

March 25, 1996

KEITH BRAMWELL, Secretary
PO BOX 65
DUBOIS ID 83423

RE: Water District No. 32-C

Dear Mr. Bramwell:

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

Now we need the Petition for Watermaster Services forms before
the watermaster can be officially certified in your district.

Sincerely,

Harold W Jones
Water Rights Supervisor

HWJ:sc

Jack Webster
Chairman

Donald Shenton
Watermaster

Keith A. Bramwell
Secretary

Department of Water Resources
Eastern Region

MAR 22 1996

RECEIVED

WATER DISTRICT 32-C

MEDICINE LODGE CREEK

Dubois, Clark County, Idaho

MINUTES OF THE ANNUAL MEETING OF MARCH 12, 1996

In accordance with the provisions of the Idaho Code setting the date of the annual meeting for the Water District, the users of Water District 32-C met this day at 3:00 p.m. at the County Commissioners Room in the Courthouse in Dubois, Idaho, for the purpose of electing a Watermaster and Secretary, adopting a budget, fixing the salary of the Watermaster and secretary, and transacting such other business that might come before the meeting pertaining to the irrigation water of the District.

This in attendance were: Jack Webster, Chairman, Van Burtenshaw, Ken Rowland, Pat McGarry, Gerald D Holmes, Lee Small, Keith C. Wilson (IDWR), Dusty Shifflett, Lynn Hoggan, David Leonardson, Sid Brown, Garth Ashcraft, Elman T. Woodfield, Wanda B Woodfield, Brion Egan, Don Shenton, Watermaster; Greg Shenton, Deputy Watermaster; Keith Bramwell, Secretary.

ADOPTING PROPOSED AGENDA

Chairman Jack Webster presented the agenda for the meeting as listed below:

- Review of Agenda
- Election of Credentials Committee
- Election of Officers
- Approval of 1995 Minutes
- Watermaster's Report
- Budget Approval
- Election of Watermaster
- Election of Deputy Watermaster
- Review of Resolutions
- IDWR Report
- Other Business

Van Burtenshaw moved and Lynn Hoggan seconded that the proposed agenda be accepted. The Motion passed unanimously.

CREDENTIALS COMMITTEE

Chairman Webster asked for nominations for the credentials committee or a motion to waive the committee. Jack entertained a motion to dispense with appointing a credentials committee for determination of voting rights. It was seconded by Van Burtenshaw. The motion carried.

ELECTION OF OFFICERS

The Chairman asked for nominations from the floor for the office of Chairman. Lynn Hoggan nominated Pat McGarry and Van Burtenshaw seconded the nomination. Pat McGarry nominated Lynn Hoggan and Lee Small seconded the nomination. A vote was taken and Pat McGarry was elected chairman. Jack Webster stepped down as chairman and Pat began conducting the meeting.

The Chairman asked for nominations for secretary. Keith Bramwell was nominated by Jack Webster and Van Burtenshaw seconded the nomination. Jack moved that nominations cease and Sid Brown seconded the motion. Keith Bramwell was elected by unanimous ballot.

MINUTES

Chairman Pat McGarry asked the secretary to read the minutes of the 1995 meeting. Since everyone had ample time to read the minutes,, Lynn Hoggan moved that reading of the minutes be dispensed with and that they be accepted. Sid Brown seconded the motion and the motion passed.

WATERMASTER'S REPORT

1995 Water Use

Deputy Watermaster Greg Shenton distributed the 1995 Water District 32-C Report and asked that each read it before having a group review. Time was allowed for reading of the report.

Greg Shenton reviewed the 1995 water year. Only one other year in the last 41 years was comparable, and that was 1984. 1995 and 1984 were similar, with high water flow, structural damage, and erosion of the channel. A total of 37,768 A.F. of water was delivered in 1995, compared to 15,392 A.F. in 1994. On June 15, the stream flow measured 470 c.f.s. Total stream flow exceeded 76,000 A.F. for the season. The stream carried more water in it during July of 1995 than it did the entire year of 1994. The biggest job on the stream and diversions was debris removal. Nevertheless, all licensed water was delivered. As a result, those who paid large

assessments last year because they had water delivered will have large credits, while those that did not have to pay much because they did not get water will have to pay more. It should not be of major concern, however, because it all averages out over time.

New Water Users

G & L Ranch became a new water user in the district with its purchase of the Ned Gneiting ranch last summer.

New Measuring Devices

G & L Ranch installed two new weirs on the Gneiting Ranch and George Whittaker installed a new weir on his upper ditch which is fed from the spring in Gneiting's.

