

MINUTES OF THE REGULAR MEETING
OF THE WATERUSERS OF THE BLACKFOOT RIVER WATER DISTRICT #27
HELD AT THE BINGHAM COUNTY COURTHOUSE
BLACKFOOT, IDAHO
JANUARY 11, 2016

Advisory committee chairman Rob Reid called the annual meeting of Water District 27 to order at 1:09 p.m. January 11, 2016.

Mark Pratt nominated, seconded by Marvin Yancey, Bob Reid as meeting Chairman. Lynn Keetch moved nominations cease and we elect Bob Reid by acclamation; Marvin Yancey seconded the motion and the motion passed. Trish Arave nominated Wendy Murphy as meeting Secretary. Marvin Yancey moved to cease nominations; the motion was seconded by Lynn Keetch and passed.

Minutes of the meeting held January 12, 2015 were read by Wendy Murphy. Lynn Keetch moved to accept the minutes as read; Pat Taney seconded, and the minutes were approved as read.

Lyle Swank presented the Watermaster Report. Lyle followed up with an explanation of the reservoir refill controversy and the different understanding of Water District 1 and the Boise River reservoir operations. The concern pertains to the refill of multi reservoir storage systems when water is released for flood control operations. Water District 1 reservoirs are filled with refill 1 and refill 2 priority dates and do not affect other natural flow, but protect against future development affecting the refill system. The Boise reservoir system share in the flood control draft and they want to share in the space that is refilled. Legislation may deal with the Boise concern, this may complicate Federal and State water right authority.

Robert Keller, Water District 27 Deputy Watermaster, provided a brief overview of the last season. May was a very wet month but most of 2015 had 9 months of above average temperatures. In 2015 the Fort Hall diversions totaled 228,023 acre-feet and the North Side Users diverted 54,356 acre-feet. The Blackfoot River Management Plan's Primary Volume, with adjustments, was equal to 41,242 acre-feet. This is the 6th year of diversions less than the volume limitation of 45,000 acre-feet. Rob reviewed the information available online at www.waterdistrict27.com which should be updated on a weekly basis. The current snow water content is 79-84% of average for this time of year. The Blackfoot Reservoir content as of January 11, 2016 was 164,150 acre-feet which is about 48.7% full. Rob said the amount of credit to be added to the 20,000 acre-feet referenced in the Management Plan has not yet been calculated for 2015. This calculation is based off of unused natural flow.

Bob Reid opened the floor for nominations for the advisory board. It was moved by Lynn Keetch to retain the current advisory board, Merlin Yancey seconded the motion. The motion passed by acclamation. Marvin Yancey moved to retain Bob Reid as Chairman, Lynn Keetch seconded the motion; and the motion carried. The 2016 advisory board is Bob Reid, Chairman, Marvin Yancey, Mark Pratt, Trish Arave, and David Bollinger with the BIA.

The checking account balance as of December 31, 2015 totaled \$22,792. The Accounts Receivable balance was -\$813. Liabilities at the end of the year were \$284. The profit and loss budget comparison was also presented. The 2015 income from assessments was \$47,142. Miscellaneous income received was \$17. Expenses included the website for \$240, the Water District 1 contract expenditures were \$39,461, measurement equipment cost \$2,907, and travel cost totaled \$4,146. The total expenses of the district were \$46,754. The net income for the year was \$389. Lynn Keetch motioned to approve the financial report as presented. The motion was seconded by David Bollinger and the motion carried.

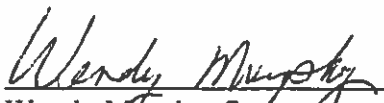
The 2016 Resolutions were presented by Lyle Swank. The first 2016 resolution sets the date of the 2017 annual meeting for January 9, 2017. The budget is proposed to be increased 3% to \$48,650 for this year. Lyle indicated legislation was passed to increase the maximum amount the minimum assessment can be. The board recommended increasing the minimum to \$50 per diversion. It was also recommended to remove the option to pay assessments in thirds for those over \$100. Mark Pratt moved to approve the resolutions as presented. Pat Tanney seconded the motion and the motion carried.

