

MINUTES OF WATER MEETING 2001

On January 16, 2001 at 1:05 the meeting was called to order by Jay Harper. In attendance were Jay Harper, Boyd Hoskins, Ruth Stewart, Pat Hoskins, Garth Steed, Bill Jones, Mike Lewis, Alan Harper, Vicky Hancock, Tim Luke, Dave Sundberg, Doug Freestone, Roscoe Ward, Brent Hobson, Shane Holmgren and Dan Walker.

Jay Harper was nominated for president by Doug and seconded by Mike, voting was unanimous.

Dave Sundberg was nominated for secretary by Roscoe and seconded by Boyd, voting was unanimous.

Mike Lewis read the minutes. Alan moved and Boyd seconded that we accept the minutes for last year, voting was unanimous.

Alan moved and Doug seconded to not have a credentials committee, unanimous.

Garth Steed explained that they put a weir below the pond and are going to put a propeller type measuring device in the injection pipe above the Spring.

Doug moved and Mike seconded that we should assess Steeds a minimum of \$145.00 per year for monitoring Reed Spring. Voting was unanimous. The water-master will keep track of time for monitoring the Spring.

Roscoe moved and Pat seconded a budget of \$2999.00, voting was unanimous.

Mike nominated and Ruth seconded Dave Sundberg for watermaster, voting was unanimous. It was agreed that part of the budget was to pay for a telephone.

Tim Luke explained the duties of an advisory committee. Roscoe moved to keep the same committee as last year. Voting was unanimous.

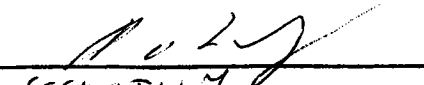
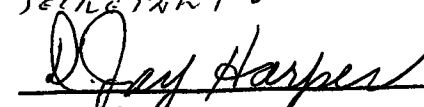
Jay Harper recommended that people control weeds on the river if possible, Scotch thistle in particular.

Tim Luke discussed revitalizing the rules for water management. IDWR will hold meetings Jan. 30 at 10:00 am in the Obenchain building in Twin Falls. They will have draft rules Jan. 23 and then probably 2 or 3 more meetings.

Vicky Hancock and Tim Luke discussed adjudication and monitoring ground water use and River water as a unified water district. They plan to have a preliminary report by April.

Discussed petitioning IDWR to make a compact with Utah to distribute the waters of Raft River.

Mike moved and Shane seconded to adjourn. Unanimous.

  
SECRETARY  
  
President

The advisory committee for 2001 will be the same as last year, that is, Jay Harper, Doug Freestone, Stan Spencer, Boyd Hoskins and Jeff Sessions.

**MEMO**

*From:* Vikie Hancock  
*Re:* District 43B Water Users Meeting 2001

The District 43B annual Water Users Meeting was held January 16, 2001 at 1:00 pm at the Raft River Electric building in Malta. In attendance were:

Boyd Hoskins	Alan Harper
Pat Hoskins	Mike Lewis
William Jones	Doug Freestone
Garth Steed	Ruth Stewart
Dave Sundburg	Brent Hobson
Roscoe Ward	Shane Holmgren
Jay Harper	

The minutes of last year's annual meeting were read and approved.

In administrative business, Jay Harper was re-elected Chairman, Dave Sundburg was re-elected Secretary/treasurer and Watermaster. It was decided that the formation of a Credentials Committee was not needed until such time as it was deemed necessary.

In response to a question from a member, Tim Luke summarized the responsibilities of the Advisory Committee, after which the year 2000 advisory committee was re-elected. The year 2001 advisory committee includes:

Jay Harper	Jeff Sessions
Stan Spencer	Boyd Hoskins

Dave Sundberg gave the budget report. Ruth Stewart requested that the watermaster be paid enough so that he could install a phone at his home. It was discussed and decided that it would be advantageous for the watermaster to have a phone, either land line or cellular, and monies were budgeted for that purpose. A question also arose as to how to assess the non-consumptive pond permit of Gary Steed and also the mitigation of ground water for Reed Springs water. It was reported by the watermaster that from 5% to 10% of his time in year 2000 had been spent on management of Reed Springs. After discussion, during which Tim Luke read options for assessment of non-consumptive uses from the Idaho Code, a motion was made to assess Gary Steed \$145.00 - or 5% of the watermaster's wages, for the year 2001, and to accurately keep track of the time spent at Reed Springs in 2001 in order that the members could make a determination of what to assess Steed in 2002. It was hoped that by taxing

Steed on the time needed to manage the spring by the watermaster it would encourage him to see that the measuring devices were kept in good working order. Assessing Mr. Steed on the amount of water injected into the springs was also discussed.

