

MINUTES OF THE WATER USERS OF DISTRICT NO. 45-F

Minutes of the Water Users of District No. 45-F, Marsh and Tributaries, held March 1, 1976, in the Chuckwagon Inn, Albion, Idaho.

The meeting was called to order at 2:00 P. M. by Chairman Dick Anderson. Minutes of the Meeting held March 3, 1975, were read and approved. Members present at the meeting were Dick Anderson, Jay Nielsen, Denis Sandrock, Ernest Smyer, Don Merrill, Tom Geary, Max Huber, M. Alvin Kempton, Dick Adams, Gene Drake, Ronald Drake, Paul Schiewe, Ira Parke, Ben Smyer, Que Corey, William Estes, Larry Mahoney, Joe Brewerton, Don Cunningham, Bob Markham.

Chairman Dick Anderson asked for nominations for a new chairman. Jay Nielsen moved that Dick Anderson be re-elected as chairman; seconded by Al Kempton and carried. Don Merrill moved that Jay L. Nielsen be re-appointed as secretary for the coming year; seconded by Gene Drake and carried.

Ira Parke, Ben Smyer and Gene Drake were re-appointed to the Credentials Committee for 1976. Their report for 1975 was made to the group. They reported that no problems had arisen as far as credentials were concerned.

The budget for 1976 was then presented to the group by the secretary and a discussion was held concerning that budget. M. Alvin Kempton moved that the budget be adopted as presented; which included \$200.00 a month Watermaster salary for Ernest Smyer and \$120.00 per month Assistant Watermistress salary for Mrs. Hattie Smyer. Gene Drake seconded the motion which was carried.

Chairman Dick Anderson called for any discussion or gripes concerning the previous year's water deliveries. Ira Parke asked about headgates that had been washed out. It was determined that it would be the responsibility of each user to keep headgates in good repair in order for water to be delivered. The watermaster was instructed that he was not obliged to deliver water unless the headgates were in good repair.

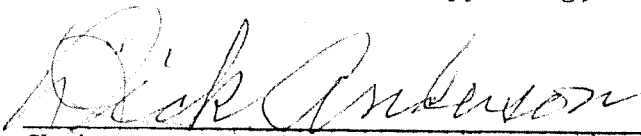
Gene Drake moved that Resolution B, for the collection of water taxes, be adopted. Tom Geary seconded the motion which was carried.

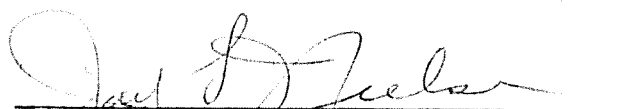
Dick Anderson then proposed that nominations were in order for either a new watermaster or re-election of the present watermaster. It was moved by Ira Parke that Ernest Smyer be re-appointed as Watermaster, and that Hattie Smyer be re-appointed as Assistant Watermistress; seconded by Ben Smyer and carried.

Dick Anderson then appointed the Advisory Board, consisting of Don Merrill representing Marsh Creek, Joe Brewerton representing Land Creek, and Leo Bell representing Howell Creek.

The secretary then proposed that the Social Security payments on a quarterly basis, for the watermaster and assistant watermistress, be included in the budget and in these minutes. Dick Anderson so ordered and the motion was carried.

No further business appearing, the meeting was adjourned.


Chairman


Secretary

RESOLUTIONS PERTAINING TO THE TIME AND MANNER OF COLLECTING THE BUDGET AS
ADOPTED AT THE ANNUAL MEETING OF THE WATER USERS OF
WATER DISTRICT No. 45-F

Resolution "B"

RESOLVED: That no ditch, canal company, or other water user shall have the right to demand and receive water, and the Watermaster shall not deliver to such person until the amount due and payable from such water user, as fixed by the budget, has been paid.

MINUTES OF THE WATER USERS OF DISTRICT NO. 45-F

Minutes of the Water Users of District No. 45-F, Marsh and Tributaries, held March 7, 1977, in the City Hall, Albion, Idaho.

The meeting was called to order at 2:00 P. M. by Chairman Dick Anderson. Minutes of the meeting held March 1, 1976, were read and approved. Members present at the meeting were Lawrence Jenks, Bennie Smyer, William W. Estes, Leo Bell, David Bell, Max Huber, Ronald S. Sorensen, Ernest Smyer, Ira C. Parke, Tom Geary, Mrs. Thomas E. Warren, Glenn Clark, Sam Heidanus, Richard Adams, Earnest W. Clark, Don Merrill, Earl Warthen, Arlo Montgomery, Loren Goodman and Gene Drake.

Chairman Dick Anderson asked for nominations for a new chairman. Max Huber moved that Dick Anderson be re-elected as chairman; seconded by Gene Drake and carried. Max Huber moved that Jay L. Nielsen be re-appointed as secretary for the coming year; seconded by Tom Geary and carried.

Ira Parke, Ben Smyer and Gene Drake were re-appointed to the Credentials Committee for 1977. The report for 1976 was made to the group. They reported that no problems had arisen as far as the credentials were concerned.

The budget for 1977 was then presented to the group by the secretary and a discussion was held concerning that budget. Glenn Clark moved that the budget be adopted as presented; which included \$200.00 per month watermaster salary for Ernest Smyer and \$120.00 per month assistant watermistress salary for Mrs. Hattie Smyer. Max Huber seconded the motion which was carried.

Chairman Dick Anderson called for any discussion concerning the previous year's water deliveries. It appeared that the water had been delivered timely and that the watermaster, Ernest Smyer, be given a vote of thanks for his fine work as watermaster. The watermaster was instructed that he should not deliver any water where headgates were not in good repair.

Ben Smyer moved that Resolution B, for the collection of water taxes, be adopted. Max Huber seconded the motion which was carried.

Leo Bell moved that before any water be turned on in the coming year, the user must pay the proposed budget for 1977 or have a receipt for last year's water. Seconded by William W. Estes and carried.

Dick Anderson then proposed that nominations were in order for either a new watermaster or re-election of the present watermaster. It was moved by Max Huber that Ernest Smyer be re-appointed as watermaster; seconded by Gene Drake and carried.

Dick Anderson then proposed that nominations were in order for the election of a new assistant watermaster or assistant watermistress or the re-appointment of the present assistant watermistress. It was moved by Ben Smyer; seconded by Tom Geary and passed that Hattie Smyer be re-appointed as assistant watermistress. The nomination was carried.

Dick Anderson then appointed the Advisory Board, consisting of Don Merrill representing Marsh Creek, Ben Smyer representing Land Creek, and Leo Bell representing Howell Creek.

The secretary then proposed that the Social Security payments on a quarterly basis, for the watermaster and assistant watermistress, be included in the budget and in the minutes. Dick Anderson so ordered and the motion was carried.

No further business appearing, the meeting was adjourned.

RESOLUTIONS PERTAINING TO THE TIME AND MANNER OF COLLECTING THE BUDGET AS
ADOPTED AT THE ANNUAL MEETING OF THE WATER USERS OF

WATER DISTRICT No. 45-F

Resolution "B"

RESOLVED: That no ditch, canal company, or other water user shall have the right to demand and receive water, and the Watermaster shall not deliver to such person until the amount due and payable from such water user, as fixed by the budget, has been paid.

MINUTES OF A SPECIAL WATER USERS MEETING OF DISTRICT NO. 45-F

Minutes of a Special Meeting of the Water Users of Water District No. 45-F, Marsh and Tributaries, was held April 10, 1978, in the City Hall, Albion, Idaho.

The meeting was called to order at 1:00 P. M. by Chairman Dick Anderson. Members present at the meeting were Ira C. Parke, Six S Ranch represented by William W. Estes, Harry DeNaughel, Vard Chatburn, Tom Geary, Howell Creek Ranch represented by Fred Hawker, Bennie Smyer, George Montgomery, Paul Schiewe, Don Cunningham, Larry Mahoney, Earnest Clark, Glenn Clark, Bernice Brewerton, Don Merrill, Jay L. Nielsen, Earl L. Warthen, George M. Kelley, Helen Goodman and Douglas Mahoney.

