

Water District No. 29H  
Annual Meeting Minutes  
May 25, 2017

The annual meeting of Water District No. 29H ("WD29H"), Marsh Creek and tributaries excluding Water Districts 29B (Garden Creek) and 29G (Birch Creek and tributaries), was held in Arimo, ID at the Marsh Valley Middle School cafeteria on May 25, 2017, at 6:00 p.m. The roster of attendance is attached.

The meeting was called to order by Tim Luke, IDWR at approximately 6:10 p.m. Tim briefly described the purpose of the meeting and voting procedures. Tim explained that WD29H had been designated by the State (IDWR's predecessor agency) over 45 years ago but the district has never been active. Tim stated that IDWR held a public meeting in February 2017 at the Marsh Valley High School to discuss activation of the district starting in 2017 to bring administration of water rights and water use in the area into compliance with Idaho law.

Tim introduced other Department representatives (Steve Visosky and James Cefalo), as well as volunteer Steering Committee members who met twice with IDWR staff after the public meeting. The Steering Committee assisted with preparation of the annual meeting including a recommended budget and resolutions, and solicitation of watermaster and treasurer candidates. Steering Committee volunteers or participants included Randy and Sharon Bertagnole, Tom Barnes, Tom Henderson, Corey Webster, Tony Hancock, Lynn Bastian, Dale Lish, and Spencer Bennett. Rep. Randy Armstrong (Inkom), attended the first Steering Committee meeting.

Tim asked for a motion to nominate a meeting chairperson. Gradyn Staley was nominated by Dee Gilbert. The nomination was seconded and passed unanimously by voice vote.

Chairman Staley asked for a nomination for meeting secretary to take minutes of the meeting. No nominations were offered; Tim Luke volunteered to keep meeting minutes.

Steve Visosky, on behalf of IDWR, presented an overview of the water district boundary, number of water rights and diversions in the district, the purpose and need for the water district, and how a water district generally operates under state law. Steve and Tim answered general questions about the water district, operation of a district, watermaster duties, and measurement and regulation of diversions in a water district.

Steve and Tim presented a 2017 budget for WD29H that resulted from two meetings with the volunteer Steering Committee. Steve presented some detail about each line item of the budget as shown in item 4 of the Proposed Resolutions. The total proposed budget was \$20,000. Steve and Tim addressed a number of questions about the draft budget and some discussion ensued. Randy Bertagnole made a motion to adopt the 2017 budget as proposed in Resolution No. 4 of the proposed resolutions. Corey Webster seconded the motion; the motion passed unanimously on voice vote.

Steve Visosky next explained the method of assessments to collect the budget as outlined in proposed Resolution No. 9. Steve referred to a handout that had been provided to those present which showed the calculated assessments based on a \$50 minimum assessment. Steve explained the law authorizing minimum assessments. Steve mentioned that the Steering Committee did not reach consensus on the amount of a minimum assessment charge. Dale Lish motioned to adopt a

\$50 minimum assessment, Loretta Davis seconded, and the motion passed on a majority voice vote (Resolution No. 10 passed for \$50 minimum assessment).

The next item of business was election of watermaster (Resolution No. 3). Steve Visosky summarized the Steering Committee's efforts to advertise and solicit interest in candidates for the watermaster position. One candidate, Brad Maddox, expressed interest and met with the Steering Committee on April 28, 2017. Mr. Maddox gave a brief presentation of his background, qualifications and interest in the position. No other candidates came forward or expressed interest in the watermaster position. Chairman Staley took nominations for watermaster. Randy Bertagnole motioned to elect Brad Maddox. Lauretta Davis seconded the motion, and the motion passed by acclamation and unanimous voice vote.

