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BY-LAWS
OF
10 B BIRCH CREEK WATER USERS ASSOCIATION OF LATERAL, INC.
(A non-profit water users association)

ARTICLE I

NAME AND LOCATION OF CORPORATION

Section 1. The name of this association is 10 B BIRTH CREEK WATER USERS ASSOCIATION OF LATERAL, INC.

Section 2. The principal office of this corporation shall be local in the City of Oakley, County of Cassia, State of Idaho.

ARTICLE II

CORPORATE SEAL

Section 1. The corporate seal shall have inscribed thereon the name of the association and the year of its organization.

Section 2. The Secretary-Treasurer of the association shall have custody of the corporate seal.

ARTICLE III

MEMBERSHIP

Section 1. Evidence of Membership. The members of this association shall consist of the lawful owners of membership certificates duly approved and issued by the authorized officers of the association pursuant to the terms and conditions provided in the By-Laws and Articles of Incorporation of this Association. All those persons utilizing the association lateral for delivery of the water to which they are entitled from a mutual point in Birch Creek to its place of use, through the association lateral or laterals, shall be eligible for membership.

Section 2. Quality of Membership Rights. In this association the degree of interest of each members, shall be represented by each inch and fractional inch of water which said water user is entitled to receive from the lateral.

Each member shall be entitled to one vote in person, for each inch and a fractional vote for each fraction of an inch of water which such member is entitled to receive from the association laterals, and a corporation shall vote by one of its officers designated by it.

Each member shall be subject to the same regulations, as every other member, and each member shall be subject to assessments in direct proportion to the amount of water which he is entitled

to receive through the association lateral.

Section 3. Transference of Membership. Transference of membership in the association is restricted and membership certificates cannot be assigned or transferred, except upon approval of the Board of Directors under such regulations as the By-Laws describe. ✓

Each certificate of membership shall bear on its face the words "Transferrable only upon approval of the Board of Directors of 10 B Birch Creek Water Users Association of Laterals, Inc." or words of like effect.

Section 4. Certificate Subject To Obligation. All transfers of membership certificates shall be subject to any existing obligations of the association in a pro rata share determined by the number of inches of water or fractions of inches to which the holder thereof is entitled. Approval of the Board of any transfer is in order to maintain an accurate list of members of the association in the association files at all times.

ARTICLE IV

MEETINGS OF THE MEMBERSHIP OF THE ASSOCIATION

Section 1. The annual meetings of the members of the association shall be held at Oakley, Idaho, on the first Monday of March, of each year, at the time and place set out in the notice of said annual meeting hereinafter provided. The purpose of the annual meeting shall be election of directors and the "lateral manager" for the succeeding season, for the fixing of compensation for said manager, and all officers, and for the transaction of such other business as may properly come before the meeting.

Section 2. Notice of Annual Meeting. Notice of the time and place of the annual meeting of the members of the association shall be given to each member of record in the corporation entitled to vote at such meeting by mailing to such member, at least ten (10) days prior to said meeting, a notice thereof, postage prepaid and addressed to the member's last known post office address.

Section 3. Order of business At the Annual Meeting. The order of business at the annual meeting of members shall be as follows:

- (a) Calling the meeting to order;
- (b) Proof of notice of meeting;
- (c) Reading of minutes of last annual meeting;
- (d) Reports of officers;
- (e) Election of Directors;
- (f) Election of lateral manager;
- (g) Setting of compensation for the lateral manager for the succeeding year as well as other officers, if any;
- (h) Miscellaneous business.

Section 4. Regular Meetings of the Association. No regular schedule

of meetings for the association membership shall be provided.

Section 5.. Special Meetings of the Association.

(a) Special meetings of the membership of the association may be called at any time by the Board of Directors.

(b) Upon written request or petition of at least twenty-five per cent (25%) of the membership of the association, qualified and active, and entitled to vote, specifying the business to be brought before the association, a special meeting shall be held. No business other than that specified and included in the notice of the meeting shall be transacted.

(c) Notice of special meeting. Notice of any special meeting of the membership of the association shall be given by the Secretary to each member of record by mailing not less than five (5) days before such special meeting a notice thereof addressed to each member at the member's last known post office address, which notice shall state the time and place of such meeting.

Section 6. Quorum at Meetings of Association. Except as otherwise specially provided by law or by the Articles of Incorporation, a majority of the voting membership (votes per inch or fraction of an inch of water) of the association shall constitute a quorum for the transaction of business at any meeting thereof. Unless such quorum is present, no business shall be transacted.

If, however, such quorum shall not be present at any annual, regular or special meeting, the members present shall have the power to adjourn the meeting from time to time without notice, other than oral announcement at the meeting, until a quorum is present. Such adjournments from time to time to extend not more than ten (10) days the adjournment of said meeting. On reconvening the adjourned meeting, and obtaining a quorum, any business may be transacted which might have been transacted at the meeting originally called.

Section 7. All meetings of the association shall be governed by "Roberts Rules of Order" (revised).

Section 8. Order of Business at Regular Meetings of the Members of the Association. The order of business at regular meetings of the members shall include:

- (a) Roll call of members;
- (b) Reading of minutes of the last regular or special meeting;
- (c) Unfinished business;
- (d) Report of committees or officers;

- (e) Report of Secretary-Treasurer;
- (f) Report of the Board of Directors;
- (g) Action on recommendations of the Board of Directors;
- (h) Other new business.

Section 9. Voting. Each member of the association shall be entitled to one vote in person, for each inch and a fractional vote for each fraction of an inch of water which said water user is entitled to receive from the association lateral, at any election held by the association for any purpose. Such vote must be cast in person and there shall be no voting by proxy. Election of directors shall be by secret ballot. Voting upon all other matters shall be in the manner designated by the Chairman of the association, unless a motion be made from the floor calling for a particular form of voting upon a particular question supported by two thirds from the membership, in which case voting shall proceed in the manner selected by the membership, or as otherwise in these By-Laws.

ARTICLE V

DIRECTORS OF THE ASSOCIATION

Section 1. Number, Qualification and Election of Directors. The business, affairs and property of this association shall be managed by a Board of Directors, consisting of three members of the association who shall be elected at the annual meeting of the members of the association by a majority of votes cast at such election, and who shall also be the Chairman, Vice-Chairman and Secretary-Treasurer of the association. The three nominees at such annual meeting receiving the greatest number of votes shall be declared elected. Such directors shall hold office for one year and thereafter until their respective successors shall be elected and shall qualify. Directors must be members of the association.

Section 2.. Vacancy and Removal. Any vacancies in the Board of Directors caused by reason of death, resignation, disqualification, removal from office or otherwise, may, except as may otherwise be provided in the Articles of Incorporation, be filled by the remaining directors at a special meeting, called for that purpose, or by the members at any regular or special meeting held prior to the filling of such vacancy by the Board, as above provided. Persons so chosen as Directors, shall hold office until the next annual meeting of members, or until his successor is elected and qualified.

Section 3. Annual Meetings of Directors. Annual meetings of the Board of Directors shall be held at Oakley, Idaho, within ten (10) days subsequent to the annual meeting of the members of the association, at a specified time and place to be designated in the notice of said annual meeting of the Board of Directors.

Section 4. Special Meetings. Special meetings of the Board of Directors may be called at any time by the Chairman, or in his

absence by the remaining two directors. Notice of a special meeting of the Board of Directors shall be given at least three (3) days prior thereto to each director, either personally or by mail or by telegram, addressed to him at his last known post office address.

Section 5.. Waiver of Notice. Notice of any annual, regular or special meeting of the Board of Directors, may be waived by a writing signed by all of the directors not notified as hereinabove provided. Such meetings then may be held at the time and place mentioned in such waiver.

Section 6. Place of Meeting. All regular and special meetings of the Board of Directors shall be held at the principal office of the corporation at Oakley, Idaho, or at such other place or places within or without the State of Idaho as said Board may designate.

Section 7. Quorum. A majority of the directors of this corporation shall constitute a quorum for the transaction of business at any regular meeting or special meeting of the Board of Directors.

Section 8. Voting. At all meetings of the Board of Directors, each Director shall have one vote.

Section 9. Compensation of Directors. Directors shall not receive any stated salary for their services as directors, but by resolution of the Board of Directors, a fixed fee and expense of attendance may be allowed for attendance at such meetings. In addition to any actual expense incurred by them in the performance of their duties; PROVIDED, that the Directors shall not receive compensation for attendance at meetings for an aggregate total in excess of ten days in any calendar year. Nothing herein contained shall be construed to preclude any director from serving the company in any other capacity as an officer, agent or otherwise, and receiving compensation therefor. The Secretary-Treasurer may be allowed for his services such compensation as may be authorized by the Board of Directors, if any.

Section 10. General Powers of the Board of Directors. The Board of Directors shall transact general business of the association and may on behalf of the association after proper notice and authorization by election as provided by the Idaho State Statutes enter into agreements, borrow money, pledge the assets of the association as security therefore, assume obligations, levy and collect assessments, prescribe regulations for the use of the association laterals and all other lawful acts necessary to carry out the purposes of the association and each and every act of the Board of Directors in such matters shall be binding upon the association and each and all of the members thereof.

