



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

May 14, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

JIMMIE DOWNTON, Secretary  
HC 62 BOX 2320  
MAY ID 83253

RE: Water District No. 73

Dear Mr. Downton:

We acknowledge receipt of the Minutes of the Annual Watermaster's Election Meeting held in your district.

Now we need the Oath of Office and Petition for Watermaster Services before the watermaster can be officially certified in your district.

Sincerely,

Harold W Jones  
Water Rights Supervisor

HWJ:sc

**MINUTES OF ANNUAL WATER MEETING**  
**WATER DISTRICT # 73**  
**PAHSIMEROI RIVER- CUSTER & LEMHI COUNTIES**  
**MARCH 3, 1997**

MAY 14 1997

Department of Water Resources  
Eastern Region

The annual water meeting of Water District #73 was held at the May Grange Hall at May, Id on March 3, 1997, at 1:12 p.m.

The meeting was called to order by Chairman Ralph Hatch. Jim Dowton, Secretary, gave copies of 1996 minutes to those in attendance and Roy Ellis made a motion to dispense with the reading of the minutes and to accept as printed. Seconded by George Miller. All approved.

There were 15 in attendance, also several women from the P.T.A. at the meeting .

Business Discussed: Resolutions #1-#2-#3-#4-#5-#6-#7-#8- #9 from the 1996 meeting. These are also enclosed on the Resolution Page.

**RESOLUTIONS FOR 1997**

#1- (#1-from 1996 resolutions) That the watermaster shall be elected at said meeting, and that the district will also appoint him with authority on down the ditches to be ditch rider. The watermaster will do his own billings for ditch rider and fees set by him and the ditch users. The users on the individual ditches will be the only ones charge if the ditch rider is called on down the ditch. The bill will be divided evenly among ditch users that call for the ditch rider. If the ditch rider cannot collect bills during the water season he will turn them over to Water District #73 for collection. Water users with unpaid bills shall not have the right to demand and receive any water for the coming season and the watermaster shall not deliver water to any user until the amount has been paid. Motion to adopt this resolution was made by Jack Whitworth and seconded by Roy Ellis. All voted in favor. \*\*NOTE- Watermasters authority to the point of diversion. Ditch Rider from there on down the ditch.

#2- (#2 from 1996 resolutions)-That Water District #73 shall do own billing and collections. Payable or due May 1 or before water use. There will be a charge of 8% interest annually from said date until paid. Resolved: That no water user shall have the right to demand and receive water, and the watermaster shall not deliver to such user until the amount due and payable from such user, as fixed by the budget, has been paid. Resolution made by Doug Parkinson, seconded by George Miller. All voted in favor.

#3- (#3-from 1996 Resolutions)- Resolution to combine Credentials and Advisory Board.

Appointed by Chairman Ralph Hatch- made motion to appoint the following to serve on the Credentials and Advisory Board. Billy Gydesen made the motion to accept the chairman's suggestion of those to serve on the board. Seconded by Larry Whittier. All approved.

**BOARD SELECTION:**

- |                   |               |
|-------------------|---------------|
| 1. Larry Whittier | 4. Ted O'Neal |
| 2. Roy Ellis      | 5. Duane Moen |
| 3. Jack Whitworth |               |

Advisory Board can act for District for the season, but Watermaster can council with advisory board if needed. This board will draw no salary, nor would it have any legal authority. Watermaster has final say. Its duty would be to work for peace and harmony among the water users.

#4-(#4-1996 resolutions at Water Meeting) Request by watermaster for weirs and proper measuring devices be upgraded or put in by the individual users, starting with areas needing them most. Watermaster needs to make a list of what needs to be upgraded and to prioritize with a list. Continue to work on this. Motion made by Norman Wallis, seconded by George Miller. All approved.