Dick Anderson explained that Nolan Winward had resigned as the newly assigned Watermaster because he didn't want to become bonded. There was much discussion held as to the duties of the Watermaster and the reason for bonding.

William Estes of the Six S Ranch suggested that the salary of the Watermaster be raised. Dick Anderson explained that it couldn't be done this year because the budget had been accepted and the water bills, in most cases, had been paid. William Estes then suggested that at the 1979 Water Meeting this should be taken into consideration.

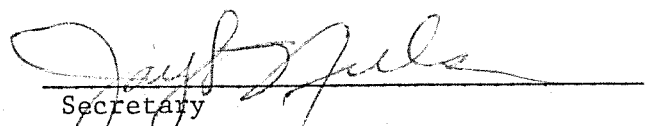
Gary Yarbrough was then interviewed for the Watermaster job. He stated that he was already bonded with the Water Resources Board because he was a well driller and wondered if that bond could be used for the Watermaster. Secretary, Jay Nielsen, agreed to check with the Water Resource Department and see if that was permissible.

William Estes of Six S Ranch nominated Gary Yarbrough for the Watermaster position for the remainder of the water year 1978. Ira Parke seconded the nomination. Don Merrill moved that nominations cease which was seconded by Bernice Brewerton. The vote was then taken and Gary Yarbrough was unanimously elected Watermaster for the remainder of the water year 1978. His salary was set at \$320.00 per month.

Helen Goodman moved that the meeting be adjourned; seconded by Vard Chatburn and unanimously carried.

The meeting was adjourned at 2:45 P. M..


Chairman


Secretary

RECEIVED

APR 11 1978

Deposited at the City of Albion
Sealed by the City Clerk

WATER DISTRICT NO. 45-F

A special meeting of the Advisory Board of Water District 45-F, Albion, Idaho, convened at 1:00 P. M., this day, in the Board Room of D. L. Evans & Company, Bankers, Albion, Idaho. Present were Chairman, Dick Anderson; Secretary, Jay Nielsen and Advisory Board Members Tom Geary, Earl Warthen and Bernice Brewerton.

Secretary Nielsen read a card from Hattie Smyer thanking the Water District for the past years of help for her and her late husband, Ernest.

Secretary Nielsen also read a letter of resignation from Hattie, since she will not be able to carry on the duties of Assistant Watermistress.


The Board then discussed the appointment of a new Watermaster and Watermistress to fill the remaining period for which Hattie and Ernest Smyer had been elected. Tom Geary moved that Nolan Winward be appointed Watermaster at the same salary that Ernest Smyer was getting. This appointment would be for the remainder of the water year 1978 until the election in 1979. Bernice Brewerton seconded the motion and it was carried unanimously.

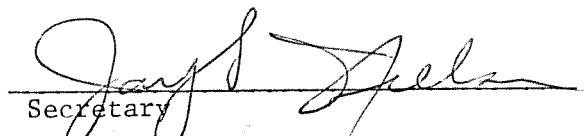
Bernice Brewerton moved that Ann Winward be appointed Assistant Watermistress at the same salary that Hattie Smyer was receiving. This appointment would be for the remainder of the water year 1978. Earl Warthen seconded the motion and it was carried unanimously.

Mr. Winward was then invited to come to the meeting and the proposition was made to him concerning the appointment. He agreed to accept the appointment on behalf of himself and his wife who had the flu at the time and couldn't appear before the Advisory Board.

Dick Anderson then appointed Nolan Winward, Watermaster, and Ann Winward, Assistant Watermistress for the remainder of the water year 1978.

No further business appearing, the meeting adjourned at 2:30 P.M..


Chairman


Secretary

RESOLUTIONS PERTAINING TO THE TIME AND MANNER OF COLLECTING THE BUDGET AS
ADOPTED AT THE ANNUAL MEETING OF THE WATER USERS OF

WATER DISTRICT No. 45-F

Resolution "B"

RESOLVED: That no ditch, canal company, or other water user shall have the right to demand and receive water, and the Watermaster shall not deliver to such person until the amount due and payable from such water user, as fixed by the budget, has been paid.

MINUTES OF THE WATER USERS OF DISTRICT NO. 45-F

Minutes of the Water Users of District No. 45-F, Marsh and Tributaries, held March 5, 1979, in the City Hall, Albion, Idaho.

The meeting was called to order at 2:00 P. M. by Chairman Dick Anderson. Minutes of the meeting held March 6, 1978, were read and approved. Members present at the meeting were Gene Drake, Larry Mahoney, Leo Bell, Bennie Smyer, Six S Ranch by Woody Estes, Val Dimond, Don Merrill, Don Cunningham, Helen Goodman, Sern Sorensen, Ron Sorensen, Dick Anderson and Jay Nielsen.

Chairman Dick Anderson asked for nominations for a new chairman. Ben Smyer moved that Dick Anderson be re-elected as chairman; seconded by Don Merrill and carried. Ben Smyer then moved that Jay Nielsen be re-appointed as secretary for the coming year; seconded by Don Merrill and carried.

Leo Bell, Don Cunningham and Don Merrill were appointed to the Credentials Committee for 1979. There was no report from the Credentials Committee for 1978.

The budget for 1979 was then presented to the group by the Secretary and a discussion was held concerning the budget. Gene Drake moved that the budget be adopted as presented; William Estes seconded the motion which was carried.

Ben Smyer moved that Resolution B be adopted for collection of the budget. The resolution was seconded by Helen Goodman and carried. All bills must be paid by April 1, 1979, in accordance with Resolution B.

Dick Anderson then proposed that nominations were in order for the election of a new Watermaster for the coming year. It was moved by Ben Smyer that Gary Yarbrough be elected Watermaster for the coming year; seconded by Helen Goodman. Leo Bell moved that nominations cease. A vote was taken and Gary Yarbrough was unanimously elected Watermaster for the coming year.

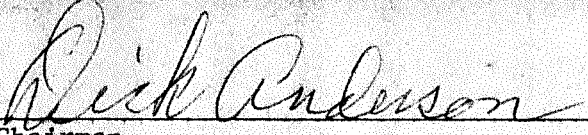
Chairman Dick Anderson then explained that he was going to appoint two members of the Advisory Board and was asking Secretary Jay Nielsen to appoint the third member. Chairman Dick Anderson then appointed Larry Mahoney to represent Howell Creek and Ben Smyer to represent Land Creek. Jay Nielsen, Secretary, then appointed Don Merrill to represent Marsh Creek. Chairman Anderson asked for approval of these appointments and they were unanimously approved.


There was a great deal of discussion concerning water delivery as far as problems in undergrowth in ditches was concerned. Mr. Estes of Six S Ranch explained that he was going to have to get a permit to go into certain properties to clean the ditches out in order to deliver his water more appropriately. Leo Bell reported that Earl Warthen had had water most of the summer when each of the other users had dried up. It was noted that a close observation by the Watermaster would be forthcoming and that the Advisory Board would be advised as to the disposition of this water during the summer.

Chairman Dick Anderson then thanked the Advisory Board, especially Bernice Brewerton, for their help during the difficult times when our Watermaster, Ernest Smyer, had passed away. He also thanked Mr. Estes of Six S Ranch for being patient during a very difficult time when water wasn't delivered as well as it could have been. He also thanked Gary Yarbrough for taking over the Watermaster job in a difficult situation. He further thanked Jay Nielsen who had been Secretary for some seven or eight years and had been faithful in that position.

The Secretary then proposed that Social Security payments be made on a quarterly basis for the Watermaster as has been done in previous years. Dick Anderson so ordered and the motion was carried.

No further business appearing, the meeting was adjourned at 3:10 P. M..


Chairman


Secretary

MINUTES OF THE WATER USERS OF DISTRICT NO. 45-F

Minutes of the Water Users of District No. 45-F, Marsh and Tributaries, held March 3, 1980, in the City Hall, Albion, Idaho.

