

MINUTES OF THE REGULAR MEETING
OF THE WATERUSERS OF THE BLACKFOOT RIVER WATER DISTRICT #27
OF THE STATE OF IDAHO
HELD AT THE BINGHAM COUNTY COURTHOUSE
BLACKFOOT, IDAHO
JANUARY 14, 2008

Advisory committee chairman Layne Hamilton called the annual meeting of Water District 27 to order at 1:06p.m. January 14, 2008.

Attending were: Advisory board members: Layne Hamilton, Bob Reid, Keith Hunsaker, Gary Pratt and Alan Oliver. Water District 1: Lyle Swank, Ryan Madsen, James Cefalo and Wendy Murphy. Idaho Dept. of Water Resources: Cindy Bird. An attached roster shows all in attendance.

Larry Grimmett nominated Layne Hamilton as meeting chairman and Wendy Murphy as meeting secretary; the motion unanimously passed.

Minutes of the meeting held January 8, 2007 were read. Neal Powell motioned to accept the minutes; Gary Wright seconded, and the minutes were unanimously approved.

The next item on the agenda was the Watermaster Report from Lyle Swank, Ryan Madsen, and James Cefalo. Lyle introduced the staff assisting Water District 27. Ryan Madsen who has been providing Assistant Watermaster duties, James Cefalo who is new to WD1 as an Engineer-in-training, Wendy Murphy as the Financial Specialist, Dale Rockwood as Treasurer, and Cindy Bird from IDWR. Lyle indicated the Blackfoot Reservoir is 79,000 AF which is about half of 2006. Snotel data from Slug Creek is currently 5.1" of water content as compared to a 30 year average of 8.6". The Somsen is currently 6.8" of water content verses a 6.9" 30 year average. There was questions as to other snotel sites in the area such as Diamond Creek. Lyle was only aware of the two presented. Current water situation shows us a little bit below average. Lyle also presented the Idaho Falls precipitation for the whole year. The only month that was not below average was October 2007.

Neal Powell asked about the part time person who was hired to gather field data. Lyle indicated he was helpful in gathering gps site information and some measurements but the 2007 season was not a good representative year. A hot dry year made water runoff early this spring, before the person was in place to gather data, and the water supply quickly ran out in the upper reaches where many diversions were already off. Neal inquired about the possibility of the court holding off for 10 years until better representation could be made. There was then some discussion about the possibility of the court waiting to make a decision until better data could be obtained. James felt now that GPS locations have been done getting measurements in the spring this year should be more feasible. He also felt that more measurements could be obtained without the assistance of a part time person.

There were then questions about the Committee of Nine. Dale Rockwood explained that the Committee of Nine is the Water District 1 advisory board. The boundaries for Water District 1

are from Ashton to Filer and the Committee of Nine is elected at the WD1 annual meeting. They have legal authority established through Idaho Code to be the WD1 Rental Pool Committee. And they have been around for approximately 90 years. IDWR is considered a data source for the court, the Committee of Nine is similar. They have been involved in the Shoshone-Bannock Tribe Agreement.

Ryan stated the director is implementing the Blackfoot Water Management Plan. The goal for 2007 was to locate points of diversion and update the billing as necessary, this has been done. Ryan then discussed Idaho Code section 42-701(1), which requires the users of any public waters of the state of Idaho shall maintain to the satisfaction of the director of the department of water resources suitable headgates and controlling works at the point where the water is diverted. It was indicated that a nominal amount of diversions currently have this available. He recommended working with individual users to determine the need rather than having Tim Luke send out an order with the requirement, as Cindy asked about. He also indicated personal and stock water use are allowed, the heavy uses would need to be handled.

James stated USGS streamgaging stations are helpful in determining the natural flow of the river. He then presented the amounts diverted by region indicating the Upper Region has 76 points of diversions but measurements were only taken on 15, due to a dry year, for a total of 2800 cfs. The middle region has 51 pods with 25 measured using 2700 cfs. The lower region consumed 21,045 cfs and Fort Hall used 108,059 cfs. The challenges for 2008 are the lack of head gates, tough to get actual measurements, and variations due to creek fluctuations. Head gates would require fewer measurements and establish a better consistency. The goal for 2008 is to obtain early season measurements.

There was some discussion about the difficulty of water users downstream from the reservoir being able to receive their water right on a consistent flow of water. Alan Oliver indicated the Blackfoot is an unstable rating section because of the fluctuation from Sand Creek. The biggest users on Sand Creek are: Idaho Irrigation, Snake River Valley Irrigation, and Progressive Irrigation District. Weather is also a contributing factor, Sunday and holidays.

Dale Rockwood then gave the 2007 financial report. The total income for 2007 was \$37,796. Total expenses for the 2007 year were \$34,360. The bank balance is \$4,923. Adding the net income of \$3,436 to the previous year earnings of \$1,705 the total equity for the district is \$5,151. Pat Taney motioned to approve the financial report as presented. Frank Hansen seconded the motion; which was unanimously approved.

The next item on the agenda was the election of the advisory committee. Layne Hamilton declined a nomination this year. Wes Hamilton nominated Larry Hinderaker as Chairman, retaining the other four advisors as Gary Pratt, Alan Oliver, Keith Hunsaker, and Bob Reid. Neal Powell seconded the motion; which was unanimously passed.

The 2007 Resolutions were discussed next. Wendy indicated that resolution 3 has been stated to bill a minimum of \$40 per point of diversion. The past practice has been to bill \$40 per water user. The assessment this year has been corrected to reflect resolution 3. The only changes to the resolutions for 2007 were mileage rate increase and cost of living increase for the hydrographer.

Wendy also asked if they intended to leave the 10% reserve fund. Neal Powell moved to accept the resolutions as presented, Pat Taney seconded the motion; which was unanimously approved.

New Business: It was decided to have an board meeting with IDWR to discuss .

Wes Hamilton moved to adjourn the meeting, Gary Pratt seconded. The meeting adjourned at 3:27 p.m.