

# Watermaster's Proposed Budget

FOR 2011

RECEIVED

JAN 24 2011

DEPARTMENT OF  
WATER RESOURCES

Water District No. 75A

Stream JESSE CREEK

Name of Watermaster FRELF LOWELL

Post Office Address 307 STATE ST SALMON, ID 83467

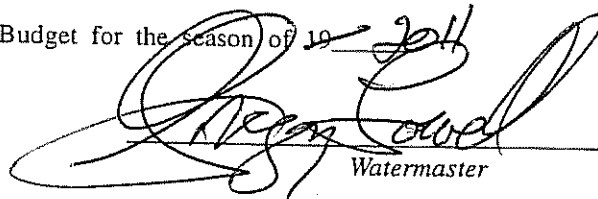
Name of Secretary DALE EDWARDS

Post Office Address PO BOX 846 Salmon, ID 83467

## SECTION 42-615, IDAHO CODE

PROPOSED BUDGET FOR SUCCEEDING YEAR. Each watermaster shall, at least thirty (30) days prior to the annual meeting of the water users of the water district, also prepare and file with the department of water resources a proposed budget for the succeeding year, together with a distribution of the amount of said budget to the respective water users, using the actual deliveries for the past irrigation season or seasons, as the basis for said distribution as hereinabove provided, which said proposed budget and distribution shall be submitted to the water users for consideration and approval at the next annual meeting.

In conformity with the above statute, I hereby submit a Proposed Budget for the season of 192011

  
Watermaster

(This report must be made in duplicate, one copy to be forwarded to the appropriate regional office of the Idaho Department of Water Resources, and one copy to the Secretary of the last Annual Water User's Meeting of your District.)

# PROPOSED 2011 BUDGET NOTES

As explained in the *Cover Letter* in the body of this report, the only way to fairly produce a proposed budget for 2011, is to utilize past assessments and add current modifications (increases).

This unfortunate situation will be greatly improved after 2011 when the watermaster is able to provide more extensive and accurate readings.

It is planned that the water master will serve year round in 2011, although little physical presence will be required during winter since meter readings will be recorded for both the City of Salmon and Arrowhead at the end of irrigation season (2011) and the beginning of the next irrigation season (2012). The only other winter rights belong to Edwards and his usage can be verified with just one or two on site inspections and some reliance on Mr. Edwards to provide necessary information and verification. Mr. Edwards has volunteered to serve in the non-salaried capacity of assistant to the watermaster throughout the season. (His assistance is considered when determining the budget under the following "complexity" clauses.) This service will further serve to limit the time required for the watermaster to accomplish his duties during the main season. It is well understood that DIV 1 is remote, difficult and time consuming to access with frequency.

Thus some reasonable savings can accrue to the district's water users to help offset the additional costs associated with closely monitoring *actual* water usage and allow for future budgets to reflect that usage and assessments more fairly. The watermaster plans to measure, on average, approximately twice a week. He intends to measure all accessible diversions with regularity, keeping in mind that inhospitable weather and road conditions will require some flexibility. The good fortune of plentiful water we experienced in 2010 may not repeat in 2011 and much more regulatory efforts may be required of the watermaster.

This extra effort, year round availability and the normal course of rising expenses and compensation will require an increased budget for the district. This will be reflected in the proposed budget.

The budget will take into consideration the following;

A vote by the district agreeing to set a minimum \$25 charge for every user;

A straight percentage increase for all users to cover the costs outlined above;

An additional percentage increase for Arrowhead and the City of Salmon based on amendment to chapter 6, Title 42 of the Idaho State Code, specifically known as the new section 42-605B, titled "ADDITIONAL ASSESSMENTS FOR DISTRIBUTION OF WATER FOR WATER RIGHTS WITH CONDITIONS REQUIRING COMPLEX ADMINISTRATION. (Please note; this regulatory document is included herein and numerous examples of complexity are also included, please see the proposed agreement among the City, Arrowhead, and Edwards)