#5- (#5-1996 Water Meeting) Proposal from Water Clerk & Treasurer that the Water District adopt a resolution that the Clerk-Treas. salary portion that is paid by the water master should be included in the District's budget because most of the time the Watermaster does not know that they have to pay half of the clerk's salary and they have not included it in their bid. Motion was made by George Miller to adopt resolution. Seconded by Doug Parkinson. All approved.

#6- Proposed Budget for 1997-----\$2400.00  
(Secretary, -----\$250.00  
Clerk/Treasurer-----\$800.00  
Other Expenses-(rent-postage  
billing supplies- and other  
costs incurred by water master & DIST.)

PLUS WATERMASTER BID-  
\$1400.00/MONTH/5 MO.+ \$326.62 7 DAYS OCT.  
WATERMASTER- \$7326.62

(If called out earlier than May 1-  
watermaster will be compensated for  
days called out at the rate of -\$46.66 a day)  
Budgeted for 5 months + 7 days for October-  
(If Watermaster called out earlier than May 1- to be compensated at  
the rate of \$ 46.66 a day)

(With adjustments for debits and credits  
from the 1996 Report)  
New budget item- Workman's Compensation Insurance-abt. \$700.00  
Resolution to adopt budget was made  
by Rich Dinges, seconded by Norman Wallis. Passed unanimously.

#7-Opening of Watermaster Bids-  
Call for bids from the floor, there were none.  
Opened Watermaster Bid from  
Troy Ziegler-\$1400.00 a month for 5 months+ 7 days Oct.  
regardless of miles called out.

There being only one bid a motion was made by Jim Martiny and seconded by  
George Miller to accept Troy Zieglers bid for watermaster for 1997.  
Motion passed.

#8-ELECTION OF OFFICERS--Billy Gydesen made motion to keep all the  
same officers as last year. Roy Ellis seconded. Motion passed.

Officers for 1997  
Chairman-----Ralph Hatch  
Secretary-----Jimmie L. Downton  
Clerk/Treasurer----Maria Elena Downton

#9- Motion made for Jim Downton to represent Water District # 73 on  
the Upper Salmon River Caucus with the STATE OF IDAHO ATTORNEY GENERALS  
OFFICE for the coming year. Motion made by Roy Ellis and seconded by Jack  
Whitworth. Motion passed.  
Jim Downton reported on this last years caucus and reported on the Ellis  
Ditch structure and the transfer of Parkinson Farm water out of the Ellis  
Ditch to the Salmon River and to be monitored by the Watermaster. Jim also  
reported on the headgates and fish screens being done with Model Watershed.

**RESOLUTION # 10**-There was a discussion about putting all of the Water  
District users for the Pahsimeroi River Drainag on the Watermaster's books.  
There would be a posting in the Post Office of the meeting for 1998 and to  
be published in the legal notice of the local papers about the meeting next  
year and mail to water users that they will be included on books next year.  
Motion made by Norman Wallis and seconded by Jack Whitworth. Motion  
passed.

**RES. # 11.** A discussion on the loss of the Grouse Creek Water right during the earth  
quake. The Gouse Creek water right was being denied by the U>S> ~~Forest~~ <sup>FOREST</sup>  
Service and should the Water District contact ~~Sulphur~~ <sup>SULPHUR</sup> Creek Livestock to  
encourage them to try to get the right back. Jim Martiny said he would  
contact them. Doug Parkinson made the motion that the Water District would  
go on record for the support of them getting their wqter right back.  
Seconded by Jim Martiny. All voted in favor.

Jim Martiny made the motion to adjourn.  
Seconded by Jack Whitworth.  
Passed.

Time- 2:36 p.m.  
JIMMIE L. DOWTON , SEC. *Jimmie L. Downton*

RALPH HATCH, CHAIRMAN-----

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Additional information to minutes.

Secretary Jim Downton contacted local attorney Jim Bennets concerning the legality of the District adding all of the water users in the Pahsimeroi River Drainage to the water books. Attorney Bennetts suggested that the District approach this with extreme caution. Enclosed is a copy of Attorney Bennetts letter.