The meeting was called to order at 2:00 P. M., by Chairman Dick Anderson. Minutes of the meeting held March 5, 1979, were read and approved. Members present at the meeting were Bernice Brewerton, William Estes representing Six-S Ranch, Sam Heidanus, Tom Geary, Don Cunningham, Don Merrill, Larry Mahoney, Bennie Smyer, Earl Warthen, Dick Anderson, Dick Adams, George M. Kelley and Jay Nielsen.

Chairman Dick Anderson asked for nominations for a new chairman. Don Merrill moved that Dick Anderson be re-elected as Chairman; seconded by Bernice Brewerton and carried. Don Merrill then moved that Jay Nielsen be re-appointed as Secretary for the coming year; seconded by Bernice Brewerton and carried.

Don Cunningham, Don Merrill and Ben Smyer were appointed to the Credentials Committee for 1980. There was no report from the Credentials Committee for 1979.

The budget for 1980 was then presented to the group by the Secretary and a discussion was held concerning the budget. Ben Smyer moved that the budget be adopted as presented; Sam Heidanus seconded the motion which was carried unanimously.

Ben Smyer moved that Resolution "B" be adopted for collection of the budget. The resolution was seconded by Sam Heidanus and carried. All bills must be paid by April 1, 1980, in accordance with Resolution "B".

Chairman Dick Anderson then explained that he was going to appoint two members of the Advisory Board and was asking Jay Nielsen to appoint the third member. Chairman Dick Anderson then appointed Larry Mahoney to represent Howell Creek and Ben Smyer to represent Land Creek. Jay Nielsen then appointed Don Merrill to represent Marsh Creek. Chairman Anderson asked for the approval of these appointments and they were unanimously approved.


A great deal of discussion then ensued concerning several ditches in the valley. Chairman Anderson explained that when the Watermaster turned the water into the ditches, it was up to each member on that ditch to regulate his water. Dick Adams complained about the Marsh Creek being plugged up and said that he had talked to someone from the State of Idaho and that they had explained that the old channel should be used as a natural drain. This is only a problem when the spring water is extremely high.

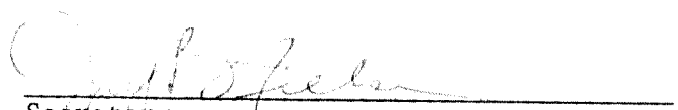
Dick Anderson then proposed that nominations were in order for the election of a new Watermaster for the coming year. There were two applications for Watermaster so Chairman Anderson called for nominations from the floor. Milton Osterhout was nominated by Bernice Brewerton; seconded by Tom Geary. Gary Yarbrough was nominated by Larry Mahoney and seconded by Don Cunningham. At that point, Bernice Brewerton moved that nominations cease; seconded by Sam Heidanus and passed. A general election was taken of those present and the results were twelve votes for Gary Yarbrough and one vote for Milton Osterhout. Gary Yarbrough was asked if he would accept the election results, along with Mr. Osterhout, and they both agreed to the results. Gary Yarbrough was, therefore, elected Watermaster for the year 1980.

Tom Geary moved that Social Security payments be made on a quarterly basis for the Watermaster, as has been done in the previous year. The motion was seconded by William Estes and passed unanimously.

Chairman Anderson then thanked the Advisory Board and the Credentials Committee. He also thanked the Watermaster for a fine job in 1979. He then thanked the Secretary for his work.

No further business appearing, the meeting was then adjourned at 3:22 P. M..


Chairman


Secretary

MINUTES OF THE WATER USERS OF DISTRICT NO. 45-F

Minutes of the Water Users of District No. 45-F, Marsh and Tributaries, held March 2, 1981, in the City Hall, Albion, Idaho.

The meeting was called to order at 2:20 P. M. by Chairman Dick Anderson. Minutes of the meeting held March 3, 1980, were read and approved. Members present at the meeting were George Montgomery, Beverly Heidanus, Loren Goodman, Tom Geary, Don Cunningham, Dick Adams, Woody Estes, Harry Johnson, Bennie Smyer, Don Merrill, Dick Dunn, Bernice Brewerton, Gary Yarbrough, Larry Mahoney, Richard Anderson, Earl Warthen, George Kelley, Bill Kelley and Jay Nielsen.

Chairman Dick Anderson asked for nominations for a new chairman. Ben Smyer moved that Dick Anderson be re-elected as Chairman; seconded by Don Cunningham and carried. Tom Geary then moved that Jay Nielsen be re-appointed as Secretary for the coming year; seconded by Ben Smyer and carried.

George Montgomery, Dick Adams and Tom Geary were appointed to the Credentials Committee for 1981. There was no report from the Credentials Committee for 1980. The budget for 1981 was presented to the group by the secretary and a discussion was held concerning the budget. Loren Goodman moved that the budget be adopted as presented; George Montgomery seconded the motion and it was carried unanimously.

Larry Mahoney moved that Resolution "B" be adopted for collection of the budget. The Resolution was seconded by Bernice Brewerton and carried. All bills must be paid by April 1, 1981, in accordance with Resolution "B".

Chairman Dick Anderson then explained that he was going to appoint two members of the Advisory Board and was asking Jay Nielsen to appoint the third member. Chairman Dick Anderson then appointed Larry Mahoney to represent Howell Creek and Ben Smyer to represent Land Creek. Jay Nielsen then appointed Don Merrill to represent Marsh Creek. Chairman Anderson asked for the approval of these appointments and they were unanimously approved.

Chairman Anderson then asked for a report from the Advisory Committee and Ben Smyer was spokesman for the group and said there had been a few problems but the advisory group had attempted to handle them in a satisfactory manner.


A great deal of discussion ensued concerning several ditches in the valley. Don Merrill explained that there had been a great deal of problem concerning a ditch that he and Paul Penrod used. It was decided that the Advisory Committee nor the district could do anything about the problem and it would probably end up in litigation. Mrs. Beverly Heidanus reported on some problems on the Star Ditch but it was felt that the users of that ditch would be able to work out the problems. Dick Adams then asked where Bennie Chatburn's diversion was; no one seemed to know and the discussion was dropped.


Dick Anderson then proposed that nominations were in order for the election of a new watermaster for the coming year. Tom Geary nominated Gary Yarbrough; it was seconded by Loren Goodman. Bernice Brewerton then moved that nominations cease; seconded by Don Cunningham and carried. It was therefore noted by Chairman Anderson that Gary Yarbrough would be hired as the Watermaster for the year 1981.

Tom Geary moved that social security payments be made on a quarterly basis for the watermaster as had been done in the previous year. Motion was seconded by William Estes and passed unanimously. The motion also included the payment on \$100.00 secretary fees and Workmans Compensation Insurance.

Chairman Anderson then thanked the Advisory Board and the Credentials Committee. He also thanked the Watermaster for a fine job in 1980 and thanked the Secretary for his work.

It was moved by Jay Nielsen, seconded by Beverly Heidanus and carried that the meeting adjourn. The Chairman then declared the meeting adjourned at 3:40 P. M..


Chairman


Secretary

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Department of Water Resources
Southern District Office

MINUTES OF THE WATER USERS OF DISTRICT NO. 45-F

RECEIVED
MAR 4 1982
Dated March 1, 1982
Secretary

Minutes of the Water District No. 45-F, Marsh and Tributaries, held March 1, 1982, in the City Hall, Albion, Idaho.

The meeting was called to order at 2:03 p.m. by Chairman Dick Anderson. Minutes of the meeting held March 2, 1981, were read and approved. Members present at the meeting were: Alta Penrod, Sam Heidanus, Gary Yarbrough, Bennie Chatburn, Richard Dunn, Larry Mahoney, Richard Adams, Don Cunningham, Paul Penrod, Bennie Smyer, Roger Ling, Bernice Brewerton, Leo Bell, Herald O. Johnson, Mark Drake, Dick Anderson, Jay Nielsen.

Chairman Dick Anderson asked for nominations for new Chairman. Ben Smyer moved that Dick Anderson be re-elected as Chairman; seconded by Don Cunningham and carried. Ben Smyer then moved that Jay Nielsen be reappointed as Secretary for the coming year; seconded by Don Cunningham and carried.

