

WATER DISTRICT INFORMATION SHEET

RECEIVED  
MAR 18 2019  
Department of Water Resources  
Eastern Region

2019  
Year

29-0 Bannock Creek Drainage  
Water District # / Stream Name

Richard Curry  
Watermaster Name

4363 Carbon Hwy Carbon Id 83212  
Address

208-335-2373

208-530-2803  
Phone Number, Home / Cell

rd@dcid.net  
E-Mail Address

None  
Assistant Watermaster Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number, Home / Cell

\_\_\_\_\_  
E-Mail Address

Richard Curry  
Secretary Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
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

2019 Annual Water District Business and Budget Meeting Minutes  
3/6/2019  
Arbon Elementary School  
Bannock Creek Drainage

Meeting called to order – 6:00 PM

Attendees: Terry Schatz, Stu Adams, Barry Williams, Darrel Ward, Vance Ward, Bill Curry, Jacob Andersen, Ken & Jeff Campbell, Hans Hayden, Jason Williams  
Also see sign in sheet.

Meeting Chairman - Hans calls for nomination for chairman. Barry nominates Hans, Stu seconds. Unanimous.

Minutes taken by Jacob Anderson and Richard Curry

Minutes from 2018 read by Hans, Terry Schatz made motion to accept meeting minutes 2<sup>nd</sup> by Bill.

Richard: he's not going out every week to check water usage because the meters are recording it. BIA is not happy about that and are scrutinizing our water usage. Steve Viskosky of IDWR and Richard by phone went over the weekly readings. Both BIA and Fort Hall go over the weekly report with a fine tooth comb. There is a new well that they will go after and want to know why this was allowed. The drilling of the new well was approved by IDWR after reviewing all criteria and how it applied to all existing laws.

Richard: With the issue of the water being shut off in the Williams, Hayball and Bodalack ditch Barry and Richard talked and decided he didn't need to chain up his diversion. Richard did talk to Willard Bradley and told him not to touch the diversion head gate if there was an issue of water running into Willard's fields to contact Richard and he in turn would contact Barry. If the issue was not resolved then it would be up to Richard to close the head gate until the problem was taken care of.

After the minutes were read Terry motions to accept minutes. Bill 2nd. Unanimous  
Darrel nominates Richard to be water master. Ken 2nd. Unanimous

There are two water rights with no payments. One will never pay. Neither uses the water and both are small (3 ac and 10 ac). The 10 acre guy will not pay. If he sells the ground, the water right will be invalidated. Hans said that it's not worth fighting the guy right now. It will go away in the future. Everyone agrees.

Hans asked Richard about work requirements and compensation. Richard gets paid by the hour and he keeps track of time/mileage. Richard stated that his current rate of payment is sufficient.

Richard created a spreadsheet about the water and records surplus. Fiscal year ends March 1st. In the past he has received his last check after the first of March which has some hours from the previous fiscal year and this overlap has created problems in his bookkeeping. Richard hopes to eliminate this issue by ending all transactions by February 15<sup>th</sup>. The ending balance can be moved into the savings/backup fund. Each year would start with a \$0.00 dollar balance.

This year we ended up with a balance of \$508.32 carryover. When assessments come in, he'll move that into savings/backup fund and start out with a 0 balance. The savings/backup fund will balance will be \$3,124.24 + or - interest.

Barry moves that we leave assessments the same. Ken 2nds. Unanimous

Richard explains the spreadsheet for water usage and passes it around.

Ken asked if he pumps out of the creek, does he need a meter? Richard said that he will need a water meter. The entire country is mandating water meters for water pumpers. Seametrics are no longer approved because the batteries keep dying.

Barry asked why Fort Hall and BIA were interested in his water. Richard said because he drilled a new well and there is a moratorium on new wells. Richard also stated that IDWR approved the drilling of this well and will stand behind their decision.

Right now everyone is allocated 4 acre feet. Water resources is looking at location, soil types, etc, to determine if they need that much water. They might drop us to 2-3 acre feet. Richard thinks in the next 10 years, they'll look at the usage and do reductions.

Motion to accept budget: Barry, Terry 2nd. Unanimous

The Bannock Creek Drainage according to a geological survey done in the early 90's there is approximately 8000 afa coming out of this drainage - we are using according to our metered readings are using 2800 - 3300 acre feet. Fort Hall and BIA want the water right to the remainder.