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LEGISLATURE OF THE STATE OF IDAHO  
Sixty-first Legislature First Regular Session - 2011  
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IN THE \_\_\_\_\_

BILL NO. \_\_\_\_\_

BY \_\_\_\_\_

AN ACT

RELATING TO WATER; AMENDING CHAPTER 6, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-605B, IDAHO CODE, TO PROVIDE FOR ADDITIONAL ASSESSMENTS FOR CERTAIN WATER RIGHTS THAT INCLUDE COMPLEX ADMINISTRATION, TO PROVIDE FOR PETITIONS CONTESTING ADDITIONAL ASSESSMENTS, TO PROVIDE FOR ACTION BY THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES RELATING TO PETITIONS CONTESTING ADDITIONAL ASSESSMENTS, TO PROVIDE FOR ORDERS, TO PROVIDE FOR REVIEW OF ORDERS, TO CLARIFY PAYMENT OBLIGATIONS, TO PROVIDE FOR CREDITS OR COLLECTION IN THE SUCCEEDING YEAR AND TO PROVIDE THAT AMOUNTS PAID FOR WATERMASTER SERVICES SHALL BE INCLUDED IN CALCULATION OF ANNUAL ASSESSMENT AMOUNTS AND RATES AS THEY RELATE TO THE DETERMINATION OF VOTING RIGHTS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 6, Title 42, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 42-605B, Idaho Code, and to read as follows:

42-605B. ADDITIONAL ASSESSMENTS FOR DISTRIBUTION OF WATER FOR WATER RIGHTS WITH CONDITIONS REQUIRING COMPLEX ADMINISTRATION. (1) In preparing the next year's budget, the watermaster shall determine an assessment for the ensuing year, in addition to any other assessment provided for in this chapter, for any water right, which right has been adjudicated by the court or is represented by a valid permit or license issued by the department of water resources, where the right includes complex administration conditions. Complex administration conditions may include, but are not limited to, conditions requiring mitigation or delivery of water rights subject to an exchange of water. The assessment shall be sufficient to pay the additional costs and expenses for watermaster services resulting from the conditions that are in excess of services strictly for delivery of the water right according to the priority date.

(2) The additional assessment shall not become final until adopted as part of the water district budget at the annual meeting of water users in accordance with section 42-612, Idaho Code. The additional assessment shall not exceed an amount necessary to pay for watermaster services associated with conditions of the water right requiring complex administration.

(3) The holder of a water right assessed under the provisions of this section who desires to contest the amount of an additional assessment shall file a written petition with the director of the department of water resources stating the grounds for contesting the additional assessment. The petition must be filed with the director within thirty (30) days after the billing is mailed to the holder of the water right as provided in section 42-613, Idaho Code. Upon such petition, the director shall cause an investigation to be made and may hold hearings or gather information in other

add  
"the"  
?

## **Examples of complexities involved in administration of water rights**

CITY water rights 75-17B and 75-10075 will be partially decreed into two rights each: a parent right covering the irrigation season with original priority and another split right covering the winter season with the CITY's acquisition date (after 1920) as the priority. Each parent right and split right will be for municipal purposes from the sources for the parent right, for the full diversion rate of the parent right with a combined annual diversion volume limit<sup>3</sup>, consistent with the source, rate and volume determinations in the ADR.

Partial decrees for CITY water rights 75-4, 75-26A and 75-19C will have irrigation purposes of use rather than municipal purposes of use and will have no diverted volume limit unless the diversion rate of CITY rights 75-4, 75-26A and 75-19C (3 cfs) exceeds the rate the CITY can document for irrigation use from the City's system. In this event, a water right (75-4, 75-26A or 75-19C) or a portion of a water right (75-4, 75-26A or 75-19C) -- in the amount of the diversion rate in excess of the rate that can be justified for irrigation use -- will be split into two water rights to provide for municipal use during the irrigation season under the parent right and winter time municipal use under a junior priority split right as described in Issue No. 1 for CITY rights 75-17B and 75-10075.

