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OCT 28 2003

Department of Water Resources

04-30-03 Water District 63-S

The following were present

Tom Tertling

Ed Squires Hydro Logic, Inc.

Lori Graves IDWR

Rose Ryan

Dana Hofstetter Hofstetter Law Office

Garnette Monnie Edwards Greenhouse

Ken Neely IDWR

Tim Luke IDWR

Dave Hendrickson Quail Hollow

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WATER RESOURCES
WESTERN REGION

The meeting was called to order by Garnette at 1:05 p.m. The minutes from the last meeting were read and approved.

Dave reported the account for the district contains \$2,075.00. He reported at charge totaling \$40.00 had been accessed by the bank. That charge was based on \$5.00 a month because the account was inactive.

Ken Neely was voted in as water master. Luke and Ken then explained the proposed budget. It is based on the amount proposed maximum hours it could take the water master. It was explained that the Overhead charge included vehicle mileage, workman's compensation and computer time. The Operation Expense was explained as one time only charge for the purchase of a 300 ft steel tape measure and two gauges. These items are purchased jointly with Water Resource Department and will be in Ken Neely possession. Garnette called a vote on the budget and it was excepted. Ken suggested setting up a schedule to visit the wells that would be the same day every month. When he does his weekly visits for the six weeks in March and October he will do it on the same day every week. This will avoid confusion on when the visits will happen.

In response to a question on the location of the artesian wells in the water district. Ken said he will send everyone a map of the wells locations.

The Stralow was discussed in lengthy detail. There is confusion on exactly the well's status in regards to Silky verse Teggs. A motion was passed that Ed would draft letter and send to members via e-mail. The letter contains a request to Gary Spackman for a SRBA review (Snake River Basin Adjunction) of the Stralow well

The motion was passed the water district meeting will be on the second Thursday of March at Quail Hollow Club House. This agenda of this meeting will be election of officers, approval of budget and hiring of water master. It was proposed there will be a special meeting in August to review the data collected from the wells. No specific date was set for the August Meeting.

There is a \$2,600.00 shortfall in this years budget. The assessment to all water users will be based on the CFS used. The users will receive a invoice on March 1st. The assessment will be discussed at the annual March meeting. The assement will be due 10 days after the meeting. Non payment will mean your right is not delivered. The exception will be the Ryan domestic use well. They will be assessed \$10.00 at this time. Garnette thanked Dave for the use of the club house to hold the meetings.

The motion was made by Garnette and the meeting was adjurned at 2:13 p.m.

MEMORANDUM

DATE: 5/2/2003

FROM: Lori Graves *LG*

TO: 63S File

RE: Annual Meeting

The annual meeting for Water District 63S was held April 30, 2003 at Quail Hollow Golf Course.

The meeting was called to order by Garnette Monnie. Tim Luke reviewed the Department's proposed resolutions and the budget regarding the election of Ken Neely as Water District 63S Water Master. Tim stated that Ken's salary would be tallied at the end of the year based on time worked. The District members unanimously accepted the Department's proposal and voted in favor of Ken as their Water Master.

Part of the budget involved cost sharing with the Department for a new steel tape to measure wells. This tape would be used for the District wells along with other wells the Department needed measured. The tape costs \$1000-\$1500. The District agreed to pay \$500 as long as Ken retained possession of the tape and any other equipment the District pays for or helps pay for that is used for monitoring their wells.

The District decided to have their annual meeting the 2nd Thursday of March each year. Currently the District has \$2075 in their budget. They decided assessments will be based on cfs. The assessments will be due within ten days following the annual meeting. In accordance with the annual meeting date, the Department will send the District an invoice for Ken's services March 1 each year.

The other issue discussed was the Stralow well aka the Nelson well represented by statutory claim and SRBA claim no. 63-5195. Ken Neely and Ed Squires visited the well site and stated that the well is free-flowing and currently not providing a beneficial use. The *Silkey v. Teigs* decree stated that the well be shut in. Until an SRBA ruling, the well can be used within the limits of 42-111, unless it can be shown that senior wells are injured by this practice. The District plans to file objections to SRBA claim 63-5195 and also file a complaint with the Western Region. Due to the significant amount of geothermal water being wasted, the District is going to request that the claim be subject to SRBA review immediately as part of the complaint investigation.

Once developed, Ken Neely will send me a measurement schedule that he plans to follow for the management and measurement of Water District 63S.

