



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

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WATER RESOURCES
WESTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 12, 1997

Distribution: Water District Secretaries

Please complete the meeting notice information below, and return it to the Department by December 30th.

The regular annual meeting for the adoption of the budget and election of a watermaster for 1998 will be:

Water District No: 65

Water District Name: Payette River

Date: 1/13/98 Tuesday

Time: 2:00 PM

Place: New Plymouth Senior Citizens, New Plymouth, ID.

*Confirmed
by telephone
M. Limbong*

The Department will send out notices for the meeting approximately 2 weeks prior to the meeting date. Please return the information to:

John Westra
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Feel free to contact me if you have any questions at the Western Regional Office, phone 334-2190.

Sincerely,

John F. Westra
Western Region

Mark

Please review the mailing list and make corrections/additions. Return to me ASAP. I will plan on sending notices on 12/29/97.

John

WATER DISTRICT NO. 65

102 N. Main St.
Payette, Idaho 83661
Phone (208) 642-4465
Fax (208) 642-1042
E-mail wdist65@primenet.com

January 14, 1997

****ANNUAL MEETING AGENDA****

- A. Chairman's Welcome and Remarks - Wilbur "Brick" Andrew, Chair.
- B. Approval of 1996 Annual Meeting Minutes - Marcia Herr, Secretary
- C. Financial Report - Richard Howard, CPA, Accounting Northwest
- D. Report on 1996 Water District Operations - Mark Limbaugh, Watermaster
- E. U.S. Bureau of Reclamation Report - Jerry Gregg and Rick Wells
- F. 1997 Nominations Report - Byrl Haines, Chairman, Nominating Committee
- G. 1997 Budget Report - Dale Krause, Chairman, Budget Committee
- H. 1997 Water Pricing Report - Wilbur "Brick" Andrew, Chairman
- I. Adoption of Resolutions - Wilbur "Brick" Andrew, Chairman
- J. SRBA Report - Dave Tuthill, Adjudication Bureau Chief, IDWR
- K. Adjournment

Annual Mtg : Jan 13th 2:00pm
Senior Center N. Plty.

Per Mark 12/8/97
telephone

MEETING MINUTES
ANNUAL MEETING OF WATER DISTRICT 65

DATE: January 9, 1996
TIME: 2:00 P.M.
PLACE: Senior Citizens Hall, New Plymouth, Idaho

Advisory Board Present: Marc Shigeta-Noble, Jerry Anderson-Enterprise, Cecil Shurtleff-Lower Payette, Bob Henggeler-Farmers, Keith Standley-E.I.D., Gail Springer-Bilbrey, Steve Dobson-Independent-HSB, Dale Krause-B.C.I.D., Marcia Herr-Letha/Secty, Virgil Johnson-Independent, Duane Van Leuven-Independent, Karl Siller-Alternate E.I.D., Mark Limbaugh-W.M. W.D. 65, Brick Andrew-Chairman.

Guests Present: Lynn Tominaga-IWUA, Jerry Gregg-USBR, Rick Wells-USBR, Ron Golus-USBR, Sheryl Howe-IDWR, Dave Tuthill-IDWR, Richard Howard-CPA, Tom Pence-Representing Agriculture in Basin Area Group(BAG).

Opening: Chairman Brick Andrew opened the meeting and welcomed those present. He stated that the water district had been extended north to McCall and asked that any of the new members identify themselves so that he could acknowledge them. Chairman Andrew thanked those present for their cooperation this year and stated that records and statistics are available now that were not previously. This was an excellent year for water and therefore water users have been able to divert what they expected to receive. He commented on the change in flood control curve rules on Cascade Reservoir and praised Bob Henggeler and his committee for pursuing this change which greatly benefits the valley.

Election of Officers: Chairman Andrew introduced Byrl Haines, chairman of the nominating committee. The committee presented Chairman Andrew for chairman. The Chair called for nominations from the floor. Ed Obermeyer moved that nominations cease and a unanimous ballot be cast. Second by John Hartman. Motion Carried. Mr. Andrew stated that the group would vote by acclamation on any issue unless a qualified user calls for a vote by diversion shares. The next position was for vice-chairman. The committee presented Steve Dobson. Chairman Andrew called for nominations from the floor. Keith Standley moved that nominations cease and a unanimous ballot be cast. Second by Bob Henggeler. Motion carried. The committee presented Marcia Herr for secretary. Chairman Andrew called for nominations from the floor. Bob Henggeler moved that nominations cease and a unanimous ballot be cast. Second by Dennis Lamme. Motion carried.

