



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

March 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KEITH BRAMWELL, Secretary
PO BOX 65
DUBOIS ID 83423

RE: Water District No. 31 and 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 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



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DIRECTOR

CLARK COUNTY AUDITOR AND RECORDER
CLARK COUNTY COURTHOUSE
DUBOIS ID 83423

RE: Water District No. 31 AND 32-C

Dear Sirs:

Enclosed please find copies of the Adopted Budget and Minutes of Water District #31 AND 32-C. They have been read and approved by this office.

If you have any questions concerning this matter, please feel free to contact this office.

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

Enclosure

HWJ:sc

Pat McGarry
Chairman

Greg Shenton
Watermaster

Keith A. Bramwell
Secretary

WATER DISTRICT 32-C

MEDICINE LODGE CREEK

Dubois, Clark County, Idaho

MINUTES OF THE ANNUAL MEETING OF MARCH 10, 1998

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 Courtroom 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.

Those in attendance were: Pat McGarry, Chairman, Jack Webster, Lee Small, Lynn Hoggan, David Leonardson, Sid Brown, Grant Ashcraft, Steven Worthen, Stewart Breinholt, Matt Hoggan, Brion Egan, Greg Shenton, Watermaster; Bart May, Deputy Watermaster; Keith Bramwell, Secretary.

ADOPTING PROPOSED AGENDA

Chairman Pat McGarry presented the agenda for the meeting as listed below:

- Review of Agenda
- Election of Credentials Committee
- Election of Officers
- Approval of 1997 Minutes
- Watermaster's Report
- Budget Approval
- Election of Watermaster
- Election of Deputy Watermaster
- Review of Resolutions
- IDWR Report
- Other Business
- Next Annual Meeting Time

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Brion Egan moved and Jack Webster, seconded that the proposed agenda be accepted. The Motion passed unanimously.

CREDENTIALS COMMITTEE

Chairman McGarry asked for nominations for the credentials committee or a motion to waive the committee. Jack Webster moved and Dave Leonardson seconded a motion to dispense with appointing a credentials committee for determination of voting rights. The motion passed.

ELECTION OF OFFICERS

The Chairman asked for nominations from the floor for the office of Chairman. Jack Webster moved that the chairman and secretary stay the same. Lee Small seconded the motion and the motion passed. Pat McGarry was retained as chairman and Keith Bramwell was retained as secretary.

MINUTES

Chairman Pat McGarry asked if the minutes needed to be read and entertained a motion to dispense with reading of the minutes and approve them as they are written. David Leonardson moved that the minutes be approved as written and reading of them be waived. Stewart Breinholt seconded the motion and the motion passed.

WATERMASTER'S REPORT

Watermaster Greg Shenton distributed the 1997 Water District 32-C Report and asked that each read it before having a group review. Time was allowed for reading of the report.

1997 Water Year

The 1997 water year was near normal with water licenses being delivered for 68 days. A total of 31,392 A.F. were diverted and used compared to 1996 at 25,376 A.F., making 1997 a slightly above average year.

New Diversion Structures Installed

Medicine Lodge Ranches installed a new structure at Edie Creek for a gravity flow irrigation system to irrigate lands at Edie Creek, Medicine Lodge Creek and Weber Creek. The structure has not been used yet because of protests.

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Beaver Budget Problems

Beaver problems were quite bad last year but the district was billed for only one beaver and only two water users paid the \$25. Lee Small added that he thought two beavers were taken but that more beavers were certainly working. Greg asked Grant Ashcraft if there were beaver problems on Indian Creek. Grant said he wasn't sure but problems likely exist. He added that it was permissible to trap on state lands above his ranch.

Water Right Protest

There was no discussion on the protest filed in the name of the district on a water right that was forfeited through non-use. The right was denied by IDWR.

Water Right Transfer

Brion Egan bought half of the Gerald Holmes Ranch and filed a transfer of half of the water rights. Much attention was given to this filing. Brion agreed to take the water loss between the Holmes ranch and the Rowland ranch, which is 6%. That solved the concerns. Brion added that he did receive license on the transferred water.

Financial Report and Budget

Last year's costs debits and credits were reviewed and the 1998 proposed budget was presented. A typographical error was made in the proposed budget. The amount for "other" should be \$4,470 instead of \$4,220 and the total should be \$15,750.

1998 Proposed Budget

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

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Snow Course Measurements

The snow course measurements on Irving and Weber Creeks were 115% and 122% respectively. The Average of both courses is 119% of normal, the same as last year.

Beaver Budget

\$110 is in the beaver account currently. At \$10 per beaver, this is enough for 11 beavers but without the voluntary contributions, it may not last long.

USGS Measurements

The USGS measurements are made near the Small Ranch. They provide an objective independent check on creek flows.

Cloud Seeding

There has been a problem with payment for the cloud seeding. The \$250 was inadvertently left out of the budget and, consequently, not available last year. It was suggested that it be included in the assessment in the future.

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

Following the Watermaster's report, several questions were asked. Brion Egan asked what would happen to the other half of the Holmes water, where does it go. Greg said that it would go to the next appropriation.

