

ADOPTED BUDGET AND RESOLUTIONS
PERTAINING TO THE COLLECTION THEREOF

FOR 20 18

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MAR 23 2018

Department of Water Resources
Eastern Region

WATER DISTRICT NO. 29-B

STREAM Garden Creek

COUNTY Bannock

NAME OF SECRETARY Theron M. Toler

ADDRESS OF SECRETARY 1924 Donner Avenue and 231 East Glover Road
Clouis CA 93611 Arimo ID 83214

COLLECTION AND HOLDING OF WATER DISTRICT FUNDS

Please check the appropriate box regarding the collection and holding of Water District funds.

☒ The Water District collects and holds its own funds.

☐ _____ County collects and holds funds for the Water District.
(county name)

☐ _____ County collects the Water District's funds and deposits the funds in an account
(county name) held by the Water District.

(This report must be certified and 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 Annual Water User's Meeting of the Water District. If a designated county collects funds for the water, then a third copy must be sent to the auditor of the designated county.)

Arimo, Bannock, Idaho, 15 Mar, 2018

I HEREBY CERTIFY that the within is true and correct copy of the budget as adopted at the annual Water User's Meeting of Water District No. 29-B, held at Arimo, Idaho on the 5 day of March, 2018 and all resolutions adopted at said meeting pertaining to the time and the manner of collecting the amounts provided for in the said budget.

Theron M. Toler

Secretary, Water District No. 29-B

WATER DISTRICT No. 29-B

Estimated Amount for Watermaster's Salary see below \$ 889.00

Estimated Amount for Assistant Watermaster and other Water District Officials\$ 0

Estimated Amount for Other Expenses \$ 350.00

TOTAL ESTIMATED EXPENSES FOR 2018.....\$ 1239.00

[illegible]

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

WATER DISTRICT No. 29-B

It was agreed at the users meeting that the Secretary/Treasurer would design an invoice to be sent to all users and water right holders to collect the necessary revenue. The collection would be based on the following:

1. All water right holders would be assessed a \$25 fee per right for use in maintaining the system. This fee is set by and goes to The Garden Creek Irrigation Company, Inc. It is included here for convenience.
2. All users would be billed \$8/stream/day for their use. This will pay the Watermaster and the admin costs. The billing for 2018 is based on 2017 usage.
3. The \$300 Worker's Comp premium would be billed equally to all water right holders. This calculates out to be \$10.75 per each holder,

WATER DISTRICT INFORMATION SHEET

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MAR 23 2018

Department of Water Resources
Eastern Region

2018

Year

29-B, Garden Creek

Water District # / Stream Name

Wendall Marley

Watermaster Name

12839 South Thacker Road

Address

Arimo ID 83214

Phone Number, Home / Cell

208-317-5226

E-Mail Address

Assistant Watermaster Name

Address

Phone Number, Home / Cell

E-Mail Address

Theron M. Toler

Secretary Name

1924 Donner Avenue and 231 East Glover Road
Address Clovis CA 93611 Arimo ID 83214

559-906-2998

Phone Number, ~~Home~~ / Cell

E-Mail Address

Please print in the blank information above and return it to the Idaho Department of Water Resources. Your cooperation on this matter would be greatly appreciated. If you have any questions, please feel free to contact me.

Respectfully Submitted,


Sharla Cox
Administrative Assistant

Garden Creek Water District, District 29-B
Minutes of the Annual Meeting

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MAR 23 2018
Department of Water Resources
Eastern Region

5 March 2018

Call to Order: President Sheldon Hatley called the meeting to order at 7:07 PM. He asked that Theron (Sec/Treas) conduct the meeting.

Members Present: It was a light attendance with only six members present. They were: Sheldon Hatley, Wendall Marley, Theron Toler, Klain Christensen, Doug Armstrong, and Morgan Ercanbrack.

Last Year's Minutes: Theron read the minutes from last year's meeting. There were no suggested changes. Wendall made the motion that the minutes be accepted as read. Klain seconded. Motion carried.

Old and New Legislation: Theron reviewed briefly the purpose of the meeting as outlined in Section 42-605, Idaho Code. He also pointed out that proxy voting is not allowed at this meeting. Further, because of our small size, an outside audit is not required of our financial records and we are allowed to manage our own finances as long as we do it judiciously. However, we do need to take advantage of some new legislation and move our meeting day to something other than Monday night. We live a community where many people are members of the LDS Church. For many years the Church has asked that other organizations not schedule meetings or activities on Monday night so as to allow families to have Family Home Evening. After some discussion, it was decided to move our meeting to the first Thursday in March. Wendall made a motion to that effect. Sheldon seconded. Motion carried.

Financial Report: Theron presented the attached financial report for the year 2017 and explained it. Wendall made a motion to accept the financial report. Morgan seconded. Motion carried.

Pool and Rotate: There is never enough water in Garden Creek for all users to use it at once, or to just use it arbitrarily. It was suggested that as in years past the water be pooled at rotated on turns or as directed by the Water Master. This method seems to provide the most beneficial use of the water. Wendall made a motion to "pool and rotate" as in years past. Morgan seconded. Motion carried.

Water Master's Compensation, Adopt Budget, and Collect Revenue: Theron reviewed the historical rates and methods used. The district's main expenses are the Water Master's compensation and Worker's Compensation insurance. We have been paying the Water Master \$7/stream/day and charging the users \$8/stream/day. While this covers the Water Master's compensation, the insurance premium is not covered. Theron showed two examples of how this arithmetic does not work out and there will always be a deficit as the revenue generated will not cover all the expected expenses. Much discussion followed with many questions being

asked and many suggestions being made. It was finally agreed that the Water Master's compensation would be left at \$7/stream/day with a user's fee of \$8/stream/day. This allows a margin of \$1/stream/day for miscellaneous administrative expenses. The Worker's Compensation premium would be collected by spreading the cost equally among the 28 listed authorized users of the irrigation system. This would amount to a flat fee of \$10.75 per user. Collection of these monies would be through the use of a district invoice sent to all users. Theron presented and explained an example of an invoice that could be used. Doug made a motion to implement these changes. Wendall seconded. Motion carried.