Acceptance of Meeting Minutes Since the minutes of last year's annual meeting were in the information packet, the decision was made to dispense with reading them and accept them as written.

Marc Shigeta made the motion with a second by Duane Van Leuven. Motion carried.

Watermasters
Report:

Mark Limbaugh gave a watermasters report for 1995. He stated that the water year was excellent with above normal snow pack and runoff. In 1994, natural flow lasted until June 12th and in 1995, natural flow lasted until July 28th. The water accounting program that WD 65 uses to determine this, was developed two years ago by the IDWR. A major responsibility of the watermaster is accounting of storage space. Good management of the reservoirs leads to a consistent supply for irrigators. He described how the flows are accounted for and some of the different demands on the water system that were not present previously such as fish flow augmentation. He spoke of the rental pool and how it functions and also issues related to rules changes by the BOR regarding storage space, claims to water rights by the Nez Perce Indian Tribe that is part of the SRBA. The request by the BOR for transfer of water rights on the storage reservoirs intertwined with the "last to fill" clause has also been a concern. He mentioned the recent efforts relating to water quality on the Lower Payette that have come to the valley's attention because of SB 1238 passed in 1995 by the Idaho Legislature. This will be an ongoing effort addressed by members of the water community to deal with these issues voluntarily and locally instead of a forced situation by the federal government. He also spoke of the agreement between Noble and BCID 399 pumps and how that situation has been resolved and the water delivered. The other issues he spoke of were the agreement between Lower Payette and Lake Reservoir regarding diversion structures on the Canyon and Graveyard drains, the desire of BOR to release flood control waters from Cascade Reservoir about two weeks prior to the fish release. A detailed and complete watermaster report is available from Mark through his office and he welcomes inquiries from individuals.

Rick Wells-USBR

Rick Wells USBR, gave the reservoir report. He stated that current reservoir storage is excellent with about 707,000 AF of storage in three reservoirs of the Payette Basin. They are continuing with the release of the flow augmentation water that was put in the water bank at Cascade this past summer. They are expecting to have 500,000 AF in storage at Cascade in late February when the release of the fish water is complete. Deadwood has 128,000 AF at this time - a little above flood control guideline which is 125,000 AF. There is good, snowpack at the upper elevations. Things seem to be in good shape as far as carryover is concerned.

Comments by
Jerry Gregg:

Mark asked Jerry Gregg to comment on a meeting with all interests on the river. He stated that the BOR has been taking water out of the Payette since '91 for salmon

flow. The first couple of years were very difficult with the agreement not being made until the last minute. This agreement with Idaho Power calls for them to release from Brownlee and the BOR to backfill. In dry years water was released in the summer which benefited the valley, but in '94, the Cascade residents were very unhappy because of water quality problems. Last year - '95, the BOR carried all of the water over (145,000 AF) for winter time release. This is best done in a dry year. Water management of the river has been very tight and so record amounts of storage was carried over in Cascade. The Water Quality Council asked for a meeting with Mark L. and Jerry Gregg. The result was that there will be another meeting in mid-March when the forecast is more clear, and they have decided how much salmon water to release. They will then meet in April and set the operation. By doing it this way, the BOR and the WD will have more input and the operation will run more smoothly. Idaho Power seems to agree and the Cascade folks as well. Mark L. stated that it is important to have some water released in the summer for water Quality in the reaches below the Black Canyon Dam to reduce sediment and dilute the nutrients. Jerry Gregg praised the relationship between the BOR and the WD. Much progress has been made since the beginning in 1990.

