

**BIRCH CREEK WATER USERS ANNUAL MEETING  
MINUTES  
JANUARY 15, 2008  
7:00 P.M.  
OAKLEY CANAL COMPANY OFFICE**

RECEIVED

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DEPT. OF WATER RESOURCES  
SOUTHERN REGION**PRESENT**

Nate Robinson	Marilyn Short
Rychael Ure	Randy Robinson
Robert Manning	Earl Daley
Tim Payton	

Nate Robinson called the meeting to order at 7:25 p.m. The meeting was held at the Oakley Canal Company Office at 100 West Elm Street, Oakley, Idaho.

**I. Elections:** Tim Payton made a motion to keep all existing officers the same. Earl Daley seconded the motion. All approved. The officers are: Nate Robinson - President, Steve Manning - Secretary-Treasurer. Oakley Canal Co. contracted for Watermaster responsibilities under the direction of Rychael Ure. Marilyn Short was appointed Secretary. All Approved.

**II. Minutes:** The minutes of the 2007 annual Birch Creek meeting were read by Nate Robinson. Randy Robinson made a motion to approve the minutes with changes, and Tim Payton seconded the motion. All approved.

**III. Financial Report:** The financial reports were discussed. The 2007 water assessment fee is due. It is only \$3000.00 instead of \$5000.00 because \$2000.00 was allotted for the Flow Meter expenses. Questions were asked about the outstanding accounts receivable. It was suggested Marilyn or Rychael call the County court house and obtain a record of users who have not paid their assessments. No one is to receive water until their assessment is paid in full.

The 2008 budget was discussed Rychael explained the formula used to figure the assessments for each type of water shares. Rychael explained that Critchfield Springs Water rights are not being billed. It was decided to keep the budget the same as 2007 with \$8534.76 in assessment income and the following known expenses: \$5000.00 fees to Oakley Canal Company and \$150.00 for secretary expense.

Robert Manning made a motion to accept the budget. Tim Payton seconded the motion. All approved.

**IV. Watermaster Report:** Rychael Ure reviewed the 2007 Watermaster report and answered any questions regarding it. Earl Daley made a motion to accept the Watermaster report, Robert Manning seconded the motion. All approved.

**V. Old Business:**

1. Robert Manning made a motion to form a committee consisting of Rychael Ure, Noland Critchfield and Steve Manning to form a budget at a later date. Noland Critchfield seconded that motion.
2. Nate Robinson talked to Randy Robinson about getting credit for water less than 900 inches.
3. James Mullen and Nate Robinson talked about adding some pipe ditches in town and having a riser to each home for hooking on. Birch Creed can get FSA funding and Oakley Canal Company can get grants for this project
4. A project on the High line was discussed between all present. Nate Robinson stated that the project needs to be plotted out through a committee, and gave them one year to complete the planning. The committee includes Bobby Critchfield, Nate Robinson, and Steve Manning.

**VI. New Business:**

1. Rychael Ure was asked to review and explain the new contract he drew up between Birch Creek water district and Oakley Canal Company. (See attached) Discussion was held about they way water has been delivered and how it will be delivered in the future. It was suggested that if the Birch Creek users don't need all the early water, before April 15<sup>th</sup>, send it to the city users.
  1. Proposed: Water users must call Oakley Canal Company for early water use, before April 15<sup>th</sup>, and anyone who wants the early water can have it.
  2. After April 15<sup>th</sup> the water will be calculated and traded into canal water shares, based on an agreeable trade. After much discussion it was decided that the committee will meet and draw up a proposal for water shares trade and present it at the next Oakley Canal board Meeting
  3. After April 15<sup>th</sup> water will be accumulated under the share holders name and they will have to call the canal company to order water. Oakley Canal Company will keep track of water use.
  4. Water delivery will no longer fall on a certain day.
  5. A problem solving committee is to be formed to help put trade agreements in writing before trading shares. Tim Payton made a motion to appoint an advisory committee and a credentials committee. Earl Daley seconded the motion. Nate Robinson then appointed Robert

Manning to chair the Credentials Committee and Nate would chair the Advisory Committee. Rychael Ure was appointed to represent Oakley Canal Company and to serve as ditch rider and Watermaster for Birch Creek Irrigation District.

6. Trade agreements must be calculated in writing and signed by a representative of each side of the committee. This will be discussed at the new committee meeting. Tim Payton made a motion that the advisory committee be used to develop a plan or proposal for next year's permanent trade of Birch Creek water and Oakley Canal water and to devise a fair trade agreement of stocks. Robert Manning seconded the motion. It was approved.

7. The new committee will be responsible for resolving all disputes. It was further suggested that the city water users form their own small district to pool shares and trade with Oakley Canal Company and help alleviate some of the existing problems.

8. Rychael was appointed to be the official representative from the Oakley Canal Company on the new committee.

9. All agreed to the \$5000.00 annual assessment fee to Oakley Canal Company

The contract was approved with the stipulation that it can be revised if needed during the year. The Birch Creek Board members will further discuss the contract and confirm their decision at the next Oakley Canal Board meeting. Randy Robinson suggested that Nate Robinson be placed on the agenda of the next board meeting.

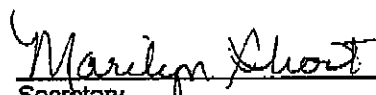
2. Marilyn Short was appointed Secretary/bookkeeper for a fee of \$150.00 per year.

3. Invoice for 2007 water use was presented and will be paid in the near future.

4. Oakley Canal Company will deliver Birch Creek water until April 15<sup>th</sup>, 2008 after which they will also deliver canal water from Manning's and Robinson's shares from their agreeable trade.

Tim Payton made a motion to adjourn the meeting at 9:25 pm. Meeting was adjourned until January 2009.

  
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President

  
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Secretary