That if not in conflict with the laws of the State of Idaho the executed written agreement by more than a majority of the total outstanding voting membership of the association authorizing the borrowing of money and pledging of assets of the association and/or the repayment of monies borrowed, may be utilized in lieu of

notice and election to secure authorization to borrow and mortgage, pledge or otherwise secure the repayment of said debt, by the association.

Section 11. Rules and Regulations Adopted by the Board of Directors. The Board of Directors, may, from time to time, adopt and promulgate special rules and regulations in relation to the operation of the association laterals, as the Board may deem necessary, PROVIDED, HOWEVER, that any rules and regulations so adopted may be altered or amended by a majority vote of the members of the association present at any annual or special meeting. In time of emergency the Board of Directors may adopt such rules and regulations as may be deemed necessary and expedient for the proper use of the facilities of the association by the members, which rules and regulations shall remain in force and effect until the Board of Directors have determined that the emergency situation requiring the same has abated.

Section 12. In addition to the power and authority conferred upon them by these By-Laws and the Articles of Incorporation, the Board of Directors may exercise all such powers of the association and do all such lawful acts and things as are not prohibited by statute or by the Articles of Incorporation or by these By-Laws.

Section 13. Election of Officers of the Corporation. The Board of Directors, shall at its annual meeting following the annual meeting of the members of the association, select from its membership by majority vote, a Chairman, Vice-Chairman, and a Secretary-Treasurer of the association.

Section 14. Cooperation with Government Agencies. The Board of Directors may work in cooperation with the duly authorized representatives of the United States Government, its proper departments and agencies, and the State of Idaho, or any duly authorized representatives thereof, corporations, private landowners, and such other organizations or persons as may be necessary for delivery of the irrigation water, conservation thereof, and the use and maintenance of the laterals under control of the association.

ARTICLE VI

OFFICERS OF THE ASSOCIATION

Section 1. The officers of the association shall consist of a Chairman, Vice=Chairman, and Secretary-Treasurer, who shall be elected by vote of the Board of Directors as hereinabove provided.

The officers of the association shall be elected for one year, and shall hold their office until their successor is elected and qualified.

Section 2.. Duties of the Chairman of the Association. A Chairman of this association shall be the chief executive officer. He shall preside at all meetings of the members and at all meetings of the Board of Directors; he shall have the general and active management of the business of the association and shall

see that all orders and resolutions of the Board of Directors are carried into effect; he shall sign in conjunction with the Secretary-Treasurer all certificates of membership, checks, notes, deeds and other instruments of the association; he shall be an ex-officio member of all standing committees; he shall have the power and shall perform all such other duties of supervision and management as are usually vested in the office of Chairman, and as may be required of him by the Board of Directors.

Section 3. Duties of the Vice-Chairman. The Vice-Chairman in the absence or disability of the Chairman, or in the event of his death, resignation or his removal from office, shall perform the duties of the Chairman and exercise the powers of the Chairman, and shall have such other powers and perform such other duties as the Board of Directors shall prescribe.

Section 4. Duties of the Secretary-Treasurer. It shall be the duties of the Secretary-Treasurer to conduct the correspondence of the association; to keep all records of the activities of the association and minutes of all meetings of the association and the Board of Directors; to make out and turn over to the Board of Directors a list of all assessments ordered by the association or the Board of Directors, showing each member's portion thereof; to collect from the members the assessments made by the association or by the Board of Directors, and issue a receipt therefore; to keep in a book, for that purpose, an accurate account of the receipts and disbursements of the association; to sign as Secretary-Treasurer and in conjunction with the Chairman, all certificates of membership, drafts, checks, notes, deeds, and all other instruments requiring signatures on behalf of the association; make vouchers for the disbursements of funds of the association; to prepare or arrange for preparation of tax returns and reports to the State of Idaho or the United States of America, in addition to keep in a book, for that purpose, an accurate record of all memberships and certificates issued; and to keep in a book, for that purpose, an accurate record of all of the assets of the association as they are acquired or disposed of; to act as custodian of evidence of title and other legal documents drawn into or pertaining to the association business; and to perform as well all acts and duties that may be required of him by the association or the Board of Directors.

Section 5. Absence of Directors or Officers. In case of the absence or inability of any officer or officers to act, or any person herein authorized to act in his place and stead, the Board of Directors may from time to time delegate such powers and duties on a temporary basis, to any other officer or director of the corporation.

Section 6. Lateral Manager. The Lateral Manager shall be elected at the association's annual membership meeting which shall also determine the compensation to be paid to such Lateral Manager at said meeting. In the event the Lateral Manager is not elected by the members or his compensation set at the annual meeting, he may be elected by the Board of Directors of the association who may also

fix compensation to be paid therefore. The Lateral Manager shall, in addition to the duties prescribed by the association, perform all duties fixed for such Lateral Manager under the provisions of Idaho Code Section 42-907 and 42-910 except as those Sections may be modified in Title 42, Chapter 13 of the Idaho Code.

Section 7. Duties of Lateral Manager. The Lateral Manager shall have the duty to ascertain and see that the amount of water to which each of the water users in the association is entitled is properly apportioned and distributed. In case of dispute between the members of the association as to the quantity of water to be delivered, or the amount actually delivered, or otherwise, the matter shall be referred to the Board of Directors of the association. Lateral Managers shall also carry out any and all directives of the Board of Directors to him concerning election of levies, repair and maintenance of the association laterals, and generally duties of the manager as delegated by the Board of Directors, these By-Laws and the Statutes of the State of Idaho.

Section 8. Appointment of Association Attorneys, Employees, and Agents. In addition to the officers hereinabove provided and the Lateral Manager, the Board of Directors, may appoint and affix the duties and salaries or other compensation of an attorney for the association, or such tother agents, or employees, as they may deem necessary to efficiently carry out the business of the association. Such appointees need not be members of the association.

ARTICLE VII

FISCAL YEAR

Section 1. The fiscal year of the association shall commence on the _____ day of _____ of each year and shall end on the _____ day of _____ of the following year.

Section 2. Annual Reports and Statements. The Secretary-Treasurer shall after the end of each fiscal year prepare and submit to the association a statement of the financial position of the association. Such statement shall contain among other things the following:

- (a) A financial statement;
- (b) Such other documents pertaining to the financial situation of the association as the Directors deem pertinent and necessary.

The Board of Directors shall, prior to the annual meeting of the association, prepare and submit for consideration by the membership of the association, the following:

- (a) A projected budget for the ensuing year's operation;
- (b) A statement concerning the overall general operation, objectives and policies for the ensuing year;

Section 3. Corporate Accounting. Books of account of the Secretary-

Treasurer shall be audited at least yearly by a public accountant, to be designated by the Board of Directors, and a report of the audit shall be submitted to the association at each annual meeting. All of the books of the association, including those of the Secretary-Treasurer shall be open during normal business hours and under reasonable circumstances, for inspection by any member of the association.

Section 4. Provision for Fidelity Bond. Any officer of the association authorized to receive and disburse money for or on behalf of the association, may be required to obtain and deliver to the association a fidelity bond, in an amount as directed by the Board of Directors, for the proper discharge of his duty to the association and in a form acceptable to the Farmers Home Administration, an agency of the United States of America, as necessary, such bond to be provided at the expense of the association.

Section 5. Disbursements. All disbursements of the funds of the association when paid in cash, shall be evidenced by proper receipt.

Section 6. Levying Assessments. The Board of Directors may levy assessments upon the members of the association for the purpose of paying lawful obligations of the association, including but not limited to costs of construction of the concrete ditch, or other conduit, the operation and maintenance thereof, and related costs. The levy of assessments and repayment of obligations borrowed from any private or governmental source over a period of years is as authorized by Idaho Code 42-1309, which requires publication of notice of election of the members of the association to determine whether or not authorization to borrow money and mortgage or pledge assets shall be given. Said election shall be held within ten days after the date of the last publication of said notice.

If a majority of the total outstanding votes of the association at said election vote in favor of obtaining the proposed loan, and mortgaging and/or pledging association assets then the association through its Chairman and Secretary-Treasurer shall be authorized to borrow said money and mortgage or pledge the assets of the association therefore.

Section 7. Special Funds. The Board of Directors shall keep separate and apart from the general funds of the association any special funds raised through special levy and for special purposes, and the same shall be utilized only for the purpose designated, unless the consent of a majority of the membership votes of the association is first obtained for utilization of said special funds for purposes other than that originally contemplated.

Section 8. Provision for Collection of Assessments. On or before the 15th day of April, in each year, the Secretary of the association shall notify each water user of the amount assessed against him for that year as herein authorized, and the same shall be due and payable on the first day of May of each year. If not so paid on or before the 15th day of October of such year, a penalty of ten per cent (10%) shall be added thereto, and the total amount

due shall then draw interest at the rate of ten per cent (10%) per annum from the said 15th day of October of such year until paid.

Section 9. Failure to Pay Assessments. No water user shall be entitled to demand or receive water from the association lateral whenever such assessments, aforesaid, are due and unpaid, and the Lateral Manager shall not distribute any water to such water users while delinquent in such payment except upon order of the Board of Directors of the association who shall have authority to cause such water to be delivered; PROVIDED that the member water user shall give such security for the payment of such assessment against him as shall be required by the Board of Directors.