Water District 63-S
Proposed Resolutions Regarding
Election of Water Master and Proposed Budget

THE WATER USERS OF WATER DISTRICT 63-S MEETING AT THE ANNUAL
DISTRICT MEETING ON APRIL 30, 2003 AT THE QUAIL HOLLOW GOLF
COURSE, BOISE, IDAHO, HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

1. That the watermaster perform the duties as required by Chapter 6, Title 42, Idaho Code and in accordance with:
 - 1) Direction and guidance provided by the Director of IDWR.
 - 2) The annual water district resolutions as adopted herein.
2. The Idaho Department of Water Resources be elected to provide the watermaster services for Water District 63-S and that the Director of IDWR appoint Ken Neeley, an employee of IDWR, or other employees of IDWR as may be necessary, to serve as the watermaster for the ensuing year.
3. As provided in Idaho Code § 42-608(4), the watermaster shall begin service on this date and continue until the next annual meeting when a successor is elected or appointed.
4. The water users of Water District 63-S hereby empower the elected Water District Advisory Committee to enter into a Memorandum of Understanding between the Water District and the Director of IDWR that will provide for the following:
 - a) Water District 63-S shall provide compensation of the watermaster and all related water district expenses for the ensuing year. Water District 63-S shall adopt a budget at the 2003 annual meeting to cover said expenses.
 - b) Water District 63-S shall prepare and collect assessments for the ensuing year and reimburse IDWR for actual expenses on or before April 30, 2004.
 - c) IDWR will provide office space, vehicles and the use of all necessary office and field equipment, and other necessary watermaster expenses. This arrangement shall not give Water District 63-S any ownership interest in any IDWR office space and equipment.
5. The budget for Water District 63-S for the ensuing year beginning May 1, 2003 and ending _____, 2004 be as follows:

Water District 63-S, Stuart Gulch				
2003 Proposed Budget				
Contract with IDWR				
Salary/Overhead				\$/yr
Salary Rate				\$ 2,062.08
Benefits				\$ 909.11
Overhead				\$ 1,137.97
Total Salary				\$ 4,109.16
Other Exp.				
Operation Exp				\$500.00
Total Operation Exp.				\$500.00
Total Budget Exp.				\$ 4,609.16
Water District 63-S, Stuart Gulch				
Itemization of Costs for IDWR Contract				
Fiscal Year 2004				
		\$/hr	Hours	Annual Cost
Employee (K Neeley)	- Salary:	21.48	96	2062.08
	- Fringe:	9.47	96	909.11
	total:	30.95		2,971.19
Indirect:		11.85	96	1,137.97
total salary + indirect:		42.80		4,109.16
Operating:				500.00
				4,609.16

6. The expenses of the district for the ensuing year shall be limited to the budget adopted at this annual meeting and shall be apportioned among the individual water users in the district based on the amount of water used by each user during the ensuing year. The Watermaster shall prepare a report for the district on or before April 1, 2004 showing water use by each user during the ensuing year, along with a summary of expenses and hours worked. The watermaster shall further determine the costs owed by each user based on the owners' use and proportionate share of the actual expenses.
7. An advisory committee shall be elected to provide input to the watermaster and the Director of IDWR. The advisory committee shall be as follows:
8. The annual Water District 63-S meeting shall hereafter be held on the (day of week) of (month), of each year unless the Director of IDWR should find it necessary to change the meeting date or unless changed by resolution of the district at any annual meeting.
9. Copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and any reports summarizing the expenses of the district and apportionment of costs among users shall be filed with the director of the Department of Water Resources in accordance with Idaho Code § 42-617.
10. The watermaster of Water District 63-S shall be responsible for submitting to IDWR annual reports showing water use and such other information that may be deemed necessary by the Director of IDWR in accordance with Idaho Code § 42-606.
11. The watermaster is authorized as an employee of IDWR under Idaho Code § 42-1701(5) to make reasonable entry on lands within the district, in accordance with IDWR policy, to carry out the duties of the watermaster as instructed by IDWR. These duties include but are not limited to:
 - a) Monitoring diversion and measuring rate and volume of water diverted from ground water and other public water sources
 - b) Measuring the depth to water in wells
 - c) Monitoring the place, period, and nature of use of water to identify unauthorized diversion and use and to determine compliance with water rights in the district.