

COLEMAN, RITCHIE & ROBERTSON

ATTORNEYS AT LAW  
156 SECOND AVE. WEST  
P.O. BOX 525  
TWIN FALLS, IDAHO 83303-0525

TELEPHONE (208) 734-1224

JOHN R. COLEMAN  
JOHN S. RITCHIE  
THOMAS M. ROBERTSON

FAX (208) 734-3983

April 13, 1994

Jim Stanton  
Idaho Department of Water Resources  
222 Shoshone Street East  
Twin Falls, ID 83301

RECEIVED

APR 14 1994

Department of Water Resources  
Southern Region Office

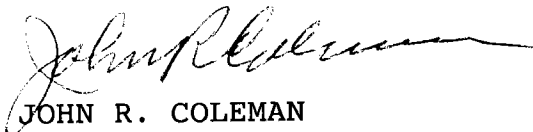
Re: Water District 47-C

Dear Jim:

With regard to Water District 47-C, enclosed is a signed copy of the Adopted Budget for 1994. Also enclosed for your records is a copy of the 1994 minutes of the annual meeting.

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

Sincerely yours,



JOHN R. COLEMAN

JRC\jlk  
Encls.

(An executed copy of this form must be made and filed with the State Department of Water Resources, Boise, Idaho, and with the County Auditor of Each designated county.)

ADOPTED BUDGET AND RESOLUTIONS  
PERTAINING TO THE COLLECTION THEREOF  
FOR 1994

RECEIVED

APR 14 1994

Department of Water Resources  
Southern Region Office

WATER DISTRICT NO. 47-C

STREAM Cedar, House, Devil and Deadwood Creeks

COUNTY Twin Falls and Owyhee

NAME OF SECRETARY John R. Coleman

ADDRESS OF SECRETARY P. O. Box 525, Twin Falls, Idaho 83303-0525

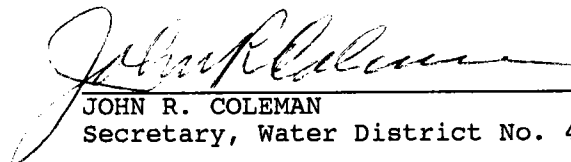
Sections 42-613 and 42-617, Idaho Code Annotated, provide:

"46-613. Said budget when approved shall be filed with the Secretary of said meeting and thereupon he shall immediately prepare and file a certified copy thereof with the Director Department of Water Resources and a certified copy with the county auditor of such county or counties designated at said water users' meeting. If more than one county is designated then said budget shall show the amount to be collected in each county and the water users from which each county shall make collection.\*\*\*"

"42-617. \*\*\* All resolutions adopted under the provisions of this section shall be filed with the secretary of said meeting and thereupon he shall immediately prepare and file a certified copy thereof with the Director Department of Water Resources and a certified copy with the county auditor of such county or counties as designated at said water users' meeting.\*\*\*.

Twin Falls, Idaho, March 7, 1994

I HEREBY CERTIFY That the within is a true and correct copy of the budget as adopted at the annual water Users' Meeting of Water District No. 47-C, held at Twin Falls, Idaho, on the 7th day of March, 1994, and all resolutions adopted at said meeting pertaining to the time and the manner of collecting the amounts provided for in the said budget.

  
JOHN R. COLEMAN  
Secretary, Water District No. 47-C

BUDGET ADOPTED AT THE ANNUAL MEETING

OF THE WATER USERS

WATER DISTRICT NO. 47-C

Estimated Amount for Watermaster's Salary -----	\$ 3,600.00
Watermaster's Gasoline Expense -----	1,005.00
Secretary's Salary -----	500.00
Estimated Amount for Other Expenses -----	500.00
<b>TOTAL ESTIMATED EXPENSES FOR 1994 -----</b>	<b>\$5,605.00</b>

Individual, Ditch or Canal Company, assessed	Address	Amount of Budget
<b>TWIN FALLS COUNTY:</b>		
Devil Creek Ranch, Inc.  Devil Creek Right House Creek Right	c/o Rolland Patrick Rogerson, ID 83302	465.98 116.38
Maurice Guerry	Route 2, Box 103 Buhl, ID 83316	275.45
Swan Land & Livestock	c/o William Swan Rogerson, ID 83302	1012.54
Gerald Tews	2473 East 4100 North Filer, ID 83328	151.74
Cedar Canal Company	1055 Redbud Drive Redding, CA 96001	1228.16
Cedar Mesa Reservoir & Canal Company	1055 Redbud Drive Redding, CA 96001	1752.97
Salmon Falls Sheep Company	Route 1, Box 741 Hagerman, ID 83332	199.32
<b>TOTAL BUDGET TWIN FALLS COUNTY</b>		<b>5202.54</b>

The sums to be collected from each water user are shown on the following table, which table allows for 1993 and prior years credit to which the water user is entitled, and charges the water user for any deficit due from him for the same or prior years.