Section 10. Collection and Disbursements of Assessments. The collection of annual assessments shall be made, pursuant to law, by the Cassia County Treasurer's office, based upon the annual budget submitted to the Cassia County Recorder by the Association. All assessments collected, as aforesaid, shall be held on behalf of the Association by the County of Cassia, subject to Association warrants drawn thereon, to pay costs and expenses of construction and management of said lateral as herein provided and upon order of the Board of Directors or their duly authorized officers and representatives.

Section 11. Action for Assessment. In case any assessment, as herein provided for, is due and unpaid the association may sue to collect the same, in the name of the Secretary-Treasurer in any court of competent jurisdiction, pursuant to Idaho Code, Section 42-1307.

ARTICLE VIII

AMENDMENT OF BY-LAWS

Section 1. Alterations, Amendments or Repeals. These By-Laws may be amended or repealed or new By-Laws may be made and adopted at any annual or special meeting of the members of the association, all for that purpose by a vote or written consent of the members, representing two-thirds of the active membership of the Association or by vote of two-thirds of the Board of Directors at any regular or special meeting of the Board.

ARTICLE IX

MEMBERSHIP CERTIFICATES

Section 1. As part of the records of the association there shall be kept a membership book which contains a list of the certificates of membership which have been issued; listing the number of the certificates and the date thereof and the name and address of the person to whom issued.

Section 2. Membership Certificates of this association shall be substantially in the following form:

"THIS IS TO CERTIFY THAT
is a member of the 10 B BIRCH CREEK WATER USERS
ASSOCIATION OF LATERAL, INC., a non-profit water
users association, organized under the laws of
the State of Idaho, with its principal place of
business at Oakley, Idaho, and _____
is entitled to all the benefits and subject to
all the rules and regulations for assessments
and charges as provided in the Articles of
Incorporation and By-Laws of the association.

RESTRICTED TRANSFER: Prior to any sale or
transfer, whether inter vivos or testamentary,
of this Certificate of Membership, the same must be
reviewed and approved by the Board of Directors
of this association.

IN WITNESS WHEREOF, 10 B Birch Creek Water Users
Association of Lateral, Inc. has caused this
certificate to be signed by its duly authorized
officers and its corporate seal to be hereunto
affixed this _____ day of _____ A.D.,
19 _____."

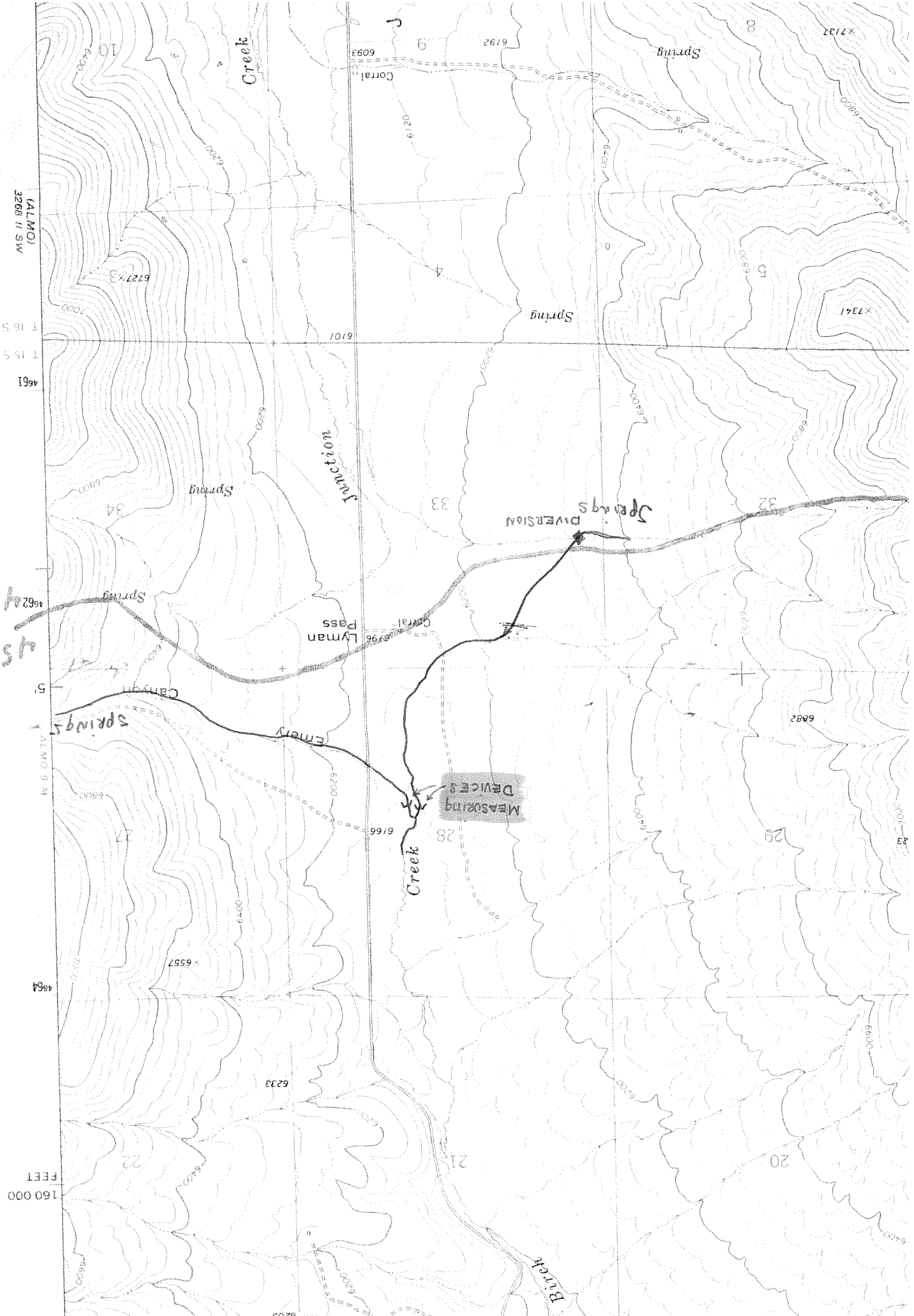
Chairman

Secretary-Treasurer

I, ENNIS B. MATTHEWS, Secretary-Treasurer of 10 B
Birch Creek Water Users Association of Lateral, Inc., a non-
profit water users association, existing under the laws of the
State of Idaho, hereby certify that the attached and
foregoing is a true copy of the By-Laws of said Association,
adopted by vote of the members of said association, and by
vote of the Board of Directors of said association, and the
foregoing By-Laws are in full force and effect as of this
8th day of July, 1968.

of Lateral, In

Ennis B. Matthews
Secretary-Treasurer of 10 B
Birch Creek Water Users Association
of Lateral, Inc.



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JUNCTION

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MEASURING
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SPRINGS
DIVERSION

Spring

Spring

Spring

Spring

Creek

BIRCH CREEK WATER USERS
OAKLEY, IDAHO
JANUARY 11, 1993

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RECEIVED

MAR 03 1993
The annual meeting of 45B Birch Creek Water Users and the
10B Birch Creek Association was called to order by President
James McBride at 7:00 on January 11, 1993.
Department of Water Resources
Southern Region Office

Credentials Committee Bob Manning, and Tim Payton reported enough
share holders were present to hold a meeting.

Present were Tim Payton, Bob Manning, James McBride, Henry
Callahan, Ila Ranal, Jerry Stanger of the Oakley Canal Company,
Robert Bell, and Chuck Payton.

The Minutes of the 1992 meeting was read and approved. The last
year Budget was read and approved with \$780.00 in the bank and
\$905.00 in savings.

The next order of business was the nominating of Chairman. On a
motion, Tim Payton asked that Jim McBride be President. Bob
Manning 2nd and asked that he be put in by acclimation, the
motion passed.

Tim Payton made a motion that Chuck Payton be Secretary and
Treasure, Ila Randall seconded. Tim was put in by acclimation,
the motion passed. Tim made a motion that Marj Gorringer help
with the books, at \$150.00, it was seconded by Robert Bell,
the motion passed.

Tim made a motion that all water users be assessed \$20.00,
if they use water or not. This was seconded by Robert Bell.
The Motion passed.

On a motion Robert Manning asked that the budget be set at
\$6,500.00, It was seconded by Ila Randall. The motion passed.

Tim nominated Robert Bell for water master and ditch rider for
the 1993 year. This was seconded by Ila Randall. The motion
passed.

Robert Manning made a motion that \$2500.00 be paid in contracted
labor to the ditch rider and water master. This to be paid in to
payments of \$1250.00 in June and \$1250.00 when the books are
into the department of water resources. This was seconded by Tim
Payton and the motion passed.

Tim made a motion that all delinquent water bills be paid before
water is turned on and bills be paid by March 25, 1993 before the
water would be delivered by April 1, 1993.

BIRCH CREEK WATER USERS
OAKLEY, IDAHO
JANUARY 11, 1993
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Jerry Stanger said that the Canal Co. would pay \$440.00 to 10B for the 1993 year.

Tim Payton made a motion to put \$250.00 into savings, this was seconded by Robert Manning, the motion passed.

