977.

BRICK THANKED THOSE WHO VOTED FOR HIM, FOR THEIR CONFIDANCE IN HIM AND NOTED THE DISPARITY BETWEEN THE UPPER AND LOWER PORTIONS OF THE RIVER, BUT HE WOULD NOT MAKE THAT AN ISSUE DURING HIS CHAIRMANSHIP.

SECRETARY: MARCIA HERR WAS NOMINATED BY THE COMMITTEE. DALE KRAUSE MOVED AND 2ND BY DENNIS LAMMEY TO CAST A UNANIMOUS BALLOT. MOTION CARRIED.

THE MINUTES FOR THE 1994 MEETING WERE READ.

BRICK COMPENDED HELEN BIVENS FOR HER WORK AS WATERMASTER FOR W.D. #65.

BRICK INTRODUCED RICK WELLS FROM THE BOR WHO GAVE A PRESENTATION ABOUT CURRENT WATER SUPPLY AND OUTLOOK FOR 1995. HE STATED THE SUPPLY IS VERY GOOD AT THE MOMENT. THE LONG RANGE OUTLOOK IS EXPECTED TO BE AVERAGE FOR THE REMAINDER OF THE SPRING.

#### SNOW COURSE @ DEADWOOD SUMMIT

FEB. 1 SHOWED 40 INCHES OF SNOW WATER  
AVERAGE IS 32 INCHES 2 1/2 TIMES AS MUCH AS LAST YEAR.  
1994 WAS 15 INCHES. PEAK ACCUMULATION LAST YEAR WAS 24 INCHES.

JACKSON PEAK SUMMIT IS THE DIVIDE BETWEEN THE PAYETTE AND BOISE WATERSHED (HISTORICALLY DOESN'T RECEIVE AS MUCH SNOW AS DEADWOOD.) SHOWED 24" OF SNOW WATER - AVERAGE IS 20". LAST YEAR (1994) 11 in.

COZY COVE - IS A LOWER ELEVATION - NEAR DEADWOOD RESERVOIR. HAD SOME LOSS OF SNOW PACK DUE TO WARMER WEATHER RECENTLY.  
14" SNOW WATER LONG TERM AVERAGE - 12" LAST YEAR (1994) 7"

THE RUNOFF FORECAST IS TAKEN MONTHLY THIS TIME OF YEAR. IN MARCH AND APRIL ABOUT EVERY TWO WEEKS OR SO.

THE RUNOFF FORECAST AT DEADWOOD DAM OF 162,000 AC. FEET IS SIMILAR TO 1993. 1994 - 50,000 AC. FEET - SIMILAR TO 1992. LONG TERM AVERAGE IS 140,000 AC.

NORTH FORK AT CASCADE RESERVOIR - 673,000 AC. FEET - (WITH AVERAGE PRECIP.) LAST YEAR (1994) - 230,000 AC. FEET.

H.S.B. FEB. 1 - 2,142,000 AC. FEET - NATURAL RUNOFF (13% ABOVE AVERAGE)

FEB. 5, 195 - 345,000 ACTIVE STORAGE IN CASCADE RES. (DOESN'T INCLUDE INACTIVE STORAGE (50,000 AC. FEET)).

IN OCTOBER THERE WAS 280,000 AC. FEET OF ACTIVE STORAGE AFTER THE IRRIGATION SEASON. THE RELEASES WERE REDUCED TO 200 CFS FOR THE IDAHO POWER RIGHT.

IN EARLY NOVEMBER - STARTED STORING. JANUARY WAS GOOD, FEBRUARY WAS GOOD. NOW HAVE 345,000 AC. FEET - HAVE ACCRUED 65,000 AC. FEET SINCE THE END OF THE IRRIGATION SEASON.

DEADWOOD - FEB. 1, 56,000 AC. FEET NOW IN RESERVOIR.

THE BOR EXPECTS FILLING AND TO HAVE GOOD NATURAL FLOW PROBABLY UNTIL THE END OF JULY. (200 CFS TO 5000 CFS IN APRIL - EXCESS OF IDAHO POWER RIGHT AFTER THE RESERVOIR FILLS).

