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MAR 29 2011

Department of Water Resources
Eastern Region

**WATER DISTRICT 32-C
MEDICINE LODGE CREEK
Dubois, Clark County, Idaho**

MINUTES OF THE ANNUAL MEETING OF MARCH 8, 2011

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 Clark County Annex Bldg. in Dubois, Idaho, for the purpose of electing a Watermaster, Chairman 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: Greg Shenton, Watermaster; Brett Murdock, Deputy Watermaster; Laurie Small, secretary; Brock Egan, Chairman; Lynn Hoggan, Sid Brown, James Cefalo, IDWR; Brion Egan, Tod Shenton, Rhett Jacobs and Garth Ashcraft.

Chairman Brock Egan, called the meeting to order at 3:05 p.m.

ADOPTING PROPOSED AGENDA

Chairman Brock Egan presented the agenda for the meeting as listed below:

- Review the Agenda
- Approval of Minutes
- Nomination & Election of Chairman & Secretary
- Nomination & Election of Credentials Committee
- Watermaster's Report
- Budget Approval
- Election of Watermaster
- Review & Adoption of Resolutions
- IDWR Report
- Other Business
- Next Annual Meeting Date & Time
- Adjournment

Brion Egan moved and Sid Brown seconded that the proposed agenda be adopted. The motion passed.

MINUTES

The Chairman entertained a motion to approve the 2010 minutes. Brion Egan moved that the minutes be approved as written. Lynn Hoggan seconded the motion. Motion passed.

ELECTION OF OFFICERS

Chairman Brock Egan asked for nominations from the floor for the office of Chairman and Secretary. Brion Egan nominated Tod Shenton as Chairman and Laurie Small as secretary. Lynn Hoggan seconded the motion. Tod Shenton moved that nominations cease. Sid Brown seconded the motion. Motions passed.

CREDENTIALS COMMITTEE

Chairman Tod Shenton waived appointing a Credentials Committee at this time.

WATERMASTER'S REPORT

Deputy Watermaster Brett Murdock, distributed the 2010 Water District 32-C Watermasters report. Deputy Watermaster Brett Murdock then went over each page of the water masters report.

2010 WATER YEAR

The 2010 water delivery 22,268 A.F. of water compared to 22,760 A.F. in the previous year, a difference of 492 A.F. of water.

2010-11 SNOW COURSE MEASUREMENT

Snow measurements at Irving Creek were 90% of normal, Weber Creek at 112% of normal, the average of the two creek drainages at 101% of normal.

FINANCIAL REPORT AND BUDGET

Deputy Watermaster Brett Murdock reviewed the 2010 budget, explaining some of the expenditures. Brett then presented the 2011 proposed budget. Brett reviewed the USGS measurements with the water users. There was discussion from the group on the Medicine Lodge Bed Loss Measurements.

2011 Adopted Budget

| | | | | | |
|------------------|--------------------|--|--|--|--|
| Wastermaster | \$1,800.00 | | | | |
| Deputy | \$5,600.00 | | | | |
| Mileage | \$5,600.00 | | | | |
| Secretary | \$250.00 | | | | |
| FICA Tax | \$650.00 | | | | |
| Insurance (WC) | \$500.00 | | | | |
| Miscellaneous | \$1,500.00 | | | | |
| Cloud Seeding | \$1,000.00 | | | | |
| Retirement | \$800.00 | | | | |
| Office Rent | \$900.00 | | | | |
| USGS Measurments | \$700.00 | | | | |
| Beaver | \$650.00 | | | | |
| TOTAL | \$19,950.00 | | | | |
| 2010 Budget | \$19,950.00 | | | | |
| 2011 Budget | \$19,950.00 | | | | |
| Increase | \$0.00 | | | | |

WATERMASTER'S REPORT & BUDGET APPROVAL

Tod Shenton asked for a motion to approve the Watermaster's Report as given. Lynn Hoggan made a motion to approve the Watermaster's Report. Sid Brown seconded the motion. Motion passed.

There was discussion on the proposed 2011 budget. Garth Ashcraft questioned if the rising fuel costs would affect the need for additional money for mileage. After further discussion the water users decided to leave the amount as proposed.

Tod Shenton then asked for a motion to adopt the proposed 2011 budget. Brock Egan made a motion to adopt the proposed 2011 budget. Lynn Hoggan seconded the motion. Motion passed.

ELECTION OF WATERMASTER

Tod Shenton asked for nominations for Watermaster. Sid Brown made the motion Greg Shenton continue as Watermaster. Brock Egan seconded the motion. Lynn Hoggan moved nominations cease. Rhett Jacobs seconded the motion. Motions passed.