Jerre Evans has contacted the Power County Commissioners and asked that they request a new Arbon Valley Water Resources board and/or setup a critical ground water management area over Arbon. It will require aproval from IDWR and a vote from the residents and a  $\frac{2}{3}$  majority to put this in place. This would allow the commission to decide how much water each of us is allowed to irrigate.

Richard recommends that we contact the county commissioners. We need to be aware of any meetings that Jerre Evans sets up.

Hans recommends that individuals start a petition stating that we want nothing to do with a water resources group. Get lots of signatures that shows over  $\frac{2}{3}$  people signing it. There is a water district in existence, a moratorium is setup not to allow any more wells and that everything is metered.

Richard suggests that we check with the prosecuting attorney. Ask TJ if this is a good thing to do or if there are any problems. From residents of Arbon Valley Bannock Creek.

Richard is going to talk to the prosecuting attorney and the Power County commissioners and see if a petition would help our cause. If it does, then a petition will be written up, have the prosecuting attorney review it, and then someone in this group will circulate it.

We will meet on March 4th, 2020 at 6pm. At the Arbon School Stu moves to adjourn. Darrel  
2nds. Unanimous.

Minutes – Jacob Anderson

Chairman – Hans Hayden

Water Master/Secretary – Richard Curry

A handwritten signature in cursive script that reads "Richard Curry". The signature is written in dark ink and is positioned below the typed name.

[illegible]

# ARBON VALLEY WATER RESOURCES

It was brought to my attention that there was a meeting scheduled on the Power County Commissioners agenda involving the Arbon Valley Water Resources. I was unfamiliar with this organization so was IDWR of Idaho Falls so I attended the meeting. At the meeting myself and Deanna Curry were the only ones in attendance. Talking with the commissioners Jerry Evans set up the meeting and advised them to contact the Arbon Valley Water Resources representative Roger Warner for a conference call at the meeting. The minutes from that meeting are as follows:

**Arbon Valley Water Resources:** Commissioner Anderson reports that he was contacted by a constituent in Arbon Valley with a concern that there is a party that is buying up all the water rights in the Arbon Valley area, which is causing streams and domestic wells to dry up. Commissioner Anderson reports that the matter was litigated and it was recommended that application be made with the Power County Commissioners to declare a water crisis and put a moratorium on drilling additional wells. Legal Counsel Anson Call, inquired of the statutory authority referencing the scope of the County's authority to take such action. Richard Curry advises that the water transfers have been following the state guidelines and have been moving water from one farm to another. Mr. Curry advises that the Department of Water Resources is not allowing additional wells to be drilled in Arbon Valley at this time. They will allow the moving or redrilling of existing wells, with the exception of domestic wells. Commissioner Funk inquired for validation. W. Roger Warner, Senior Hydrologist for Rocky Mountain Environmental provided a scenario of the water resources concerns in the Arbon Valley. Mr. Warner advises that previous to the 1990's ground water and surface water were being monitored separately. They are now determined to be connected and monitored conjunctively in an attempt to achieve a better balance of the aquifer. Mr. Warner advised the Oneida County Commissioners recently went through a process to place a moratorium on drilling. Mr. Curry advised the Commission on his historical viewpoint of water availability in Arbon Valley.

End of Commissioner's Minutes

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The Arbon Valley Water Resources founded by Jerry Evans, represented by Roger Warner, Senior Hydrologist for Rocky Mountain Resources scheduled a meeting with the Power County Commissioners to set up a water board to represent Arbon Valley residents and control water usage in a proactive manner. This would give the Arbon Valley Water Resources the authority to shut down or reduce ground water use if a domestic well started to suck air or Bannock Creek became low or started to dry up. This would supersede IDWR. According to Roger Warner, Jerry has stated that Arbon Valley is in a pickle and that our underground water supply is in a crisis stage. There was no mention of how he came up with an accurate measurement of the underground water supply or how it was recharged. Roger also stated that according to Jerry that because the

creek was drying up that some of the meadows along the creek were going to weeds because of lack of water.