Old Business: The board reviewed the excess water uses in September. The board did not observe abusers of their water rights at that time and did not apply any penalties for over use. With compliance of remaining below the 45,000 acre-feet primary volume no additional fee is being charged at this time to establish a fund for rental water.

Clifford Buckskin has retired after 35 years of service. The water users want to recognize and thank Clifford for his service.

Lyle Swank had a quick presentation on the ground water – surface water calls. Lyle indicated 2.1 million irrigated acres or 60% are within the Eastern Snake Plain Aquifer. Approximately 41% by surface water, 42% by ground water, and 17% from mixed sources. A graph of the flow at Thousand Springs was presented that reflected the 40 year growth in discharge since 1912, and then the 60 year decline in discharge. As the flows have decreased the water calls have increased. In May of 2015 a preliminary agreement was reached between IGWA and the Surface Water Coalition to mitigate the SWC call. This agreement will impact a good share of the water users on the Eastern Snake Plain Aquifer. The Agreement is intended to mitigate for material injury to the SWC, provide safe harbor to participating ground water users, minimize economic impact to the water users of the state, increase the measurement reliability and enforcement on the ESPA, and stabilize the aquifer water levels. Water Users in Water District 27 should not be impacted by this call. Recharge is part of this effort, if some are interested in recharge it was noted Wesley Hipke is the IDWR recharge coordinator.

Pat Tanney moved to adjourn the Water District 27 Annual Meeting, David Bollinger seconded the motion and the motion passed. The meeting adjourned at 2:46 pm.


Wendy Murphy, Secretary

1/10/2017
Dated

MEETING SIGN-IN SHEET

Meeting: Water District 27

Meeting Date: January 11, 2016

Place: Bingham County Courthouse, Blackfoot ID

Time: 1:00 pm

Name (Please print clearly)	Representing	Email
Marvin Yancey	WD27 user	Yanceymr@gmail.com
Mark Pratt	WD27 user	prattcattle@gmail.com
Lynn Keetch	RANCH Diamond Creek	L.R. Keetch@gmail.com
Louis Morales, Jr	user	loumoral@MSN.com
MERLIN YANCEY	user	YANCEYME@GMAIL.COM
Tim Gardner	BIA FHL	timothy.gardner@bia.gov
David Bollinger	BIA/FHL	DAVID.BOLLINGER@BIAGOV
Trish Acave	WD 27	burch-trisha@yahoo.com
Rhitt Hamilton	user	rhitt_h@yahoo.com
DAVID BOSEN	MEADOW CREEK RANCH USER	david.scott.bosen@yahoo.com
Pat Toney	user	none
Daniel Bair	Jherilyn Bair	idahoappserver@msn.com bairsher@gmail.com
Bob Reid		
Lyle Swank	WD1/27	
Rob Keller	WD1/27	
Wendy Murphy	WD1/27	

Water District 27
Advisory Board Meeting
January 7, 2016 – 2:00 p.m.
IDWR – Idaho Falls Conference Room

The meeting was called to order at 2:00 pm by Chairman Bob Reid. In addition to Bob Reid, those in attendance were: Lyle Swank, Mark Pratt, David Bollinger, Jami Farris, Sheila McCall, Tim Gardner, Rodney Blackhawk, Marvin Yancey, Robert Keller, Craig Chandler, Tony Olenichak, Wendy Murphy, Trish Arave, and Laurie McFarland.

The Board reviewed the minutes of the previous Advisory Meeting on September 4, 2015. Mark Pratt moved to accept the minutes, David Bollinger seconded, the motion passed unanimously.


Lyle Swank and Robert Keller reported that primary volume for the year was 41,242 acre-feet, which was lower than the September estimate. The 2015 was an exceptionally long growing season with the longest frost free date on record. The May rains added some volume to streams and decreased demand for water. Robert reported the only reduction to the primary volume was 1,478 acre-feet when Fort Hall was not irrigating. Low inflows this season on Cedar Creek and Slug Creek had led to a curtailment on Slug Creek for the second year.