Old Business: Questions from last year were discussed.

- Wendall to check with Brigham to see if he made culvert guards
- Decreed water rights do not grant free floating water use, they have two anchors: They must have a designated point of diversion as to where the water is taken out of the natural channel, and a designated point of use as to what piece of land the water is to be used on.
- These anchors can be changed to different locations by working with the Department of Water resources. The water rights are not forever attached to the same piece of property as some have thought in the past.
- Decreed water rights have been decreed by a court and remain valid until cancelled by a court. Therefore, the district must treat all water rights on the comprehensive list, which is obtainable from the department, as valid irregardless of their historical status. This means all listed water rights need to be assessed and billed.
- If owners and users of water rights do not pay the assessed fees, then no water is delivered against that right until back payment has been made. If ownership of the water right changes, the delinquent fees follow it and they become the responsibility of the new owner.

Election of Officers: Current officers are: Sheldon Hatley, President; Wendall Marley, Vice President; and, Theron Toler, Secretary/Treasurer. Klain made the motion to keep the officers the same. Wendall seconded. Motion carried.

Advisory Committee: The current advisory committee consists of the elected officers plus the water master, which in our case is also one of the officers. Wendall made the motion to leave the advisory committee the same. Sheldon seconded. Motion carried.

Election of Water Master: Doug made the motion to re-elect Wendall as the Water Master. Klain seconded. Motion carried.

Call for New Business: There was none.

Adjournment: At 8:45 PM Doug made the motion to adjourn. Wendall seconded. Motion carried.

GARDEN CREEK WATER District, District 29-B
Treasurer's Report

Description		District
Balance, 1 January 2017		2075.10
Deposits (some 2015, all of 2016, a little 2017)		+4357.95
Bank Charges		
Fees		-21.00
New Checks		-25.40
Withdrawals via checks		
1047 to Derald for admin		-27.00
1052 to Derald for admin		-26.50
1053 to Watermaster for 2016		-978.00
1054 to Idaho Insurance for Worker's Comp		-300.00
1055 to Derald for admin		-15.00
1056 to Watermaster for 2017		-1632.00
Balance, 31 December 2017		3408.15

Notes:

1. Theron and Sheldon are authorized signers for the District's account.
2. \$2000 of the balance needs to be transferred to the Old Ditch Company for ditch maintenance. These monies are for assessments for 2015, 2016, and 2017 that were never reconciled earlier.

Projected Collections in 2018

Usage from 2017 Watermaster's report for 213 streams	\$1704.00
Assessment based on valid water rights	\$1987.50
Set by and goes to The Garden Creek Irrigation Company	
for ditch maintenance as they own the ditch system	
Assessment for Worker's Comp Insurance	\$300.00
Delinquent from prior years	\$600.00

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Department of Water Resources
Eastern Region

15 March 2018

Hi Sharla,

Please find the enclosed documents and information. Hopefully this is everything you requested.

1. Water District Information Sheet
2. Petition for Watermaster's Services. I have sent the Watermaster's Oath to Wendall for him to sign, have notarized, and mail to you.
3. Adopted Budget and Resolutions. The form for the distribution of the budget didn't seem to work well for our situation, so I just wrote a narrative and tried to explain what we do. The same for the collection of the revenue. Hopefully that will be sufficient. This is also explained in the meeting minutes.
4. A copy of the meeting minutes showing the discussions and agreements, or resolutions, we came to. Also, a copy of the 2017 financial report is attached.

Although we have a small operation, it sometime confuses people because of the existence of The Garden Creek Irrigation Company (affectionately known as The Old Ditch Company). If you have any question about how we operate, please do not hesitate to give me a call and I'll try to explain it. However, it wouldn't surprise me to learn that you have other districts far more complex than ours.

I appreciate the work you folks do and it is my desire to keep District 29-B in good standing with your organization. So, if we are out of bounds anywhere please let me know. All of us in the District appreciate being able to operate by ourselves as our own District.

Thanks !!



Theron Toler
559-906-2998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 3, 2018

Wendall Marley
12839 S Thacker Rd
Arimo ID 83214

RE: WATER DISTRICT #29B

Dear Watermaster:

Your **CERTIFICATE OF APPOINTMENT** is enclosed herewith. You will, therefore, take charge of the waters of such district and distribute the same in accordance with the law and the decrees of the courts to the various users in such district in accordance with the terms and conditions of their respective rights, and perform such other duties as may be required by the Department of Water Resources, under the laws of the State of Idaho. You are hereby requested to assume your duties at once and continue thereat until the necessity therefore shall cease.

Please feel free to call upon this office whenever we can be of assistance to you. We have a personal interest in the success of your year's work and desire to keep in as close touch with you as conditions will permit.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Sharla Cox', written over a circular blue ink stamp.

Sharla Cox
Administrative Assistant

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

April 3, 2018

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Theron M Toler
1924 Donner Ave
Clovis CA 93611

Theron M Toler
231 E Glover Rd
Arimo ID 83214

RE: WATER DISTRICT #29D

Dear Secretary / Treasurer:

We acknowledge receipt of the Minutes of the Annual Watermaster's Election Meeting held in your district. The Watermaster Certificate will be sent under separate cover.

Thank you.

Sincerely,

Sharla Cox
Administrative Assistant