Bernice Brewerton, Leo Bell, and Dick Adams were appointed to the Credentials Committee for 1982. There was no report from the Credentials Committee for 1981.

Bernice Brewerton moved that Resolution "B" be adopted for collection of the budget for 1982. The Resolution was seconded by Dick Adams and carried. All bills must be paid by April 1, 1982, in accordance with the Resolution "B".

Larry Mahoney, Ben Smyer, and Mark Drake representing Six S Ranch, were then appointed to the Advisory Board. Chairman Dick Anderson asked for an approval of these appointments and it was unanimously given.

The proposed budget for 1982 was then presented by the secretary. It was moved by Leo Bell, seconded by Mark Drake, representing Six S Ranch, that the budget be approved as presented including the watermaster's wages, social security, workman's compensation, and the payment of \$100 for secretary's fees for the coming year. The social security payments will be made on a quarterly basis as in the previous years.

A great deal of discussion was held concerning many aspects of the ditches in Albion. Ben Smyer reported that a leak in the Dimond ditch had been repaired by the State. Dimond had reported that there had been a great fluctuation in water during the night at one time in the summer, but this was due to the natural melt.

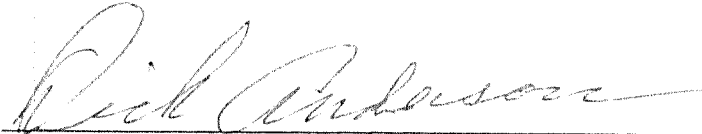
Paul Penrod talked in great lengths with his attorney, Roger Ling concerning the Vaughn ditch and the problems that were being encountered on that ditch. Since this is a matter of record and litigation is in process, it was decided that the details would not be laid out in the minutes of this meeting. Mr. Penrod also reported that the Vaughn ditch through the Drake property, needs some repair, and Dick Anderson agreed to contact Drake and get permission to clean out the ditch.

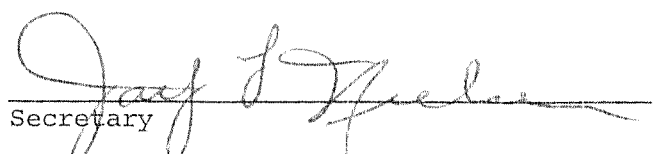
Leo Bell moved that the watermaster be ordered to deliver the water at the point of diversion to private ditches and that from that point, any complaints or problems must be taken up with the Advisory Board. The proposition was seconded by Bennie Chatburn and passed unanimously.

Dick Anderson then announced that nominations were in order for election of a new watermaster for the coming year. Gary Yarbrough had submitted a petition for the watermaster job and it was duly noted. Ben Smyer nominated Gary Yarbrough for watermaster; it was seconded by Dick Adams. Don Merrill then moved that nominations cease; seconded by Ben Smyer and carried. The vote was taken for the watermaster and the voting was unanimous with the exception of descending vote that being Paul Penrod. It was therefore noted by Chairman Anderson that Gary Yarbrough would be hired as the watermaster for the year 1982. Mr. Anderson then instructed Gary to be available each day for people to contact him concerning the water problems and the turning of water.

Chairman Anderson then thanked the Advisory Board and Credentials Committee and also the watermaster for the fine job in 1981.

It was moved by Larry Mahoney; seconded by Ben Smyer and carried that the meeting adjourn. The Chairman then declared the meeting adjourned at 4:02 p.m.


Chairman


Secretary

MINUTES OF THE WATER USERS OF DISTRICT NO. 45-F

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Minutes of the Water District No. 45-F, Marsh and Tributaries, held March 7, 1983, in the City Hall, Albion, Idaho.

MAR 12 1983
Department of Agriculture
Southern District Office

The meeting was called to order at 2:00 p.m. by Chairman Dick Anderson. Minutes of the meeting held March 1, 1982, were read and approved. Members present at the meeting were: Jim Kempton, Mrs. Paul Penrod, P.D. Penrod, Harold O. Johnson, Sam Heidanus, Max Huber, Bennie Smyer, Leo Bell, David Bell, Tom Geary, Ron Sorensen, George Kelley, Larry Mahoney, Gary Yarbrough, Don Merrill, Bill Kelley, Harold B. Holbrook, Bernice Brewerton, Dick Anderson, Jay L. Nielsen, and Loren Holmes of the State Water Resource Board.

Chairman Dick Anderson asked for nominations for a new Chairman. Ben Smyer moved that Dick Anderson be reelected as Chairman; seconded by Max Huber and carried. Max Huber then moved that Jay Nielsen be reappointed as Secretary for the coming year; seconded by Tom Geary and carried.

Leo Bell, Paul Penrod, and Max Huber were appointed to the Credentials Committee for 1983. There was no report from the Credentials Committee for 1982.

Tom Geary moved that Resolution "B" be adopted for collection of the budget for 1983. The Resolution was seconded by Bernice Brewerton and carried. All bills must be paid by April 1, 1983, in accordance with the Resolution "B".

Ben Smyer, Harold Holbrook, and Jim Kempton were then appointed to the Advisory Board. Chairman Dick Anderson asked for an approval of these appointments and it was unanimously given.

The proposed budget for 1983 was then presented by the Secretary. It was moved by Harold Johnson representing Six S Ranch and seconded by George Kelley that the budget be approved as presented including the watermaster's wages, social security, workman's compensation, and the payment of \$100 for secretary's fees for the coming year. The social security payments will be made on a quarterly basis as in the previous years.

Paul Penrod asked the group by what authority water is shut off. Mr. Loren Holmes of the Water Resource Board said that water would go according to priority of rights. Watermaster carries out all priority rights within the law, therefore early water rights would not be shut off until all of the later water rights had been shut down.

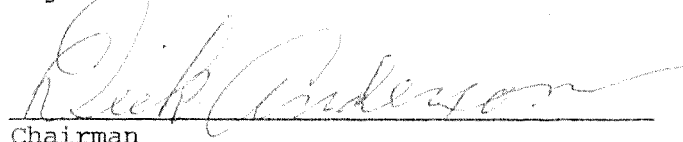
Chairman, Dick Anderson, read a decision from the Idaho Water Resource Board member, Bobby Fleenor, a copy of which is enclosed. This concerns the water right transfer by Don Merrill. A great deal of discussion was held concerning water rights, but no conclusions were reached. Dick Anderson explained that culverts must be made big enough to carry water through ditches and the ditch users were responsible to see that the culverts were big enough to carry the water.

A letter from Loren O. Holmes of the Water Resource Board was read by Secretary Jay Nielsen, a copy of which is enclosed.

Dick Anderson then announced that nominations were in order for election of a new watermaster for the coming year. Max Huber nominated Gary Yarbrough for watermaster; it was seconded by Harold Johnson. Ben Smyer moved that nominations cease; seconded by Leo Bell and carried. The vote was taken for the watermaster and the voting was unanimous. It was therefore noted by Chairman Anderson that Gary Yarbrough would be hired as the watermaster for the year 1983. Mr. Anderson then instructed Gary to be available each day for people to contact him concerning the water problems and the turning of water.

Chairman Anderson then thanked the Advisory Board, Credentials Committee, and the watermaster for the find job in 1982.

It was moved by Leo Bell, seconded by Harold Johnson and carried that the meeting adjourn. The Chairman then declared the meeting adjourned at 3:29 p.m.


Chairman


Secretary

Immediately following the water meeting, the Advisory Board met with the Chairman to determine the position the water district should take concerning the water right application for transfer #2635. The Board, along with the Chairman, decided that the water district should abide by the findings of that department until further notice.

MINUTES OF THE WATER USERS OF DISTRICT NO. 45-F

Minutes of the Water Users of District No. 45-F, Marsh and Tributaries, held March 5, 1984, in the City Hall, Albion, Idaho.