The 2016 Draft Resolutions were reviewed. The updated budget includes an estimated 3% increase over last year. There was discussion about whether the District would have a reserve fund and operate with retained earnings. It has previously been decided by the Board that the District will work toward having some retained earnings and a reserve fund. The minimum charge for an assessment is proposed to be raised \$5 from \$45 per point of diversion to \$50. The details of the budget were also discussed at this time. After discussion regarding the lack of its use, the language permitting partial payments was stricken from Resolution #4. The motion to present the Resolutions to the water users with the changes as drafted and the change to Resolution #4 was made by David Bollinger, seconded by Marvin Yancey, and passed unanimously.

David Bollinger announced there have been some personnel changes at BIA including Clifford Buckskin's retirement. Rodney Blackhawk has replaced Clifford. Communication will take place through the BIA office. Tim Gardner is now administrating maintenance for BIA.

Bob Reid raised questions about how the Waters of the U.S. legislation currently affects the District. Lyle explained that Idaho has an injunction filed against this proposed regulation, so it does not affect anyone in the state yet. The Courts will determine what happens next with this legislation. In connection with this question, Lyle and Wendy suggested that the Board could send members to the Idaho Water Users Convention which is usually held in Boise in January.

Marvin Yancey moved, David Bollinger seconded to adjourn. The Meeting adjourned at 3:24pm.


Wendy Murphy
1/6/2017

Water District 27 Year 2016 Resolutions

1. BE IT RESOLVED that the annual Water District 27 meeting shall hereafter, or until changed by further resolution of the district, be held on the second Monday of January of each year unless the director and advisory members should find it necessary to change the meeting date. The next annual meeting is to be held January 9, 2017.
2. BE IT RESOLVED, that it is the watermaster's responsibility to apply the best available methods and technology to assure accurate deliveries of natural flow and stored water, consistent with regulatory procedures and the availability of the water supply; that he maintain accurate records of water delivered to each water user.

That, the watermaster shall accurately allocate the expenses of delivering water of the district to each ditch, canal company, irrigation district, or other water user as provided by law; and that he shall prepare the annual watermaster's report required by Idaho Code 42-606 and a proposed budget for the succeeding year as required by Idaho Code 42-615.

BE IT FURTHER RESOLVED that:

The watermaster will investigate ways to expand and maintain automation where it can effectively improve water management, reduce personnel costs, travel costs, or result in cost or water savings for water users in Water District 27, or assure better and more current data.

The Watermaster will adjust the headgates of all natural flow rights. The Fort Hall Project Manager or his designee will adjust the central gates of the Blackfoot Reservoir, the equalizing reservoir, the Little Indian Canal, and the North and Main Canal headgates. The Watermaster will be duly advised of all changes made in the gates regulated by the Fort Hall Project Manager or his designee.

Lyle Swank be elected watermaster for the ensuing year, and be authorized to appoint deputies and hire such other assistants as provided by the adopted budget. The watermaster may hire additional assistants as authorized in Idaho Code 42-609 in an emergency.

Alan Kelsch be elected Water District 27 Treasurer.

The duties of the watermaster and treasurer shall continue until the next annual meeting.

The budget for Water District 27 for the 2016 year beginning January 01, 2016, and continuing until the annual meeting in 2017, shall be as follows:

Water District 27 2016 Budget

Expenses	Budget	Notes
Water District 1 Contract	\$40,650.00	
Travel	\$4,200.00	
Total WD1 Expenses	\$44,850.00	
Website	\$ 300.00	
Measurement & Reporting Equipment	\$3,500.00	
Total to Assess	\$48,650.00	

3. WHEREAS, it is the watermaster's responsibility to assure the proper delivery of water to all water users, and

WHEREAS, the normal water district cost of delivering water to many water users is greater than their normal assessments would be based upon their total annual use of water;

NOW, THEREFORE, BE IT RESOLVED that the watermaster of Water District 27 is hereby authorized to assess a \$50.00 minimum charge for every point of diversion within his jurisdiction.

4. WHEREAS, the water users of Water District 27 meeting in regular annual session find it necessary to confirm the continuation of the following "on-going" resolutions which direct the watermaster and the treasurer of the district in certain aspects of Water District 27 operations;

NOW, THEREFORE, BE IT RESOLVED that the budget of Water District 27 adopted at the annual meeting shall become the basis for the aggregate amount to be collected from all water users in the district for the current year based upon historical average delivery to each user. Debits and credits for the preceding year will be added to the current approved budget before assessments for the irrigation season are made.