BRICK ASKED FOR COMMENTS FROM JEFFY GREGG. HE COMMENDED W.D. #65 FOR PROGRESS MADE IN THE LAST TWO YEARS.

APPROVAL OF MINUTES TAKEN AT THIS TIME SINCE IT WASN'T DONE EARLIER.

DISCUSSION OF THE 1994 FINANCIAL STATEMENT: A SUMMARY BY HELEN BIVINS. SHE STATED THAT A PORTION OF THE MONEY SHOWN IN THE SAVINGS ACCOUNT OF THE WATER RENTAL POOL, WOULD BE RETURNED TO IDAHO POWER BECAUSE OF THE LAST TO FILL CLAUSE AND THE REST WILL BE RETURNED TO THE COMPANIES THAT PUT WATER IN THE WATER BANK. SHE STATED THAT BOB SUTTER IN BOISE AT THE IDWR HAS COMPLETE INFORMATION REGARDING THIS. BOB HENGLER MOVED AND 2ND BY KEITH STANDLEY TO ACCEPT THE FINANCIAL STATEMENT. MOTION CARRIED.

MAFC SHIGETA, BUDGET CHAIRMAN, PRESENTED THE PROPOSED BUDGET FOR 1995. A 5,375.00 BONUS TO HELEN FOR PAST EFFORTS WAS PROPOSED. A MOTION BY STEVE DOBSON AND 2ND BY DUANE VAN LEUVEN WAS MADE AND CARRIED FOR THIS ITEM.

A PROPOSED BUDGET OF 123,569.00 INCLUDED INCREASES OF SALARY, MEDICAL INSURANCE, COMPUTER, OFFICE EQUIPMENT AND MILEAGE FOR A NEW WATERMASTER.

SHIRLEY FISHER ASKED ABOUT THE PROCESS OF SELECTING A WATERMASTER. BOB H. STATED THAT THERE WERE 28 CANDIDATES FROM MANY DIFFERENT PLACES. SALARY REQUIREMENTS RANGED FROM 28,000 TO 90,000 DOLLARS. IT WAS NOTED THAT THIS IS A YEAR ROUND JOB. DUANE VAN LEUVEN ASKED FOR DAVE TO SPEAK ABOUT THE PROCESS. HE POINTED OUT THE DUTIES FOR W.D. #65, ~~will be~~ MORE THAN ANY OTHER DISTRICT, AND WILL CONSIST OF MORE THAN WATER MEASUREMENT. THE WATERMASTER WILL REPRESENT OUR INTERESTS POLITICALLY AS WELL AS DECISION MAKING.

IT WAS MOVED AND SECONDED TO APPROVE THE BUDGET.

FUNDING OF THE BUDGET: THE VARIOUS COMPANIES, DISTRICTS, AND INDEPENDENT USERS WILL BE ASSESSED BY INCHES NOT TO EXCEED 50¢ PER ACRE. 140,000 ACRES @ 50¢ IS 70,000 DOLLARS. THIS ALSO INCLUDES NON-CONSUMPTIVE USERS i.e. BOISE CASCADE ETC. THE BALANCE IS TO COME FROM RENTAL POOL FUNDS.

QUESTION: PREVIOUSLY, ALL OF THE CHARGES OF WATER DISTRICT CAME FROM THE RENTAL POOL AND THERE STILL SEEMS TO BE MONEY THERE.

ANSWER: THE ADVISORY BOARD VOTED TO ASSESS RATHER THAN OVER DEplete THE RENTAL POOL FUNDS BECAUSE THE FUNDS MAY NOT ALWAYS BE THERE. WE SHOULD ALSO INITIATE A CHARGE TO INDICATE THE WATER USERS AND THE DISTRICT ARE RECEIVING A SERVICE FROM THE WATERMASTER. ALSO, NO OTHER WATER DISTRICT IN THE STATE PAYS ALL OF THE EXPENSES. JEFFY GREGG BOR, STATED THAT THE BOR WILL NO LONGER RUN UNCONTRACTED WATER THROUGH THE WATER BANK (1995 IS THE LAST YEAR). THEREFORE THERE WILL NO LONGER BE REVENUE FROM THIS TO THE WATER BANK.