The meeting was called to order at 2:00 p.m. by Chairman Dick Anderson. Minutes of the meeting held March 7, 1983 were read and approved. Members present at the meeting were: Alta Penrod, Jim Kempton, Paul Penrod, Harold O. Johnson, representing 6-S Ranch, Jim Gill, representing 6-S Ranch, Ben Smyer, Ronald Sorensen, Larry Mahoney, Gary Yarbrough, Sam Heidanus, Bernice Brewerton, Dick Anderson, Val Dimond, Max Huber, and Jay Nielsen.

Chairman Dick Anderson asked for nominations for a new Chairman. Larry Mahoney moved that Dick Anderson be reelected as Chairman; seconded by Sam Heidanus and carried. Jim Kempton then moved that Jay Nielsen be reappointed as Secretary for the coming year; seconded by Larry Mahoney and carried.

Paul Penrod, Jim Kempton, and Ben Smyer were appointed to the Credentials Committee for 1984. There was no report from the Credentials Committee for 1983.

Bernice Brewerton moved that Resolution "B" be adopted for collection of the budget for 1984. The Resolution was seconded by Harold Johnson and carried. All bills must be paid by April 1, 1984, in accordance with the Resolution "B".

Jim Gill, Ben Smyer, and Jim Kempton were then appointed to the Advisory Board. Chairman Dick Anderson asked for an approval of these appointments and it was unanimously given.

The proposed budget for 1984 was then presented by the Secretary. It was moved by Harold Johnson representing 6-S Ranch and seconded by Jim Kempton that the budget be approved as presented including the watermaster's wages, social security, workman's compensation, and the payment of \$100 for secretary's fees for the coming year. The social security payments will be made on a quarterly basis as in the previous years.

Dick Anderson then announced that nominations were in order for the election of a new watermaster for the coming year. Harold Johnson nominated Gary Yarbrough for watermaster; it was seconded by Ben Smyer. Sam Heidanus moved that nominations cease; seconded by Ronald Sorensen and carried. The vote was taken for the watermaster and the voting was unanimous. It was therefore noted by Chairman Anderson that Gary Yarbrough would be hired as the watermaster for the year 1984.

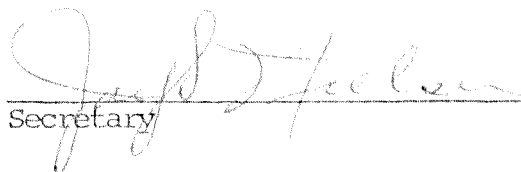
There was a great deal of discussion from each in attendance concerning the water situation and it was noted that the year 1983 had been very successful with very little trouble in the district. Paul Penrod noted that Vaughn Ditch was badly in need of cleaning since the water was spilling out on the property owners. He and Don Merrill agreed that they would see that the ditch was cleaned out before the irrigation season started. The users of the Star Ditch were reminded that any culverts that went into the ditch should be the size to carry the overload of water during the Spring runoff.

Chairman Anderson then thanked the Advisory Board, Credentials Committee, secretary, and the watermaster for a fine job done in 1983.

It was moved by Ron Sorensen, seconded by Don Merrill and carried that the meeting adjourned. The Chairman then declared the meeting adjourned at 2:40 p.m.



Chairman



Secretary

RESOLUTIONS PERTAINING TO THE TIME AND MANNER OF COLLECTING THE BUDGET AS
ADOPTED AT THE ANNUAL MEETING OF THE WATER USERS OF

WATER DISTRICT No. 45-F

Resolution "B"

RESOLVED: That no ditch, canal company, or other water user shall have the right to demand and receive water, and the Watermaster shall not deliver to such person until the amount due and payable from such water user, as fixed by the said budget, has been paid. Water must be paid for on or before April 1, 1984.

MINUTES OF THE WATER USERS OF DISTRICT NO. 45-F

Minutes of the Water Users of District No. 45-F, Marsh and Tributaries, held March 4, 1985, in the City Hall, Albion, Idaho.

The meeting was called to order at 2:00 p.m. by Chairman Dick Anderson. Minutes of the meeting held March 5, 1984 were read and approved. Members present at the meeting were: Jim Kempton, Harold Johnson representing 6-S Ranch, Jim Gill representing 6-S Ranch, Ben Smyer, Don Merrill, Larry Mahoney, Gary Yarbrough, Earl Warthen, Dick Anderson, Sam Heidanus, V. Thomas Geary, and Jay L. Nielsen.

Chairman Dick Anderson asked for nominations for a new Chairman. Don Merrill moved that Dick Anderson be reelected as Chairman; seconded by Ben Smyer and carried. Don Merrill then moved that Jay Nielsen be reappointed as Secretary for the coming year; seconded by Ben Smyer and carried.

Ben Smyer, Jim Kempton, and Larry Mahoney were appointed to the Credentials Committee for 1985. There was no report from the Credentials Committee for 1984.

Harold Johnson moved that Resolution "B" be adopted for collection of the budget for 1985. The Resolution was seconded by Jim Kempton and carried. All bills must be paid by April 1, 1985, in accordance with the Resolution "B".

Jim Gill, Ben Smyer, and Jim Kempton were then appointed to the Advisory Board. Chairman Dick Anderson asked for approval of these appointments and it was unanimously given.

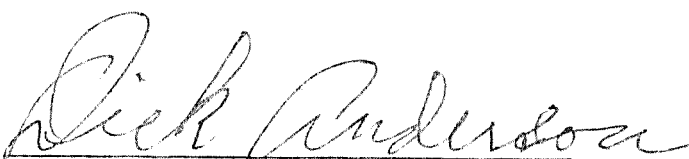
The proposed budget for 1985 was then presented by the Secretary. It was moved by Jim Kempton and seconded by Harold Johnson representing 6-S Ranch that the budget be approved as presented including the watermaster's wages, social security, workman's compensation, and the payment of \$100.00 for secretary's fees for the coming year. The social security payments will be made on a quarterly basis as in the previous years.


Dick Anderson then announced that nominations were in order for the election of a new watermaster for the coming year. Ben Smyer nominated Gary Yarbrough for watermaster; it was seconded by Don Merrill. Sam Heidanus moved that nominations cease; seconded by Ronald Sorensen and carried. The vote was taken for the watermaster and the voting was unanimous. It was therefore noted by Chairman Anderson that Gary Yarbrough would be hired as the watermaster for the year 1985.

Mr. Harold Johnson, representing 6-S Ranch, discussed with the water users the beaver problem that he was having upon his ranch and wanted to know how that could be handled. The beaver dams are causing a great deal of difficulty with getting the water down the ditch to other users. Secretary Nielsen agreed to write a letter to the Fish & Game Department asking for some help on the transplanting of beaver from the 6-S Ranch to another area if possible.

Chairman Anderson then thanked the Advisory Board, Credentials Committee, Secretary, and the watermaster for a fine job done in 1984.

It was moved by Don Merrill, seconded by Tom Geary and carried that the meeting be adjourned. The Chairman then declared the meeting adjourned at 2:35 p.m.


Chairman


Secretary

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Department of Water Resources
Southern District Office

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MINUTES OF THE WATER USERS OF DISTRICT NO. 45-F

~~Approved by Water Users~~
~~Committee District 45-F~~

The meeting held March 4, 1986, in the City Hall, Albion, Idaho, was called to order at 2:00 P. M. by Chairman Dick Anderson. Members present at the meeting were: Dick Anderson, Jim Kempton, Albert Smith, Von Cunningham, Rob South, Jim Chatburn, Bernice Brewerton, Tom Geary, Bennie Smyer, Max Huber, Herald Johnson ("6S Ranch" representative by proxy), Sam Heidanus, Larry Mahoney, Leo Bell, George Montgomery, Bennie Chatburn, Lindsey Dimond, Don Merrill and Kay Powell.

Chairman Dick Anderson asked for nominations for a chairman for 1986. Bennie Smyer moved that Dick Anderson be re-elected as Chairman; seconded by Max Huber and carried. Bennie Chatburn then moved that Jim Kempton be elected as Secretary for the coming year. This was seconded by Jim Chatburn and carried.

