

# Memorandum

**To:** Water District 13-T File

**From:** Tim Luke *TJL*

**Date:** April 13, 1999

**Re:** Summary of Water District 13-T Annual Meeting held on April 8, 1999

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Meeting held at North Gem High School, Bancroft, ID 7:00 p.m.

Tim Luke called the meeting to attention at about 7:08 and reviewed the items that needed to be addressed during the meeting. A motion was made to select Stan Wistisen as meeting chairman. Motion seconded and approved. Dale Wistisen was elected as treasurer.

Dale Wistisen was asked to read the minutes of last year's minutes but he did not have a copy on his possession. He summarized the meeting as best as he could. Tim Luke had made his own personal notes and minutes of last years meeting and agreed to read them to the group. The group voted to adopt those minutes and the summary provided by Dale.

Burke Scholer of IDWR provided a report handout that summarized 1998 estimated water use using 1998 power consumption records and PCC measurements taken over the past few years. Also included were miscellaneous water level measurements made by IDWR during 1998 and recent years, and updated well hydro-graphs of USGS monitoring wells. Burke reviewed data in the report. Total water use in the district had increased somewhat over 1997 usage. There were no apparent water right volume violations during 1998.

Tim Luke reported that IDWR had finally received some data from 1998 watermaster Wayne Waddoups. Tim and Burke met Wayne in Pocatello earlier in the day. Wayne had some miscellaneous measurements and reported that Gem Valley Farms had committed an authorized place of use violation on one occasion. This involved diverting water from the Gem Valley deep well to the pivots that are supposed to be irrigated only by the Hansen well. IDWR had issued a Notice of Violation to Gem Valley Farms in 1996 for the same problem and the owner, Chad Niebaur had signed a consent agreement whereby he agreed not to commit this same violation again. Wayne said he called Tim at IDWR last July 8 when the incident occurred but Tim was out of town. Wayne spoke with Norm Young about the situation but no decision was made to pursue the matter other than assure that it did not continue. Niebaur corrected the problem that day. (Note:

Norm Young explained to Tim on 4/12/99 that Wayne had not explained that this violation was the same violation subject to the NOV two years ago).

Several users were concerned about this violation. Bart Christensen advised that the Department should have pursued this violation more closely. He specifically asked that if a violation was enforced and a monetary penalty collected, could the money collected be distributed to the water district? I advised that the money generally does not go to the district, but collection of fines in water districts is rather rare anyway. I further advised that some enforcement actions also involve pursuing the matter in civil court to collect assessments and that some of the money may go for that purpose. I could not answer why the fines could not be deposited to the district if the user consented to pay the fine up front. Bart asked if Tim could pose this question to the Director and respond back to the district.

Dale Wistisen provided a summary of the district's finances. He explained that the district had a balance of \$2100. Assessments were made last year at \$0.25 per acre. About \$1000 to \$1500 is proposed for 1999 watermaster salary and expenses with the remainder going to other expenses, such as workers compensation, assessment preparation etc. Dale proposed making no new assessments for 1999. The users approved both the existing budget and proposed budgets.

The subject of hiring a watermaster was discussed. The advisory committee had contacted one or two candidates, and one remains interested. That candidate resides in Soda Springs and would decide on taking the position within the next few weeks. The users voted unanimously to authorize the advisory committee to make the final watermaster selection.

A brief discussion was made about election of the advisory committee. The users unanimously voted to retain the same committee as last year.

Tim discussed some ideas about investigating on-going concerns about certain problem wells and past complaints of well interference in the southwest part of the district. Specifically, Tim suggested conducting aquifer tests and/or using down-hole cameras in certain problem wells. These suggestions were made in order to get more at the heart of the problem rather than spend 100 percent of the district's resources on watermasters and pursuing potential violations. There was some discussion of conducting aquifer tests at last year's meeting as well. Tim suggested last year and again this year about contacting the University of Idaho to do the tests since they may be viewed as more of a neutral party. Bart Christensen asked if Tim could talk with the University of Idaho and find out what costs might be involved in such a project. Tim agreed to follow up on this request. Tim addressed several additional questions on the test and camera issues. Some users were concerned whether the interpretation of test or camera results would contribute much to resolving the problems, but most agreed that it would at least provide them with more information than presently exists.

The meeting adjourned at approximately 8:45 p.m.