Devil Creek Ranch, Inc. Devil Creek Right  House Creek Right	1994 budget	465.98	
	Less 1993 credit	215.81	250.17
	1994 budget	116.38	
	Plus 1993 deficit	67.99	184.37
Maurice Guerry	1994 budget	275.45	
	Plus 1993 deficit	48.26	323.71



RESOLUTIONS PERTAINING TO THE TIME AND MANNER OF COLLECTING THE BUDGET  
AS ADOPTED AT THE ANNUAL MEETING OF THE WATER USERS OF

WATER DISTRICT NO. 47-C

"It being desirable that a date different than that fixed by statutes, i.e., June 1, be fixed as the final date upon which the amount payable from each water user as shown by the adopted budget shall be due; and that the water payments be made prior to delivery of any water,

"NOW, THEREFORE, BE IT RESOLVED that the amounts payable by each water user as shown by the adopted budget, shall become due and payable on May 1, 1994, and said amounts if not so paid shall bear interest at the rate of 8% per annum.

"BE IT FURTHER RESOLVED that no water be delivered by the Watermaster of this District to any water user until such time as the assessments for such water user are paid in full."



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

April 15, 1994

ATTN JOHN R. COLEMAN  
SECRETARY WATER DIST 47-C  
156 2ND AVENUE WEST  
TWIN FALLS ID 83301

Water District: 47-C

Stream CEDAR, DEVIL, DEADWOOD

Dear Secretary:

This will acknowledge receipt of the Minutes of the Annual Watermaster's Election Meeting held in your district, and also the Adopted Budget for the ensuing year.

Since the primary function of the water district secretary is assistance in conducting the annual election meeting, all obligations have been fulfilled.

Thank you for your cooperation in this process. If you have any questions or if this office can be of further service, please feel free to contact us.

Very truly yours,

*James E. Stanton*

James E. Stanton  
Sr. Water Resource Agent  
Water Master Program

JS/drt

MINUTES OF THE ANNUAL MEETING OF WATER DISTRICT 47-C

Twin Falls, Idaho

March 7, 1994

The annual meeting of the water users of Water District 47-C was held on March 7, 1994, at the office of Coleman, Ritchie & Robertson, 156 2nd Avenue West, Twin Falls, Idaho.

John R. Coleman was unanimously elected Secretary of the Water District and Chairman of the meeting.

The following persons were present:

Rolland Patrick	Rick Rodgers
Lloyd Davis	Joe Player
Jack Eastman	John Bryant
Scott Tverdy	Kenneth Tverdy
Larry Heil	Scott Tverdy
George Swan	James Stanton
Frank Rodgers, Jr.	John R. Coleman

Mr. Coleman explained to those present that the Statutes of the State of Idaho provided that the voting rights at a water district meeting are to be based upon the average assessment against each water user in the district for the five preceding years. Based on this statute the voting rights for the water district for the 1994 annual meeting is as follows:

Twin Falls County Voting Rights:

Devil Creek Ranch, Inc.	
Devil Creek Right	483.902
House Creek Right	81.552
Maurice Guerry	198.954
Swan Land & Livestock	752.380
Gerald Tews	124.292
Cedar Canal Company	1,388.966
Cedar Mesa Reservoir & Canal Company	1,757.410
Salmon Falls Sheep Co.	<u>191.530</u>
Twin Falls County Total	4,978.986

Owyhee County Voting Rights:

Devil Creek Ranch, Inc.	
Dead Wood Creek Right	194.316
Devil Creek Right	62.826
Swan Land & Livestock	133.148
William Drown	<u>71.446</u>
Owyhee County Total	461.736

Total for both counties	5,440.722
-------------------------	-----------

It was determined that the following water users with their water rights were present at the meeting:

Devil Creek Ranch, Inc.	822.596
Swan Land & Livestock	855.528
Cedar Canal Company	1,388.966
Cedar Mesa Reservoir & Canal Company	<u>1,757.410</u>
total rights present for voting purposes	4,824.500

The chairman of the meeting reported that the Water-master's Report for 1993 showed the following deliveries of water in 24-hour second feet, with the following deficits or credits for the costs in delivery based upon the 1993 adopted budget:

	<u>24-hour sec. ft. deliveries</u>	<u>Credit or Deficit</u>
TWIN FALLS COUNTY:		
Devil Creek Ranch, Inc.		
Devil Creek Right	2,056.32	215.81 Cr
House Creek Right	513.60	67.99 Def
Maurice Guerry	1,215.52	48.26 Def
Swan Land & Livestock	4,468.32	177.39 Def
Gerald Tews	669.60	26.94 Def
Cedar Canal Company	5,419.88	464.21 Cr
Cedar Mesa Reservoir and Canal Company	7,735.86	339.81 Def
Salmon Falls Sheep Co.	879.60	4.21 Def
Total Twin Falls County deliveries	22,958.70	
OWYHEE COUNTY:		
Devil Creek Ranch, Inc.		
Deadwood Creek Right	828.00	32.19 Cr
Devil Creek Right	163.50	69.28 Cr
Swan Land & Livestock	470.40	65.62 Def
William Drown	314.16	51.29 Def
Total Owyhee County deliveries	1,776.06	
Total deliveries 1993		
Twin Falls County	22,958.70	
Owyhee County	<u>1,776.06</u>	
Total	24,734.76	



Costs 1993:  
Budget \$5,605.00

Cost per 24 hour second feet \$.6505

The minutes of March 1, 1993, were read, and upon motion by George Swan, seconded by Frank Rodgers, Jr., approved unanimously.

The next matter of business was the discussion of a budget and the adoption of a budget for 1994. Discussion followed with Mr. Eastman if he was satisfied with the budget arrangements for 1993 and upon indication that he was satisfied with this amount if he were not required to make more than 26 trips to the upper watershed. Discussion followed regarding additional trips if needed and what should be paid if additional trips were required. Mr. Eastman asked if he would be satisfied to make additional trips for \$50.00 per trip. Mr. Eastman agreed. Motion was made by Mr. Swan, seconded by Mr. Bryant that the budget for 1994 in the amount of \$5,605.00 be adopted to cover expenses as follows:

Watermaster's salary	\$3,600.00
Watermaster's gasoline expense	1,005.00
Miscellaneous expense & Social Security	500.00
Secretary's salary	500.00

and that the watermaster make a minimum of 26 trips to the upper watershed during the irrigation season and that for any additional trips, Mr. Eastman be compensated \$50.00 per trip.

Upon Roll-call vote, the proposed budget was unanimously adopted.

The chairman announced that the next matter of business was the election of a watermaster, whereupon Jack Eastman was nominated by Frank Rodgers, Jr., the nomination was seconded by George Swan, for Mr. Eastman to serve as watermaster through March 15, 1995. No further nominations were made. Discussion followed regarding problems between Mr. Eastman and Mr. Patrick during the 1993 season. Upon roll-call vote Mr. Eastman received 4,031.904 votes. Mr. Eastman was unanimously elected as watermaster for the district for the period of March 15, 1994, through March 15, 1995.

In connection with the matter of the payment of assessments, the following motion was made by Mr. Swan and seconded by Mr. Davis, and adopted by unanimous vote:

"It being desirable that a date different than that fixed by statutes, i.e., June 1, be fixed as the final date

upon which the amount payable from each water user as shown by the adopted budget shall be due; and that the water payments be made prior to delivery of any water,

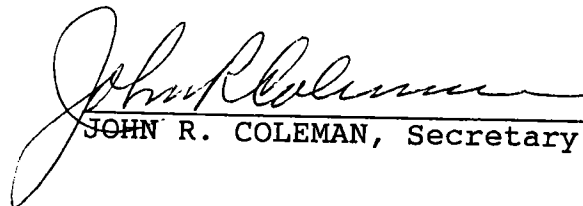
NOW, THEREFORE, BE IT RESOLVED that the amounts payable by each water user as shown by the adopted budget, shall become due and payable on May 1, 1993, and said amounts if not so paid shall bear interest at the rate of 8% per annum.

BE IT FURTHER RESOLVED that no water be delivered by the Watermaster of this District to any water user until such time as the assessments for such water user are paid in full."

The chairman announced that the next matter of business was the election of an advisory board to serve for the 1993 irrigation season. Upon motion made by Mr. Swan, seconded by Mr. Rodgers, the following persons were nominated and elected as the advisory committee for the water district for the irrigation season of 1994:

Lloyd Davis  
Kenneth Tverdy  
Rolland Patrick

There being no further business to come before the meeting, the same was adjourned.

  
\_\_\_\_\_  
JOHN R. COLEMAN, Secretary