

WATER DISTRICT INFORMATION SHEET

RECEIVED  
FEB 12 2019  
Department of Water Resources  
Eastern Region

2019  
Year

29H / Marsh Creek  
Water District # / Stream Name

Brad Maddox  
Watermaster Name

437 So. 12th Ave. Pocatello, ID 83201  
Address

208-380-1341 kibdog1@gmail.com  
Phone Number, Home / Cell E-Mail Address

NONE  
Assistant Watermaster Name

Address

Phone Number, Home / Cell E-Mail Address

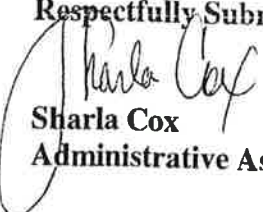
Diana Burden  
Secretary Name

PO Box 144 Downey ID 83234  
Address

208-251-3723 dianna@portneuf-mercantile.com  
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

**Water District No. 29H - Marsh Creek  
Annual Meeting Minutes  
January 9, 2019**

RECEIVED  
FEB 12 2019  
Department of Water Resources  
Eastern Region

The annual meeting of Water District No. 29H ("WD29H"), Marsh Creek and tributaries was held in Downey, Idaho at the Marsh Valley Senior Center on January 9, 2018, at 6:00 p.m. The roster of attendance is attached.

The meeting was called to order by Ralph Wheatley, 2018 Meeting Chairman at approximately 6:05 p.m. The first order of business was to elect a meeting chairman. Allan Kay nominated Ralph Wheatley. The nomination was seconded by Corey Webster and passed unanimously by voice vote.

Chairman, Ralph Wheatley, took the floor and asked Dianna Burden to preside as meeting Secretary and she accepted. Chairman Wheatley welcomed everyone including Steve Visosky, with IDWR. He thanked everyone for working together.

Dianna Burden, Meeting Secretary, read the annual meeting minutes from February 15, 2018. Morgan Evans made a motion to accept as read. Lynn Bastian seconded the motion and all were in favor. None opposed.

**Watermaster Report:**

Watermaster, Brad Maddox, said he started his job on April 2, 2018. He installed a GPS system on his phone for tracking diversions and put together a book with pictures and diversion points. The booklet will remain property of the District. Brad said he was going to need everyone to call him when you turn your water on & off. Once the measuring devices are installed, you will not need to call.

Robby Barnes asked about the accuracy of the measuring devices. Phil Foster with Valley Implement said it is very important for the measuring devices to be installed correctly and he discussed some specifics.

Brad discussed the importance of determining what device will work best for your individual situation. Brad reminded everyone that the deadline to request an extension form IDWR is July 2019. Otherwise measuring devices will need to be installed by 2021. Brad thanked everyone for their support and looks forward to working with everyone again this year.

**Treasurer's Report:**

Dianna Burden reported that Water District stayed within the \$20,000 budget. WD29H used \$530 from the contingency to cover some additional mileage for Brad. We collected \$18,938 and the actual expenses totaled \$16,309. The checking account balance is \$7,121.17 as of 12/31/18. Outstanding invoices total \$1,475, cumulative for the past 2 years. The 2019 assessments should be similar to the prior two years, but we are still waiting on readings from a couple of water right holders with measuring devices. Dianna reminded everyone that address change forms need to be completed, signed by the water right holder and mailed to IDWR so they will receive all mailings. There is no charge for filing an address change form.

**Business Items:**

Chairman Wheatley discussed the Proposed Resolutions that were put together during the November 2018 Advisory Committee meeting. He opened the floor for questions on the 2019 proposed budget as outlined in item 4 of the Proposed Resolutions. Randy Bertagnole motioned the 2019 proposed budget be adopted as outlined in item 4 of the Proposed Resolutions. Doug Johnson seconded the motion and the motion passed by verbal vote. None opposed.

Proposed Resolution item 6, election of the Watermaster. Randy Bertagnole motioned Brad Maddox remain as Watermaster. The motion was seconded by Gradyn Staley; the motion passed unanimously by voice vote.

Proposed Resolution item 7, election of the Treasurer. Lynn Bastian motioned Dianna Burden remain as Treasurer. The motion was seconded by Randy Bertagnole; the motion passed unanimously by voice vote.

Proposed Resolution item 15, election of the Advisory Committee: Nomination made by Lori Davis for the current committee to remain in place, seconded by Ken Hall, all in favor, none opposed.