Proposal to
Raise Blk Cnyn:

Bob Henggeler asked about the proposal to raise the height of the dam at Black Canyon. Ron Golus BOR, stated that the request was done at the request of the IDWR. Raising the normal water surface of Black Canyon six inches would provide about 500 AF of new storage and would stabilize delivery on the system. There are two ways; one with a rubber dam for about \$230,000, or welding extensions on the gates for about \$150,000. In addition, there would be minor highway and railroad improvements. The next step is a detailed study. The response has been positive to do the study with cost share of 50% and possibly a 90% cost share by the WD and 10% by the BOR if construction is done.

Financial Report:

Chairman Andrew introduced Richard Howard-CPA. He presented the financial report for 1995. He pointed out that he has provided a compilation and not an audit. The total current assets are \$484,799. Investments in property and equipment are \$13,501. Taking depreciation into consideration, the total assets are \$495,063. Liabilities which include deferred revenues, IWRB fees payable, accrued expenses, water rentals and interest payable to rental pool lessors is \$341,072. In his information packet he included a statement of revenue, expenses and changes in fund balance. Also an actual to the budget comparison. The actual expenses to 12-31-95 is \$113,367. What was budgeted was \$124,944.

Because it was not done earlier in the meeting, Chairman Andrew called for acceptance of the nominating report.

Motion by John Hartman to accept these reports as presented. Second by Dennis Lammey. Motion carried. Motion to accept the accountants report by Marc Shigeta. Second by Dennis Lammey. Motion carried.

1996 Proposed Budget:

Presentation of 1996 budget was by Dale Krause. The committee to prepare the budget was appointed by Chairman Andrew, They are Dale Krause, Keith Standley, George McClelland and Duane VanLeuven.

Mr. Krause stated that the assessment has been placed at 40 cents instead of 50 cents. At 40 cents the amount will be \$58,000. The total revenue budgeted is \$108,575. Total expenses, which includes transportation, (a leased state vehicle), office expenses, salary (which is for 2 years), professional fees, dues and subscriptions, utilities, taxes and telephone services, etc. is \$119,065. The difference between the revenue and the expenses will come from the administrative fees (rental pool). More complete information is available in the watermaster's office. Dale K. asked for questions. There being none, he moved that the budget be accepted as presented. Second by Keith Standley. Motion carried.

Election of Watermaster:

Chairman Andrew submitted Mark Limbaugh for watermaster for the coming year at the salary recommended. He asked if there were any nominations from the floor. Bob Henggeler moved that nominations cease and a unanimous ballot be cast. Second by Keith Standley. Motion carried.

Cost Share Program:

Chairman Andrew stated that one of the purposes of the WD is the cost share program for improvement of measuring devices. The WD has participated in two this year. The WD is prepared to receive any requests from individuals or companies.

Advisory Board:

A discussion regarding the advisory board was the next item. Gail Springer, alternate for Leonard Arbuckle of Bilbrey Ditch will now fill his position. She will find an alternate for her company. An individual from Stewart Ditch will be sought to replace Monte Pierce. A discussion regarding Jay Sisler's position who served as an Independent before his untimely death. Chairman Andrew asked for a time of silence to honor him. There was a question about Industry representation and also the upper river members being represented. It was decided to postpone a decision regarding this until a later date. Chairman Andrew asked for a motion to keep the advisory board in place with the exception of Jay Sisler's position. Motion by John Hartman. Second by Dennis Lammey. Motion carried.

Nominating Committee:

Bob Henggeler moved to have Gail Springer fill Leonard Arbuckle's position on the nominating committee. Second by Keith Standley. Motion carried. Duane Van Leuven

moved to have the nominating committee remain the same as last year. Second by Karl Siller. Motion Carried.

Resolution to
Join the IWUA
Coalition:

Bob Henggeler presented a resolution to allow the WD to participate in the Idaho Water Users Coalition. He gave some background and said that in '94 the PRWUA was formed as a legal entity because it was thought that WD 65 could not become involved in legal issues pertaining to our water rights. Since then it has become evident that WD 1 (on the Upper Snake) has been using some of their district funds for their legal needs and have formed a coalition for fact finding so as to be able to hire expert individuals (biologists and hydrologists) to research information to be used in defense of water rights against Indian Claims, change in nature of use request by BOR and Deer Flat Wildlife Refuge, etc. In order for our attorney to access this information and the expert witnesses, if the issues go to court, WD 65 must be a member of the coalition. (A copy of the resolution is attached.) The coalition is set up to protect users all over the state. The IWUA only acts as a facilitator--i.e. paying bills etc and put together technical information.