THE STATEMENT WAS MADE THAT THE ASSESSMENT MUST BE PAID OR ELSE THE WATER WILL NOT BE DELIVERED.

IT WAS MOVED BY BYRL HAINES AND 2ND BY KARL SILLER TO FUND THE \$70,000 NOT TO EXCEED 50¢ PER ACRE WITH JUNE 1ST THE CUT OFF DATE. MOTION CARRIED. NOTICE WILL BE GIVEN TO DITCH COMPANIES AND NOT INDIVIDUALS UNLESS THERE IS A DIRECT DIVERSION.

SELECTION OF ADVISORY BOARD: BYRL HAINES STATED THAT LAST YEARS MEMBERS WERE WILLING TO SERVE AGAIN. THEY ARE BOB HENGLER, CECIL SHURTLEFF, MARC SHIGETA, MARCIA HERR, JAY SISLER, VIRGIL JOHNSON, STEVE DOBSON, LEONARD ARBUCKLE, KEITH STANDLEY, JEFFY ANDERSON, W.L. CHARTERS, DALE KRAUSE AND DUANE VAN LEUVEN. A UNANIMOUS VOTE.

BOB HENGLER INTRODUCED CANDIDATE MARK LIMBAUGH AS WATER DISTRICT #65 WATER MASTER. THERE WERE NO OTHER NOMINEES FROM THE FLOOR. THE MOTION TO ACCEPT HIM WAS MADE BY BOB HENGLER AND 2ND BY DENNIS LAMMEY. THE VOTE WAS UNANIMOUS.

MARK LIMBAUGH PLEDGED TO REPRESENT THE WHOLE DISTRICT AND NOT JUST MEASURE WATER.

BRICK ANDREWS ASKED FOR AN O.K. TO SEND THE WATERMASTER TO THE IWUA AS OUR DELEGATE. THE MOTION WAS MADE BY BOB H. AND 2ND BY STEVE DOBSON. CARRIED.

NEXT ITEM OF BUSINESS WAS OFFICE ADVISORY BOARD. STEVE DOBSON AND W.L. CHARTERS WERE APPOINTED. MOVED BY BOB H. AND 2ND BY JAY SISLER. CARRIED.

THE NOMINATING COMMITTEE WAS SELECTED - THE SAME AS LAST YEAR. THEY ARE STEVE DOBSON, KEITH STANDLEY, LEONARD ARBUCKLE, BYRL HAINES, BOB HENGLER AND DENNIS LAMMEY.

BOB HENGLER BROUGHT UP H.B. 91. IT IS AN ATTEMPT TO DO AWAY WITH THE LAST TO FILL PROVISION. IDWR OPPOSES IT AS WELL AS THE IWUA. IT WAS RECOMMENDED THAT W.D. #65 PASS A RESOLUTION OPPOSING H.B. 91. THEREFORE THE NEW WATERMASTER WILL REPRESENT US AT THE LEGISLATURE.

DUANE VAN LEUVEN CALLED ON ALL TO WORK TOGETHER.

DAVE TUTHILL PRAISED HELEN BIVINS AND ALSO BOB HENGLER AND CECIL SHURTLEFF FOR THEIR EFFORTS ON BEHALF OF W.D. #65.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.