After the phone conversation with Roger had concluded I told the commissioners that BIA and Fort Hall claim to have had a survey done and claim that there is over 8,000 acre feet of ground water flowing from the Bannock Creek Drainage, water users are currently using based on metered measurements between 2,800 to 3,200 acre feet annually. I again stated that IDWR has a moratorium in place on new wells in the Bannock Creek Drainage.

Richard Curry

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

FOR 20 2019

RECEIVED  
MAR 18 2019  
Department of Water Resources  
Eastern Region

WATER DISTRICT NO. 29-0  
STREAM Bannock Creek Drainage  
COUNTY Power  
NAME OF SECRETARY Richard Curry  
ADDRESS OF SECRETARY 4363 Arbon Hwy Arbon Id 83212

**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.)

Power County, Idaho, March 12, 20 19

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. 29-0, held at Arbon Elementary School on the 6<sup>th</sup> day of March, 20 19 and all resolutions adopted at said meeting pertaining to the time and the manner of collecting the amounts provided for in the said budget.

Richard Curry  
Secretary, Water District No. 29-0



**BUDGET ADOPTED AT THE ANNUAL MEETING****OF THE WATER USERS**

WATER DISTRICT No. 29.O

Estimated Amount for Watermaster's Salary .....	\$ 3000.00
Estimateer Amount for Watermaster and other Water District Officials.....	\$ None
Estimateer Amount for Other Expenses .....	\$ 1511.37
TOTAL ESTIMATED EXPENSES FOR 2019 .....	\$ 4511.37

**DISTRIBUTION OF THE BUDGET AMONG USERS**

Individual, Ditch or Canal Company, assessed	Water Right Ident. No.	Address	Amount of Budget
Stuart H & Judy G Adams	29-10422 29-13504	1271 Mink Creek Rd Arbon ID 83212	\$100.00
Oliver Daniel Ames	29-13676	2198 Michaud Creek Rd Pocatello ID 83204	\$100.00
Darin Ames	29-13677	645 Mathew Chubbuck ID 83202	\$100.00
Rosa Gay Jones	29-7913	2196 Michaud Creek Rd Pocatello Id 83204	\$50.00
Arbon School District #383	29-10549	Arbon School District #383 Arbon ID 83212	\$50.00
Rickard D Bailey	29-10505	PO Box 980490 Park City Utah 84098	\$50.00
Sharla Dene Bailey	29-10507	PO Box 1847 New York NY 10150-1847	\$50.00
Vernal F & Blanche E Bailey (Stanley Bailey)	29-10504		\$50.00
V Stanley Bailey	29-10506	4052 S Schooner Dr Saratoga Springs Lehi Ut.	\$50.00
Ivan & Marti E Bingham	29-10504	14735 N 4400 W Garland Ut 84312	\$50.00
Kenneth L Campbell	29-10280	4798 Bailey Rd Arbon ID 83212	\$50.00
Corp of the Presiding Bishop % Darrel Ward	29-13709	Corporation of the Presiding Bishop Facilities Management Dep 50 E North Temple St Salt Lake City Ut 84150	\$50.00
Bill & Deanna Curry	29-2458A	PO Box 21 Arbon ID 83212	\$100.00

D & D Ranches Partnership	29-4349	PO Box 7 Arbon ID 83212	\$100.00
Norman & Shirley Davis (New owner Lyle Woodbury)	29-7630	Lyle Woodbury 305 N Yale Rd American Falls Id 83211	\$100.00
Mike & Cami Gelles (Robert W & Beverly Feld)	29-7184	2147 Michaud Creek Rd Pocatello ID 83201	\$100.00
G5 Land Co	29-13949, 29-13950, 29-13951		
	29-13952, 29-13984, 29-13985	1310 S 600 W Oakley ID 83346	\$720.16
Janet Hayball	29-476	PO Box 725 Fort Hall ID 83203	\$141.71
Hans & Twain Hayden	29-2144, 29-7335, 29-10893	C/O Hans Hayden 3747 Mid Crystal Rd Arbon ID 83212	\$0.00
Russell J Hayden; Hans & Twain Hayden	29-13522	C/O Hans Hayden 3747 Mid Crystal Rd Arbon ID 83212	\$0.00
Mid Crystal Farms	29-7110, 29-7948, 29-7949	C/O Hans Hayden 3747 Mid Crystal Rd Arbon ID 83212	\$194.62
John & Sandra Herrman	29-13858 29-13860	2157 Michaud Creek Rd Pocatello Id 83204	\$50.00
(Orval H Hilliard) sold to JD & Terri Oborn	29-7130	575 Cheyenne Ave Pocatello, ID 83204	\$50.00
Steve & Carol Horne	29-13859 29-13861	2155 Michaud Creek Rd Pocatello Id 83204	\$50.00
J Garth Thompson Family Trust	29-12259	J Garth Thompson Trustee 1136 W Thompson Ln Arbon Id 83212	\$50.00
Wynn Jarvis (sold 7 acres to Byron & Lori Marshall)	29-14138	2171 Michaud Creek Rd Pocatello Id 83204	\$100.00
A Jacob Andersen	29-2470		
	29-13708		
	29-477		
	29-2565		
	29-10857		
	29-13234	1170 Lusk Loop Arbon Id 83212	\$436.48
Kimberly Whittier Williams Trust	29-2237A	3291 Midnight Creek Rd Pocatello Id 83204	\$100.00
Morris Lehman	29-7333	2174 Michaud Creek Rd Pocatello Id 83201	\$50.00
Michaud Creek Ranches Inc	29-2490	2470 Michaud Creek Rd Pocatello Id 83204	\$100.00