**ADVISORY COMMITTEE MEMBERS**

The advisory committee members for the ensuing year shall be the following:

Member #1: Kathleen (Kathy) Spiegel (small irrigation user)

Member #2: Lynn Bastian (large irrigation user)

Member #3: Demar (Dee) Gilbert (large irrigation user)

Member #4: Ralph Wheatley (large irrigation user)

Member #5: Tony Hancock (municipal / non-irrigation user)

Chairman Wheatley turned the time over to Steve Visosky with the Idaho Department of Water Resources. Steve discussed the State's business of administration and delivery of water based on priority date same as Snake River. Normally 1910+ must rent water because curtailment is normal. Plan accordingly, explore options to mitigate over the next 2 years.

Lynn Bastian stated that we do not have other water to draw from, are we lining up for disaster?

Steve stated that many ideas for mitigation existed within this district. Some examples are: Use the water supply bank, rent water from the bank, build a pond or reservoir. Junior users might come together and pool and rent together. Lynn asked if there was funding help from the State. Steve replied no. But they could pool funds and check out other resources.

Corey Webster asked if curtailment was based on the district or individual users, and if he could rent his water to his neighbor? Steve replied it is on individual priority dates. You can rent your water through the Water Bank. You can give the Water Bank a contract as lessor and lessee and the Water Bank will take their 10% fee and mail lessor the difference. It must be rented for a season and not by the week. Water from the bank is delivered using the same priority date. Water must be used to remain active, so if you are not

using it, put it in the water bank. It does not reset, it pauses while in the bank. For example, if water was used for three (3) years and went to the water bank for seven (7) years, it will come out with the same three (3) years.

How do users in WD29H get treated fairly? Steve said IDWR is backing up Marsh creek and Portneuf River when they attend meetings. Lori asked if WD29H is advised when WD1 have their meetings. Steve suggested the WD29H initiate a meeting with WD1.

**District Changes:**

Steve discussed the State Statues requirements for the Watermaster and billing. Measurements devises are not required for 5 acres or less. The Watermaster is responsible for recording and reporting measurements. Water right holders will be billed based on actual usage from water on paper.

**Goals:** Starting in 2020, everyone will have measuring devise unless you have a variance. So, think about the measuring devise types that will work for you and mitigation. Steve gave some variance examples. But you need to show that you are working on installing a measuring devise. Corey asked if financial hardship could be considered an exception. Steve's reply was, it will be hard to get approved.

**Ground Water:**


The State is taking action. There will be a public notice and hearing. Ground water is not by priority date, unless a surface user contacts the state if they are being injured. There might be a new district or a large district could encompass both ground and surface water.

Chairman Wheatley said the Advisory Committee would get together and discuss some ideas.

Having no further business, Randy Bertagnole motioned the meeting be adjourned till next year. It was seconded by Grady Staley and all were in favor.

The meeting adjourned at 8:30 p.m.

Respectively Submitted,

  
Dianna Burden, Meeting Secretary

**ADOPTED BUDGET AND RESOLUTIONS  
PERTAINING TO THE COLLECTION THEREOF**

FOR 20 19

WATER DISTRICT NO. 29H  
STREAM Marsh Creek  
COUNTY Bannock  
NAME OF SECRETARY Dianna Burden  
ADDRESS OF SECRETARY PO Box 144 Downey ID 83234

**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 held by the Water District.  
(county name)

(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.)

Downey, Idaho, Jan, 2019

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. 29H, held at Marsh Valley Senior Center on the 9th day of January, 2019 and all resolutions adopted at said meeting pertaining to the time and the manner of collecting the amounts provided for in the said budget.

