

COLEMAN, RITCHIE & ROBERTSON

ATTORNEYS AT LAW  
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P.O. BOX 525  
TWIN FALLS, IDAHO 83303-0525

RECEIVED

MAR 10 1997

Department of Water Resources  
Southern Region

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

TELEPHONE (208) 734-1224

FAX (208) 734-3983

March 7, 1997

James Stanton  
Idaho Department of Water Resources  
1341 Fillmore, Suite 200  
Twin Falls, ID 83301-3380

Re: Water District 47-C

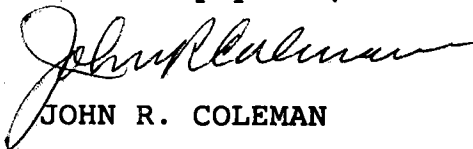
Dear Jim:

With regard to Water District 47-C, I am enclosing for your files a signed copy of the Adopted Budget for the 1997 irrigation season, together with a copy of the minutes of the annual meeting wherein Melvin Crowley was elected watermaster to serve through March 15, 1998.

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.)

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Department of Water Resources  
Southern Region

ADOPTED BUDGET AND RESOLUTIONS  
PERTAINING TO THE COLLECTION THEREOF  
FOR 1997

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

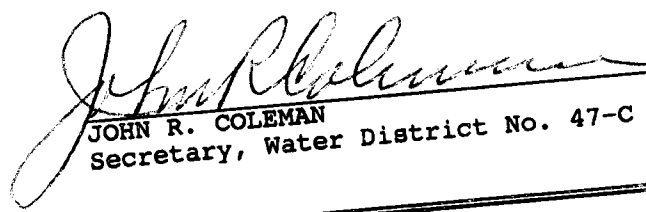
Sections 42-613 and 42-617, Idaho Code Annotated, provide:

"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 3, 1997

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 3rd day of March, 1997, 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

MINUTES OF THE ANNUAL MEETING OF WATER DISTRICT 47-C

Twin Falls, Idaho

March 3, 1997

The annual meeting of the water users of Water District 47-C was held on March 3, 1997, 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:

Richard Rodgers	Larry Elliott
Melvin Crowley	Chris Pratt
Randall Brewer	Gerald Tews
George Swan	Jerry Tews
Larry Heil	Doug Jones

Minutes of the annual meeting held March 4, 1996, were read and on motion by Mr. Swan, seconded by Mr. Rodgers, were approved as corrected

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 1997 annual meeting are as follows:

Twin Falls County Voting Rights:

Gerald Tews	144.134
Devil Creek Ranch, Inc.	
Devil Creek Right	555.518
House Creek Right	90.942
Swan Land & Livestock	870.472
Cedar Canal Company	1,393.720
Cedar Mesa Reservoir & Canal Company	<u>1,773.094</u>

Twin Falls County Total 4,827.880

Owyhee County Voting Rights:

Devil Creek Ranch, Inc.	
Dead Wood Creek Right	203.148
Devil Creek Right	59.430
Swan Land & Livestock	<u>183.320</u>

Owyhee County Total 445.898

Total for both counties 5,273.778

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

Gerald Tews	144.134
Devil Creek Ranch, Inc.	909.038
Swan Land & Livestock	1,053.792
Cedar Mesa Reservoir & Canal Company	1,773.094
Cedar Canal Company	1,393.720
Total rights present for voting purposes	5,273.778

The chairman of the meeting reported that the Water-master's Report for 1996 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 1996 adopted budget:

	<u>24-hour sec. ft. deliveries</u>	<u>Credit or Deficit</u>
TWIN FALLS COUNTY:		
Devil Creek Ranch, Inc.		
Devil Creek Right	1,588.08	129.09 Cr
House Creek Right	218.40	37.96 Cr
Maurice Guerry	602.08	28.99 Cr
Swan Land & Livestock	2,657.76	175.81 Def
Gerald Tews	330.72	38.22 Cr
Cedar Canal Company	5,202.00	245.99 Cr
Cedar Mesa Reservoir and Canal Company	11,096.98	622.71 Def
Salmon Falls Sheep Co.	600.00	5.18 Cr
Total Twin Falls County deliveries	22,296.02	
OWYHEE COUNTY:		
Devil Creek Ranch, Inc.		
Deadwood Creek Right	918.00	22.14 Def
Devil Creek Right	163.50	1.42 Cr
Swan Land & Livestock	646.80	19.25 Def
William Drown	369.60	2.30 Cr
Total Owyhee County deliveries	2,097.90	
Total deliveries 1996		
Twin Falls County	22,296.02	
Owyhee County	2,097.90	
Total	<u>24,393.92</u>	
Costs 1996:		
Budget	\$5,800.00	