Advisory board: Henry Callahan, Tim Payton, and Robert Manning.

Tim Payton moved that meeting adjourn, this was seconded by Jerry Stanger.

RECEIVED

MAR 03 1993

Department of Water Resources
Southern Region Office

BUDGET FOR 1993

| | |
|-----------------------------------|-----------|
| FHA | \$2102.00 |
| Marj Gorringer | \$ 150.00 |
| Savings | \$ 250.00 |
| Water Master Contract Labor | \$2500.00 |
| Repairs | \$1498.00 |

*****TOTAL*****..\$6,500.00

*****..AMOUNT OF MONEY IN THE BANK IS \$780.00

*****..AMOUNT OF MONEY IN SAVINGS IS \$905.86

Jim McBride
President
2-10-93

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 B

The annual meeting of 45B Birch Creek Water Users and the Birch Creek Association was called to order by president Tim Payton at 1:30 P.M. on January 10, 1989.

Credentials Committee Ennis Matthews and Henry Callahan reported enough share holders were present to hold a meeting.

Henry Callahan nominated Tim Payton to be chairman for 1989. He was voted in by acclimation.

Clyde Judd nominated Chuck Payton to be Secretary for 1989. He was voted in by acclimation.

Ennis Matthews made a motion that the watermaster wage be set at \$2,000.00, with one-half going for car expenses and that we pay all Social Security. That the second half of the water master wage not be paid until the reports were in the water resource office. These motions were seconded by Henry Callahan. The motion carried.

Jerry Stanger reported that the Oakley Canal Co. had agreed to pay \$440.00 for the water used in 1988.

Ralph Hunter made a motion that all shareholders be assessed \$15.00 per year whether they run water or not. This was seconded by Max Cooper. The motion carried.

Clyde Judd made the motion that all delinquent water be paid before water could be turned on and that all delinquent water be paid before water could be turned on and that all bills for 1989 be paid by March 15 before water would be delivered by April 1, 1989. This was seconded by Ralph Hunter. The motion carried.

Henry Callahan made the motion that \$250.00 be put into savings. This was seconded by Chuck Payton. The motion carried.

Chuck Payton made a motion that the budget be set at \$7,000.00. This was seconded by Ennis Matthews. The motion carried.

Chuck Payton nominated V. A. Merrill to be Water Master and President of the Water Users Association for the year of 1989. Henry Callahan moved that he be put in by acclimation.

Advisory Board are: Tim Payton, Ennis Matthews and Henry Callahan.

Present at this meeting were:

Tim Payton, Clyde Judd, Henry Callahan, Ennis Matthews, John Martin, Ralph Hunter, Leon Holmes, Jerry Stanger, and Chuck Payton.

Budget for 1989.....FHA. \$2200.00
Savings. 250.00
Social Security. 235.00
Water Master. 2000.00
Water Master for '88. 900.00
Repaires. 1415.00

Meeting Adjourned at 3:15, 1989.

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. 45B

The annual meeting of 45B Birch Creek Water Users and the Birch Creek Association was called to order by president Tim Payton at 7:05 P.M. on February 20, 1988.

Credentials Committee Ennis Matthews and Henry Callahan reported enough share holders were present to hold a meeting.

Henry Callahan nominated Tim Payton to be chairman for 1988. He was voted in by acclimation.

Leroy Mabey nominated Chuck Payton to be Secretary for 1988. He was voted in by acclimation.

Henry Callahan made a motion that the watermaster wage be set at \$1,950.00, with one-half going for car expenses. The motion was seconded by Ennis Matthews. The motion carried. Ennis Matthews made a motion that the second half of the watermasters wage not be paid until the reports were in the Water Resource office. This motion was seconded by Royce Buckley. The motion carried.

Jay Gorringer reported that the Oakley Canal Co. had agreed to pay \$440.00 for the water used in 1987.

Henry Callahan made a motion that all shareholders be assessed \$10.00 per year whether they run water or not. This was seconded by Leroy Mabey. The motion carried.

Ennis Matthews made the motion that all delinquent water be paid before water could be turned on. This was seconded by Royce Buckley. The motion carried.

Leroy Mabey made the motion that \$250.00 be put into savings. This was seconded by Royce Buckley. The motion carried.

Chuck Payton made a motion that the budget be set at \$4500.00. This was seconded by Henry Callahan. The motion carried.

Jay Gorringer nominated Ron Archibald to be Water Master and President of the Water Users Association for the year of 1988. Ennis Mattherw moved that he be put in by acclimation.

Advisory Board are: Tim Payton, Ennis Matthews and Henry Callahan.

Present at this meeting were:

Tim Payton, Ted Bell, Clyde Judd, Royce Buckley, Jay Gorringer, Henry Callahan, Ennis Matthews, Leroy Mabey, Chuck Payton and Ron Archibald.

| | |
|--------------------------|-----------|
| Budget for 1988.....FHA. | \$2200.00 |
| Savings. | 250.00 |
| Water Master. | 1950.00 |
| Social Security. | 100.00 |

Jay Gorringer made a motion that the meeting be adjourned.
Meeting Adjourned at 8:15.

RECEIVED

JAN 29 1982

Department of Water Resources
Southern District Office

Meeting of 45 B Birch Creek Water Association

January 11, 1982 at 1:15 p.m.

The meeting was called to order by Tim Payton. Those present were Ennis Matthews, Henry Callahan, Darren Critchfield, Ray Critchfield, Duff Woodhouse, Tim Payton and Chuck Payton.

The advisory board said there were enough members present to hold the meeting. The minutes were read and approved.

First order of business was electing a chairman. Henry Callahan nominated Tim Payton. The nomination was seconded by Chuck Payton. Tim Payton was elected Chairman. Henry Callahan nominated Chuck Payton as secretary. He was appointed.

The motion for the water master salary to stop at \$ 1320. was made by Chuck Payton. It was seconded by Ray Critchfield

The budget for 1982 was adopted. The water master and secretary were not paid in 1981. That money went to fix the ditch. It was agreed that they would be paid for 1981 and 1982 .

Set money needed for 1982 is ~~\$~~ 4,972. Ray Critchfield made the motion that the budget be set at \$6,000. The motion was seconded by Enis Matthews. The motion carried.

Ray Critchfield was moninated as water master by Enis Matthews. The motion carried.

Darren Critchfield said the Oakley Canal Company would pay \$440. for ditch use in 1982.

The advisory board will consist of Enis Matthews, Tim Payton, Ray Critchfield, Henry Callahan, and Chuck Payton.

The map was brought up about Mike Hunter's water, The advisory board does not agree with the way it was drawn up. A letter will be written to the Water Resource Board telling them of their objections.

Ken Shurffey has been diverting water out on his land. A letter will be written to him advising him to stop.

A motion was made by Darren Critchfield to close the meeting. It was seconded by Duff Woodhouse.

The meeting was adjourned at 2:50 p.m.

Chairman

Secretary

Tim Payton

Chuck Payton

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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 B

MINUTES OF THE ANNUAL MEETING OF THE 45B BIRCH CREEK WATER USERS

Annual meeting and adopted resolutions.

January 10, 1983

Those present:

Henry Callahan

Daren Critchfield

Ennis Matthews

Chuck Payton

Tim Payton

Loren Holmes (Water Resource Representative)

RECEIVED

FEB 18 1983

Department of Water Resources
Stephan District Office

Meeting called to order at 1:35 P.M.

Henry Callahan nominated Tim Payton to be chairman. Daren Critchfield made motion that Tim be elected by acclamation. Ennis Matthews seconded the motion. Motion carried.

Henry Callahan nominated Chuck Payton secretary. Daren Critchfield made the motion that Chuck be elected secretary by acclamation. Ray Critchfield seconded the motion. Motion carried.

Ennis Matthews made a motion that the water masters wage be set at \$ 1600.00 yearly. Henry Callahan seconded the motion. Motion carried.

Ray Critchfield made a motion that Critchfield Springs be measured about 50 yds. below where Emery Creek and Critchfield Springs run together. Henry Callahan seconded the motion. Motion carried.

Ennis Matthew made a motion that \$250.00 be deposited in a savings account and that \$250.00 be added to it each year.

Daren Critchfield made the motion that the budget be set at \$5000.00 for 1983.

\$1600.00 Water master

\$2102.00 F.E.A.

\$1298.00 ditch improvement

\$250.00 savings

Henry Callahan seconded the motion. Motion passed.

Henry Callahan nominated Ray Critchfield watermaster. Ennis Matthews made motion that Ray be elected by acclamation. Daren Critchfield seconded the motion. Motion carried.

Daren Critchfield reported that the Oakley Canal Co. had agreed to pay \$440.00 for Birch Creek water used.

Daren Critchfield made a motion that the meeting be adjourned. Ennis Matthews seconded the motion. Motion passed.

Meeting adjourned at 2:45 P.M.

Tim Payton Chairman

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 B.

MINUTES OF THE ANNUAL 45 B. BIRCH CREEK WATER USERS MEETING
AND ADOPTED RESOLUTIONS

January 23, 1984

Meeting was called to order at 1:30 P.M. by chairman Tim Payton.