Dianna Burden  
Secretary, Water District No. 29H

WATER DISTRICT 29H MARSH CREEK  
2019 ASSESSMENT OF \$20,000 WITH \$50 MINIMUM CHARGE

1 of 4

User Name	Water Rights	Usage (AF)	Assessment	Minimum Charge	\$
AMMON, JOHN P & TAMARA	29-13403	3.85	\$ 50.00	Budget to Collect	\$ 20,000.00
ANDERSON, BESSIE RUTH	29-13418, 29-13416	50.4	\$ 50.00	Adjusted cost per Acre-foot	\$ 0.57
ANTHONY, HEROLD L; ANTHONY, RHONDA L	29-7735	9.8	\$ 50.00	Total Budget Collected	\$ 20,000.00
ARIMO CORP	29-2416, 29-4424, 29-4409, 29-4411, 29-4406, 29-4423, 29-4422, 29-4408, 29-12055	1568	\$ 889.64	Max bill	\$ 900.59
ARMSTRONG, NANCY	29-4168, 29-13485	101.5	\$ 57.59	Total usage (AF)	31,482.4
ASLETT, BARBARA; ASLETT, DON A	29-11710	7	\$ 50.00	Amount collected from Min.	\$ 3,250.00
ASPEN HOLLOW LLC C/O DAVID HARTVIGSEN	29-4352, 29-4354, 29-4353,	52.5	\$ 50.00	Unadjusted estimated cost per AF	\$ 0.64
BARNES FAMILY FARM LAND LLC	29-595D	273	\$ 154.89	<b>Calculate Cost Factor</b>	
BARNES, CHAD; BARNES, R JANE	29-14114, 29-14115	256.2	\$ 145.36		
BARNES, LAMAR H	29-339D, 29-4384	32.5	\$ 50.00		
BARNES, ROBERT & JODI	29-2268, 29-11799	273	\$ 154.89		
BASTIAN, CHRISTINE; BASTIAN, LYNN S	29-4302, 29-11463, 29-11465	1095.5	\$ 621.55		
BASTIAN, LYNN S; BASTIAN, MERLIN S	29-7889A, 29-7889B	129.5	\$ 73.47		
BAUERLE, MICHAEL, BERMEIER, TERRI	29-2269C, 29-13164	23.8	\$ 50.00		
BENNETT FARMS	29-4323, 29-2319B, 29-2319A, 29-4320, 29-4039	570.5	\$ 323.68		
BENNETT, REID E	29-4462, 29-2560B	185.5	\$ 105.25		
BERTAGNOLE, RANDY; BERTAGNOLE, SHARON	29-11911	87.5	\$ 50.00		
BISSELL, DALE T; BISSELL, KATHLEEN M	29-7571	10.5	\$ 50.00		
BLOXHAM, CRAIG V; BLOXHAM, VERN C	29-14029, 29-14031	32.2	\$ 50.00		
BLOXHAM, MARY LOIS; BLOXHAM, VON G	29-4241, 29-4242	109.6	\$ 62.18		
BRIM, LINDA / SOLD TO KEVIN MORRISON	29-4143, 29-13435	5.25	\$ 50.00		
BULLOCK, BLAKE; BULLOCK, SHARLYN	29-2269E	42	\$ 50.00		
BULLOCK, MICHAEL	29-14090, 29-14092	220.5	\$ 125.11		
BULLOCK, VELMA FAMILY LIVING TRUST	29-2387, 29-2279, 29-591, 29-4020, 29-593B,	987	\$ 559.99		
BURBRIGE, ERIC	29-10716	245	\$ 139.01		
BURRUP, HELEN G; BURRUP, JAY G; BURRUP, ROGER C	29-339B	269.5	\$ 152.91		
CAPELL, LINDA; CAPELL, MAXILYN; CAPELL, RONALD J	29-595A	59.5	\$ 50.00		
CHRISTENSEN, DELBERT E & DIANNE C REVOCABLE LIVING TRUST	29-4434	136.9	\$ 77.67		
CHRISTOPHERSON, LORNA; MICKELSON, BARBARA	29-4271	18.2	\$ 50.00		
CIRCLE E RANCH	29-11409	31.5	\$ 50.00		
CITY OF ARIMO	29-7369	117.8	\$ 66.84		
CITY OF DOWNEY	29-4148	336	\$ 190.64		
CONROY, A RICHARD; CONROY, LONNA JEAN	29-496, 29-4059, 29-497B	17.5	\$ 50.00		
CORP OF THE PRESIDING BISHOP	29-7498	5.25	\$ 50.00		
CRIDDLE, CALVIN O; CRIDDLE, J REED	29-10082	210	\$ 119.15		
CRIDDLE, J CLARK; CRIDDLE, PAMELLA K	29-595B	371	\$ 210.49		
CRIDDLE, KEEDRIN; CRIDDLE, STEVEN	29-2388	112	\$ 63.55		
CUMMINGS, JESSE; CUMMINGS, KHRISTI	29-11804, 29-13564	11.2	\$ 50.00		
CURTIS, DOREEN	29-7139	87.5	\$ 50.00		
DAHLKE, JASON; DAHLKE, STEPHANIE	29-2175	109.6	\$ 62.18		
DAKA FARMS INC	29-4146	476	\$ 270.07		
	29-12566				

