

COLEMAN, RITCHIE & ROBERTSON

ATTORNEYS AT LAW
156 SECOND AVE. WEST
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JOHN R. COLEMAN
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TELEPHONE (208) 734-1224

FAX (208) 734-3983

March 14, 1995

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

RECEIVED

MAR 15 1995

Department of Water Resources
Southern Region

Re: Water District 47-C

Dear Jim:

With regard to Water District 47-C, I am enclosing for your files a signed copy of the Adopted Budget for the 1995 irrigation season, together with a copy of the minutes of the annual meeting wherein Jack Eastman was elected watermaster to serve through March 15, 1995.

Executed copies of the Adopted Budget have been sent to the Auditors in Twin Falls and Owyhee Counties. Also, an executed copy of the Budget and a copy of the minutes of the meeting have been sent directly to the Idaho State Department of Water Resources in Boise, Idaho.

If you have any questions concerning any of these matters, 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 1995

RECEIVED

MAR 15 1995

WATER DISTRICT NO. 47-C

Department of Water Resources
Southern Region

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

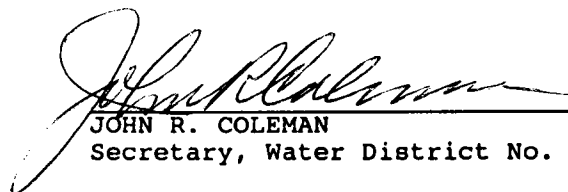
Sections 42-613 and 42-617, Idaho Code Annotated, provide:

"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 6, 1995

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 6th day of March, 1995, 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

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BUDGET ADOPTED AT THE ANNUAL MEETING

MAR 15 1995

OF THE WATER USERS

Department of Water Resources
Southern Region

WATER DISTRICT NO. 47-C

Estimated Amount for Watermaster's Salary -----	\$ 3,600.00
Watermaster's Gasoline Expense -----	1,200.00
Secretary's Salary -----	500.00
Estimated Amount for Other Expenses -----	500.00
TOTAL ESTIMATED EXPENSES FOR 1995 -----	\$5,800.00

Individual, Ditch or Canal Company, assessed	Address	Amount of Budget
TWIN FALLS COUNTY:		
Devil Creek Ranch, Inc. Devil Creek Right House Creek Right	c/o Rolland Patrick Rogerson, ID 83302	564.21 78.12
Maurice Guerry	Route 2, Box 103 Buhl, ID 83316	183.15
Swan Land & Livestock	c/o William Swan Rogerson, ID 83302	781.26
Gerald Tews	2473 East 4100 North Filer, ID 83328	159.45
Cedar Canal Company	1055 Redbud Drive Redding, CA 96001	966.02
Cedar Mesa Reservoir & Canal Company	1055 Redbud Drive Redding, CA 96001	2549.33
Salmon Falls Sheep Company	Route 1, Box 741 Hagerman, ID 83332	182.52
TOTAL BUDGET TWIN FALLS COUNTY		5464.06

The sums to be collected from each water user are shown on the following table, which table allows for 1994 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	1995 budget	564.21	
	Plus 1994 deficit	79.31	
	643.52		
House Creek Right	1995 budget	78.12	
	Less 1994 credit	40.88	
	37.24		
Maurice Guerry	1995 budget	183.15	
	Less 1994 credit	98.44	
		84.71	

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, 1995, 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."

MINUTES OF THE ANNUAL MEETING OF WATER DISTRICT 47-C

Twin Falls, Idaho

March 6, 1995

The annual meeting of the water users of Water District 47-C was held on March 6, 1995, 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:

Lloyd Davis	Larry Heil
Randall Brewer	Preston Davis
Gerald Tews	Jack Eastman
George Swan	Scott Tverdy
Leonard Olmstead	John A. Bryant
Richard Rodgers	John R. Coleman
Frank Rodgers, Jr.	

Minutes of the annual meeting held March 7, 1994, were read and on motion by Mr. Swan, seconded by Mr. Heil, were approved as written.

Mr. Coleman explained to those present that the Statutes of the State of Idaho provided that the voting rights at the water district meetings 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 1995 annual meeting are as follows:

Twin Falls County Voting Rights:

Devil Creek Ranch, Inc.	
Devil Creek Right	496.628
House Creek Right	89.244
Maurice Guerry	217.164
Swan Land & Livestock	809.094
Gerald Tews	132.382
Cedar Canal Company	1,381.752
Cedar Mesa Reservoir & Canal Company	1,746.788
Salmon Falls Sheep Co.	<u>192.240</u>
 Twin Falls County Total	 5,067.292

Owyhee County Voting Rights:

Devil Creek Ranch, Inc.	
Dead Wood Creek Right	198.170
Devil Creek Right	59.566
Swan Land & Livestock	129.250
William Drown	<u>70.840</u>
 Owyhee County Total	 457.826

Total for both counties	5,525.118
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Department of Water Resources
Southern Region

MAR 15 1995

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

Devil Creek Ranch, Inc.	843.608
Swan Land & Livestock	938.344
Cedar Mesa Reservoir & Canal Company	1,746.788
Cedar Canal Company	1,381.752
Gerald Tews	<u>134.382</u>
 Total rights present for voting purposes	 5,0448.74

The chairman of the meeting reported that the Water-master's Report for 1994 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 1994 adopted budget:

	<u>24-hour sec. ft. deliveries</u>	<u>Credit or Deficit</u>
TWIN FALLS COUNTY:		
Devil Creek Ranch, Inc.		
Devil Creek Right	1,854.72	79.31 Def
House Creek Right	256.80	40.88 Cr
Maurice Guerry	602.08	98.44 Cr
Swan Land & Livestock	2,568.24	257.48 Cr
Gerald Tews	524.16	2.36 Def
Cedar Canal Company	3,175.60	294.53 Cr
Cedar Mesa Reservoir and Canal Company	8,380.44	710.88 Def
Salmon Falls Sheep Co.	600.00	22.92 Cr
 Total Twin Falls County deliveries	 17,962.04	
OWYHEE COUNTY:		
Devil Creek Ranch, Inc.		
Deadwood Creek Right	554.00	24.75 Cr
Devil Creek Right	163.50	11.02 Def
Swan Land & Livestock	260.40	30.03 Cr
William Drown	126.48	34.01 Cr
 Total Owyhee County deliveries	 1,104.38	
 Total deliveries 1994		
Twin Falls County	17,962.04	
Owyhee County	1,104.38	
Total	<u>19,066.42</u>	
 Costs 1994:		
Budget	\$5,605.00	
 Cost per 24 hour second feet	 \$.2266.	

The next matter of business was the discussion of a budget for 1995. Discussion followed concerning the number of trips which Mr. Eastman is required to make to the upper watershed during the non-irrigation season. He reported that he had made a number of trips, that he had not charges the District for the extra trips as authorized by the 1994 budget, and that the most recent trip which he made was last week to gather information in preparation for the annual meeting. Mr. Eastman was asked if he would be satisfied if the watermaster's gasoline expense allowance was increased from \$1,005.00 to \$1,200.00 and the salary remain the same. He agreed that this would be satisfactory with him. Motion was made by Mr. Rodgers, seconded by Mr. Swan, that the budget for 1995 in the amount of \$5,800.00 be adopted to cover expenses as follows:

Watermaster's salary	\$3,600.00
Watermaster's gasoline expense	1,200.00
Miscellaneous expense & Social Security	500.00
Secretary's salary	500.00

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 Mr. Bryant, and seconded by Mr. Swan for Mr. Eastman to serve as watermaster through March 15, 1996. No further nominations were made. Upon roll-call vote, Mr. Eastman was unanimously elected Watermaster for the District for the period through March 15, 1996.

In connection with the matter of the payment of assessments, the following motion was made by Mr. Bryant and seconded by Mr. Swan, 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, 1995, 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 1995 irrigation season. Upon motion duly made and seconded, the following persons were nominated and elected as the advisory committee for the water district for the irrigation season of

1995:

Preston Davis
Scott Tverdy
George Swan

Discussion followed concerning the Order issued by the Department of Water Resources to the upper watershed users to have measuring devices and diversion devices in place by the beginning of the 1995 irrigation season. Mr. Coleman reported to the meeting that the matter had been discussed at the Cedar Mesa Reservoir and Canal Company meeting and the meeting of the Cedar Canal Company, both of which meetings were held earlier in the day, and that the proposal by Mr. Swan that studies be made during the 1995 irrigation season to determine the extent and type of measuring devices which will meet the requirements of the Department and all parties and yet be within the economic means of the upper watershed users, be pursued during the 1995 irrigation season. Mr. Coleman reported to the meeting that both the Cedar Mesa Reservoir and Canal Company stockholders and directors and the Cedar Canal Company stockholders and directors had agreed to communicate this decision to the Department of Water Resources. Mr. Coleman agreed to convey this information to Mr. Luke at the Department of Water Resources and to report back to Mr. Swan on behalf of the watershed users.

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



JOHN R. COLEMAN, Secretary

COLEMAN, RITCHIE & ROBERTSON

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

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MAR 16 1995

Department of Water Resources

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

TELEPHONE (208) 734-1224

FAX (208) 734-3983

March 14, 1995

Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

RECEIVED

MAR 23 1995

Department of Water Resources
Southern Region Office

Re: Water District 47-C

Gentlemen:

Regarding to Water District 47-C, I am enclosing an executed copy of the Adopted Budget and Resolutions pertaining to the collection of the 1995 assessments for Water District 47-C. An executed copy of this form has also been filed with the County Auditor for Twin Falls County and the County Auditor for Owyhee County. I have also sent a copy of this Budget to Mr. James Stanton at the District Office of the Department of Water Resources in Twin Falls.

I am enclosing for your files a copy of the minutes of the annual meeting of this water district.

If you have any questions concerning any of these matters, 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
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MAR 22 1995

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

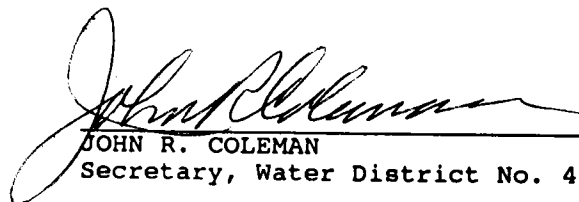
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Twin Falls, Idaho, March 6, 1995

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

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BUDGET ADOPTED AT THE ANNUAL MEETING
OF THE WATER USERS

MAR 20 1995

Department of Water Resources
Southern Region Office

WATER DISTRICT NO. 47-C

Estimated Amount for Watermaster's Salary -----	\$ 3,600.00
Watermaster's Gasoline Expense -----	1,200.00
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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

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Twin Falls, Idaho

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Department of Water Resources
Southern Region Office

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Devil Creek Right	59.566
Swan Land & Livestock	129.250
William Drown	<u>70.840</u>
 Owyhee County Total	 457.826

Total for both counties

5,525.118

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JOHN R. COLEMAN, Secretary