Credentials committee, Ennis Matthew and Henry Callahan, reported that there was enough share holders present to hold a meeting.

Henry Callahan nominated Tim Payton to be chairman for 1984 and he was voted in by acclimation.

Ennis Matthews nominated Chuck Payton to be secretary for 1984 and he was voted in by acclimation.

Minutes of the 1983 meeting of the 45 B. Birch Creek Water Users Meeting were read and approved.

A motion was made by ennis Matthews that Water master and ditch rider wage be set at \$1800.00. Motion was seconded by Henry Callahan. Motion carried.

Motion was made by Chuck Payton that the budget for 1984 be set at \$5000.00. Of this amount

| |
|--------------------------|
| \$1800.00 for ditchrider |
| 2102.00 for F.H.A. note |
| 250.00 savings |
| 848.00 ditch repair |

The motion was seconded by Henry Callahan. Motion carried.

Ray Critchfield was asked to take the job of ditch rider and water master again. He accepted.

Selection an advisory committee was made and consists of Tim Payton, Ennis Matthews, and Henry Callahan.

It was decided that Tim Payton and Ray Critchfield would meet with the city about cleaning the ditches through town.

It was approved by Daren Critchfield, president of the Oakley Canal Co. that they would pay \$440.00 for the Birch Creek spring run off water.

Chuck Payton moved that meeting be adjourned. Motion was seconded by Henry Callahan. Motion carried. Meeting adjourned at 3:30 P.M.

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. _____

Minutes of the Annual 45B Birch Creek Water Users Meeting
and Adopted Resolutions for 1985 Jan. 14

Meeting called to order at 2:00 P.M. by chairman Tim Payton. Those present were Tim Payton, Henery Callahan, Ray Critchfield, Ennis Matthews, and Chuck Payton.

Credential committee, Ennis Matthews and Henery Callahan reported that there were enough share holders present to hold the meeting.

Ennis Matthews nominated Tim Payton to be chairman for 1985 and he was voted in by acclimation.

Ennis Matthews nominated Chuck Payton to be secretary for 1985 and he was voted in by acclimation.

Minutes for 1984 was read and approved.

Discussion on the flood of 1984 and the damages that were done. Garth Greenwell came to the meeting representing the city. Discussed what could be done with the flood water. City to help clean ditches through out the town. Agreement to work together to solve problem.

Ennis Matthews made motion that ditch rider and water master be paid the wage of \$1800 for the year round. Henery Callahan 2nd motion and motion carried.

Henery Callahan made motion that the budget for 1985 be set at \$6500.⁰⁰ Ennis Matthews 2nd motion and the motion carried.

Motion made by Henery Callahan that every shair holder be assesed 10.⁰⁰ whether they run water or not. Motion was 2nd by Ennis Matthews and the motion carried.

Oakley Canal Company agreed to pay \$440.⁰⁰

| | | |
|--------------|-----------|--|
| Payment due. | \$1800.00 | Ditch Rider and Water Master |
| | \$2102.00 | FHA note |
| | \$250.00 | Savings |
| | \$900.00 | Back wages for Ditch Riders and Water Master |
| | \$1448.00 | Ditch repair |

Advisory Board Ennis Matthews, Henery Callahan, Tim Payton

Meeting adjourned at 4:00 P.M.

862-3960

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. 45B

The annual meeting of 45-B Birch Creek Water Users and The Birch Creek Association was called to order by president Tim Payton at 1:15 P.M. on January 12, 1987. Those present were Tim Payton, Ennis Matthews, Henry Callahan, Royce Buckley, Chuck Payton, Mr. Holms of the Water Resource Board, John Martin and Ron Archibald of the Canal Company.

Credentials Committee Ennis Matthews and Henry Callahan reported enough share holders were present to head a meeting.

Henry Callahan nominated Tim Payton to be chairman for 1987. He was voted in by acclamation.

Royce Buckley

Royce Buckley nominated Chuck Payton to be Secretary for 1987 and he was voted in by acclamation.

Chuck Payton made a motion that the watermasters wage stay at \$1950.00. The motion was seconded by Henry Callahan. Motion carried. It was agreed that Social Security be paid on the watermasters salary. Ennis Matthews made a motion that the second half of the watermasters wage not be paid until the reports were in the Water Resource office. Motion was seconded by Chuck Payton. Motion carried.

John Martin reported that the Oakley Canal Co. had agreed to pay \$440.00 for water used in 1986.

Henry Callahan made a motion that all shareholders be assessed \$10.00 per year whether they run water or not. It was seconded by John Martin. It carried.

Ennis Matthews made the motion that all assessment for 1987, 1986, 1985, 1984, and 1983 be paid in full before any water is delivered to those who aren't current in their assessments. Motion was seconded by Royce Buckley. Motion carried.

Chuck Payton made a motion that \$250.00 be put in savings. The motion was seconded by Henry Callahan. Motion carried.

Ennis Matthews made a motion that the budget be set at \$5000.00. Motion was seconded by Chuck Payton. Motion carried.

John Martin nominated Ron Archibald to be watermaster and ditchrider for 1987 and president of the Water Users Association. Ennis Matthews moved that he be put in by acclamation.

Advisory Board is Ennis Matthews, Henry Callahan, and Tim Payton.

New names on the Savings account are Tim Payton and Chuck Payton.

Chuck Payton made a motion that new weirs be installed at the mouth of Birch Creek and at various locations as far as the money will allow. Motion was seconded by John Martin.

Budget for 1987.....\$ 1950.00 Wages for watermaster & Ditchrider.
2102.00 F.H.A.
250.00 Savings account
150.00 Social Security
518.00 Repairs ~~700.00 Security~~

John Martin made a motion that meeting be adjourned.
Meeting adjourned at 3:15.

Tim Payton Chairman

Annual Meeting of 45 B Birchcreek.

January 5, 1981

Appointed time: 1:30 p.m.

Tim Payton presiding.

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JAN 21 1981

Department of Water Resources
Southern District Office

Business:

Selection of chairman.

Nomination of Tim Payton by Chuck Payton

Ron Archibald moved the nomination closed.

Tim Payton put in by accumulation.

Selection of Secretary

Chuck Payton nominated by Henry Callahan.

Kendell Dayley by Ray Critchfield.

Voted by Ballot. Daren Critchfield counted votes. Chuck Payton elected.

Question was asked could the meeting be held without the representative of the Water Resource Board and the original papers that he had.

Ennis Matthews made a motion to use the papers which Ray Critchfield hand and suggested that there were enough water users present to hold the meeting.

Seconded by Kendell Dayley. Motion carried.

1980 minutes read and Ennis Matthews moved to accept the minutes. Seconded by J.H. Callahan.

Discussion on last year assessment. There was a carry over of \$2,343.60 at the tax office.

Kendell Dayley made the motion that the assessment for the year of 1981 be \$6000. Seconded by Ennis Matthews. Motion carried.

Discussion on the Water Master's Salary. Mike Hunter made the motion to increase wages by 10%. Seconded by Ennis Matthews. Motion carried.

Work is to be done on ditch through Henry Callahan's place and at the end of the ditch.

Water maintenance to be paid by the first of April or no water.

Water Master for 1981 year.

Ray Critchfield nominated by Ennis Matthews.

Ron Archibald nominated by Chuck Payton.

Mike Hunter moved the nominations closed. Seconded by Darin Critchfield.

Ray Critchfield elected by majority new water master.

Tim Payton appointed Advisory Committee:

Ennis Matthews

Henry Calahand

Ray Crichfield

Chuck Payton

There were 1669 second feet of water delivered during 1980.

Those present at the meeting were:

- | | |
|-------------------|--------------|
| Tim Payton | Tom Miller |
| Mike Hunter | Bud Robinson |
| Jay Gorringe | Fremon Bates |
| Ennis Matthews | Chuck Payton |
| Ray Robinson | |
| Ray Critchfield | |
| Kendell Dayley | |
| Roice Buckley | |
| Ron Archibald | |
| Darin Critchfield | |
| LeRoy Mabey | |
| Henry Callahand | |
| Morris Matthews | |

Motion to ajourn by Ray Critchfield. Seconded by Kendell Dayley.

Motion passed.

Chairman: *Tim Payton*
 Secretary: *Chuck Payton*

Minutes and adopted resolutions of the
Annual Meeting
of
water users of Birch Creek, Water District 45B
January 14, 1980

Those present: Henry Callahan, Daren Critchfield, Maurice Matthews, Ennis Matthews, W. Ray Critchfield, G.T. Payton, Kendall Dayley, Chuck Payton, Ray Robinson, Robert Manning and Gary Funderburg, Water Resource representative.

Ray Critchfield tabulated the shares represented and it was determined that a sufficient number present to carry on the business meeting.

Minutes of previous meeting were read and approved.

In the absence of the chairman Ray Critchfield acted as temporary chairman and proceeded with the election of officers for 1980.

New Chairman: Nominations for chairman was Tim Payton who in turn was nominated by Henry Callahan, no further nominations were presented. It was determined by those present that Tim Payton was duly elected.

Secretary: Ray Critchfield nominated Kendall Dayley. There were no further nominations. Those present determined that Kendall Dayley was elected secretary for 1980.