RESOLUTIONS

The Chairman then asked the water users to adopt the following 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

"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, 2010, and shall become delinquent May 1, 2010, and if not paid by May 1, 2010, the payment shall bear interest from May 1, 2010, 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

"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."

Pumping from Creek

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

Calling the Deputy Watermaster to Duty

"The Deputy Watermaster shall be called to duty by the Watermaster for the remainder of the season at the request of three water users whose signatures shall authorize said action."

Deputy Term of Service

“The Deputy Watermaster shall be called to duty on May 1 to measure, record and regulate waters of Medicine Lodge Creek.”

Pooling Agreement

“Be it resolved that the water users of Medicine Lodge Creek unanimously agree and direct the Watermaster to continue the practice of water right exchanges, which has been practiced since the formation of the stipulation and agreement dated March 2, 1954. Such practices shall include pooling of waters, rented waters, and exchanges beneficial to the users as a whole. The Watermaster is further directed not to deliver the above mentioned waters to a downstream user, until that water delivery amount (c.f.s.) is assessed a bed loss value to provide that no injury to an existing water right would occur. These losses should be assessed according to the average of U.S.G.S. bed losses measurements.

We further resolve that delivery of the above waters cannot be demanded prior to May 1, unless excess water exits in the stream.”

ADOPTING RESOLUTIONS

Garth Ashcraft voiced comments about the pooling agreement on behalf of Grant Ashcraft. Grant has concerns that the 1928 Indian Creek agreement is not being followed and that junior water users are being affected by the transferring of water amongst senior water users. There was a brief discussion and comments made on these concerns.

Brock Egan moved and Lynn Hoggan seconded that all resolutions be adopted. Resolutions passed.

APPOINTMENT OF ADVISORY COMMITTEE

The advisory committee was discussed. Tod Shenton said that he would like to appoint Brock Egan, Lynn Hoggan, Rhett Jacobs, Garth Ashcraft and himself as the Advisory Committee.

IDWR REPORT

James Cefalo from the IDWR made comments on the USGS measuring that was being done for the water district. The IDWR is working with other districts on these measurements and he proposed that they may be able to save the district money in this area. After further discussion on how the measurements were being done at this time it would be more cost efficient to leave the measuring the way that it is. James also reported that the Idaho Falls IDWR has been hit hard with budget cuts and encouraged the water users to be patient when needing assistance from them. James also commented on the minimum charges implemented in some districts. He did not

feel that it make much difference for this district. James commended the district for the quality of services that it is receiving.

OTHER BUSINESS

Greg Shenton reported on the cloud seeding that is being done in the area. A map was handed out to show the placement of the IPCo and manual operated generators. From the input being received, the generators are showing to be quite successful. The RC& D will be putting in for a grant from the Idaho Resource Board to help supplement the manual generators in the area.

There was a review of the protest to Marlowe Goble's permit request. Tod Shenton read the minutes from the meeting that was held on January 11, 2011. There was discussion on the wording of the conditions that need to be met before the protest is lifted. James Cefalo commented that they would have to mitigate if there is consumptive use. He also verified that if a spring arises on ones property and sinks on the same property that you have to file on it to have the water right to it. It was agreed that Dr. Marlowe Goble must ensure that no water from Medicine Lodge Creek is entering the pond, and that any obstructions that are within 500 feet of point of diversion must be removed. Dr. Marlowe Goble will also be financially responsible for any additional cost to the water district.

Garth Ashcraft made the motion to have a declaration of drought letter prepared for approval. Brock Egan seconded the motion. Motion passed.

Rhett Jacobs questioned the status of the stock water issue on the Faye Whittaker property. Brock Egan reported that Egan Land and Cattle have the lease on this property and will take the responsibility for this issue.

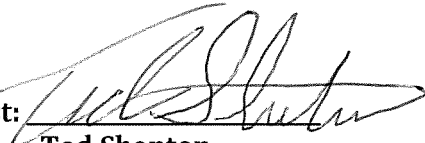
MEETING TIME

Garth Ashcraft moved that next year's meeting be held on Tuesday, March 13, 2012 at 3:00 p.m., at the Clark County Annex Bldg. in Dubois, Idaho. Brock Egan seconded the motion. Motion passed.

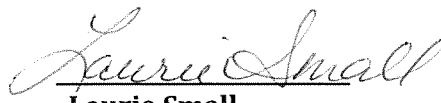
ADJOURNMENT

Lynn Hoggan moved to adjourn the meeting. The meeting adjourned at 4:37 p.m.

Attest:



Tod Shenton
Chairman



Laurie Small
Secretary