Chairman Staley next moved to Resolution No. 7, election of Water District 29H Treasurer. Steve Visosky briefly outlined the duties of treasurer and stated that the Steering Committee also solicited interest in this position. The committee had found a qualified candidate from the local Downey area, Dianna Burden, who expressed interest in the position and met with the committee on April 28, 2017. Ms. Burden gave a brief presentation of her qualifications and experience, which includes credentials as a CPA. Ms. Burden stated that she provides similar services for one of the irrigation companies in the area. Some discussion ensued about compensation of the treasurer (Resolution No. 6). The adopted budget included \$2,500 for compensation of the treasurer and Resolution 6 states that the treasurer will be paid as an independent contractor on a flat fee basis of \$2,500 annually. Ms. Burden stated that she felt the compensation was adequate on an annual basis. Chairman Staley asked for a motion to elect a treasurer. Corey Webster motioned to elect Dianna Burden as treasurer. Randy Bertagnole seconded, and the motion passed by acclamation and unanimous voice vote.

The next item of business was discussion of the Advisory Committee. Steve Visosky presented Resolution No. 14 regarding the Advisory Committee structure. Steve noted the structure outlined in Resolution 14 was merely a suggestion by IDWR staff since the Steering Committee had not decided on any specific structure. Lynn Bastian made a motion to accept Resolution 14 as presented with a second by Lane Schumann. Some discussion on the motion ensued with one or more alternatives considered. Chairman Staley asked for a vote and the motion passed by a majority voice vote.

The next item was election of Advisory Committee members. Kathy Spiegel was nominated to the committee to represent small irrigation users (25 acres or less). Her nomination was seconded and passed on a unanimous voice vote. Dale Bissel was nominated to the committee as the second small user representative but Mr. Bissel stated he would not accept the nomination. No further motions were made for a second small user representative. Some further discussion continued about the advisory committee structure. A motion was made by Randy Morris to change the committee structure to include one small irrigation use representative (25 acres or less), three large irrigation representatives, and one non-irrigation representative. The motion was seconded and passed on a majority voice vote.

Nominations and votes were called by Chairman Staley for selection of Advisory Committee members. A nomination was made to elect Lynn Bastian as a large irrigator, the motion was seconded and passed by unanimous voice vote. A nomination to elect Dee Gilbert to the committee as a large irrigator was seconded and passed by unanimous voice vote. A nomination to elect Ralph Wheatley to the committee as a large irrigator was seconded and passed by

unanimous voice vote. A nomination to elect Tony Hancock, representing the City of Downey, to the committee as a non-irrigation representative was seconded and passed by unanimous voice vote.

As per voting and in accordance with Resolution No. 15, Advisory Committee members include:

Kathy Spiegel (small irrigator)

Lynn Bastian (large irrigator)

Demar "Dee" Gilbert (large irrigator)

Ralph Wheatley (large irrigator), and

Tony Hancock (non-irrigator/municipal)

Chairman Staley next asked for review and consideration of the remaining proposed resolution items. Steve Visosky reviewed the remaining resolution items and gave some explanatory remarks about each item. Steve noted that IDWR suggested several minor changes from what was presented in the handouts at the meeting. The proposed changes to several individual items were highlighted on the overhead projector. Steve reviewed the individual changes.

Some questions and discussions were raised by users concerning several individual remaining resolution items. Tom Henderson suggested that Resolution 18 (Entry of Lands by Watermaster) should be amended to require that the landowner be present any time a watermaster accesses a landowner's property. James Cefalo, IDWR suggested that this proposal may be appropriate this year when the watermaster is inventorying diversions but may not be practical in subsequent years when the watermaster needs to regularly access property to measure diversions, read weirs or investigate water use etc. Tim Luke, IDWR, noted that IDWR has a written policy regarding reasonable entry on private property that encourages both staff and watermasters to make reasonable efforts to contact land owners before making entry. Tim suggested that Resolution 18 be amended to reference IDWR's policy and that the watermaster follow such policy.

Several of the remaining resolutions required discussion or decisions on dates or timelines. Corey Webster moved the set the next annual meeting date for the third Thursday of February (February 15, 2018). The motion passed on a unanimous voice vote.

Corey Webster motioned to set the water district Fiscal Year from February 1 to January 31. The motion was seconded and passed by unanimous voice vote.

Randy Morris motioned to accept the remaining resolutions as proposed, seconded by Laurretta Davis and passed by unanimous voice vote.

It was moved, and seconded that the meeting be adjourned having no further business. The meeting adjourned at approximately 8:20 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Tim Luke", written over a horizontal line.