It is hereby agreed that the natural flow users shall pay 40% of Water District 27 Budget, and that the Fort Hall Project shall pay 60% of said expense. The rate of assessment per 24 hour second feet shall be computed in accordance with the above proportions.

No water shall be delivered to any delinquent water user until all delinquencies have been paid, and no water shall be delivered after June 1 2016, until the current year's assessment has been paid.

That the treasurer shall establish and maintain a general account and shall cause all monies received to be deposited and shall make all disbursements as necessary to conduct the business of the water district;

BE IT FURTHER RESOLVED that no ditch, canal company, or other water users shall have the right to demand and receive water, and the watermaster shall not deliver to such person until receipt of the amount due and payable from such user, and

That copies of the minutes of the annual meeting, the approved budget, and related resolutions, shall be filed with the Director of the Department of Water Resources in accordance with Idaho Code 42-612 and 42-617.

5. WHEREAS, the water district meets in regular annual session, as provided by state law, and;

WHEREAS, there are, from time to time, decisions related to water district contracts, or policies that may not have been specifically addressed by resolution at the annual meeting;

NOW THEREFORE BE IT RESOLVED that the advisory committee of Water District 27 is authorized to take such actions as they, by consensus deem necessary and appropriate to fulfill the duties for which the district was created.

6. WHEREAS Idaho Code 42-605 provides for voting by water users and election of an advisory committee, the water users of Water District 27 hereby resolve that the credentials for voting in any district meeting and for serving on the district advisory committee will be as follows:

- 1) The advisory committee is to consist of 5 members, geographically distributed to represent the interests within the district.
- 2) Each advisor must be a landowner and water user within the boundaries of Water District 27; except for the Designated Representative from Fort Hall.
- 3) Must have paid all assessments owed Water District 27.

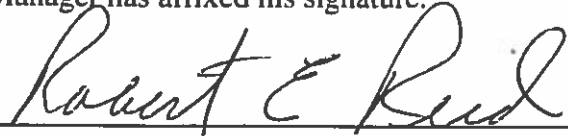
IT IS FURTHER RESOLVED that this resolution shall continue from year to year until repealed or changed by the water users.

7. ACCEPTANCE BY THE UNITED STATES INDIAN SERVICE

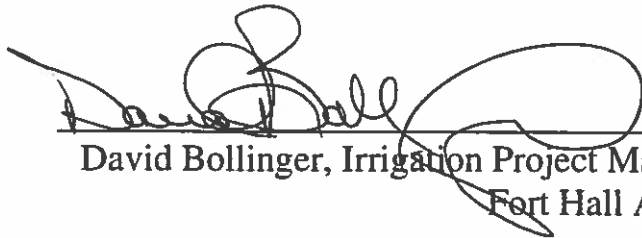
IT IS FURTHER RESOLVED that this resolution shall continue from year to year until repealed or changed by the water users.

7. ACCEPTANCE BY THE UNITED STATES INDIAN SERVICE

BE IT RESOLVED that adoption of all resolutions become effective with respect to the Fort Hall Project and all water distributed to the Fort Hall Project from any source, when the Fort Hall Irrigation Project Manager has affixed his signature.



Bob Reid, Chairman
Blackfoot River Water User's Association



David Bollinger, Irrigation Project Manager.
Fort Hall Agency

Approved and accepted this ~~12th~~ 11th day of January, ~~2015~~ 2016.

2016 ADVISORY BOARD
WATER DISTRICT 27

Bob Reid, Chairman
911 Reid Rd.
Firth, ID 83236

Marvin Yancey
691 W 300 S
Blackfoot, ID 83221

Mark Pratt
279 N 400 E
Blackfoot, ID 83221

Trish Arave
590 N 150 E
Blackfoot, ID 83221

David Bollinger
BIA
PO BOX 220
Fort Hall, ID 83203

Lyle Swank, Watermaster
900 N. Skyline Dr. Ste. A
Idaho Falls, ID 83402