

Meeting Minutes of Upper Raft River Water District 43-B

A meeting for Raft River Water District 43-B water users was held January 21, 1997 at the Raft River Electric building in Malta, Idaho. The meeting began at 1:00 PM. Those in attendance were Jay Harper, Robert Hope, Douglas Freestone, James Stanton (IDWR), Allen Merritt (IDWR), Tim Luke (IDWR), Fred Nielson, Suzette Fraser, Reid Stewart, Rodney Hall, David Sundberg, Peter Grush and John Sundberg.

Items of business included the following:

1. Minutes of last years meeting were read by Robert Hope. The minutes were approved as read.
2. Jay Harper was elected to serve as chairman for the meeting.
3. Robert Hope was elected secretary of the district by unanimous vote.
4. A Financial Statement was read by Douglas Freestons.
5. Discussed ponding of water at Steeds Ranch in Almo. Allen Merritt recalled sending letters to Dave Hammons who owned the property prior to Steeds and requested that Hammon make application for approval to keep the storage pond. Hammon has not replied.

A new letter will be sent to Gary Steed along with an application to approve the pond as it now stands because of fish in the pond.

6. A credentials committee was discussed. It was determined that a committee might be needed to allow voting of shares or dollar amounts. No committee was named.
7. Discussed whether Water District 43-B should include the Idaho side of Clear Creek with one watermaster. A proposal to have one watermaster regulate water in both streams in Idaho was approved.
8. It was moved and seconded that the watermasters salary remain the same as last year at \$65.00 per day and \$30.00 per half day. Motion carried.
9. Fred Nielson (Farm Service Agency -FSA) presented evidence that this years snowpack and subsequent water outlook indicates that flooding in some areas is likely.
10. It was approved that Water District 43-B adopt Idaho code 42-617 to assure collection of assessments.

Code 42-617 reads;

" No ditch, canal Company, or water user shall have the right to demand and receive water, and watermaster shall not deliver to such person until the amount due and payable from user as fixed by the budget, has been paid."

11. The advisory committee was elected to remain the same as last year with the addition of two Clear Creek water users. Jay Harper, Douglas Freestone, and Roscoe Ward from 43-B and Jeff Sessions and Boyd Hoskins from Clear Creek. The advisory committee will help to resolve problems that may arise.
12. The election of a watermaster was accomplished with David Sundberg as the new watermaster.
13. Douglas Freestone was elected to continue as Treasurer for the district. The secretary will continue to keep the financial records.
14. The previous watermaster's proposed budget for the upper Raft River was approved. The new watermaster will develop a proposed budget for Idaho users of Clear Creek.
15. The meeting adjourned at 3:25 PM.

*Jay Harper*  
Meeting chairman J. Jay Harper

*Robert S. Hope*  
Secretary Robert S, Hope

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To <i>Tim Luke</i>		From <i>Jim Stanton</i>	
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## Meeting Minutes- Water District 43-B and Clear Creek

A meeting for water users from Water District 43-B and Clear Creek was held at Raft River Electric building on January 21, 1997 at 3:25 PM. Those in attendance were Lee Sim (Utah Water Dept-UWD), Will Atkin (UWD), Gertrudys Adkins (UWD), Allen Merritt (IDWR), Tim Luke (IDWR), James Stanton (IDWR), Larry Kempton, Vern Kempton, Mont Campbell, Jeff Sessions, Boyd Hoskins, David Sundberg, John Sundberg, Brian Hansen, Ray Jones, Harold Jones, Jay Harper, Robert Hope, Douglas Freestone, Reid Stewart, Max Booth, and Ward Jensen.

Items of business included the following:

1. Allen Merritt called the meeting to order at 3:30. Time was turned to Jay Harper to explain proceedings of previous meeting for Upper Raft River Water Users. It was explained that a watermaster was elected for both Upper Raft River and would include the Idaho portion of Clear Creek.
2. Measuring system for Clear Creek water was discussed. The old government geological survey measuring station proved to be inadequate. The present weir system is a better way to measure water.
3. Douglas Freestone was elected as Chairman of Clear Creek users in Idaho. He discussed their accepting David Sundberg as watermaster for the Idaho users. It was agreed that Dave would coordinate with Utahs watermaster to measure water at the same times each day to divide water between Idaho and Utah as needed.
4. Jeff Sessions and Boyd Hoskins were approved as Advisory Committee members.
5. A budget for the watermaster for Idaho users was discussed. Idaho users decided on \$1500.00.
6. It was approved that Idaho Code 42-617 should be adopted which reads:  
"No ditch, canal company, or water user shall have the right to demand and receive water, and the watermaster shall not deliver to such person until the amount due and payable from user as fixed by the budget, has been paid".
7. The Advisory Committee will meet with both watermasters from Idaho and Utah on February 25, 1997 at Raft River Electric Building.
8. The meeting was turned over to the Utah Water Users with Lee Sim conducting.
9. Vern Kempton was elected watermaster for Utah.
10. A budget was adopted to pay the watermaster and pay for channel cleaning as needed.
11. Meeting adjourned at 5:30 PM.

Douglas Freestone  
Chairman Douglas Freestone

Robert Hope  
Secretary Robert Hope

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## Minutes of the Clear Creek Distribution Meeting

The Clear Creek Distribution System meeting was held January 21, 1997 in Malta, Idaho. The meeting was opened by Allen Merritt of the Idaho Department of Water Resources at 3:30pm. He asked Jay Harper to brief us on an earlier meeting held by Raft River Water District 43B. He said that they had appointed Dave Sundberg to be their water master. They organized with the idea of including the Idaho portion of Clear Creek, but that Clear Creek could petition to be their own district.