Cost per 24 hour second feet                    \$.23776

The next matter of business was the discussion of a budget for 1997. Discussion followed with Mr. Crowley stating that there had been a substantial raise in the cost of gasoline during the last year after the adoption of the 1996 budget. After discussion of costs, motion was made by Mr. Swan, seconded by Mr. Heil, that the budget for 1997 in the amount of \$6,050.00 be adopted to cover expenses as follows:

Watermaster's salary	\$3,600.00
Watermaster's gasoline expense	1,450.00
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 Melvin Crowley was nominated by Mr. Randall Brewer, and seconded by George Swan for Mr. Crowley to serve as watermaster through March 15, 1998. No further nominations were made. Upon roll-call vote, Mr. Crowley was unanimously elected Watermaster for the District for the period through March 15, 1998.

In connection with the matter of the payment of assessments, the following motion was made by Mr. Swan and seconded by Mr. Heil, 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, 1997, 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 1996 irrigation season. Upon motion duly made by Mr. Brewer and seconded by Mr. Heil, the following persons were nominated and elected as the advisory committee for the water district for the irrigation season of 1997:

Preston Davis  
Scott Tverdy

George Swan

Discussion followed regarding the measurements of the usage of water in the upper watershed. It was reported that on Devil Creek south of the highway, three measurements were made during 1996 by the Department of Water resources and Charles Brockway. From these measurements, a use amount would be established. It was hoped this method would be sufficient to use on the upper watershed streams for their consumptive use. The measurements were made above the diversion and stream flow measurements of the stream were made after return flow to the channel. After the parties had time to analyze the figures to be generated by Mr. Brockway and the Department, a determination would be made as to whether this method would satisfy the requirement for measurements.

Doug Jones from the Idaho Department of Water Resources reported that the Department is developing a list of domestic and stockwater rights for the District from the filings made in the Snake River Adjudication case. Notices will be sent out so that water users will be able to review them.

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

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

(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.)

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ADOPTED BUDGET AND RESOLUTIONS  
PERTAINING TO THE COLLECTION THEREOF  
FOR 1997

Department of Water Resources  
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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

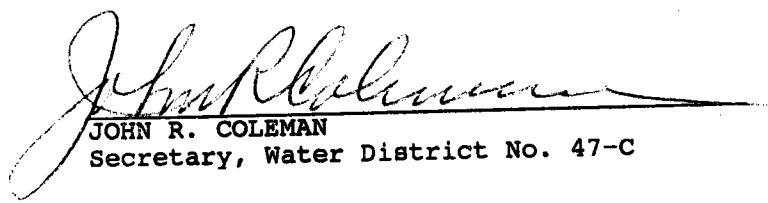
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Twin Falls, Idaho, March 3, 1997

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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 -----	1,450.00
Secretary's Salary -----	500.00
Estimated Amount for Other Expenses -----	500.00
<b>TOTAL ESTIMATED EXPENSES FOR 1997 -----</b>	<b>\$6,050.00</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	393.86 54.17
Maurice Guerry	Route 2, Box 103 Buhl, ID 83316	149.32
Swan Land & Livestock	c/o William Swan Rogerson, ID 83302	659.16
Gerald Tews	2473 East 4100 North Filer, ID 83328	82.02
Cedar Canal Company	1055 Redbud Drive Redding, CA 96001	1290.16
Cedar Mesa Reservoir & Canal Company	1055 Redbud Drive Redding, CA 96001	2752.19
Salmon Falls Sheep Company	Route 1, Box 741 Hagerman, ID 83332	148.81
<b>TOTAL BUDGET TWIN FALLS COUNTY</b>		<b>5529.69</b>

The sums to be collected from each water user are shown on the following table, which table allows for 1996 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	1997 budget	393.86	264.77
	Less 1996 credit	129.09	
House Creek Right	1997 budget	54.17	16.21
	Less 1996 credit	37.96	
Maurice Guerry	1997 budget	149.32	120.33
	Less 1996 credit	28.99	





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,

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