annual diversion volume limit for CITY water rights 75-4, 75-26A, and/or 75-19C, the PARTIES agree that the water master for water district 75A may be requested to deliver water as follows – but not to be incorporated into the partial decrees:

1. to curtail delivery to the CITY's otherwise in-priority diversions for 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114, and 75-10075 in the Jesse Creek drainage when both of the following conditions are present:
  - . the delivery of the CITY's 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-00019C, 75-26A, 75-114, and 75-10075 in the Jesse Creek drainage during the April 1 to October 31 time frame is in excess of 1740.5 acre-feet into the CITY's water treatment plant;

AND

- . any of EDWARDS water rights 75-2, 75-2162, 75-

10046, and 75-10047 on Chipps Creek and ARROWHEAD water rights 75-5, 75-19G, 75-21, 75-22, and 75-14465 on Chipps Creek and Pollard Canyon Creek are otherwise in-priority (meaning would be in priority if the CITY's then current reasonable diversion under the above-listed rights were curtailed).

2. to continue delivery to the CITY's in-priority reasonable diversions in the Jesse Creek drainage even though the delivery of the CITY's 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114, and 75-10075 in the Jesse Creek drainage during the April 1 to October 31 time frame are in excess of 1740.5 acre-feet into the CITY's water treatment plant, IF

. the reasonable demands for EDWARDS water rights 75-2, 75-2162, 75-10046, and 75-10047 on Chipps Creek and ARROWHEAD water rights 75-5, 75-19G, 75-21, 75-22, and 75-14465 on Chipps Creek and Pollard Canyon Creek are in-priority and being met

Stream	POD	Owner	Number	CFS	Priority	Comments	Special Conditions
alt Chipps and Billy Ck	1	Edwards	75-10047	10.4	1916	4-01 *** limits but 28 cfs can't be reached from D1 +	diversion to storage 70 AFA irrigation from storage limited to 140 AFA ???
Chipps	1	Edwards	75-2	1.7	1894	4/1 *** limits but 28 cfs can't be reached from D1	
Chipps	1	Edwards	75-2162	3.2	1960	8-31*** limits but 28 cfs can't be reached from D1	
Chipps	1	Edwards	75-10046	4.32	1914	9-14 *** limits but 28 cfs can't be reached from D1	
Chipps	2	Arrowhead	75-19G	0.28	1868	6-1 domestic water	Max 11.2 acre feet
Chipps	2	Arrowhead	75-21	0.09	1883	**5-1 domestic water limited to 42.17 AFA	used before 19G
Chipps	2	Arrowhead	75-22 *	1.75	1889	5/1	***75-5, -22, -14465 limited to 6.11 combined rate
Chipps	2	Arrowhead	75-14465 *	6.11	1895	6-17 diversion to storage	***75-5, -22, -14465 limited to 6.11 combined rate
Chipps	2	Arrowhead	75-19D	0.3	1868	**6-1 limit 12AFA totalizing measure device required	stop at limit except if 75-00021 avail.
both Chipps and Pollard	2 or 8	Arrowhead	75-5 *	4.36	1894	4-1 alternate PODs	***75-5, -22, -14465 limited to 6.11 combined rate
both Chipps and Pollard	2 or 8	Cummings	75-10777	0.64	1894	****4/1 10777, 778, 779 780, limit to 47 acres season	
both Chipps and Pollard	2 or 8	Cummings	75-10778	0.02	1868	****6-1 10777, 778, 779 780, limit to 47 acres season	
both Chipps and Pollard	2 or 8	Cummings	75-10779	0.01	1883	****5-1 10777, 778, 779 780, limit to 47 acres season	
both Chipps and Pollard	2 or 8	Cummings	75-10780	0.25	1889	****5-1 10777, 778, 779 780, limit to 47 acres season	
Jesse	5	City	75-7	4	1894	*^ 4-1 75-7,-17A,-19B total limit 700 AF	^ all combined can not exceed 11.6 CFS
Jesse	5	City	75-17A	1.26	1867	*^ 6-1 75-7,-17A,-19B total limit 700 AF	^ all combined can not exceed 11.6 CFS