Laurence Nelson	29-7868	2184 Michaud Creek Rd Pocatello Id 83204	\$100.00
Power County Highway Dist	29-7938	PO Box 513 American Falls Id 83211	\$50.00
Rex Dale Curry	29-8066	PO Box 1 Arbon Id 83212	\$50.00
Gene & Lois Anne Stewart	29-2343	764 Upper Rattlesnake Rd Arbon Id 83212	\$50.00
Ward & Sons Co Inc	29-7291, 29- 7931A, 29-13243	5336 Arbon Hwy Arbon Id 83212	\$368.84
Barry T Williams	29-10990, 29- 13530, 29-13764	1277 Mink Creek Rd Arbon Id 83212	\$299.56
Melanie & Terry Schatz	29-7697	4297 Bailey Rd Pocatillo Id 83204	\$100.00
Wynn Jarvis	29-7483	2169 Michaud Creek Rd Pocatello Id 83204	\$100.00
Rhonda & Robert Bodlak	29-14164--29-14165-- 29-14166--29-14167	746 Foerster St. San Francisco Ca. 94127-2306	\$100.00
Jake & Brianna Evans	29-14260	Jake & Brianna Evans Arbon Id 83212	\$100.00
			\$4,511.37

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-O

# Annual Water District Meeting Checklist

Per Idaho Code Title 42 Chapter 6 (Distribution of Water Among Appropriators), annual water district meetings must include (at a minimum) the actions listed below.

IDWR wants to ensure each water district is meeting these minimum standards. **Please return this completed checklist to the appropriate IDWR regional office with the annual meeting minutes (this list does not replace meeting minutes) and ensure that all of these actions are clearly addressed in the meeting minutes.**

Water District Number and Name: 29-0 Bannock Creek Drainage

Meeting Date: 2/6/2019

- ☒ Election of meeting chairman
- ☐ Election of water district watermaster (and assistant watermaster (optional))
- ☒ Election of water district secretary and / or treasurer
- ☒ Approval of adopted budget
- ☒ Minutes, make sure date, time, place and roster of attendees are included in minutes.
- ☒ Make sure the secretary or authorized person sign the Minutes.
- ☒ Next year's meeting date, location, and time

March 4<sup>th</sup>, 6:00 PM 2020 - Carbon Elementary School  
Meeting Date, Time of Meeting and Location (next year)

## Preparation Checklist after Annual Meeting

- ☐ Idaho Statutes 42-605 states, "Within five (5) days after meeting...the meeting secretary shall forward a certified copy of the minutes .... to the department. Along with the Minutes, the Adopted Budget, Oath, Petition of Watermaster and Information sheet should be submitted to IDWR before the irrigation season starts. IDWR needs to send the "Certificate of Appointment" of Watermaster and Treasurer prior to irrigation season.
- ☐ Idaho Statutes 42-606 states, "All watermasters shall make an annual report to the department ....." This report should be submitted to the Department by December 31 of each year.

By signing below I verify that all required actions have been addressed at the water district annual meeting

Completed by:

Richard Cump

Water District Representative