Bob stated that there are still individuals and companies that are asking about coming into PRWUA who will be affected by the Deer Flat Suit.

Bob moved that the resolution be adopted as presented.

Dave Tuthill IDWR, asked where the funds will come from for this. Bob replied that currently the funds for legal issues facing the users come from PRWUA. If this resolution passes, it will legally allow funds to be used out of the WD. Currently there is not funding in the budget for this. Cost of joining the coalition is 50 cents per acre. Cost to the WD would be \$70,000. The question to be considered is how much is your water right worth to you if you don't have it. Bob again moved that the resolution be adopted as presented. Second by Cecil Shurtleff. Keith Standley asked to have a recess to check with his board. Request granted by the Chairman. Following the recess, Keith S. said "If this resolution is passed then we have to go back and amend the budget in case we need it". Dave Tuthill IDWR

stated that Mr. Henggeler has asked for an opinion of the IDWR on this issue. This is the State's position. The past couple of years, one other district has done this with WD funds (rental pool or assessed funds). The state has always discouraged mixing legal aspects and other aspects of the district. However, they recognize that increasingly this kind of thing is being done in the Upper Snake. If there are budgeted funds and a desire of the board, the budgeted funds can be moved from one category to another category. The thing the advisory board does not have the power to do is increase

the total amount of budgeted funds. This must be accomplished by a vote of the general membership. Chairman Andrew then stated that he would ask for a vote on the resolution. If it passed, he would ask for the approved budget to be amended. John Hartman called for the question. The resolution was approved by acclamation. This resolution authorizes us to join the coalition if the money is budgeted. Any money not used by the coalition is returned on a percentage basis, based on how much was paid in. Tom Pence voiced concern about taking money out of the "war chest" more than one year because of possible water quality issues. Keith Standley moved to raise the budget by 50 cents per acre to be paid out of reserve funds this year only, to join the coalition. Second by Dennis Lammey. Motion carried. Meeting adjourned by Chairman Andrew.

Marcia Herr, Secretary

WATER DISTRICT NO. 65

102 N. Main St.
Payette, Idaho 83661
Phone (208) 642-4465
Fax (208) 642-1042
E-mail wdist65@primenet.com

January 14, 1997

RESOLUTION #1

RESOLVED, that the water users of Water District No. 65 do hereby agree to vote by acclamation the resolutions to be adopted in this meeting, unless a request is made by a qualified voter to vote on any resolution by casting a roll call vote counting the numbers of voting shares: each share representing one irrigable acre assessed by the District, total of which based on the total acres assessed by Water District No. 65 this past year.

RESOLUTION #2

A motion, to be made and seconded, that the budget (Attachment A) be adopted as read and that the items of salary and other expenses be fixed as contained therein.

RESOLUTION #3

A motion, to be made and seconded, that Mark Linbough be elected to serve as Watermaster for Water District No. 65 until the next annual meeting of the District.

RESOLUTION #4

A motion, to be made and seconded, that Water District No. 65 assess each water user \$0.40 per acre irrigated, to be based on irrigable acres listed on their water right, and that the Watermaster for Water District No. 65 be authorized to collect the assessment directly from the water users of the District. For non-irrigation water users, a fee of \$200 shall be assessed by the District.

RESOLUTION #5

A motion, to be made and seconded, that the amounts payable by each ditch, canal company, irrigation district, or other water user, as shown by the approved budget, shall become due and payable on June 1, 1997, and said amounts shall, if not paid by the due date, bear interest from that date until paid at a rate of 8 % per annum, and that the Watermaster of Water District No. 65 be authorized to withhold or suspend water deliveries from water users who have not paid said assessment.

RESOLUTION #6

A motion, to be made and seconded, that persons nominated for Chairman, Vice Chairman, Secretary, Treasurer, and Advisory Board members be elected by the water users to serve for the ensuing year until the next annual meeting of the District.