WATER DISTRICT 29H MARSH CREEK  
2019 ASSESSMENT OF \$20,000 WITH \$50 MINIMUM CHARGE

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User Name	Water Rights	Usage (AF)	Assessment	Minimum Charge	\$ 50.00
DAVIS, CRIS G; DAVIS, LAURETTA M	29-2219, 29-10131, 29-520, 29-2295C, 29-7355, 29-2155, 29-10133, 29-103381	1377.5	\$ 781.55		
DIAMOND T RANCH / GARDEN CREEK RANCHES LLC	29-2295F	245	\$ 139.01		
DONALD R PETERSEN REVOCABLE LIVING TRUST; DONNA PETERSEN REVOCABLE LIVING TRUST	29-13412, 29-333, 29-13413, 29-13411, 29-336, 29-13414, 29-337,	742	\$ 420.99		
DOWNATA RANCH & RECREATION INC	29-4074, 29-491A, 29-2396, 29-491B	784	\$ 444.82		
DOWNATA RANCH & RECREATION INC	29-13338	50	\$ 50.00		
DUNN, CURTIS; DUNN, JODEANA	29-4101A, 29-10014	59.9	\$ 50.00		
EAMES, MARK; EAMES, SHERRI	29-12128	14	\$ 50.00		
EAST SIDE DITCH CO	29-11740, 29-13642,	213.5	\$ 121.13		
EGAN, KATHLEEN M; EGAN, WILLIAM A	29-4463B, 29-2295D, 29-4382, 29-11495, 29-11493	546	\$ 309.78		
ELIASON LAND HOLDINGS LLC	29-11925, 29-4398	336	\$ 190.64		
EVANS, CODY & TRENT	29-14085	28.7	\$ 50.00		
EVANS, JOHN M	29-349, 29-351, 29-357, 29-356	917	\$ 520.28		
EVANS, PEGGY	29-12515	42.4	\$ 50.00		
EVANS, WILLIAM T	29-4062, 29-2123	227.5	\$ 129.08		
FRANKLIN, ANKE	29-13161	26.25	\$ 50.00		
FUHRMAN RANCH INC	29-7730, 29-12902, 29-2295D, 29-4381	388.5	\$ 220.42		
GILBERT, DEMAR W; GILBERT, DONNA	29-4418	52.5	\$ 50.00		
GILBERT, DEMAR W; STALEY, ALICE K; STALEY, GRADYN D	29-2016A, 29-11620A	847	\$ 480.56		
GILBERT, ERVIN E	29-4324	49	\$ 50.00		
GIRARD, DEBRA; GIRARD, RAYMOND W	29-7205	24.5	\$ 50.00		
GOOD ENOUGH CREEK RANCH LLC C/O CHARLIE BULLOCK	29-14091, 29-14093	357	\$ 202.55		
GUTHRIE JR, JAMES K; GUTHRIE, BARBARA ANN	29-433, 29-434	343	\$ 194.61		
GUTHRIE, BARBARA ANN; GUTHRIE, JAMES K	29-11560	93.8	\$ 53.22		
HADLEY, JACK M; HADLEY, JEAN M (DOWNATA RANCH)	29-11054, 29-492	45.5	\$ 50.00		
HALL, DEBRA; HALL, DONALD K	29-4161B	9.8	\$ 50.00		
HALL, MICHAEL C; HALL, SUSAN L	29-13397	19.6	\$ 50.00		
HALL, ZELLA L C/O MICHAEL C HALL	29-10781	7.7	\$ 50.00		
HARRIS, JEFF	29-10058, 29-2298	42	\$ 50.00		
HARRIS, JEFFERY F; HARRIS, KATHLEEN M	29-2365A, 29-7963	427	\$ 242.27		
HART, JOHN WILLIAM; MIKKELSON, MARILYN	29-4112, 29-4111, 29-4109	468.7	\$ 265.93		
HARTVIGSEN, M KIP; HARTVIGSEN, RICHARD N; MORRILL, LOIS H; REED & DORIS HARTVIGSEN FAMILY TRUST; SIMMONS, BONNIE H (HARTVIGSEN BROS)	29-2176, 29-2174, 29-11182	56	\$ 50.00		
HARTVIGSEN, RULON, HARTVIGSEN, KIM, HARTVIGSEN, JAMES	29-14278, 29-14279, 29-14280	217	\$ 123.12		
HAWTHORNE, BRIAN	29-13681	16.5	\$ 50.00		
HENDERSON RANCHES INC	29-4201, 29-13688, 29-13481, 29-13689, 29-4200, 29-13480, 29-11089, 29-13367, 29-4202	1064	\$ 603.68		
HENDERSON, ROY C	29-13475	56	\$ 50.00		



