

MINUTES OF THE REGULAR MEETING  
OF THE WATERUSERS OF THE BLACKFOOT RIVER WATER DISTRICT #27  
HELD AT THE BINGHAM COUNTY COURTHOUSE  
BLACKFOOT, IDAHO  
JANUARY 13, 2014

Advisory committee chairman Rob Reid called the annual meeting of Water District 27 to order at 1:05 p.m. January 13, 2014.

Marvin Yancey nominated Bob Reid as meeting Chairman, and Wendy Murphy as meeting Secretary; LaVerelle Stecklein seconded the motion. Merlin Yancey moved nominations cease and the motion passed.

Minutes of the meeting held January 14, 2013 were read by Wendy Murphy. Corrections were noted on page 1, 2<sup>nd</sup> paragraph to change "Tanney" to "Taney"; and the 4<sup>th</sup> paragraph to remove "years" on the third line; on page 2 "diminimus" to "de minimis". LaVerelle Stecklein moved to accept the minutes as corrected; Gary Wright seconded, and the minutes were approved as corrected.

Lyle Swank presented the Watermaster Report. The recent Snake River Basin Adjudication was a McCarran Amendment Adjudication which included Federal Rights. Main purpose was to quantify the water rights by identifying the elements of water rights. After the 1990 Fort Hall Water Rights Settlement Agreement some items were still uncertain, the Blackfoot Water Management Plan and the Equitable Adjustment. The Water Management Plan has improved data collection utilizing satellite imagery, the verification of the adjudication claims, additional measurements and improved rating sections. The Plan was created and reviewed by a technical committee comprised of experts from the state, the US, the Tribe, and the water districts. They determined the water right accounting process for Water District 27. The Equitable Adjustment was also negotiated over the past several years. It consists of a Debit/Credit system, some WD 1 Rental Pool Water, and Supplemental EA water. The Water Management Plan was signed by Gary Spackman, IDWR Director, on July 22, 2013 and will be effective for the 2014 irrigation season. There were questions about the Basin 27 users getting a vote on the Equitable Adjustment Agreement. An attorney was hired by the Northside users who represented the Northside users in negotiating the agreement.

Robert Keller, Water District 27 Deputy Watermaster, provided a brief overview of the last season. The 2013 was a dry year. Fort Hall diversions totaled 232,071 acre-feet and the North Side Users diverted 49,505 acre-feet. When using the Blackfoot River Management Plan to calculate the "Primary Volume", the Primary Volume, with adjustments, was equal to 44,368 acre-feet. This was the closest year to the 45,000 acre-feet since interim administration. There was a larger demand on water in most reaches of the river. This is also the lowest Corbett Slough reduction, noting little call on the water from the Corbett from downstream users. It was recommended to watch the website for flow returning to the Snake River and to call for less water in that event. The website will be updated weekly during the 2014 irrigation season. Rob indicated the water supply is too early to make an accurate projection but it is currently tracking the 2012 irrigation season. The Blackfoot Reservoir content as of January 13, 2014 was 155,845

acre-feet which is about 44.7% full. The reservoirs in the Water District 1 area are currently 36.3% full.

Bob Reid opened the floor for nominations for the advisory board. It was moved by Layne Hamilton to retain the current advisory board and chairman, LaVerelle Stecklein seconded the motion. The motion passed by acclamation. The 2014 advisory board is Bob Reid, Chairman, Marvin Yancey, Mark Pratt, Trish Arave, and David Bollinger with the BIA.

The checking account balance as of December 31, 2013 totaled \$21,486. The Accounts Receivable balance was -\$75. Liabilities at the end of the year were \$403. The profit and loss budget comparison was also presented. The 2013 income from assessments was \$44,025. Miscellaneous income received was \$91. Expenses included the website for \$220, the Water District 1 contract expenditures were \$33,075, and travel cost totaled \$3,789. The total expenses of the district were \$37,084. The net income for the year was \$7,033. Mark Pratt motioned to approve the financial report as presented. The motion was seconded by Marvin Yancey and the motion carried.

The 2014 Resolutions were presented by Lyle Swank. The budget is the same as the previous year. Lyle indicated there is some legislation that may be presented at the legislature to increase the maximum amount the minimum assessment can be. There was some discussion regarding the increased measurements that need to occur with the Management Plan and if the proposed budget would be sufficient. Marvin Yancey moved to approve the resolutions as presented. Tom Blotter seconded the motion and the motion carried.

New Business: The Northside users were asked to meet after the Water District 27 meeting to deal with the legal fund and the potential of raising funds for the Equitable Adjustment.

Layne Hamilton moved to adjourn the Water District 27 Annual Meeting, Marvin Yancey seconded the motion and the motion passed. The meeting adjourned at 2:44 pm.

  
Wendy Murphy, Secretary

  
Dated

## **Water District 27 Year 2014 Resolutions**

1. BE IT RESOLVED that the annual Water District 27 meeting shall hereafter, or until changed by further resolution of the district, be held on the second Monday of January of each year unless the director and advisory members should find it necessary to change the meeting date. The next annual meeting is to be held January 12, 2015.
2. BE IT RESOLVED, that it is the watermaster's responsibility to apply the best available methods and technology to assure accurate deliveries of natural flow and stored water, consistent with regulatory procedures and the availability of the water supply; that he maintain accurate records of water delivered to each water user.