RESOLUTION #7

A motion, to be made and seconded, that the water users of Water District No. 65 pay the necessary expense, as listed in the approved budget, to send the Watermaster to the Idaho Water Users Association State Convention, and any other workshops, meetings or conventions deemed necessary by the Advisory Board of Water District No. 65.

RESOLUTION #8

A motion, to be made and seconded, that the water users of Water District No. 65 approve the following amendments to the Water District No. 65 Rental Pool Procedures:

PARA 7. PRIORITIES AMONG RENTERS:

7.3 (Repealed)

7.4 (Becomes 7.3) After July 1 of each year all remaining unrented stored water in the Rental Pool shall be available to any water user who desires to rent the water for any beneficial use.

7.5 (Becomes 7.4)

7.6 (Becomes 7.5)

7.7 (Becomes 7.6)

PARA 8. RENTAL FEES AND PAYMENTS TO LESSORS:

8.1 The price of stored water rented from the Rental Pool for use upstream from the mouth of the Payette River is \$2.75 per acre foot, plus any surcharge due the Board under the Idaho Water Bank rules and regulations, with \$2.00 per acre foot being paid to the Lessors, and a \$0.75 per acre foot administrative fee paid to the District. The price of stored water rented from the Rental Pool for use downstream from the mouth of the Payette River is \$4.98 per acre foot plus any surcharge due the Board, with \$2.00 per acre foot being paid to the Lessors, a \$0.75 per acre foot administrative fee paid to the District, and the remaining \$2.23 per acre foot paid to the Lessors to be made available for improvements within the Lessors' delivery system, with priority given to improvements which would result in better water management, water quality and water use efficiencies. In the case that another rental pool or space holder should lease water for the purpose of arbitrage and consequently seek to secure replacement water from the Rental Pool, the price shall be the amount charged by that rental pool or space holder plus an additional \$0.75 per acre foot administrative fee.

Uniform with other groups in State.

(These amendments are subject to the approval of the Idaho Water Resource Board.)

WATER DISTRICT NO. 65

102 N. Main St.

Payette, Idaho 83661

Phone (208) 642-4465

Fax (208) 642-1042

E-mail wdist65@primenet.com

December 30, 1996

****ANNUAL MEETING AGENDA AND RESOLUTIONS****

Dear Advisory Board Member:

Enclosed please find a copy of the Water District No. 65 annual meeting agenda and resolutions. The most efficient manner of conducting the annual meeting may be to take all the reports from the various committee chairmen prior to the adoption of the resolutions, as the agenda suggests. If any of you have other ideas or suggestions to make the annual meeting better, please let me know by Monday, January 6, 1997. This will allow me to make any changes and get the documents printed for the attendees.

I hope all of you had a great Christmas, and wish all of you and your families a happy, healthy and prosperous New Year!

Sincerely,



Mark Limbaugh, Watermaster

RESOLUTION #9

A motion, to be made and seconded, that the persons duly nominated by the water users of Water District No. 65 be appointed to serve as the Nominating Committee for the ensuing year until the next annual meeting of the District.

RESOLUTION #10 Flood damage repair. Good

A motion, to be made and seconded, that the budget approved in Resolution #2 (Attachment A) be amended to add \$50,000.00 to the "Facility Improvement Incentive Program - 50% Cost Share" category, bringing the total amount budgeted in this category for 1997 to \$95,000.00. Be it further resolved, that the Advisory Board approve any and all expenditures from this category, limiting individual 50% cost share expenditures for improvements to measuring or head structure facilities within the District to ~~\$10,000.00~~ ^{OK.} ~~15,000.00~~ per request for the 1997 budget year.