Jesse	5	City	75-19B	0.493	1868	*^ 6-1 75-7,-17A,-19B total limit 700 AF	^ all combined can not exceed 11.6 CFS
Jesse	5	City	75-17B	0.24	1867	6/1	^ all combined can not exceed 11.6 CFS
Jesse	5	City	75-7563	5	1990	12/3	^ all combined can not exceed 11.6 CFS
Jesse	5	City	75-18	0.3	1867	6/1	^ all combined can not exceed 11.6 CFS
Jesse	5	City	75-26A	0.3	1884	5/1	^ all combined can not exceed 11.6 CFS
Jesse	5	City	75-114	0.5	1894	4/1	^ all combined can not exceed 11.6 CFS
Jesse	5	City	75-4	1.2	1894	4-1 read complex conditions	^ all combined can not exceed 11.6 CFS
Jesse	5	City	75-16	2	1867	6/1	^ all combined can not exceed 11.6 CFS
Jesse	5	City	75-19C	1.5	1868	6/1	^ all combined can not exceed 11.6 CFS
Jesse	6	Powers					
Jesse	7	Gaver Austin	75-19H	0.81	1868	19H & 113C limited to 88 acres	
Jesse	7	Blackadar	75-19A	1.31	1868	POD SWNW SEC2?	
Jesse	9	Proksch	75-14	1.2	1902		
Jesse	7	Silver Peak	75-3	1.44	1894		wastewater

# WATERMASTER'S REPORT

From APRIL 15 2009 To OCT 15 2009  
OCT 16 2010

Water District No. 75 A

Name of Watermaster STAN Haddock

P.O. Address POB 54, Salmon, ID 83461

## AFFIDAVIT OF WATERMASTER

STATE OF IDAHO

COUNTY OF Lemhi

Stan Haddock being first duly sworn, deposes and says that he is Watermaster of Water District 75 A, having been lawfully appointed by David R. Tuttle Jr. Director, Idaho Department of Water Resources, and that the volumes of water, as stated in this report and prorated by him to the water right holders of the district are correct.

S. M. Haddock

(Deputy) Watermaster District No. 75 A

Subscribed and sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Notary Public

(SEAL)

My Commission expires \_\_\_\_\_

Boise, Idaho, \_\_\_\_\_, 19\_\_\_\_

I HEREBY CERTIFY, that \_\_\_\_\_ was lawfully appointed by me as Water Master of Water District No. \_\_\_\_\_, and that the information contained in this report, as herein sworn to, is, to the best of my knowledge and belief, correct.

Director, Department of Water Resources

By \_\_\_\_\_



WATER RIGHT OWNER

IDWR  
WATER RIGHT  
IDENT NO

DIVERSION NAME - REMARKS

1	CITY OF SALMON	1868	75-10075 (2.2)	421		
2	"		75-00017A (1.5)	275		
3	"		75-00198B (2.0)	366		2394
4	"		75-00016A (1.3)	55		
5	"		75-00017 (1.7)	311		
6	"		75-00007 (4.0)	541		
7	"		75-00052 (5.0)	429		
8	Black Jay	1868	75-00011 (1.3)	238		604 Jesse
9	"	1894	75-000113 (2.0)	366		Jesse
10	Arrowhead	1868	75-00019 (1.3)	55	9 summer	14 Chipp
11	"	1893	75-00021 (1.1)	18	5 winter	11/31 Chipp
12	"	1899	75-00022 (2)	366		Jesse
13	"		75-00005 (5)	151		Jesse
14	Power's Haddock		75-00001 A, B (2)	37	37	Jesse
15	Power's Haddock		75-00013 A, B (2)	37	Power is below	Jesse
16	Gavey	1888	75-14535 (1.1)	18	44	Jesse
17	Gavey (from 75-70)		75-14534 (1.3)	76		Jesse
18	Skunberg		75-14174 (1.3)	24	24	Jesse
19	Austin	(264) 1894	75-00003 (1.44)	244	264	Jesse
20	Edwards	(311) 1894	75-00002 (1.7)	311		Chipp
21	"	(293) 1914	75-00010 (1.6)	171		Chipp
22	"	(293) 1914	75-00012 (1.6)	162		Chipp
23	"	(295) 1914	75-00011 (1.12)	106		Chipp
24	"	(586) 1960	75-00162 (3.2)	275		Chipp
25	J. Prokosh	1902	75-00014 (1.2)	220		Jesse
26	Shane Newton		75-14063 (0.8)	15		Pollard
27	Power		75-14125 (1.03)	5	42	Jesse
28	Brownlee		75-14128 (1.04)	7		Jesse
29						
30			TOTAL	5831	0.097	25725