That, the watermaster shall accurately allocate the expenses of delivering water of the district to each ditch, canal company, irrigation district, or other water user as provided by law; and that he shall prepare the annual watermaster's report required by Idaho Code 42-606 and a proposed budget for the succeeding year as required by Idaho Code 42-615.

BE IT FURTHER RESOLVED that:

The watermaster will investigate ways to expand and maintain automation where it can effectively improve water management, reduce personnel costs, travel costs, or result in cost or water savings for water users in Water District 27, or assure better and more current data.

The Watermaster will adjust the headgates of all natural flow rights. The Fort Hall Project Manager or his designee will adjust the central gates of the Blackfoot Reservoir, the equalizing reservoir, the Little Indian Canal, and the North and Main Canal headgates. The Watermaster will be duly advised of all changes made in the gates regulated by the Fort Hall Project Manager or his designee.

Lyle Swank be elected watermaster for the ensuing year, and be authorized to appoint deputies and hire such other assistants as provided by the adopted budget. The watermaster may hire additional assistants as authorized in Idaho Code 42-609 in an emergency.

Alan Kelsch be elected Water District 27 Treasurer.

The duties of the watermaster and treasurer shall continue until the next annual meeting.

The budget for Water District 27 for the 2014 year beginning January 01, 2014, and continuing until the annual meeting in 2015, shall be as follows:

## Water District 27 2014 Budget

Expenses	Budget	Notes
Water District 1 Contract	\$38,000.00	
Travel	\$4,200.00	
<b>Total WD1 Expenses</b>	<b>\$42,200.00</b>	
Website	\$ 325.00	
Measurement & Reporting Equipment	\$1,500.00	
<b>Total to Assess</b>	<b>44,025.00</b>	

3. WHEREAS, it is the watermaster's responsibility to assure the proper delivery of water to all water users, and

WHEREAS, the normal water district cost of delivering water to many water users is greater than their normal assessments would be based upon their total annual use of water;

NOW, THEREFORE, BE IT RESOLVED that the watermaster of Water District 27 is hereby authorized to assess a \$42.00 minimum charge for every point of diversion within his jurisdiction.

4. WHEREAS, the water users of Water District 27 meeting in regular annual session find it necessary to confirm the continuation of the following "on-going" resolutions which direct the watermaster and the treasurer of the district in certain aspects of Water District 27 operations;

NOW, THEREFORE, BE IT RESOLVED that the budget of Water District 27 adopted at the annual meeting shall become the basis for the aggregate amount to be collected from all water users in the district for the current year based upon historical average delivery to each user. Debits and credits for the preceding year will be added to the current approved budget before assessments for the irrigation season are made.

It is hereby agreed that the natural flow users shall pay 40% of Water District 27 Budget, and that the Fort Hall Project shall pay 60% of said expense. The rate of assessment per 24 hour second feet shall be computed in accordance with the above proportions.

No water shall be delivered to any delinquent water user until all delinquencies have been paid, and no water shall be delivered after the first day of June, 2014, until the current year's assessment has been paid: Provided that assessments in excess of \$100.00 may be paid in installment of 1/3 of the total assessment, less any credit due previous years, on the first of May 2014, and 1/3 of the total assessment on the first of July 2014. The balance of the assessment shall become due and payable upon approval of the Watermaster's report by the Director of the Department of Water Resources for the state of Idaho, as provided in Section 42-614 of the Idaho Code.

That the treasurer shall establish and maintain a general account and shall cause all monies received to be deposited and shall make all disbursements as necessary to conduct the business of the water district;

BE IT FURTHER RESOLVED that no ditch, canal company, or other water users shall have the right to demand and receive water, and the watermaster shall not deliver to such person until receipt of the amount due and payable from such user, and

That copies of the minutes of the annual meeting, the approved budget, and related resolutions, shall be filed with the Director of the Department of Water Resources in accordance with Idaho Code 42-612 and 42-617.

5. WHEREAS, the water district meets in regular annual session, as provided by state law, and;

WHEREAS, there are, from time to time, decisions related to water district contracts, or policies that may not have been specifically addressed by resolution at the annual meeting;

NOW THEREFORE BE IT RESOLVED that the advisory committee of Water District 27 is authorized to take such actions as they, by consensus deem necessary and appropriate to fulfill the duties for which the district was created.

6. WHEREAS Idaho Code 42-605 provides for voting by water users and election of an advisory committee, the water users of Water District 27 hereby resolve that the credentials for voting in any district meeting and for serving on the district advisory committee will be as follows:

- 1) The advisory committee is to consist of 5 members, geographically distributed to represent the interests within the district.
- 2) Each advisor must be a landowner and water user within the boundaries of Water District 27; except for the Designated Representative from Fort Hall.
- 3) Must have paid all assessments owed Water District 27.

IT IS FURTHER RESOLVED that this resolution shall continue from year to year until repealed or changed by the water users.

7. ACCEPTANCE BY THE UNITED STATES INDIAN SERVICE

BE IT RESOLVED that adoption of all resolutions become effective with respect to the Fort Hall Project and all water distributed to the Fort Hall Project from any source, when the Fort Hall Irrigation Project Manager has affixed his signature.

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Bob Reid, Chairman  
Blackfoot River Water User's Association

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David Bollinger, Irrigation Project Manager.  
Fort Hall Agency

Approved and accepted this 13th day of January, 2014.