WATER DISTRICT 29H MARSH CREEK  
2019 ASSESSMENT OF \$20,000 WITH \$50 MINIMUM CHARGE

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User Name	Water Rights	Usage (AF)	Assessment	Minimum Charge	\$
HOOK, JAMES ALLEN	29-13415, 29-13417	91	\$ 51.63		50.00
J & C PROPERTIES	29-14228, 29-14229	48.65	\$ 50.00		
JACKSON, KIRK	29-14030, 29-14032	172.2	\$ 97.70		
JANIE S & TINDAL LEE DAVIS LIVING TRUST	29-2269A, 29-2269F	32.9	\$ 50.00		
JENSEN, HELEN; JENSEN, IVA LOU; JENSEN, LEON; JENSEN, VESTAL	29-2326	70	\$ 50.00		
JOHNSON, DOUG & ALEXIA	29-12094	28.7	\$ 50.00		
JOHNSON, DOUG & ALEXIA	29-4160, 29-14254	197.05	\$ 111.80		
KAY, ALLEN; KAY, MAX	29-350, 29-352	623	\$ 353.47		
KELLER, FRANCES M	29-13797	12.3	\$ 50.00		
KELLER, RUSSELL L	29-4025A	30	\$ 50.00		
KENDALL, PAUL; KENDALL, SHIRLEY	29-2016B	87.5	\$ 50.00		
KENT, MELANIE F; KENT, SIDNEY C	29-13087	3.5	\$ 50.00		
KOESTER FARMS INC	29-595C	140	\$ 79.43		
KUCHLER, SONYA M	29-13160	12.95	\$ 50.00		
LAZY VZ TRUST LAND & WATER	29-4206	373.5	\$ 211.91		
LEON & IVA LOU JENSEN FAMILY TRUST	29-2187	105	\$ 59.57		
LESTER A HARTVIGSEN TRUST (HARTVIGSEN BROTHERS)	29-11178, 29-11177	920.5	\$ 522.26		
LISH, MARSHA	29-14043, 29-14038, 29-14040, 29-14034, 29-14036	860.1	\$ 374.52		
LOUIS BLOXHAM FAMILY TRUST C/O MARK BLOXHAM	29-339A, 29-340A	277.2	\$ 157.27		
LUCKY TWO RANCH LLC	29-4328	241.5	\$ 137.02		
MARSH CENTER FARMS INC	29-14037, 29-14035, 29-4036, 29-4050, 29- 14044, 29-14041, 29-14039	617.4	\$ 350.29		
MARSH CENTER IRRIGATING CO	29-13494, 29-13493, 29-12058, 29-10663, 29-10664, 29-10665	435	\$ 246.81		
MARSH CENTER IRRIGATION CO	29-2239, 29-2560A	251	\$ 142.41		
MARSH CREEK WATER CO C/O STEVE CRIDDLE	29-4309	420	\$ 238.30		
MARSH VALLEY JOINT SCHOOL DISTRICT #21	29-7331	127.3	\$ 72.23		
MC NEE, GERALDINE B	29-2356, 29-2177	189	\$ 107.23		
MEADOWBROOK RANCH	29-11458, 29-4054, 29-4463A	1587.3	\$ 900.59		
MORRIS, BARBARA L; MORRIS, RANDAL L	29-2456, 29-4297	198.8	\$ 112.79		
MORRIS, SHERRILL S; MORRIS, WAYNE C	29-2045A	127.8	\$ 72.51		
MOUNT OXFORD RANCH CO	29-2293	689.5	\$ 391.20		
MOYER, DIANE	29-592	24.5	\$ 50.00		
MURRAY, DENNIS M; MURRAY, KATHY A	29-7251	35.4	\$ 50.00		
PARRIS, DERYL G; PARRIS, ZOLA J	29-4280	10.5	\$ 50.00		
PECK, NANCY L; PECK, RONALD C	29-7734	10.2	\$ 50.00		
RADEMACHER, NORMAN	29-7478	14	\$ 50.00		
RHEAD, KENT; RHEAD, MARY JO	29-10363	52.5	\$ 50.00		
ROCK CHUCK RANCH LP	29-7582	8.8	\$ 50.00		
ROMRIELL, HOWARD L; ROMRIELL, KAYE H	29-11565	29.4	\$ 50.00		
SAXTON, E D; SAXTON, EVA M	29-4322, 29-4321	6.3	\$ 50.00		
SEJMK LAND LLC	29-342, 29-2270, 29-14124, 29-2404	1225	\$ 695.03		
SERMON, CLIFF AND NICOLE	29-4470	49.7	\$ 50.00		
SHULTZ, JOHN A; SHULTZ, KATHY L	29-7223	7	\$ 50.00		
SMITH, KURTIS B; SMITH, SUZAN K	29-11622, 29-4045C, 29-11621	116.9	\$ 66.33		