Bennie Chatburn, Leo Bell and Bennie Smyer were appointed to the Credentials Committee for 1986. There was no report from the Credentials Committee for 1985.

Larry Mahoney moved that Resolution "B" be adopted for collection of the budget for 1986. The Resolution was seconded by Jim Chatburn and carried. Bills must be paid by April 1, 1986, in accordance with Resolution "B".

Bennie Smyer, Leo Bell and Herald Johnson were then appointed to the Advisory Board. (In the absence of Herald Johnson, a designated 6S Ranch representative will serve in his place.) Chairman Dick Anderson called for approval of these appointments and it was unanimously given.

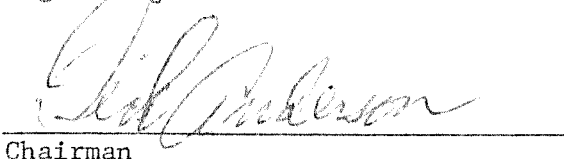
The Proposed Budget for 1986 was presented by the Secretary. It was moved by Tom Geary and seconded by Larry Mahoney that the budget be approved as presented; including the Watermaster's wages, social security, workmans compensation and \$100.00 for secretarial expenses for the coming year.

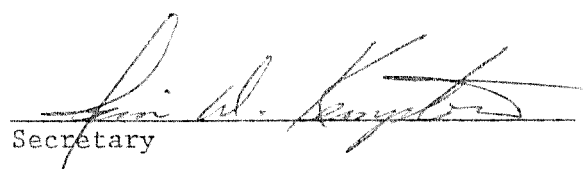
Dick Anderson then announced that nominations were in order for the election of a new Watermaster for 1986. Three petitions from interested candidates were presented for consideration by the members present. However, because of the voting strength of the 6S Ranch water right, a meaningful vote was not possible. A meeting was held between the Credentials Committee and Herald Johnson. The Credentials Committee then recommended the selection of Albert P. ("Jake") Smith. The remaining two candidates, Kay Powell and Rob South, volunteered to withdraw their petitions. With regard to the above, Herald Johnson had requested an earlier 11:00 A. M. meeting to meet prospective Watermaster candidates. In attendance at this meeting were Dick Anderson, Secretary (Pro-Tem) Jim Kempton, Bennie Smyer, Herald Johnson, Jake Smith, Kay Powell and Rob South. The discussion centered around the hours required for Watermaster and what time availability each candidate had for the position. Following the recommendation of the Credentials Committee and withdrawal of petitions by Kay Powell and Rob South, Bennie Smyer formally moved that Jake Smith be accepted as the new Watermaster. Max Huber seconded. A hand vote carried unanimously.

Leo Bell asked who was responsible for shutting off flood gates and for removing splash boards from flood gates. Without such action taking place, water was flooding roads during periods of heavy snow melt or flash flood run-off. Jim Chatburn stated that the responsibility resided with the respective water users. However, he suggested that the Watermaster should pull the splash boards and close water gates when the decreed water had expired; or at the end of the water season he should check and advise water users of their responsibility to close the gates and pull splash boards. At the request of the Chairman, Jim Chatburn moved that Watermaster action stated above be accepted for the minutes. Bernice Brewerton seconded and the motion carried.

A discussion was conducted on Marsh Creek overflow that is passing through the washed out Star Ditch gate and adversely affecting lower water users/land owners. Sam Heidanus reported that assistance in repairing the gate is being requested through the Cassia County ASCS Office and that a full list of water users of the gate is being completed so pro-rated financial responsibility can be assessed.

It was moved by Don Merrill, seconded by Jim Chatburn and carried that the meeting be adjourned. The Chairman declared the meeting adjourned at 3:15 P.M..


Chairman


Secretary

This meeting, held March 2, 1987, in the Alabin Grange Hall, Albion, 1987 Idaho, was called to order at 1:05 P.M. by Secretary Jim Kempton. Chairman Dick Anderson was under medical care and was unable to attend the meeting. Members present were: Richard Adams, Bennie Smyer, Burt Goodman, Leo Bell, Larry Mahoney, Vard Chatburn, J.C. McKnight, George Montgomery, Earl Warthen, Tom Geary, Albert Smith (Watermaster), George Kelley, Jim Chatburn, Bob Bailey, Lindsey Diamond and Kay Powell (candidate for 1987 watermaster). Also attending was Alan Merit, visiting representative of Idaho Water Resources, Twin Falls office.

The first order of business was to elect a chairman pro-tem to conduct the meeting. Bennie Smyer nominated Herald Johnson (6S Ranch proxy representative), not identified above, and Leo Bell seconded. There were no other nominations and the election of Herald Johnson carried.

Chairman (pro-tem) Johnson asked for nominations for a Chairman for 1987. Bennie Smyer moved that Dick Anderson be re-elected as chairman; seconded by Earl Warthen. No other nominations were made. Dick Anderson was elected by a show of hands. Bennie Smyer nominated Jim Kempton for re-election as Secretary; seconded by Burt Goodman. No other nominations were made. Jim Kempton was elected by a show of hands.

There was no report from the 1986 Credentials Committee. The Credentials Committee appointed for 1987 are Lindsey Diamond, Leo Bell, and Bennie Smyer.

The proposed budget for 1987 was presented by the Secretary. It was moved by Bennie Smyer and seconded by Burt Goodman that the budget be adopted as presented; including the Watermaster wages, social security, workmann's compensation and \$100.00 for secretarial expenses. The adopted budget was approved by a show of hands. Bennie Smyer moved that Resolution "B" be adopted for collection of the budget for 1987. The move was seconded by Leo Bell and carried by hand vote. All bills must be paid by April 1, 1987 in accordance with Resolution "B".

The Chairman announced that nominations were in order for the election of watermaster for 1987. Two petitions for the position had been presented: Kay Powell and Albert P. Smith. The 6S Ranch block vote prevented a meaningful vote so a meeting was held between members of the Credentials Committee and Herald Johnson (6S). Subsequently Kay Powell was asked if he would retract his petition for the watermaster position. The request was made on the basis of the expressed intent of the 6S ranch to vote for Albert Smith. Kay Powell returned to the open meeting and requested his petition be withdrawn. The chair accepted the request and Albert P. Smith was elected watermaster of District 45-F for the 1987 water season.

A discussion was held on Advisory Board membership. Three names were presented from the floor that would represent the three major water sources in Water District 45-F. The names were: Bennie Smyer (Land Creek),

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Leo Bell (Howell Creel), and J.C. McKnight (Marsh Creek). Vard Chatburn moved the Secretary cast a unanimous ballot for the above individuals; George Kelley seconded, carried. The Secretary complied and recorded the above names as Advisory Board members.


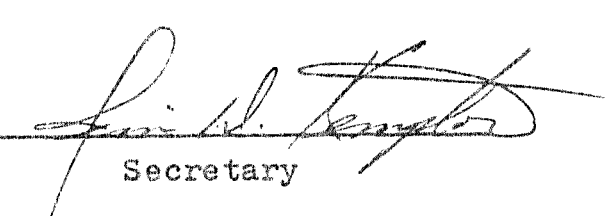
A "memorandum for the record" was submitted dealing with decreed water rights on Howell Creek and earthen dams proposed and in construction on Howell Creek tributaries. Bennie Smyer described the dams as soil conservation projects designed for flood water control and storage. Alan Merit explained that the concerns expressed in the memorandum would be addressed as a natural course of events in processing of the water right application associated with water impoundment projects. These applications are presently being held pending resolution of the Swan Falls issue.

Discussion followed on water rights (flow amounts) at diversion points and how those flows may differ from data available to the water-master. Alan Merit agreed to send a copy of water right data that would be as current as water rights processed through Water Resources. He indicated that lack of update resulting from land transfers was a continuing problem and that users were responsible for protecting their own water rights.

It was moved by Vard Chatburn that the meeting be adjourned; seconded by Larry Mahoney, carried. The Chairman declared the meeting adjourned at 2:56 P.M.