Advisory Committee: Chairman appointed the following on the advisory committee.
Henry Callahan
Ennis Matthews
Chuck Payton
W. Ray Critchfield

Budget: Discussion pertaining to the needs of the district and system indicated the need of continued repair and maintenance of the system. It was proposed by Ennis Matthes that \$2500 be budgeted to maintain the concrete ditch. Henry Callahan, Ray Critchfield, Chuck Payton and Ennis Matthews were appointed as a committee to evaluate and implement the necessary work.

The salary of the watermaster was approved. Motion by Henry Callahan and seconded by Ennis Matthews be set at \$1000 with \$200 expense factor. Approved by those present.

Daren Critchfield led in the discussion of budget and recommended that the budget be set at \$5000. This figure would not include the \$400 the Oakley Canal Company pays each year to the District.

Motion by Daren and seconded by Chuck Payton and approved by those present.

Ray Robinson, in behalf of Oakley Canal Company, proposed that it would be economics to exchange Birch Creek water for canal water in diversion 161. Canal would install the weir and headgate in the ditch. Henry Callahan made motion and Ennis Matthews seconded the motion that this be granted. Approved by those present.

Resolution to the effect that users of the Birch Creek water are to pay their assessment before any delivery of water to their property.
Approved by those present.

Watermaster: Ray Critchfield was nominated and elected by those present to serve as watermaster for 1980. Ray suggested that a standby be appointed in case of his absence.

Having no further business motion by Daren C. to adjourn was approved.

Kendall Dayley

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 B

Minutes and adopted resolutions of the annual meeting of the water users of Birch Creek, water district 45 B, held on January 8, 1979.

The following users were present: Tim Payton, Charles Payton, Henry Callahan, Kendall Dayley, Mike Hunter, Bob Manning, Ray Critchfield, Reed Whiteley, Darren Critchfield, Ray Robinson, Ennis Matthews, Maurice Matthews and Gary Funderburg, Senior Water Resource agent.

Due to the death of H.C. Matthews, Ray Critchfield acted as temporary chairman. Election of new officers proceeded with the following nominations: For Chairman, Maurice Matthews was nominated by Ray Critchfield. Charles Payton nominated by Reed Whiteley. Vote by ballot resulted in the election of Charles Payton. Nominations for Secretary: Reed Whiteley nominated Kendall Dayley with no further nomination Kendall Dayley was declared elected Secretary. There being no other business a Quorum present business of the meeting proceeded. Reported by watermaster a total of 1703 sec. ft. water delivered during the year.

Minutes of previous meeting read and approved. The amount of budget for 1979 season discussed. As recommended the watermaster's salary and his expenses allotment was approved at 1000⁰⁰ and 300⁰⁰ expenses. Motion made by Ennis Matthews and seconded by Ray Critchfield with approval by those present.

The proposed budget for '79 was discussed; consideration of several items of concern and the part they would have in the budget expense were discussed. Repair work is needed on the upper end of ditch and the clearing of sediment basin is necessary. Approximately 3 miles of the ditch requires some repair and maintenance work.

Surplus funds at A.S.C. office that haven't been used can be used for this purpose. Likewise further application for additional funds should be considered. Motion made by Reed Whiteley and seconded by Tim Payton that 1500⁰⁰ of surplus funds be allotted for maintenance work and also that additional funds be applied for. Motion passed. Also motion made by Mike Hunter and seconded by Henry Callahan that Ennis Matthews work closely with A.S.C. office in securing additional funds.

The following resolution concerning payment of by water users of the proposed budget allotment. April 1, 1979 was selected as payment date; but with the discretion of the Watermaster of circumstances evident in the payment of individual assessments approved by those present. Further discussion on budget resulted in the approval of 5000⁰⁰ as the total budget for the 1979 season. Ennis Matthews made the motion. Henry Callahan seconded the motion. Voted in favor by those present.

Election of watermaster for the 1979 season

was the next item of business. There were two nominations made - Henry Callahan and W. Ray Critchfield. Election by secret ballot by those present resulted in W. Ray Critchfield being elected and subsequently appointed as the watermaster for 1979.

Future voting for the water master was given consideration and after discussion and according to the motion made by Dawn Critchfield and seconded by Tim Payton that a one vote would be granted for each 10 inches of water right. Motion approved by those present.

Motion made by Mike Hunter - seconded by W. Ray Critchfield that Oakley Canal Company pay costs to the Birch Creek Water District 45 B of \$400⁰⁰ for 1979. Motion approved by those present.

After considering no further business to be considered the meeting was adjourned upon a motion duly made and seconded

Tim Payton
Chairman

Kendall Payley
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-B

Minutes and adopted resolutions of the Annual Meeting of the water users of Birch Creek, Water District 45-B, held January 9, 1978.

The meeting was called to order at 2:10 P.M. by H. C. Matthews who was nominated chairman with Reed Whiteley as secretary. Motion carried.

Water users present were Ennis Matthews, H. C. Matthews, J. H. Callahan, W. B. Whiteley, Ray Critchfield and Reed Whiteley.

Also present were Bud Robinson, Daren Critchfield and Ray Robinson from the Oakley Canal Co., Bob Manning, a rancher in the Birch Creek area and Gary Funderberg from the Department of Water Resources.

The credentials committee reported enough votes were represented to conduct the meeting.

A motion was made by W. B. Whiteley and seconded by Ennis Matthews that the Oakley Canal Co. be required to pay \$440.00 for their share of operation expenses for 1978, regardless of the amount of water delivered to them. Motion Carried.

The amount of budget needed in 1978 was the next order of business. A review of the 1977 costs was presented by Ray Critchfield. Some extensive repair was made on the lower end of the concrete ditch. The county A. S. C. Committee allocated \$4630.00 on this project. District surplus and reserve account funds were used to make up the balance. Total costs for 1978 were \$5656.49.

Ray Critchfield pointed out that the sediment bay above the main diversion at the mouth of Birch Creek Canyon will need to be cleaned this year.

After some discussion a motion was made by Henry Callahan that the watermaster's salary be \$800.00 for 1978 with \$200.00 additional for travel expense. This was seconded by Reed Whiteley and the motion carried. It was proposed that the 1978 budget also include the following items; Secretary salary \$25.00, Watermaster and Secretary bond premiums \$20.00, F.I.C.A. taxes \$50.00, reserve fund \$213.00, concrete ditch payment to the F. H. A. \$2120.00 and an operating and maintenance fund of \$1372.00 making a total budget of \$4800.00. Upon motion made by W. B. Whiteley and seconded by Ennis Matthews the budget was approved.

Ray Critchfield was nominated for Watermaster by W. B. Whiteley. Ennis Matthews moved that the nominations cease and that Mr. Critchfield be unanimously elected. Motion carried.

The Watermaster said that he believed he should be allowed additional compensation when helping with some of the required ditch clean up and maintenance. Ennis Matthews made the motion that the Watermaster be paid for this work, this was seconded by Reed Whiteley. Motion carried.

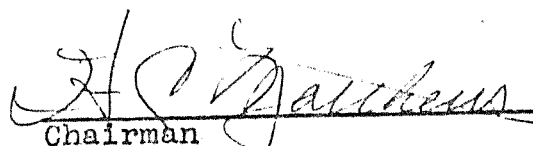
A motion was made and seconded that the amount payable by each water user as shown by the approved budget shall be due and payable April 1, 1978. Motion carried.


A motion was made and seconded that the watermaster, secretary and chairman be authorized to sign vouchers for expenses incurred by the district, and that the watermasters term of service be on a year-round basis. Motion carried.

An advisory board consisting of Henry Callahan, H. C. Matthews and Ennis Matthews was appointed.

Daren Critchfield pointed out that at the time Critchfields sold their water to Ennis Matthews that it was mutually agreed that enough water would be allowed to run in the old channel to water their livestock when needed. He mentioned that they were having some problems getting sufficient water. It was moved that the advisory board look into this matter and take what action they deemed necessary. Motion carried.

There being no further business the meeting was adjourned upon motion duly made and seconded.


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 B

Minutes and adopted resolutions of the annual meeting of the water users of Birch Creek, Water District 45 B, January 10, 1977.

The meeting was called to order at 2:05 P.M. by H.C. Matthews who was nominated to be chairman by Henry Callahan, seconded by Ray Critchfield. Motion carried. Reed Whiteley was nominated secretary. Motion carried. Michael Steele and Allen Mervitt of the Dept. of Water Resources were present. Mr. Steele discussed requirements of water right transfer.

Water users present were H.C. Matthews, Henry Callahan, Ray Critchfield, Anne Bedke, Mrs. Austin Stevenson, W.B. Whiteley, Reed Whiteley and Maurice Matthews.

The credentials committee reported enough votes were represented to conduct the meeting.

A motion was duly made and seconded that the Oakley Canal should pay the 1976 bill as presented by the Cassia County Tax Collector. Motion carried.

A motion was duly made and seconded that the Oakley Canal Co. be required to pay \$440.00 for their share of operation expenses for 1977, regardless of the amount of water delivered to them. Motion carried.