WATER DISTRICT 29H MARSH CREEK  
2019 ASSESSMENT OF \$20,000 WITH \$50 MINIMUM CHARGE

4 of 4

User Name	Water Rights	Usage (AF)	Assessment	Minimum Charge	\$
SMITH, SANDRA; SMITH, T CRAIG	29-4189	108.5	\$ 61.56		50.00
SPIEGEL, KATHLEEN M; WORTHYLAKE, DONALD H; WORTHYLAKE, MURIEL L	29-2269B, 29-4045B	38.2	\$ 50.00		
STEPHENSON, ALLIDA; STEPHENSON, K V	29-593A	35	\$ 50.00		
THE LYNN & UNA BULLOCK FAMILY PARTNERSHIP LLC	29-435, 29-436	14	\$ 50.00		
THOMPSON FAMILY INVESTMENTS LLC	29-4144, 29-2563, 29-11419	385	\$ 218.44		
THOMPSON, DENNIS OWEN	29-4145	224	\$ 127.09		
THOMSEN, CHARLES E; THOMSEN, JOAN	29-4101B	10.5	\$ 50.00		
VAUGHAN, MICHAEL W; VAUGHAN, SHELLEY	29-11005	35	\$ 50.00		
VAUGHAN, MICHAEL W; VAUGHAN, SHELLEY	29-14003, 29-2178	406	\$ 230.35		
WARDLE, ROBERT M	29-7647	21	\$ 50.00		
WEBSTER, CORY M; WEBSTER, JILL T	29-4071, 29-2223, 29-7339	427	\$ 242.27		
WHEATLEY, RALPH O	29-2365B	301	\$ 170.78		
WINDLEY, BETTY TIPPETS	29-14084	6.3	\$ 50.00		
WISE, GENE M; WISE, JENNIFER A	29-7479	21	\$ 50.00		
WOODBURY, LYLE	29-10769	136.5	\$ 77.45		
WORTHYLAKE, DONALD H; WORTHYLAKE, MURIEL L	29-4113A	16.1	\$ 50.00		

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

WATER DISTRICT No. 29H

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## **WATER DISTRICT 29H – MARSH CREEK**

**ADOPTED RESOLUTIONS THAT WILL REMAIN IN EFFECT UNTIL  
CHANGED BY SUBSEQUENT RESOLUTION OR OTHERWISE ALTERED BY MAJORITY  
VOTE OF THE WATER RIGHT OWNERS IN THEIR ANNUAL MEETING OR SPECIAL  
MEETING CALLED FOR SUCH PURPOSE**

### **2019 RESOLUTIONS**

#### **1. DISTRICT BOUNDARIES**

Water District 29H is composed of the entire Marsh Creek drainage basin to its junction with the Portneuf River excluding Water District 29B (Garden Creek and tributaries) and Water District 29G (Birch Creek and tributaries including Cherry Creek) and is located in Bannock County. WD29H includes all surface water rights in the district.

#### **2. WATERMASTER DUTIES**

The Watermaster shall perform his or her duties as required by Chapter 6, Title 42, Idaho Code and in accordance with:

- a. Direction and guidance provided by the Director of IDWR;
- b. The annual water district resolutions adopted herein;
- c. Guidance and input from the Water District 29H Advisory Committee.
- d. Guidance from the IDWR "Watermaster Handbook"

#### **3. WATERMASTER TERM OF SERVICE**

As provided in Idaho Code § 42-608(4), watermaster's term of service shall begin upon appointment by the Director of IDWR immediately following the annual meeting election and continue until the next annual meeting, or until a successor is appointed and qualified under the provision of Section 42-604, Idaho Code.

#### **4. RESOLUTION SETTING THE 2019 BUDGET**

It is herewith resolved that the 2019 operating budget for Water District 29H is as follows:

Watermaster Wages	\$18/hr. (\$10,000 total)
Treasurer Wages	\$2,500
FICA/Medicare/Workers Comp.	\$2,000
Vehicle Mileage for Watermaster	\$3,000
Office Supplies/Misc.	\$600
Contingency	<u>\$1,900</u>
Total	\$20,000*

\* Budget line item totals shown are estimates; actual line item costs may vary, but the total cost incurred for the district cannot exceed \$ 20,000 during this fiscal year.

#### **5. ELECTION OF WATERMASTER**

It is herewith resolved that Brad Maddox be elected as Watermaster for Water District 29H for the ensuing year.

#### **6. TREASURER COMPENSATION**

The Treasurer will be paid as an independent contractor on a flat fee of \$2,500 annually.

#### **7. DISTRICT TREASURER**

It is herewith resolved that Dianna Burden is appointed as Treasurer for Water District 29H until a successor is elected or appointed. The duties of the Treasurer will be to maintain financial records, disburse water district funds, and to prepare or authorize a review of the district's financial records.

## **8. COLLECTION OF THE BUDGET AND DISBURSEMENT OF FUNDS**

It is herewith resolved that the adopted budget for Water District 29H be collected from the water users by the Water District 29H Treasurer as provided by Idaho Code § 42-618. The Treasurer will make an assessment to each water user in pro-rata amounts as determined by the budget which is formally adopted at the annual meeting. All funds shall be deposited into a bank account maintained by the water district at Ireland Bank in Downey ID. The Treasurer shall disperse funds from the water district bank account using two-party signature checks signed by the Treasurer and one member of the Advisory Committee.