3-4

3-5

1

2

3

Total Delivery in 24-Hour Sec Feet	Total Cost \$ cts.	Adopted Budget \$ cts.	Credits \$ cts.	Debits \$ cts.	Cost Per 24-Hr Sec. Ft. \$ .25725	
2398	155 38	142 67	12 71			Total No. Days of Watermaster
604	155 38	142 67		12 71	days at \$ per day	\$
1131	290 94	511 26	20 32			Total No. Days of Asst. Watermaster
37	9 52	24 97	15 45		days at \$ per day	\$
44	11 32	12 73	1 41		Other expenses charged pro rata	\$
24	6 17	6 38	21		TOTAL COST	\$1500.00
264	67 91	44 31		23 60	Total No. 24-Hour Sec. Feet Delivered	5831
1045	268 83	259 61		9 22	Cost per 24-Hour Sec. Feet Delivered	\$ .25725
220	56 60	41 85		14 75		
15	3 85	2 80		1 05	WATER MASTER	500.
42	10 80	24 97	14 17		EXPENSES	250.
7	1 80	0 00		1 80	Sec. Trees	200.
5831	1500 00	1500 00	43 13	43 13	FICA	35.
					Misc. Expenses	200.
						1205.
WINTER MONTHS OCT 15 - APR 15						
CITY	350	350			WINTER WATER MASTER	150.
AR Head	150	150			Sec. Trees	100.
					FICA	20.
	2000	2000			Misc Exp	50.
						320.
					TOTAL SALARIES	1525.
					CONTINGENCY	475.
						2000.

<b>Assessed against</b>	<b>Address</b>	<b>Amount due 2010</b>	<b>2011 increase (10%)</b>	<b>2011 minimum \$25</b>	<b>2011 increase additional - complex - (10%)</b>	<b>2011 total due</b>
Arrowhead c/o Robert Kramer	54 Oliver Dr. 83467	\$440.94	\$44.09		\$44.09	\$529.12
Ron Austin	53 Hwy 93 North 83467	\$67.91	\$6.79			\$74.70
Gaver Estate c/o Jami Gaver	132 South 300 West Jerome 83338	\$11.32		\$25.00		\$25.00
Jim Bills	PO Box523 83467	\$38.84	\$3.88			\$42.72
L. Blackadar & Jim Juza	PO Box 321 83467	\$77.69	\$7.77			\$85.46
R. Blackadar	10 N Cherokee Ln 83467	\$38.85	\$3.89			\$42.74
J. Brownlee	32 Blackrock 83467	\$1.80		\$25.00		\$25.00
City of Salmon	200 Main St 83467	\$966.88	\$96.69		\$96.69	\$1,160.26
Dale Edwards	PO Box 846 83467	\$268.83	\$26.88			\$295.71
Haddock	PO Box 54 83467	\$9.52		\$25.00		\$25.00
S. Newton	100 Pollard Ck 83467	\$3.85		\$25.00		\$25.00
G.Power	1503 Old Leesburg Rd 83467	\$10.80		\$25.00		\$25.00
Joe Proksch	823 Union Av 83467	\$56.60	\$5.66			\$62.26
L. Skunberg	PO Box101 83467	\$6.17		\$25.00		\$25.00
		\$2,000.00	\$195.65	\$150.00	\$140.78	\$2,442.97

1

2

3

4

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[illegible]