Beaver Problems

It was reported that four beaver were taken by Steve Fitzwater and that he had turned a bill into Don. The problem is that 32-C does not have a rotating fund for beaver control and, since no money was authorized, Steve was not paid. Don Shenton said that some money is available to pay the \$40 but something needs to be done so that the fund would not be depleted if beaver are taken in the future and the bounty paid.

Whittaker Livestock Water Controversy

Due to some objections after the last annual meeting regarding the Whittaker livestock water diversion, IDWR was contacted. IDWR supported the continuation of the diversion.

Financial Report and Budget

Last year's breakdown of expenses and the 1996 proposed budget was presented. \$4,752.63 less than the 1995 budget was actually spent. The Budget for 1996 is the same as it was for 1995. The 1996 proposed budget is:

1996 Budget

Watermaster	\$1,800.00
Deputy Watermaster	5,400.00
Mileage	4,080.00
Other	4,220.00
Total	\$15,500.00

Snow Course Measurements

The snow course measurements on Irving and Weber Creeks were just over half of last year's measurements. The Average of both courses is 77% of normal.

Beaver Problems

Don Shenton reported on the events that had transpired regarding the beaver problems of the last year. After much letter writing and delays, policy was finally established by the Army Corps of Engineers. The action followed a threat by Senator Kempthorn's office that he would conduct a hearing regarding the issue if the Corps didn't make a decision. Water districts may remove new dams less than one year old but must get a review of whether or not the presence of older dams are causing damage or limiting delivery of water. It will be the Corps' decision in such cases and possibly a 404 permit would be required for the removal of older dams.

Repair of Flood Damage

\$450.00 was spent on flood damage repair. The cost would have been much more if it had not been for the cooperative effort between the district, those affected, and the county Road and Bridge Department.

Other Business

Don Shenton discussed his plans to partially retire, especially on the mud Lake system. Don will be working on a lot more limited basis in the future. He also discussed his plans to go to Alaska for about 2 1/2 months this summer. He said that taking a reduction in pay would severely affect his future retirement pension due to the state retirement system policy of using the average of the last 3 years of employment to determine the amount of the pension. A reduction in pay at this time would be serious and he would either have to retire completely now or hope that the districts would be willing to pay full salary. Don said that the other district decided to provide a leave of absence on full pay. The Mud Lake Water Users are providing additional funds to provide some extra help for Greg. Don said that it was up to the district how it wants to handle the situation.

Don stated that if he doesn't have to retire completely, that he would continue to be available to handle the problems that are created by the adjudication and other issues.

Brion Egan asked about who was responsible for the cost of improvements made to diversions. It is district policy that the water user needing the improvements is responsible for the cost.

Wanda Woodfield recommended that Don be excused from duty this summer and be paid full salary.

Garth Ashcraft moved that the Watermaster's report be accepted. Lynn Hoggan seconded the motion and the motion passed unanimously.

BUDGET APPROVAL

Chairman Pat McGarry asked if anyone had any questions regarding the budget. Van Burtenshaw moved that the proposed budget be accepted. Lee Small seconded the motion and the motion passed unanimously.

ELECTION OF WATERMASTER AND DEPUTY WATERMASTER

The chairman called for the election of the watermanster and the deputy watermaster. Jack Webster nominated Donald Shenton as Watermaster and Van Burtenshaw seconded the nomination. Van moved that nominations cease, Garth Ashcraft seconded the motion and Don was elected by unanimous ballot.

Election of the deputy watermaster was next. Lynn Hoggan moved that Greg Shenton be nominated and the motion was seconded by Sid Brown. Jack Webster moved that nominations cease and Lynn Hoggan seconded the motion. Greg was elected by unanimous ballot also.

APPOINTMENT OF ADVISORY COMMITTEE

The advisory committee was discussed next. Pat McGarry will not be able to continue as a regular member on the committee since he was elected chairman and Jack Webster, retiring from the chairman position, is no longer on the committee. Lynn Hoggan moved that Steve Worthen be appointed to the committee to replace Jack. Van Burtenshaw seconded the nomination. After some discussion about whether or not ranch managers could be on the committee, it was decided that they could. Jack Webster moved that nominations cease. The motion was seconded by Van Burtenshaw and passed unanimously, with the new appointment, current members are Pat McGarry, Chairman; Steve Worthen, Lee Small, Jack McGarry, and Lynn Hoggan.