Vote taken: amount left at \$10,000⁰⁰

**WATER DISTRICT #65
BUDGET FOR 1997 OPERATIONS**

**BUDGET
1997**

INFLOW OF FUNDS:

Contract - DEQ	\$1,075.00
Interest Income	\$10,000.00
Cash Inflows - Assessments .40/ac	\$58,000.00
Expense Reimbursements	
Water Rental Administrative Fees (at \$0.50/AF)	\$47,500.00
Total Inflows of Funds	<u>\$116,575.00</u>

OUTFLOW OF FUNDS:

Salaries:

Watermaster	\$47,250.00 ←
Assistant & Deputies	\$0.00
Office Assistant	\$0.00
Payroll Taxes	\$4,200.00 ← 10.%
Retirement	\$4,725.00
Office Rent	\$6,600.00
Postage	\$700.00
Office Expense	\$2,500.00
Telephone Expense	\$3,300.00 ← 560 / mo
Radio Rent	\$0.00
Medical Insurance	\$4,800.00
Accounting Fees	\$700.00
Legal Expense	\$0.00
O&M River Gauge	\$11,000.00 ← Hydro net
Automobile Expense	\$7,100.00 ← 235 / lease.
Dues and Subscriptions	\$750.00
Computer Services	\$400.00
IWUA Convention	\$1,500.00
Meals & Lodging	\$1,500.00
Travel Expense	\$700.00
Printing Expense	\$1,500.00
IWUA 'Coalition for Idaho Water' Dues	\$5,000.00
Facility Improvement Incentive Program - 50% Costshare	<u>\$45,000.00</u> ← Flood damage repair
Diversion Upgrade Program	\$0.00
Repairs & Maintenance	\$300.00
Workman's Compensation	\$400.00
Miscellaneous	\$100.00
Office Equipment Purchases	\$1,500.00
Total Expenditures	<u>\$151,525.00</u>
NET INFLOW (OUTFLOW) OF FUNDS	<u><u>(\$34,950.00)</u></u>

Water District 65 Advisory Board - 1996:

Jerry Anderson	Enterprise Ditch
Gail Springer	Bilbrey Ditch
Steve Dobson - Vice Chair	Independent
Dale Krause	BCID
Bob Henggeler	Farmer's Co-op
Marcia Herr - Sec.	Letha
Virgil Johnson	Independent
Bill Charters	Last Chance
George Jensen	Stewart Ditch
Marc Shigeta	Noble Ditch
Keith Standley	Emmett Irrigation
Cecil Shurtleff	Lower Payette
Duane Van Leuven	Independent
Dave Tuthill	IDWR
Dennis Lammey	BCID - Alternate
Karl Siller	Emmett Irrigation - Alternate
Duane Pancheri	Independent
Joy Sisler	Independent

Nominating Committee:

Byrl Haines, Chairman
Steve Dobson
Keith Standley
Leonard Arbuckle
Dennis Lammey
Bob Henggeler

Budget Committee:

Dale Krause - Chairman
Keith Standley
George McClelland
Duane Van Leuven
Gail Springer

Water Pricing Committee:

Bob Henggeler
Keith Standley
Brick Andrew

Nominations for 1997 Officers and Advisory Board:

<u>Office:</u>	<u>Name:</u>	<u>Representing:</u>
Chairman	Wilbur "Brick" Andrew	BCID
Vice Chairman	Steve Dobson	Independent
Secretary	Mike Bankhead	Lower Payette Ditch Company
Treasurer	Wilbur "Brick" Andrew	BCID
Members:	Jerry Anderson	Enterprise Ditch
	Gail Springer	Bilbrey Ditch
	Dale Krause	BCID
	Dennis Lammey (Alt.)	BCID
	Bob Henggeler	Farmer's Co-op Irr. Company
	Marcia Herr	Letha Irrigation & Power
	Virgil Johnson	Johnson-Colwell Ditch
	Bill Charters	Last Chance Ditch
	George Jensen	Stewart Ditch
	Marc Shigeta	Noble Ditch
	Keith Standley	Emmett Irrigation District
	Karl Siller (Alt.)	Emmett Irrigation District
	Cecil Shurtleff	Lower Payette Ditch
	Joy Sisler	Independent
	Duane Pancheri	Independent

July 31, 1992

WATER DISTRICT NO. 65

RENTAL POOL PROCEDURES

PARA 1. AUTHORITY AND STATEMENT OF PURPOSE:

- 1.1 These procedures have been adopted pursuant to Idaho Code, Section 42-1765 and Rule 6 of the Water Supply Bank Rules and Regulations of the Idaho Water Resource Board to assure orderly operation of the Payette River Rental Pool. Under no circumstances shall these procedures be construed to limit or restrict the authority of the Director of the Department of Water Resources, the Water Resource Board, Water District Number 65 Advisory Board, or the Payette River Watermaster in discharging their duties as set forth in the statutes of the State of Idaho. Anyone leasing water to, or renting water from, such space shall be subject to all applicable water laws of the State of Idaho and the Bureau of Reclamation.
- 1.2 IT IS THE PURPOSE OF THESE PROCEDURES TO:
- a. Provide a process, consistent with applicable statutes and administrative rules, by which stored water supplies may be made available for a specified period of time to water users who need additional water.
 - b. Provide incentives for those owning reservoir space and having stored water, which is surplus to their needs, to lease such space/water to the Rental Pool to be made available to other users, and which will serve to protect the local public interest.
 - c. Establish a recognized system through which water supplies can be located, identified and subsequently rented to a water user.
 - d. Provide a source of revenue for Water District #65 to make improvements in distribution of water and aid in increasing the conservation of water in the Payette River Drainage Basin.

- 2.14 RENTAL POOL refers to the water leasing and renting activities administered by the Local Committee appointed by the Water Resource Board.
- 2.15 SPACE means all or any portion of the active capacity of a reservoir measured in acre-feet.
- 2.16 STORED WATER is the water that accrues to reservoir space and is available for use.
- 2.17 WATERMASTER means the Watermaster of Water District #65.

PARA 3. GENERAL:

- 3.1 It is the policy of the Local Committee of Water District #65 to operate the Rental Pool for the maximum beneficial use of available stored water.
- 3.2 Operation of the Rental Pool will be by and for the irrigators within the District through the Committee. These procedures are designed to assure that Stored Water is maintained and first made available primarily for irrigation use.
- 3.3 The operation of the Rental Pool shall be consistent with the statues creating the Water Supply Bank and the Rules and Regulations of the Board and the provisions of the contracts with the United States.
- 3.4 Space will be accepted by the Committee on a contingency basis.
- 3.5 Payments to the Lessor will be made only if Stored Water is subsequently rented from the Rental Pool.
- 3.6 The space of storage water leased to the rental pool that is rented for uses below the mouth of the Payette River shall be the last space to fill in the ensuing year.
- 3.7 No storage water leased to the rental pool shall be rented for uses below the mouth of the Payette River without the express written consent of the lessor.
- 3.8 It is the policy of the Committee to facilitate annual leases and rentals, and to base all transactions on water stored (storage) rather than reservoir space.

- 5.5 Any Lessor, or Renter, or applicant aggrieved by a decision of the Rental Pool Committee on matters related to the operations of the Rental Pool may request a hearing before the Committee within 15 days after receiving notice in writing of the decision. After hearing the grievance and after review by the Committee, a decision will be made by the Committee, in writing, setting forth the reasons for its decision, and said review decision must be signed by a majority of the Committee. The decision of the Committee may be appealed to the Board.
- 5.6 Leases of Space to the Rental Pool shall be on a priority basis as set forth in paragraph 6 of these procedures.
- 5.7 Leases of Space shall be in writing and on forms provided by the Watermaster and shall bear the date they were received in the Watermaster's office.
- 5.8 All Space leased to the Rental Pool shall be under the control of the Watermaster and Committee for the duration of the Lease.

PARA 6. PRIORITIES AMONG LESSORS:

- 6.1 When a Lessor leases Space to the Rental Pool, the Stored Water attributable to such Space shall be determined by the Watermaster according to the percentage the reservoir fills.
- 6.2 All Stored Water attributable to Space leased to the Rental Pool before July 1 will be rented before any Stored Water from Space leased after July 1.
- 6.3 Lessors who lease Space to the Rental Pool by July 1, shall share proportionally in the proceeds from the rental of Stored Water attributable to such Space.
- 6.4 Lessors who lease Space to the Rental Pool after July 1, shall receive proceeds from the rental of Stored Water attributable to such Space on a "first come" basis, whereby the first Lessor to Lease Space will be the first paid.
- 6.5 All space/water that has not been rented by the end of the year, shall revert back to the Lessor, unless extended by the Lessor.