The amount of budget needed for 1977 was the next order of business. Ray Critchfield reported that some additional money would be needed for maintenance. After some discussion a motion was made and duly seconded that the watermaster's salary and travel expense and the secretary's salary remain the same as in 1976 (\$800.00 for watermaster salary, \$200.00 for watermaster travel expense and \$25.00 for secretary salary). Motion carried. It was proposed that the following additional items be included in the 1977 budget; watermaster and secretary bond premium \$20.00, social security taxes \$50.00, reserve fund \$213.00, concrete ditch payment to F.H.A. \$2120.00 and an operation and maintenance fund of \$1172.00, making a total budget of \$4600.00. Upon motion by W.B. Whiteley, seconded by H.C. Matthews the budget was approved.

Taking an approved budget of \$4600.00 and subtracting \$440.00 charged to the Oakley Canal Co. leaves \$4160.00 to be paid pro-rata by the remainder of the water users.

A motion was made and seconded that the amount payable by each water user as shown by the approved budget shall be due and payable April 1, 1977. Motion carried.

A motion was made and seconded that the watermaster be authorized to sign vouchers for expenses incurred by the district, and that the water masters term of service be on a year-round basis. Motion carried.

Ray Critchfield was nominated for water master by W.B. Whiteley, seconded by Maurice Matthews, he was then unanimously elected.

An advisory board consisting of Elmo Hunter, Henry Callahan, H.C. Matthews and Ennis Matthews was appointed.

There being no further business the meeting was adjourned upon motion duly made and seconded.

Handwritten signature: H.C. Matthews

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 B

Minutes and adopted resolutions of the annual meeting of the water users of Birch Creek, Water District 45 B, January 12, 1976.

The meeting was called to order at 2:00 P.M. by H. C. Matthews who was nominated to be chairman by Henry Callahan, seconded by Maurice Matthews. Motion carried. Reed Whiteley was nominated secretary by Henry Callahan, seconded by Maurice Matthews. Motion carried.

The next order of business was the reading of the minutes of the 1975 annual meeting. Said minutes were approved.

The credentials committee reported enough votes were represented to conduct the meeting (2910.00 second feet represented, 3309.00 second feet delivered in 1975).

The next order of business was the amount of budget needed for 1976. Ray Critchfield reported that some additional money would be needed for maintenance. After some discussion a motion was made by W. B. Whiteley seconded by Henry Callahan that the watermaster's salary and secretary's salary remain the same as in 1975 (\$800.00 for watermaster, \$25.00 for secretary). Motion carried. It was then proposed that these additional items be included in the 1976 budget; \$200.00 for watermaster's travel expense, watermaster and secretary bond premiums 20.00, social security taxes 50.00, reserve fund 213.00, concrete ditch payment to F.H.A. 2120.00 and a maintenance fund of 672.00, making a total budget of 4100.00. Upon motion by Henry Callahan, seconded by Ennis Matthews the 4100.00 budget was approved.

A motion was duly made and seconded that the amount payable by each water user as shown by the approved budget shall be due and payable April 1, 1976. Motion carried.

Henry Callahan made the motion, seconded by Yvonne Buckley that the watermaster be authorized to sign vouchers for expenses incurred by the district, and that the watermaster's term of service be on a year-round basis. Motion carried.

Ray Critchfield was nominated for watermaster by Henry Callahan. Ennis Matthews moved that the nominations cease, and Ray Critchfield was unanimously elected watermaster.

An advisory board consisting of Elmo Hunter, Henry Callahan, H. C. Matthews and Ennis Matthews was appointed.

The next order of business was the amount assessed the Oakley Canal Co. W. B. Whiteley moved that the Canal Co. be allowed to pay pro-rata on operation and maintenance expenses excluding costs of the concrete ditch payment to the F.H.A. and concrete ditch repairs. The motion was duly seconded and the motion carried.

There being no further business the meeting was adjourned upon motion duly made and seconded.


Chairman

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 B

The annual meeting of 45 B Birch Creek Water Users and The Birch Creek Association was called to order by president Tim Payton at 2:30 P.M. on January 14, 1986. Those present were Ray Critchfield, Ennis Matthews, Henry Callahan, Bob Manning, Chuck Payton, Tim Payton, and Jay Gorringer. Jay Gorringer also represents the Oakley Canal Co.

Credentials committee, Ennis Matthews and Henry Callahan, reported that there were enough shareholders present to hold a meeting .

Henty Callahan nominated Tim Payton to be chairman for 1986 and he was voted in by acclimation.

Jay Gorringer nominated Chuck Payton to be secretary for 1986 and he was voted in by acclimation.

Minutes of the last meeting were read by Chuck Payton. They were approved.

Ennis Matthews made a motion that watermaster be paid \$1950.00 per year. It was seconded by Henry Callahan. Motion carried. It was agreed that Social Security tax be paid on the watermasters wages.

Henry Callahan made the motion that the budget for 1986 be set at \$5600.00. It was seconded by Chuck Payton. Motion carried.

Jay Gorringer stated that the Oakley Canal Co. had agreed to pay \$440.00 for water used in 1985.

Henry Callahan made the motion that all shareholders be assessed \$10.00 per year. It was seconded by Ennis Matthews. Motion Carried.

Motion was made by Henry Callahan that all 1986 assesment and all back assesments be paid in full before any water is turned to the shareholder. It was seconded by Tim Payton. Motion Carried.

Motion was made by Chuck Payton that \$250.00 be put in savings. It was seconded by Ray Critchfield. Motion Carried.

Ennis Matthews nominated Ray Critchfield to be watermaster and ditchrider.

Chuck Payton nominated ^(Oakley, Wa) Barry Peterson to be watermaster and ditchrider. Barry Peterson was elected watermaster and ditchrider for 1986.

| | | | |
|-----------------|-------|-------------------|---------------------------------------|
| Budget for 1986 | ----- | \$ 1950.00 | Wages for Watermaster and ditchrider. |
| | | 150.00 | Social Security Tax |
| | | 2102.00 | FmHA note |
| | | 250.00 | Savings account |
| | | 818.00 | Repair |
| | | 30.00 | Bond |

\$ 1118.00

Barry Peterson was nominated to be president of the Birch Creek Water Users Association by Chuck Payton. He was voted in by acclimation.

Advisory Board is Ennis Matthews, Henry Callahan, and Tim Payton.

Meeting adjourned at 4:00 P.M.

45B BIRCH CREEK WATER USERS
OAKLEY IDAHO 83346
PAGE 1

The annual meeting of 45B, Birch Creek Waters Users and the Birch Creek Association was called to order by President Tim Payton at 1:15 P.M. on January 8th. 1990.

Credentials Committee Ennis Matthews and Henry Callahan reported enough share holders were present to hold a meeting. Those present were: Loren Holmes, of District of Water Resources, Jerry Stanger, W.B. Whiteley, Tom Miller, Mildred Gorringer. Verda Gee, Jim Hale, V.A. Merrill, Freeman Bates, Daren Critchfield, Henry Callahan, Bill Parsons, (Ennis Matthews, Attorney) Ennis Matthews, Bob Manning, Golden Burch, Tim Payton and Chuck Payton.

Henry callahan nominated Tim Payton to be chairman for 1990. Ennis Matthews nominated himself to be chairman for 1990. Ennis Matthews moved that the nomation cease. After a long debate and discussion, Tim Payton withdrew his name from the list of nominated and Ennis Matthew was put in by acclimation. The motion was made by W.B. Whiteley.

Henry Callahan nominated Chuck Payton to be Secretary. Tim Payton moved that the Secretary be put in by acclimation and the motion carried.

Tim Payton moved that the water Master wage be set at \$1250.00 and another \$1250.00 for car expense and that we pay all the Social Security tax. Royce Buckley seconded the motion, the motion carried.

After some discussion of what had to be done on the ditch Tim Payton made the motion that the Budget be st at \$7000.00 and that the amount of \$250.00 be put in a savings account. Tom Miller seconded this motion and the motion carried.

The motion was made by Tim Payton that V.A. Merrill be water master and ditch rider for the year of 1990. This was seconded by Chuck Payton, the motion carried.

Advisory Board are Tim Payton, Henry Callahan, and Ennis Matthews.

A motion was made by Henry Callahan to pay Marj Gorringer \$150.00 to help with the books. This was seconded by Tim Payton, the motion carried.

Tim Payton made a motion that the Chairman and the Sec. Treasure be the one's to pay the bills. The bank to use is First Interstate of Burley.

45B BIRCH CREEK WATER USERS
PAGE 2

Chuck Payton was Elected Treasurer and put in by acclimation.

W.B. Whiteley reported that the Oakley Canal Company has agreed to pay \$440.00 for water.

Tim Payton made a motion that all shareholders be assessed \$15.00 per year wheather they run water or not. This was seconded by Henry Callahan. The motion carried.

Tim Payton made the motion that all delinquent water be paid before water could be turned on, and that all bills for 1990 be paid by march 15 before water would be delivered by april 1, 1990. This was seconded by Henry Callahan and the motion Carried.