## **9. ASSESSMENTS**

Whereas Idaho Code Sections 42-612 and 42-615 require that proposed water district budgets and annual assessments to individual right holders be prorated based on the amount delivered or used by individual right holders during the past season or seasons (not to exceed five seasons) and, whereas no records of water delivery currently exist in the newly created Water District 29H; it is therefore resolved that Water District 29H will estimate annual water use for all irrigation rights using the following formulas:

Estimated seasonal use (Total AF) = Total authorized acres of irrigation x 3.5 AF / acre

Estimated annual water use for municipal, non-irrigation use water rights, or water users with recorded actual use with approved IDWR measurement methods, shall be based on actual records of water use maintained by the right holders, subject to approval by the watermaster and IDWR. In the event that water measurement records do not exist for such use, water use (Total AF) shall be estimated by the total authorized diversion rate (CFS) x 1.9835 (AF per day/CFS) x 180 days (approximately six months of continuous use at full authorized diversion rate) or the number of days authorized by the water right if the season of use is less than 180 days. If the estimated total water use (Total AF) for such use is greater than the authorized volume limit of the water right, the total water use (Total AF) will be the volume limit authorized on the water right.

## **10. MINIMUM USER FEE**

It is herewith resolved that a minimum charge of \$50 per water right owner shall be assessed. Whenever the prorated charge to a user is less than \$50, that user will be assessed \$50.

Surface water rights that are used solely for domestic and stock water purposes, including incidental irrigation up to one-half acre, or other small uses that are consistent with the use limits defined by Idaho Code Section 42-111, and instream stockwater rights as defined by Idaho Code Section 42-113, shall be exempt from any water district assessments.

Irrigation rights limited to one-half acre or less shall also be exempt from water district assessments.

## **11. FINAL ASSESSMENT DETERMINATION**

It is herewith resolved that, in accordance with Idaho Code § 42-612 (5), the assessment amount for each user as shown in the adopted budget shall constitute a final determination of the amount due for that year.

## **12. DISTRICT PAYMENT TERMS**

It is herewith resolved that the following payment terms be put into effect:

1. Annual Assessments shall be payable on or before June 1. Any other billing is due within thirty (30) days of the billing date. The postmark date will be considered the date of payment. Accounts not paid by the due date shall be charged in accordance with Idaho Code § 42-617 which provides for a late fee of 10% of the amount due and interest of 1% per month. 2. The Watermaster will terminate water delivery to any water user whose assessments are not paid in full within sixty (60) days of the billing date and will not resume delivery until that user's amount due is paid in full.

### **13. DISTRICT FISCAL YEAR**

It is herewith resolved that the fiscal year for Water District 29H be defined as the calendar year.

### **14. ADVISORY COMMITTEE STRUCTURE**

It is herewith resolved that an advisory committee shall be selected to provide input to the watermaster and the Director of IDWR. The advisory committee will meet as often as needed to address the structure, governance, and operation of the district. Five water users, water right owners or representatives of entities owning water rights within the district shall comprise the advisory committee. The advisory committee members for the ensuing year shall represent all water users within the district and should represent the following types of water uses or geographical areas:

Advisory Committee Structure:

- (1 member) Small irrigation user paying a minimum assessment ( $< 25$  acres in 2017)
- (3 members) Large irrigation user paying a regular assessment ((more than minimum)  $\geq 25$  acres in 2017)
- (1 member) Municipal or non-irrigation

### **15. ADVISORY COMMITTEE MEMBERS**

The advisory committee members for the ensuing year shall be the following:

Member #1: Kathleen (Kathy) Spiegel (small irrigation user)

Member #2: Lynn Bastian (large irrigation user)

Member #3: Demar (Dee) Gilbert (large irrigation user)

Member #4: Ralph Wheatley (large irrigation user)

Member #5: Tony Hancock (municipal / non-irrigation user)

### **16. ANNUAL MEETING DATE**

It is herewith resolved that the Annual Meeting for Water District 29H shall be held on the second Wednesday in January of each year at a time and place to be determined each successive year unless the Director of IDWR should find it necessary to change the meeting date or unless changed by resolution of the district at an annual meeting. The next Annual Meeting will be held on January 8, 2020.

### **17. ANNUAL MEETING MINUTES**

Copies of the minutes of the annual meeting and all approved resolutions shall be filed with the Director of IDWR immediately after the annual meeting in accordance with Idaho Code § 42-605(5).