In other business, the status of the installation of the measuring devices at Reed Springs was discussed. Garth Steed reported that as soon as they could get a backhoe out they were going to install a flow meter on the pipe running from the mainline to the spring. In response to a question from Tim Luke, Steed said that after installation of the measuring device the mainline would be left unburied at that point. Doug Freestone questioned the injection of water from the mainline directly into the spring and whether that water would ever flow out of the spring to the river or would it just be sucked back out by the well and re-circulated there. That issue was not resolved. Measured flows of the spring over the last year were read by Dave Sundburg. They were:

January 25 <sup>th</sup>	136"	April 24 <sup>th</sup>	171"
March 15 <sup>th</sup>	154"	June ??	90"

It was noted that 171" was the most that anyone could remember flowing from the spring in recent memory and that it appeared that the spring may have recovered to levels of discharge which existed before groundwater pumping began to impact it.

Jay Harper told the members that they had been asked to locate and remove noxious weeds from their property along the river.

Tim Luke talked about the proposed management rules and gave the time and place of the next meeting in Twin Falls. He encouraged the district to get involved and to have someone present at the meeting. In response to a question from Jay Harper, the possible future configuration of the district as it may include groundwater as well as surface water, was outlined by Tim.

A discussion arose about the use of Raft River and Clear Creek water in Utah and whether a compact between Utah and Idaho could be entered into, as the Idaho water users felt that the Utah users were taking more than their share of the water. Tim Luke talked about the need for a more standard measuring device at the Idaho Weir on Clear Creek to give credibility to any complaints from Idaho users, and that the Department would not begin a process toward a compact with Utah without the water users requesting it. Brent Hobson, who purchased Boyd Hoskins' Naf Store and surrounding land just this year, wanted to know if it was in the Clear Creek users best interests to be included in the 43B water district. Clear Creek users Shane Holmgren and Boyd Hoskins said that their opinion was that they were better off now than when they were separate, as it was cheaper.

I gave an update on the status of the Adjudication, stating that their preliminary recommendations would be out within two months. I went over the process of Notice of Error after the preliminary and Objection after the director's report and that the partial decrees would really not be final until the adjudication was completed, maybe as early as 2005. We discussed the ruling that the Director made regarding the diversion of Raft River decrees from the well head, and that agents would be disallowing those points of diversion. Roscoe Ward and Jay Harper expressed that they may still want to amend their claims to add points of diversion at their well heads in case a decision favorable to diverting Raft River water at the well head was made down the road. They were concerned that if that happened, only rights configured that way in the Adjudication would be allowed both types of diversion. I told them that they were free to make their claims however they wanted to with the understanding that at this time they would be not be recommended as claimed. We also discussed that the old decrees on Raft River would be perpetuated in the SRBA decrees whether or not they were currently being diverted. In response to a question by Jay Harper about the Jobe Adams Decree, I said that the Department recognized that there were errors in the decree but that it contained much evidence of historical use of surface water, both specifically and generally, ie: that it gave the duty of water as 1 inch per acre in the decree. I mentioned that in some areas it had been fairly strictly adhered to, and in others not. I said that whenever possible our decrees would agree with the Jobe Adams.

Dave Sundburg asked if the Clear Creek rights were going to be included in the Director's Report, and I said yes. He asked if objections could still be made to those, and I said yes, but erroneously did not specify that Clear Creek partial decree holders could no longer object to their own rights, but that other users could object to the Clear Creek rights.

The meeting was adjourned at 3:30. Jay Harper privately informed Tim Luke that a tentatively scheduled discussion toward an agreement between the water users and Gary Steed regarding the amount of mitigation water needed for Reed Springs had not occurred at the meeting because Gary Steed wanted to wait for another time.