

Water District 27
Advisory Board Meeting
January 8, 2013 – 2:00 p.m.
IDWR – Idaho Falls Conference Room

Chairman Bob Reid called the meeting to order @ 2:11 pm. Board members in attendance were: Mark Pratt, and David Bollinger (BIA). Marvin Yancey participated by phone. Others in attendance were: Jami Farris, Brandon McKean, Clifford Buckskin, Sheila Jones, Lyle Swank, Wendy Murphy, and Robert Keller.

David Bollinger indicated Clifford Buckskin will represent BIA at the annual meeting in his absence.

The minutes from the January 3, 2012 Advisory Board were read by Wendy Murphy. Corrections were made in the third paragraph to change “Merlin” to “Marvin” Yancey; the second page third paragraph “from right rights” to “correct rights”; and the last page to correct “NPEDS” to “NPDES”. Mark Pratt moved to approve the minutes as corrected; the motion was seconded by David Bollinger and the minutes were approved as corrected.

Lyle reviewed the resolutions noting date changes from the previous year. The proposed budget for 2013 was also presented with no recommended increase. Lyle did note the federal mileage rate was increased to \$0.555 per mile. Layton Walton’s return for the summer intern position is unknown at this time. There was a discussion regarding whether resolution #5 being adequate to negotiate the Equitable Adjustment and whether an attorney could be retained by the North Side Advisors, paid with funds assessed to the North Side Users. It was noted the watermaster has authority to lock diversions for nonpayment of assessments which cover the cost of delivering water; he is not aware of the options available for nonpayment for assessed legal fees. The other concern of assessing for legal fees through the WD27 assessment would be the conflict with BIA’s legal position. Mark Pratt moved to recommend for approval the resolutions as presented to the district at their annual meeting. David Bollinger seconded the motion and the motion carried.

Budget Review: The date on the report was incorrect but the data presented is for the 2012 fiscal year. There was an expense for Sand Creek Regulation that was not included in the 2012 budget. This expense is charged to only those individuals affected by the regulation request. Lyle noted the mileage increased from \$0.455 to \$0.555 per mile. Actual expenses of the district were \$285 for the web site; \$38,323 for the Water District 1 contract; \$1,312 was spent on pressure transducers; and \$3,733 for travel costs. With the Sand Creek expense the total expense of the district was \$44,154. The total income was \$44,545 which ended the year with a net income of \$392. The 2013 Budget is the same as 2012 with the addition of \$500 for the Sand Creek regulation to be billed only to those water users. David Bollinger moved to present this budget to the water users at their annual meeting. Mark Pratt seconded the motion and the motion carried.

Old Business:

Rob Keller wanted to follow up on the discussion regarding water users diverting in excess of their water rights. The deputy watermaster does lower headgates when in the field to adjust but there is currently no policy in place to assess a penalty for water usage above their rights. Pressure transducers have revealed some additional overages not observed while performing field work. It was noted that credits are not given when water users are under using. Lyle felt there were three options for over use. 1. To penalize; 2. Not penalize; or 3. Send a charge to the water user for the overage and allow them to discuss the overage with the board. The board could then determine if a charge is necessary. A recommendation was made to send notice with the assessment the amount of water use which is available on the water district website.

Rob also provided an update to the headgate compliance order. Two have installed headgates and created measurement sections; the third one had a headgate but lacks the measurement section and has been locked. There are other inactive water users who if they turned on would be out of compliance with the order.

New Business:

David Bollinger wanted some clarification on website design. Can additions be made in the future? Rob Keller indicated it is possible to add more to the website. There are discussions to add the NRCS information, and a daily Streamflow data. Links could also be added for Tribal Streamflow data. It was recommended to have some screen shots of the website for the annual meeting.

Robert Keller indicated the primary volume will be reported at the annual meeting. The primary volume is 38,264 acre-feet for 2012. Lyle indicated 2012 was a high water demand year and it is good the primary volume was below the 45,000 acre-feet referenced in the Fort Hall Agreement.

Wendy Murphy was asked to explain the debts and credits on the summary. A proposed assessment is mailed at the beginning of the year based off the budget and a five year average of their water use. Once the irrigation season is over and the final bill is calculated using the final expenses and records of their 2012 water use. The final bill is compared to their estimated bill and a new charge (Debit) is sent if the final bill is higher than the estimated, and a credit is sent for those whose estimated bill was higher than their final bill.

Mark Pratt moved to adjourned, David Bollinger seconded the motion and the meeting adjourned at 3:41 pm.


Wendy Murphy, Secretary