Tim Luke, Meeting Secretary

# 

Water District 29 H Marsh Creek Annual Meeting

May 25th, 2017 - Marsh Valley Middle School, Arimo, ID

NAME	ADDRESS	PHONE	REPRESENTING
Randy & Shacon Bertagnole	2864 E. Bowman Rd. <sup>Downey, ID.</sup>	208-540-1979	
Ervin Gilbert	3990 Arima Ln P.O. ID 83202		
Patny Spiegel	9866 S Marsh Crk Rd	221-7123	Self + Worthylak
Dan Brussell	176 N. Marsh Cr.		
Vivian S. Christensen	PO Box 321 Richmond, UT		Self Marsh Creek
Greg Hartigan	5041 W. Bear Trce Dr South Jordan, UT 84009	84333 801 336-6998	Self / McLammon family
DeMar Gilbert	PO Box 6 Tukwila ID 83545		
Herold & Rhonda Anthony	2295 S Marsh Crk McLammon		
Grady & Staley	Box 19 Idkorn, Id		Same
BRAD MADDOX	Pacella	208-380-1341	
Tom Henderson	2470 East Arimo Rd, Arimo	(248) 915-5301	Henderson Ranches
Merle Henderson	"	(313) 6225181	"
Charlie Pullar	897 Marsh Crk Rd	604-3357	
Curtist Holmerna Dunn	P.O. Box 101 2526 S Marsh Creek	240-7292	Self
Ralph Wheatley	PO Box 116 McLammon	83250 21 251-1243	
Alan Kay	P.O. Box 44 Pacella	83281 705-2572	
Larry/Anna Borden	P.O. Box 144 Downey	83234	
William A. Egan	1451 W. Hawkins Rd. Arimo, Id	83214	
Reid Bennett	18566 So Marsh Rd, Downey	766-3423	
Tony Hancock	P.O. Box 204 Downey Id	83234 897-5342	
Cheri Barnes	22284 N. Main Downey Id	83234 317-8546	
T. Craig Smith	1827 E. Arimo Rd Arimo Id	83214 251-1893	
Lori Davis	21752 S Marsh Valley Downey Id	83234 8975176	

# 

Water District 29 H Marsh Creek Annual Meeting

May 25th, 2017 - Marsh Valley Middle School, Arimo, ID

NAME	ADDRESS	PHONE	REPRESENTING
Donald K Delma Hall	4234 S. Marsh Ch	254-3879	Hall's
Deane Meyer	5347 S. Marsh Ck.	254-3680	Bullocks
Cory Webster	24359 S. Hwy 91, Downey	801-466-1820	Websters
Wiley White Becksted	1207 S. 600 v. preston	208-852-6077	Mount Oxford Ranch
Lyftan S. Bastian	23023 S. Samuelh Bury	208-251-1992	Bastian Land
Bret Downs	P.O. Box 275, Downey Id 83237	208) 317 5592	Downata Hot Springs
Arron Stephens	12553 S old Hwy 91 Arimo	208-530-1841	Arimo corp
Jane Schumann	2547 & 2400 E Malta	208-251-3731	Arimo Corp
Dee Saxton	3527 E Nash Hwy		Virginia
Janner McNeel	3214 E. Woodland Rd. Downey Id 83234	208 226 4773	monces.

## ROSTER OF ATTENDANCE

Water District 29 H Marsh Creek Annual Meeting

May 25th, 2017 - Marsh Valley Middle School, Arimo, ID

NAME	ADDRESS	PHONE	REPRESENTING
Lynn Bastien	16580 S. Marsh Valley Rd Arimo, Id	251-3193	Lynn + Christine Bastien
Linda Burnham (David)	990 Sage De Paratello Id	232-9136	DAVID & Linda BURNHAM
Randy Morris	3224 E. Arkansas Rd, Arimo, Id	705-4303	Self
Mike Bullock	8455 Marsh Creek Rd Id	254-3403	Susan Bullock
Craig Cridelle	85E First S Downey Id	208-317-2115	DAKA forms Inc