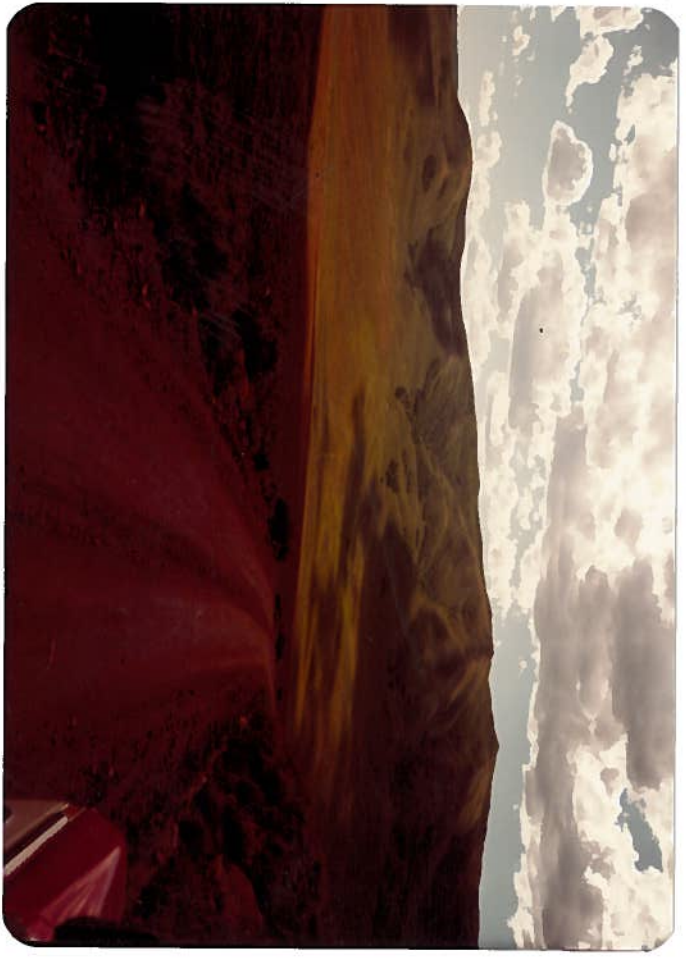
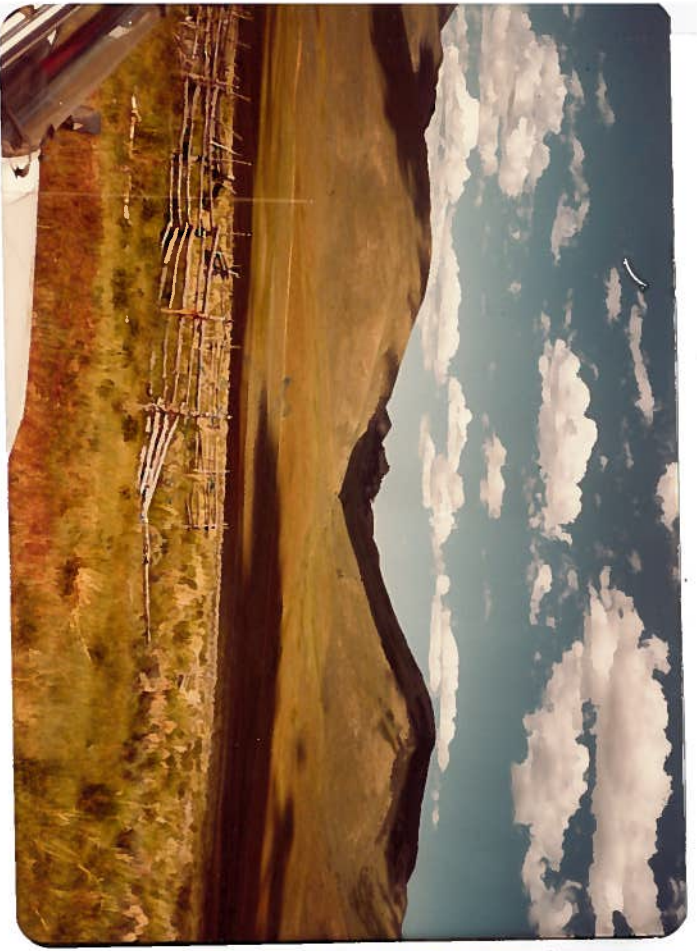
| | |
|----------------------|------------|
| Budget for 1990 | |
| FHA----- | 2102.00 |
| Marj Gorringer----- | 150.00 |
| Savings account----- | 250.00 |
| Water Master----- | 1250.00 |
| Car expense----- | 1250.00 |
| Social Security----- | 200.00 |
| Repairs----- | 1798.00 |
| TOTAL BUDGET | ===== 1990 |
| | 7000.00 |

~~less~~ 440.00 paid by
Oakley canal company =====

Total ~~6560.00~~
=====

7440.00

Chuck Payton

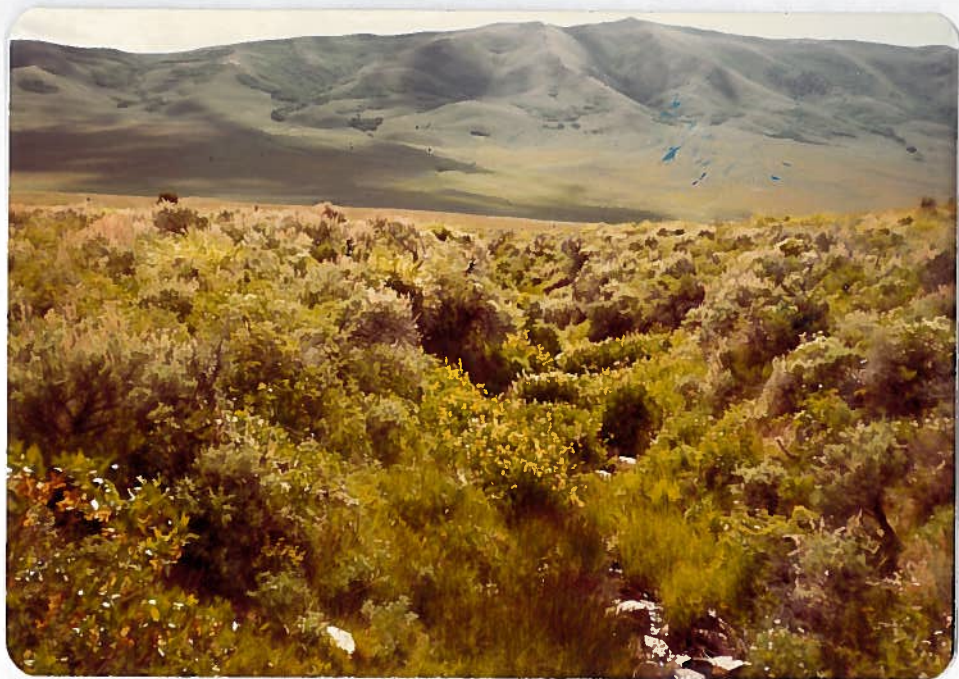


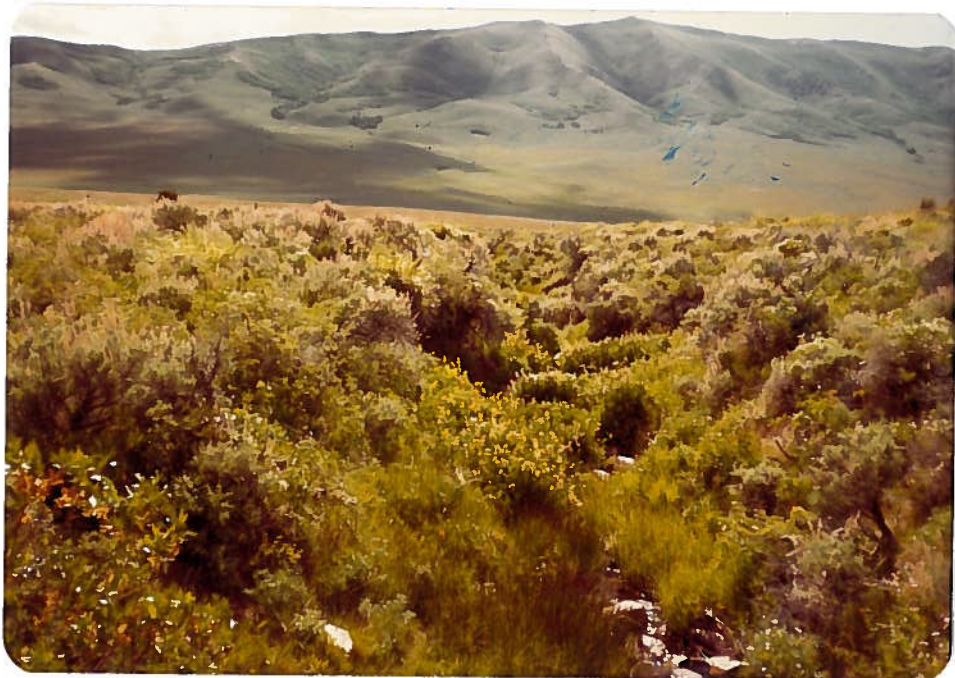
Ditch from Critchfield
Spring on EAST SIDE

Critchfield Spring
on West SIDE

Critchfield Springs
across Devine west side.

Critchfield Springs
on EAST SIDE





Ditch from Critchfield
Springs on East side

Critchfield Spring
on west side

Critchfield SPRINGS
from @ ~~canyon~~
Emerald Canyon