RESOLUTIONS

Headgates and Weirs

Moved: Garth Ashcraft; Seconded: Gerald Holmes; Passed.

"All control devices and measuring devices shall be in good working order before water can be demanded and delivered. The Watermaster shall not deliver any water unless such devices are in good working order."

Collection of Water Assessments

Moved: Jack Webster, Seconded: Lynn Hoggan; Passed.

"That no ditch, canal, or other water user shall have the right to demand and receive water until full payment due is paid. Payment shall become due April 1, 1996 and shall become delinquent May 1, 1996, and if not paid by May 1, 1996, the payment shall bear interest from May 1, 1996 at the rate of eight percent (8%) per annum.

The watermaster shall not deliver any water until full payment due is paid."

Watermaster Term of Service

Moved: Van Burtenshaw; Seconded: Jack Webster; Passed.

"That the Watermaster shall be elected for a term of one full year. The purpose is so the watermaster can serve in the legal capacity to do official business for the district in the event of emergencies, legislative actions, hearings, disputes or other water related or job related activities.

The watermaster cannot be required to make water deliveries before April 1, or after November 1, (the normal irrigation season) unless an emergency exists. The watermaster shall not be paid before April 1, or after November 1 from water district budgeted regular funds."

Sprinkler Irrigation

Moved: Lynn Hoggan; Seconded: Garth Ashcraft; Passed.

"To prohibit sprinklers pumping directly from Medicine Lodge Creek as per the motion adopted in 1980, which read as follows: "That no additional sprinkler pumping be allowed from Medicine Lodge Creek or its tributaries, without first diverting water into a private pond or sump, to eliminate any interference with regulation of stream waters."

Watermaster and Deputy Watermaster Vehicle Requirement

Moved: Jack Webster; Seconded: Van Burtenshaw; Passed.

"Be it resolved that the watermaster, and/or deputy watermaster, be required to furnish a vehicle for all job related duties and activities to carry out all his responsibilities as watermaster of this water district. Be it further resolved that any and all expenses of operation of that vehicle or vehicles for the water district, shall include but are not limited to fuels and oils, maintenance and repairs, payments for vehicle licenses, insurance, and any other fees related to operation of vehicles."

IDAHO DEPARTMENT OF WATER RESOURCES REPORT

Keith Wilson, IDWR, stated that he did not have anything to report.

OTHER BUSINESS

Watermaster Leave of Absence

It was determined that a motion should be made regarding Don's request for a leave of absence. Lynn Hoggan moved to grant the leave of absence with full pay. Van Burtenshaw seconded the motion and the motion passed.

Well Drilling

Wanda Woodfield asked about the drilling of more wells. Don said that there is still a moratorium on well drilling and that many people are watching this issue.

Channel Repair

Sid Brown asked about channel repair. Don said that just the minimum has been done and that a 404 permit would likely be needed to do more work.

Cloud Seeding

Don explained that we now have our own cloud seeders and an inexpensive source of supplies. He said that a cooperative effort in funding the seeding operation is still needed. It was suggested that \$500 be put in the budget next year for cloud seeding. Van Burtenshaw moved that \$250 be allocated out of this year's budget as approved. Lynn Hoggan seconded the motion. Don said that he felt that \$250 could be shaved from the budget as approved to cover the intent of the motion. A vote was taken and the motion passed.

Beaver Bounty

A fund for beaver bounties was further discussed. Jack Webster moved that a voluntary assessment of \$25 per water user be approved to build a bounty fund. Van Burtenshaw seconded the motion and the motion passed.

New Weir


Dusty Shifflett asked about the installation of a new weir below the one that measures both his and the Burthenshaw water. Van Burtenshaw said that it was a good idea and that he approved of the new weir. Greg said that a gate would be needed to get accurate adjustment. Lee Small pointed out that there is a problem with the old diversion. Willows and ice at the weir is causing the creek to flood his farmstead. The water needs to be lowered in the fall. A lower opening is needed to lower the water level.

Meeting Time

Van Burtenshaw made the motion that the 1997 meeting be held the seconded Tuesday of March 1997, at 3:00 p.m. in the County Commissioners Room, at the Courthouse, in Dubois, Idaho. Lynn Hoggan seconded the motion and the motion carried.

Adjournment

Lynn Hoggan moved to adjourn the meeting, and Van Burtenshaw seconded the motion. The motion carried. The meeting adjourned at 4:40 p.m.


Pat McGarry, Chairman

ATTEST: 
Keith Bramwell, Secretary