Lynn Hoggan asked about the watermaster and deputy watermaster amounts in the budget. Greg pointed out that in spite of the changes in personnel, the amounts for each remains the same. Greg has served the past year as Watermaster and Bart May has served as Deputy Watermaster.

Dave Leonardson said that the cloud seeding problem really needs to be resolved. Greg indicated that the districts pay to the county and the county distributes it. Cloud seeding for the past year and for 1998-99 is \$500. Greg said that with the budget at \$15,750, the needed \$500 for both years can be absorbed since the \$250 for 1998 is included in the "Other" category.

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Brion asked further about water transfers. He asked if water transfers could be done without IDWR approval. Greg said that approval was necessary. Informal arrangements are no longer valid if tested.

BUDGET APPROVAL

Chairman Pat McGarry asked if anyone had any questions regarding the budget. Dave Leonardson moved that the proposed budget be accepted. Lynn Hoggan seconded the motion and the motion passed unanimously.

Chairman Pat McGarry entertained a proposal to award Don Shenton some kind of recognition, such as a plaque, to thank him for his 41 years of service to the district. Brion Egan moved and Sid Brown seconded a motion that the district purchase and award Don Shenton a plaque for his many years of service. The motion passed. Pat said he would see that the motion was carried out.

ELECTION OF WATERMASTER AND DEPUTY WATERMASTER

The chairman called for the election of the watermaster and the deputy watermaster. Grant Ashcraft moved that Greg Shenton be elected as Watermaster. Lynn Hoggan seconded the motion and the motion passed unanimously. Election of the deputy watermaster was next. Stewart Breinholt moved that the watermaster may appoint a deputy watermaster according to need. Lee Small seconded the motion and the motion passed unanimously.

APPOINTMENT OF ADVISORY COMMITTEE

The advisory committee was discussed. Pat asked if an election was necessary. Jack Webster said that it was up to the chairman. Pat said that if there were no objections, he would appoint the same individuals currently on the advisory committee. With that decision, current members are Pat McGarry, Chairman; Steve Worthen, Lee Small, Jack McGarry, and Lynn Hoggan.

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RESOLUTIONS

Headgates and Weirs

"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

"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, 1998 and shall become delinquent May 1, 1998, and if not paid by May 1, 1998, the payment shall bear interest from May 1, 1998 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

"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

"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."

Lynn Hoggan moved and Dave Leonardson seconded a motion to accept the resolutions as proposed in the Watermaster's Report. The motion passed unanimously.

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IDWR REPORT

With no representatives from IDWR present, the agenda item was dropped.

Some unfinished business was discussed. Steve Worthen moved that the cloud seeding be continued. Lynn Hoggan seconded the motion and the motion passed.

Grant moved that \$10 be assessed each water user in the district to be placed in a fund for the payment of beaver bounties and that the assessment be included in the budget as part of the regular water assessment. Stewart Breinholt seconded the motion and the motion passed. Steve Worthen moved to amend the approved budget to include the beaver bounty assessment. Stewart Breinholt seconded the motion and the motion passed.

With that change, the revised approved budget is as follows:

1998 Approved Budget

Watermaster	\$ 1,800.00
Deputy	\$ 5,400.00
Mileage	\$ 4,080.00
Beaver Bounty Fund	\$ 240.00
Other	\$ 4,470.00
Total	\$15,990.00

OTHER BUSINESS

Chairman Pat McGarry said that TMDL's are a reality and Medicine Lodge Creek is one of the streams listed. It will be reviewed in 2002. Nearly everyone on the creek will be in violation because of corrals either with the creek running through them or corral run off draining into the creek. He recommended the formation of a watershed advisory group (WAG) in order to have input and some influence on how the TMDL's will be managed. Greg added that the South Fork WAG has 12 members on it representing a variety of interests. It was recognized over a group formed by some environmentalists. He also said that FSA and NRCS has EQUIP funds to cost share for changes to meet DEQ requirements. Because of the "at risk" designation and the early date for review, Medicine Lodge Creek would be a priority. Pat recommended support for the WAG when it is formed.

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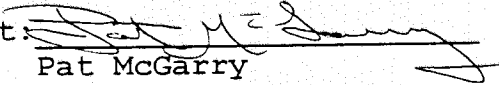
MEETING TIME

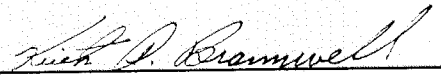
Jack Webster asked if the meeting could be a week earlier since the current time, the second week in March, conflicts with several bull sales that he needs to attend. Greg said that it was up to the water users in the district. Jack Webster moved and Brion Egan seconded the motion that the 1999 meeting be held on the first Tuesday of March, 1999, at 3:00 p.m. in the Clark County Courthouse in Dubois, Idaho. The motion passed.

ADJOURNMENT

David Leonardson moved and Jack Webster seconded the motion to adjourn the meeting. The motion passed, and the meeting adjourned at 5:05 p.m.

Attest:


Pat McGarry
Chairman


Keith A. Bramwell
Secretary

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