BRICK ANDFEWS, CHAIRMAN

MARCIA HERR, SECRETARY

Water District No. 65			
1996 Budget			
	1995		1996
Item	Budget	Actual	Budgeted
Assessments	\$ 70,000	\$ 70,128	\$ 58,000
Rental Pool Fees	\$ 98,500	\$ 54,375	\$ 47,500
State Grant	\$ 3,075	\$ 3,075	\$ 1,075
Expense Reimbursements	\$ -	\$ 391	\$ -
Interest Income		\$ 4,594	\$ 2,000
Total Revenues	\$ 171,575	\$ 132,563	\$ 108,575
Expense:			
Advertising	\$ 300	\$ -	\$ 100
Auto Expense (20K Miles)	\$ 5,500	\$ 3,915	\$ 7,094
Computer Services	\$ 200	\$ 306	\$ 400
Cost-Share Program	\$ 25,000	\$ 17,212	\$ 20,000
Diversion Upgrade Study	\$ -	\$ -	\$ 5,000
Directors Fees	\$ 50	\$ -	\$ -
Dues and Subscriptions		\$ 771	\$ 750
Interest Expense - R. Pool		\$ 1,920	\$ -
Miscellaneous	\$ 100	\$ 75	\$ 100
O & M River Gauge	\$ 15,000	\$ 10,416	\$ 11,000
Office Rent/Clerical	\$ 1,638	\$ 1,502	\$ 6,600
Office Supplies	\$ 800	\$ 1,113	\$ 2,500
Payroll: Salary - Watermaster	\$ 40,000	\$ 36,663	\$ 45,000
Salary - Office Asst.	\$ 8,726	\$ 6,456	\$ -
Salary - Deputy	\$ 5,586	\$ -	\$ -
Benefits - Medical	\$ 4,250	\$ 4,433	\$ 4,800
Benefits - Retirement	\$ 554	\$ 437	\$ 4,500
Bonuses	\$ 5,000	\$ 5,000	\$ -
Payroll Taxes: FICA	\$ 4,000	\$ 3,011	\$ 2,800
FICA - Medicare	\$ 800	\$ 704	\$ 655
FUTA	\$ 250	\$ 221	\$ 60
SUTA	\$ 770	\$ 569	\$ 336
Postage	\$ 600	\$ 516	\$ 600
Printing	\$ 100	\$ 124	\$ 300
Professional Fees:			
Accountant	\$ 1,000	\$ 85	\$ 700
Legal (PRWU)	\$ 2,500	\$ 9,500	\$ -
Radio	\$ 120	\$ 40	\$ 120
Repairs	\$ 100	\$ 120	\$ 150
Telephone	\$ 800	\$ 3,681	\$ 3,200
Travel: IWUA Conv. & Legal Sem.	\$ 600	\$ 752	\$ 800
Other Travel Expenses	\$ 200	\$ 640	\$ 800
Utilities	\$ 400	\$ 342	\$ -
Capital Expenditures	\$ 4,000	\$ 4,094	\$ 700
Total Expenses	\$ 128,944	\$ 114,618	\$ 119,065
Net Increase (Decrease)	\$ 42,631	\$ 17,945	\$ (10,490)



**Resolution of Water Users of Water District No. 65**

At the Annual Meeting of Water District No. 65, conducted on January \_\_\_\_\_, 1996, the Water Users of the District hereby adopt this Resolution.

WHEREAS, the Water Users of Water District No. 65 have authority under Idaho Code § 42-1765 to adopt resolutions providing for the expenditure of proceeds retained by Water District No. 65 from the operation of the rental pool and the lease of stored water; and

WHEREAS, the Water Users of Water District No. 65 believe that it is in the best interest of the Water District to expend funds retained by the Water District from the operation of the local rental pool for purposes of defending the water rights of the Payette River Basin against challenges by the Indian Tribes and federal agencies in the Snake River Basin Adjudication, as well as the actions of the U.S. Bureau of Reclamation regarding salmon flow augmentation;

THEREFORE, BE IT HEREBY RESOLVED that the proceeds retained by Water District No. 65 from the operation of the local rental pool from the lease of stored water shall be available for expenditure to pay necessary experts, consultants, counsel and advisors, retained in the defense of the Payette River water rights in the Snake River Basin Adjudication and in the matters involving U.S. Bureau of Reclamation applications to change the nature of use for water for salmon flow augmentation purposes.

BE IT FURTHER RESOLVED, that the Advisory Committee of Water District No. 65 shall approve all expenditures authorized by this resolution and shall provide an accounting to the water users of Water District No. 65 at subsequent Annual Meetings or, if deemed necessary, by the Advisory Committee at interim meetings of the water users of the District.

DATED this \_\_\_\_\_ day of January, 1996.

By: \_\_\_\_\_

Water District No. 65

Its: \_\_\_\_\_