The meeting then became a joint meeting, discussing cooperation and the issues. It was stated that the water should be distributed according to the decree. Allen said that the water needs to be measured at the USGS weir. He contacted the USGS and they said it would cost \$8700 to install a measuring station at the old site. Idaho may have a recorder that the users could use. Lee Sim said that the measurements that we have are okay, just not often enough. Mont Campbell said that the USGS station is not accurate. Larry Kempton said that we only need two measurements. Allen will check on a recorder and gage house.

To organize themselves and decide on whether to be in the same district as Raft River, the Idaho Clear Creek water users nominated Doug Freestone to be in charge. He then took charge of the meeting. Jeff Sessions was opposed to being in the same district if Dave Sundberg was the water master. Bob Hope said that he didn't have time to do Clear Creek. Reid Stewart motioned that Dave Sundberg be water master for Idaho Clear Creek and that they be in with the Raft River. Motion was seconded by Ray Jones, motion passed. Jeff Sessions and Boyd Hoskins were nominated to be on the advisory board.

The meeting adjourned at 5:10pm and the time was turned over to Utah Clear Creek Water Users. Lee Sim conducted the meeting

Ray Jones said that his part of Naf Irrigation Co. will not vote for Vern Kempton. Lee Sim read the list of water right holders and said that he would not recognize Ray Jones as representing Naf Irrigation Co.

Mont Campbell motioned and Ward Jensen seconded to have Larry Kempton as chairman. John Sundberg motioned to have Dave Sundberg as chairman, seconded by Dave Sundberg. Mont motioned, Larry seconded to close nominations, motion passed. The vote for chairman was 5 for Larry, and 1 for Dave (Sundbergs only voted 1 because they co-own the water right, while Larry voted 2 because of his own water right and representing Naf Irrigation Co.). The motion was made that all water users be on the committee, seconded, and passed. Mont Campbell motioned and Ward Jensen seconded to have Vern Kempton as commissioner. John Sundberg motioned to have Dave Sundberg as commissioner, seconded by Dave Sundberg. Dave motioned, Larry seconded to close nominations, motion passed. The vote for commissioner was 5 for Vern, and 1 for Dave.

Lee Sim explained billing and a budget. There was some discussion on stream channel maintenance and who pays the bills. Send bills to Lee for this past year. There was also some

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MAR 01 2005

discussion on the compensation for a commissioner.

1997 Budget

Commissioner	\$2500 (based on 90 days @ \$27/day)
Miscellaneous	100
Bonding	100
Stream Maintenance	<u>500</u>
	\$3200

Motion by Dave, seconded by Larry to accept budget and assessment of \$3200, passed.  
Motion to read measurement manually with Idaho commissioner. Motion to cooperate with Idaho on a recorder. Motion to adjourn. The meeting was adjourned at 6:00pm.

In Attendance:

Jeff Sessions  
Max Booth  
Dave Sundberg  
Boyd Hoskins  
John Sundberg  
Ray Jones  
Harold Jones  
Jay Harper  
Douglas Freestone  
Reid Stewart  
Vern Kempton  
Mont Campbell  
Robert Hope  
Larry Kempton  
Ward Jensen  
Will Atkin - Utah Division of Water Rights, Logan  
Jim Stanton - Idaho Department of Water Resources  
Allen Merritt - Idaho Department of Water Resources  
Tim Luke - Idaho Department of Water Resources  
Lee Sim - Utah Division of Water Rights, SLC  
Gertrudys Adkins - Utah Division of Water Rights, SLC

Meeting Minutes- Water District 43-B and Clear Creek

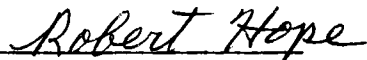
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Chairman Douglas Freestone



Secretary Robert Hope

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 Meeting chairman Jay Harper

  
 Secretary Robert S. Hope

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Larry Kempton  
Ward Jensen  
Will Atkin - Utah Division of Water Rights, Logan  
Jim Stanton - Idaho Department of Water Resources  
Allen Merritt - Idaho Department of Water Resources  
Tim Luke - Idaho Department of Water Resources  
Lee Sim - Utah Division of Water Rights, SLC  
Gertrudys Adkins - Utah Division of Water Rights, SLC



Clear Creek Distribution Meeting

Attending

Will Atkin

Jeff Sessions

Max Booth

DAVE SUNDBERG

Boyd J. Hopkins

Ed G. Smucker

Kay King

Carol Jones

Douglas Freeston  
Rick A. Stewart

Jim Stanton, IDWR

LEE SIM, UTAH DIVISION OF WATER RIGHTS

Allen Mervitt - IDWR

Vern Kempton

Mont Campbell

Robert S. Hope

Larry Kempton

GERTRUDYS ADKINS - Utah Div. of Water Rights

Phil Jansen

Tim Luke, IDWR - Boise

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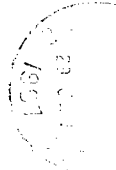
Department of Water Resources  
Southern Region



State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

Northern Area  
1780 North Research Parkway, Suite 104  
Logan, Utah 84341-1940  
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ALLEN MERRITT  
IDAHO DEPT OF WATER RESOURCES  
1341 FILMORE ST, STE 200  
TWIN FALLS ID 83301-3380

Department of Water Resources  
Southern Region

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