PARA 8. RENTAL FEES AND PAYMENTS TO LESSORS:

- 8.1 The price of Stored Water (including the administrative fee of \$0.50/acre-foot) rented from the Rental Pool for use upstream from the mouth of the Payette River is \$2.50 per acre-foot plus any surcharge due the Board, under Idaho Water Bank rules and regulations. The price of Stored Water rented from the Rental Pool for use downstream from the mouth of the Payette River is \$5.00 plus any surcharge due the Board, with \$2.00 per acre-foot being paid to the Lessors, and \$2.00 per acre-foot, plus a portion of the surcharge and any accrued interest, returned to the renter if the designated reservoir fills in the following year. In the case that the reservoir does not fill in the succeeding year, the Lessor shall be entitled to receive a payment from the \$2.00 per acre-foot and accrued interest in proportion to the storage lost through the restriction associated with paragraph 3.6. The remaining portion of the \$2.00 per acre-foot and accrued interest not disbursed shall be returned to the renter. In the case that another rental pool or space holder should lease water for the purpose of arbitrage and consequently seek to secure replacement water from the rental pool, the price shall be the amount charged by that rental pool or space holder plus an additional \$0.50 per acre-foot administrative charge.
- 8.2 Payments to the Lessors shall be made in accordance with paragraph 6 and shall be based upon the data published in the annual report of the Watermaster. Payments to the Lessors shall be considered due and payable once the Watermaster has calculated the actual water used within the District for the annual Watermaster's Report. Payments to the Lessors for water delivered after submittal of the annual Watermaster's Report shall be made when delivery of the water is completed.
- 8.3 Any administrative revenue in excess of actual costs shall be held in a contingency fund, and may be used for other purposes that the Committee deems to be of benefit to Water District #65, provided, however, that such uses do not conflict with Idaho Public Depository Law, Chapter 1, Title 57, Idaho Code.
- 8.4 All rental monies shall be maintained in a separate interest-bearing account with accrued interest being distributed on a pro-rata basis at the time payments to Lessors are made.

WATER DISTRICT NO. 65

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January 14, 1997

****ANNUAL MEETING AGENDA****

- A. Chairman's Welcome and Remarks - Wilbur "Brick" Andrew, Chair.
- B. Approval of 1996 Annual Meeting Minutes - Marcia Herr, Secretary
- C. Financial Report - Richard Howard, CPA, Accounting Northwest
- D. Report on 1996 Water District Operations - Mark Limbaugh, Watermaster
- E. U.S. Bureau of Reclamation Report - Jerry Gregg and Rick Wells
- F. 1997 Nominations Report - Byrl Haines, Chairman, Nominating Committee
- G. 1997 Budget Report - Dale Krause, Chairman, Budget Committee
- H. 1997 Water Pricing Report - Wilbur "Brick" Andrew, Chairman
- I. Adoption of Resolutions - Wilbur "Brick" Andrew, Chairman
- J. SRBA Report - Dave Tuthill, Adjudication Bureau Chief, IDWR
- K. Adjournment

Nominations for 1997 Officers and Advisory Board:

<u>Office:</u>	<u>Name:</u>	<u>Representing:</u>
Chairman	Wilbur "Brick" Andrew	BCID
Vice Chairman	Steve Dobson	Independent
Secretary	Mike Bankhead	Lower Payette Ditch Company
Treasurer	Wilbur "Brick" Andrew	BCID
Members:	Jerry Anderson	Enterprise Ditch
	Gail Springer	Bilbrey Ditch
	Dale Krause	BCID
	Dennis Lammey (Alt.)	BCID
	Bob Henggeler	Farmer's Co-op Irr. Company
	Marcia Herr	Letha Irrigation & Power
	Virgil Johnson	Johnson-Colwell Ditch
	Bill Charters	Last Chance Ditch
	George Jensen	Stewart Ditch
	Marc Shigeta	Noble Ditch
	Keith Standley	Emmett Irrigation District
	Karl Siller (Alt.)	Emmett Irrigation District
	Cecil Shurtleff	Lower Payette Ditch
	Joy Sisler	Independent
	Duane Pancheri	Independent