### **18. ENTRY OF LANDS BY WATERMASTER**

It is herewith resolved that the watermaster and any watermaster assistants are authorized as employees of IDWR under Idaho Code § 42-1701(5) to make reasonable entry on lands within the district, in accordance with IDWR policy (further described in Administrator's Memorandum "Entry Upon Private Property for Routine (Non-Enforcement) Investigations and Data Collection" dated September 16, 2003), to carry out the duties of the watermaster as instructed by IDWR. These duties include but are not limited to:

1. Inventory of diversions in the district, including inspection of conveyance infrastructure and place of use of water.
2. Measuring and recording rates of diversions, and regulating diversions as necessary.
3. Monitoring the place, period, and nature of use of water to identify unauthorized diversion and use and/or to determine compliance required by any agreement or order of IDWR.

## ROSTER OF ATTENDANCE

## 2019 WATER DISTRICT 29H ANNUAL MEETING

NAME	ADDRESS	PHONE (Best contact for watermaster, i.e. cell phone)	EMAIL
Brad Maddux	Pacatello		
Tim Smith	5177 S Marsh Creek Rd	435-994-0307	tgraydonsmith@mac.co.
Lori Davis	21752 S Marsh Valley Rd. Downey. Id 83234	208-897-5176	<u>NA</u>
Robby Barnes	P.O Box 35 Downey ID	208-220-2698	
Grady Staley	952 S Marsh Cr. Incom	208-251-9560	
Alan Kay	Box 44 Swenley 83281	208-705-7572	
Lynn Bastian	16580 S Marsh Valley Rd, Arimo	208-251-3193	
Lytton S. Bastian	23023 S. Barnes Ln Downey ID	208-251-4992	lyttonbastian@gmail.com
Diane B Moyer	5347 S Marsh Creek Rd	208-254-3680	
Cory Webster	24359 S. Hwy 91	801-466-1820	haywirecowboy@gmail
Charlene & Bret Downs	PO Box 185 Downey ID 83231	208-317-5591	charlene@downdatahots
Phil Hartvigsen	1222 E. 2850 N. N. Ogden <sup>ut</sup> 84414	801-725-8499 <sup>cell</sup>	hartvigsen32@msn.co
Shelley Kendall	2098 A Marsh Cr Rd McCam mon	254-3573	

JANUARY 9, 2019 - MARSH VALLEY  
SENIOR CENTER, DOWNEY ID

# ROSTER OF ATTENDANCE 2019 WATER DISTRICT 29H ANNUAL MEETING

NAME	ADDRESS	PHONE (Best contact for watermaster, i.e. cell phone)	EMAIL
Vivian S. Christensen	PO Box, Richmond, UT 84333	435-770-2138	lynnvivian@msn.com
Kathy Spiegel	9866 S. Marsh Creek Rd McCammon	208-221-7173	spiekath@uv.edu
Kenny & Delia Hall	4234 S. Marsh Creek Rd McCammon	208-241-4517	3dsaddleshop@gmail.com
RANDY Bertagnole	2864 E Bowman RD Downey ID	208-540-1973	
Doug Johnson	76 E Goodenough Rd McCammon 83250	208-681-5967	
Ralph Whalley	PO 116 McCammon	251-1243	
Morgan Lane	36704 Red Rock Rd	705-7973	

JANUARY 9, 2019 - MARSH VALLEY  
 SENIOR CENTER, DOWNEY ID



PETITION FOR WATERMASTER'S SERVICES

Bannock County, Idaho  
Jan. 9, 2019

RE: Water District No. 29H  
Stream: Marsh Creek

TO: IDAHO DEPARTMENT OF WATER RESOURCES

I, the undersigned, owner or manager of ditches or person controlling ditches in Water District No. 29H, hereby request the services of a watermaster for the reason that there is a necessity for the use and control of the waters of the District.

NAME OF WATERMASTER: Brad Maddox

ADDRESS OF WATERMASTER: 437 So. 12th Ave  
Pocatello ID 83201

PHONE NUMBER: 208-380-1341

Date watermaster is to start: 4-1-2019

If known, the date services of watermaster are to terminate: \_\_\_\_\_

Diana Burden PO Box 144 Dorey ID 83234 208-251-3723  
signature address telephone

W A R N I N G: Watermaster cannot begin services until ALL conditions of appointment have been fulfilled.

## **Cox, Sharla**

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**From:** dianna@portneuf-mercantile.com  
**Sent:** Tuesday, February 12, 2019 5:29 PM  
**To:** Cox, Sharla  
**Subject:** WD 29H - Marsh Creek  
**Attachments:** 2019 Adpoted Budget.pdf; 2019 Approved Resolutions.pdf; 2019 Jan 9 Meeting Minutes.pdf; Sign In Sheets.pdf; Water District Information Sheet.pdf; WatermasterPetition.pdf

Hi Sharla,

Attached are the 2019 minutes and additional supporting documents from our annual meeting. Please let me know if you need any additional information.

Thanks,

Dianna Burden, Treasurer  
Water District 29H Marsh Creek  
208-251-3723  
FAX 877-288-3011

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