Addendum to these Minutes

Herald Johnson (6S Ranch), Chairman pro-tem for this meeting, is a resident of Salt Lake City and departed for his place of residence immediately after this meeting. To meet delivery suspenses of these minutes and the adopted budget to the Idaho Water Resources Office, the secretary will sign for the Chairman of this 1987 meeting.

 Herald Johnson Chairman (Acting pro-tem)	 Secretary
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MINUTES OF THE WATER USERS OF DISTRICT 45-F (1988)

This meeting, held March 7, at the Albion City Hall, Albion, Idaho, was called to order at 2:03p.m. by the Chairman Dick Anderson. Members present were: Dale Goodman, Tom Geary, J.C.McKnight, Bennie Smyer, Jim Chatburn, Vard Chatburn, Bob Bailey, George Montgomery, Leo Bell, Earl Warthen, Bernice Brewerton, Don Merrill, Bennie Chatburn, Dick Dunn, Dick Anderson, and Jim Kempton(Secretary).

The first order of business was the reading of the 1987 minutes. Following the reading of the minutes, Dick Anderson was nominated by Harry Johnson (6S Ranch proxy representative not listed above) for the 1988 Chairman. The nomination was seconded by Don Merrill and the motion carried. Bennie Chatburn nominated Jim Kempton as the Secretary for 1988. The nomination was seconded by Bennie Smyer and the motion carried. There was no report from the credentials committee. The 1988 members of the credentials committee as appointed by the Chairman are: Leo Bell, Bennie Smyer, and Jim Chatburn.

The proposed budget for 1988 was presented by the Secretary. The proposed budget was initially rejected because the 1987 water master was not present and had apparently not kept a record of water distributed during the 1987 drought year. Some Water District 45-F water users received no water at all because of water decree priority dates and yet were charged a full season/full water right charge. A call was made to the Idaho Department of Water Resources, Southern Region office, to inquire if there was any record on file of water distributed during the 1987 irrigation season. No record could be found. The 1988 budget was finally approved under protest and with the following conditions as moved by Bennie Smyer, seconded by Jim Chatburn and approved by vote of the members present:

- 1) Those receiving no water in 1987 and who were charged on the 1988 budget may submit a signed letter stating this fact.
- 2) Those presenting such documentation will be credited on the 1989 budget for the wrongful charge in 1988; ie, credit should be due.
- 3) The amount credited for wrongful charge during the 1987 irrigation season will be pro-rated as an additional charge to 1987 water users who received water during the 1987 season. This additional charge will be assessed on the 1989 budget.

Because inadequate water master records were kept during the 1987 irrigation season, it was moved by Vard Chatburn, seconded by George Montgomery, and approved by those present, that the water master will submit water records to the Advisort Board for their review whenever the Board deems such review prudent and/or necessary.

Following adoption of the 1988 budget, Resolution "B" was approved. There was only one petition presented for the position of Water District 45-F Water Master; that being Kay Powell. Jim Chatburn moved we accept the petition, seconded by Tom Geary, and approved by those present.

Members elected to the 1988 Advisory Board are: J.C.McKnight, Leo Bell, and Bennie Smyer. No additional business was formally presented and the meeting was moved to be adjourned by Harry Johnson, seconded by Don Merrill, and carried. The meeting was adjourned at 3:43p.m.

Dick Anderson

Dick Anderson
Chairman

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MAR 14 1988

Department of Water Resources
Southern Region Office

Jim Kempton
Secretary

Budget Language Coordination: Bennie Smyer B.S., Jim Chatburn J.C.

Certified true copy: Jim Kempton

MINUTES OF WATER DISTRICT 45-F ANNUAL MEETING

- March 6, 1989 -

This meeting, held at the Albion City Hall, Albion, Idaho, was called to order at 2:00 p.m. by Chairman Dick Anderson. Members present were: Harry Johnson (6S proxy), Don Merrill, Earl Warthen, Jim Chatburn, Vard Chatburn, Don Danner, Heber Danner, Bennie Smyer, Alta Penrod, Leo Bell, George Montgomery, Larry Mahoney, Lindsey Diamond, Max Huber, Bennie Chatburn, J.C. McKnight, Ron Sorensen, Bob Bailey, George Kelley, Dick Anderson, and Jim Kempton.

The minutes for 1988 were read and approved as read. The election for 1989 Chairman and 1989 Secretary was carried out with Dick Anderson being elected Chairman and Jim Kempton being elected Secretary. There were no other nominations for these positions.

There was no report from the credentials committee. The members of the 1989 credentials committee are: Jim Chatburn, Don Merrill, and Leo Bell.

The proposed budget was presented by the Secretary. The budget was approved as read, subject to the inclusion of resolutions related to 1: payment of water assessment charges and early (prior to 1 April) water delivery dates, 2: twelve month term of service for the watermaster, and 3: tax filing procedures related to watermaster compensation.

There was only one candidate for the position of watermaster, this being Mr. Donald B. Danner. Mr. Danner conditioned his service on the proviso that Water District 45-F allow him to serve as watermaster while at the same time acting as an employee of the 6S Ranch (S. Skaggs). This condition was acceptable to those attending. A vote was conducted and Mr. Danner was elected watermaster of Water District 45-F for the 1989 water season.

The watermaster was instructed on two duties requested by those attending:

1: The watermaster will allow the Water District 45-F Advisory Board to review his records of water delivery at any time deemed prudent or necessary by that Board.

2: The annual Watermaster's Report shall be posted in a public place by February 1, that public place having been determined to be the Albion City Hall.

A discussion followed on the possibility of the watermaster supervising water delivery along the Vaughn Ditch, and the Star Ditch. Chairman Dick Anderson maintained that the watermasters responsibility stopped at the principal diversion point for each ditch. This established procedure was not challenged, but those making the request for their respective ditches appealed to the watermaster to take personal interest in water delivery and scheduling. Their request was recognized, but no commitment on the part of the watermaster was stated.


The final act of business was the appointment of the Water District 45-F Advisory Board. Members so appointed for the 1989 water season are Leo Bell, Larry Mahoney, and J.C. McKnight.

Appreciation was given to Mr. Loren Homes of the Twin Falls Water Resources Office, and to Kay Powell who served as watermaster for the 1988 water season. Both individuals contributed considerable personal time and effort in making the 1988 water season a success.

There being no further business, the meeting was adjourned at 3:50 p.m.



Dick Anderson
Chairman



Jim Kempton
Secretary

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Southern Region Office

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Department of Water Resources
Southern Region Office

Water District 45-F
c/o Secretary
Star Route Box 28
Albion, ID 83311
January 4, 1989

Idaho Department of Water Resources
Southern Region
2148 4th Ave. East
Twin Falls, ID 83301

Dear Sir:

To date, the problem of filing tax information on the Water Master of Water District 45-F has continued unresolved. The existing management structure makes responsible completion of the usual employer tax reporting forms (941 and W2) unfeasible for the Water District and unacceptable to either the Idaho Department of Water Resources or the Cassia County Clerk. The issue existed when I assumed the office of Secretary of Water District 45-F almost five years ago and has continued since. The result has been that no tax information has ever been submitted on a Water District 45-F water master. I would assume that there are other small water districts in Idaho that have a similar problem, but if a solution has been available, it has never been passed on to this water district. In any event, I feel it totally inadvisable for the Secretary of this water district to continue to operate in a void where lack of agreement among the parties mentioned may place the Water District in a position subject to reprimand and penalty by State or Federal tax officials.

In researching existing tax reporting formats, I have concluded that the annual filing of Internal Revenue Form 1099-MISC will satisfactorily fulfill the obligation of providing reliable tax information to State and Federal internal revenue offices. This responsibility can be easily handled by Water District 45-F through the resolution attached. And, unless there is written objection from your office, I plan to request adoption of this resolution at the next meeting of Water District 45-F.


matter.

Carl -

I don't see any problem with
the district handling the watermaster
this way - but what about
deputies? -

I sent a copy to Phil Rasmussen &
hope he will respond.

Sincerely,


Jim D. Kempton
Secretary

RESOLUTION CONCERNING TAX REPORTING (1989)

Whereas Water District 45-F does not approve, disburse, or track claims initiated by the Water Master of Water District 45-F for salary payment in compensation for services rendered, and

Whereas Water District 45-F does not supervise or bond the Water Master, and

Whereas Water District 45-F does not have authority to "fire" the Water Master, and

Whereas, by virtue of these facts, Water District 45-F is not a bona-fide employer of the Water Master except as may pertain to the benefits of services contracted, and

Whereas the services provided by the Water Master to Water District 45-F are, in fact, services performed by a person not treated as an employee of the District, and

Whereas Internal Revenue Service Form 1099-MISC provides for filing of payments for services performed by people not treated as employees,

Therefore be it resolved that Water District 45-F will file Internal Revenue Service Form 1099-MISC relating to the contracted services of the Water District 45-F Water Master. Other Form 1099-MISC reports will be filed as required for any other contracted services. For the purpose of Form 1099-MISC reporting, all pay claim schedules, to include Social Security compensation, will be clearly defined by calendar year in the "Adopted Budget". It will be the responsibility of the person paid for contract services to notify the Secretary of the Water District of any deviation in the payment claim schedule prior to the 10th day after the end of applicable tax year; ie, January 10, 1990 for the 1989 tax year. *the*

Guide to 1988 Information Returns (If any date shown falls on a Saturday, Sunday, or legal holiday, use the next regular workday.)

Form Number	Title	What To Report	Amounts To Report	Due Date	
				To IRS	To Recipient (unless indicated otherwise)
1042S	Foreign Person's U.S. Source Income Subject to Withholding	Payments subject to withholding under Chapter 3 of the Code, including interest, dividends, royalties, pensions and annuities, and compensation for personal services.	All amounts	March 15	March 15
1098	Mortgage Interest Statement	Mortgage interest payments you received in the course of your trade or business from individuals.	\$600 or more	February 28	(To Payer/Borrower) January 31
1099-A	Information Return for Acquisition or Abandonment of Secured Property	Information about the acquisition or abandonment of property that is security for a debt for which you are the lender.	All amounts	February 28	(To Borrower) January 31
1099-B	Statement for Recipients of Proceeds From Broker and Barter Exchange Transactions	Sales or redemptions of securities, futures transactions, commodities, and bartering exchange transactions.	All amounts	February 28	January 31
1099-DIV	Statement for Recipients of Dividends and Distributions	Distributions, such as dividends, capital gains distributions, or nontaxable distributions, that were paid on stock, and distributions in liquidation.	\$10 or more, except \$600 or more for liquidations	February 28	January 31
1099-G	Statement for Recipients of Certain Government Payments	Unemployment compensation, state and local income tax refunds, agricultural payments, taxable grants, and discharge of indebtedness.	\$10 or more for unemployment and tax refunds; \$600 or more for all others	February 28	January 31
1099-INT	Statement for Recipients of Interest Income	Interest payments, not including interest on an IRA.	\$10 or more (\$600 or more in some cases)	February 28	January 31
1099-MISC	Statement for Recipients of Miscellaneous Income (Also, use this form to report the occurrence of direct sales of \$5,000 or more of consumer goods for resale.)	Rent or royalty payments; prizes and awards that are not for services, such as winnings on TV or radio shows.	\$600 or more, except \$10 or more for royalties	February 28	January 31
		Payments to crew members by owners or operators of fishing boats. Report payments of proceeds from sale of catch.	All payments	February 28	January 31
		Payments to a physician, physicians' corporation, or other supplier of health and medical services. Issued mainly by medical assistance programs or health and accident insurance plans.	\$600 or more	February 28	January 31
		Payments for services performed for a trade or business by people not treated as its employees. Examples: fees to subcontractors or directors, expenses incurred for use of an entertainment facility treated as compensation to a nonemployee, fringe benefits, and golden parachute payments.	\$600 or more	February 28	January 31
		Substitute dividend and interest payments reportable by brokers.	\$10 or more	February 28	January 31
1099-OID	Statement for Recipients of Original Issue Discount	Original issue discount.	\$10 or more	February 28	January 31
1099-PATR	Statement for Recipients (Patrons) of Taxable Distributions Received From Cooperatives	Distributions from cooperatives to their patrons.	\$10 or more	February 28	January 31
1099-R	Statement for Recipients of Total Distributions From Profit-Sharing, Retirement Plans, Individual Retirement Arrangements, Insurance Contracts, Etc.	Total distributions from retirement or profit-sharing plans, IRAs, SEPs, insurance contracts or from individual retirement arrangements (IRAs). Generally, use Form 1099-R only if the distribution closed the payee's account.	All amounts	February 28	January 31
1099-S	Statement for Recipients of Proceeds From Real Estate Transactions	Gross proceeds from the sale or exchange of certain real estate.	All amounts	February 28	January 31

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Department of Water Resources
Southern Region Office

MINUTES - WATER DISTRICT 45-F; ANNUAL MEETING

March 5, 1990

This meeting, held at the Albion City Hall, Albion, Idaho, was called to order at 2:00 p.m. by Chairman Dick Anderson. Members present were Harry Johnson (65 Proxy), Earl Warthen, Jim Shumway, Viola Cunningham, Helen Goodman, Richard Adams, Larry Mahoney, Bennie Smyer, Jim Chatburn, Leo Bell, Bernice Brewerton, Ron Sorensen, Don Gunderson, Alta Penrod, Bennie Chatburn, Don Danner, Dick Anderson, Jim Kempton, and Loren Holmes (IDWR).

The minutes for 1989 were read and approved as read. The election for 1990 Chairman and 1990 Secretary was carried out with Dick Anderson being elected Chairman and Jim Kempton being elected Secretary. There were no other nominations for these positions.

There was no report from the credentials committee. The members for 1990 are: Dick Adams, Bernice Brewerton, and Leo Bell.

Credits and debits associated with 1987-1989 water use and assessed charges over those years ~~were~~ read to those assembled. It was pointed out that these credits/debits would be applied to the adopted budget that would follow for approval.

Two proposed budgets were submitted by the water master. One reflected last years costs with the addition of \$200.00 for a Treasurer, and the second reflected a watermaster pay increase of \$100.00 per month plus the \$200.00 for a Treasurer. The discussion that followed supported the watermaster pay increase. The cost to each user was read to those present. Leo Bell made the motion the proposed budget with watermaster pay increase be accepted, seconded by Harry Johnson; approved by those members present.

Resolution B (All Bills paid by April 1) was approved with subparagraphs 1.a.-1.b..

The only person with a petition to serve as watermaster was Mr. Donald B. Danner. He was approved as returning watermaster by all those members present.

Advisory Board members elected for 1990 are Leo Bell, Larry Mahoney, and Jim Shumway (65).

With the 1990 water season, State law requires the Water District to have a Treasurer and for the Treasurer to pay the watermaster from funds collected and distributed to the Water District by the Cassia County Tax Assessors office. Ron Sorensen volunteered for the position providing he would be allowed authority to establish a dual signature policy on all checks. Members present voted that Ron Sorensen be elected Treasurer and that dual signature policy was approved.

Resolutions #2 and #3, as reflected on the Resolutions Page of the Approved Budget were discussed and approved.

Don Danner requested guidance on presumed "high water" rights not officially recorded; specifically water on "White Pine" and "Summit Creek". Loren Holmes responded that the only legal recourse was to cut the such users off if it drew down water from users with established rights.

Loren Holmes complemented the Water District on reorganization practices which have made the District more professional in its management; specifically better water distribution records and improved pay to keep a good watermaster.

A discussion was held on flooding of Earl Warthen from a headgate established by Larry Mahoney on Howell Creek. No consensus was achieved, but indications were that flooding would continue until stream banks were raised around the headgate. There being no other business, Chairman Dick Anderson thanked Loren Holmes for being present, and for his good words about the Water District, and the meeting was adjourned at 3:55 p.m.

Dick Anderson
Dick Anderson
Chairman

Jim Kempton
Jim Kempton
Secretary