

Jerome, Idaho
December 8, 2025

The Board of Directors of the American Falls Reservoir District, Idaho, met in public session at the regular meeting place of the Board at 152 1st Ave W, Jerome, Idaho December 8, 2025 at 10:02 A.M. with the following person present:

| | |
|-----------------|------------------------|
| Dan Shewmaker | President, Member |
| Dave Ramseyer | Vice President, Member |
| Graham Hooper | Treasurer, Member |
| Greg Hirai | Member |
| DeWitt Marshall | Member |
| Rob Blick | Member |

Absent:
Brad Shackelford Member

Attorney Abby Bitzenburg and Secretary Brandi Weston were also present.

The meeting was called to order and conducted by President Shewmaker.

The minutes of the Board meeting November 10, 2025 were then approved with a motion by Director Dave Ramseyer, seconded by Director DeWitt Marshall.

The Secretary presented the Claims and December 8, 2025, Treasurer's Report to the Board. (See page 2)

Director Graham Hooper moved the Claims and Treasurer's Report be approved seconded by Director Rob Blick. The motion passed.

TRANSFERS

Director Rob Blick, seconded by Director Dave Ramseyer, approved two transfers from Twin Falls Canal Company. (Page 3)

Director DeWitt Marshall, seconded by Director Greg Hirai, approved three transfers from North Side Canal Company with a motion. (Pages 4 & 5)

OLD BUSINESS

Attorney Abby Bitzenburg distributed packets of information and commented concerning:

Memorandum clarification of Domestic Well Legislation

- I. Water Supply Outlook
- II. Federal Issues
 - A. Columbia River Systems Operations Litigation
- III. State Issues
 - A. Final Order Establishing Reasonable Carryover

December 8, 2025

TREASURER'S REPORT

| | |
|-------------------------------|---------------------|
| Cash Balance October 31, 2025 | \$ 7,561.84 |
| Transsfer from 1283 | \$ 26,000.00 |
| November Receipts | <u>\$ 691.20</u> |
| | <u>\$ 34,253.04</u> |

Disbursements:

| | | |
|----------------------------------|---------------------|---------------------|
| Claims November 10, 2025 | \$ 2,724.91 | |
| Debbie Falconburg | \$ 4,212.13 | |
| Brandi Weston | \$ 2,727.76 | |
| Republic Services | \$ 69.30 | |
| Debit Card | \$ 323.69 | |
| Payroll Expenses | <u>\$ 5,807.76</u> | |
| Total Distribution November 2025 | <u>\$ 15,865.55</u> | <u>\$ 15,865.55</u> |
| Cash on Hand November 30, 2025 | <u>\$ 18,387.49</u> | \$ 18,387.49 |

DAHO STATE TREASURER LOCAL GOVERNMENT INVESTMENT POOL GENERAL FUND ACCT #1230

| | | |
|---------------------------------------|------------------------|------------------------|
| Balance in Invest PI #1230 10/31/25 | \$ 2,976,828.93 | |
| Interest Credited 11/01/25 | \$ 10,722.54 | |
| Transfer to checking | <u>\$ 26,000.00</u> | |
| Balance in Investment Pool#1230 11-30 | <u>\$ 2,935,551.47</u> | <u>\$ 2,935,551.47</u> |
| Total Balance 11-30-25 | | <u>\$ 2,953,938.96</u> |

WATER QUALITY FACILITIES ACCT #1833

| | |
|----------------------------|---------------------|
| Beginning Balance 10/31/25 | \$28,736.02 |
| Interest 11/01/25 | <u>\$ 103.19</u> |
| Balance 11/30/25 | <u>\$ 28,839.21</u> |

Average weighted yield 4.2279%

CLAIMS December 18, 2025

| | |
|--|--------------------|
| Rob Blick | \$ 176.76 |
| Graham Hooper | \$ 208.52 |
| DeWitt Marshall | \$ 137.56 |
| Dave Ramseyer | \$ 174.23 |
| SS Remittance | \$ 2,672.54 |
| State Tax Commission | \$ 444.00 |
| PERSI | \$ 1,961.83 |
| Gallagher Benefit Administrators, Inc. | \$ 32.32 |
| City of Jerome | \$ 63.50 |
| Idaho Power | \$ 64.49 |
| Idaho Water User Association | \$ 521.00 |
| Intermountain Gas | \$ 59.45 |
| Livia, Lila | \$ 125.00 |
| Parsons Behle & Lattimer | \$ 1,522.92 |
| Project Mutual Telephone | <u>\$ 136.14</u> |
| | <u>\$ 2,492.50</u> |
| | \$ 5,807.76 |

RWSG Grant *

| | |
|-----------------------|----------------------|
| Bank Balance 10/31/25 | \$113,079.22 |
| Cleared checks | \$582.56 |
| Bank Balance 10/31/25 | \$112,496.66 |
| uncleared checks | <u>\$0.00</u> |
| Account balance | <u>\$ 112,496.66</u> |

December 8, 2025

RESOLVED, That that certain agreement made and entered into by and between Brent Mort of Twin Falls County, State of Idaho, party/(ies) of the first part, Twin Falls Canal Company of Twin Falls County, State of Idaho, party/(ies) of the second part, under date of November 20, 2025 wherein it is agreed that the assessments of the American Falls Reservoir District heretofore levied against Southeast Quarter Northeast Quarter (SE1/4NE1/4) Section Fourteen (14), Township Ten (10) South, Range Seventeen (17) East, Boise Meridian for the purchase of a waterright supplemental to None and 40/100 (0.40) share of the stock of the Twin Falls Canal Company shall be chargeable against To be held as Treasury Stock until resale and that said the assessments shall be effective in all respects against said land, shall be, and the same is hereby ratified and approved; and,

RESOLVED, Further, that all assessments of the American Falls Reservoir District be, and the same are hereby transferred to the lands herein last above described in accordance with the terms and provisions of said agreement.

It is understood and agreed that part of the water being transferred herein is water from federal reservoirs to which the provisions of Federal Reclamation Law apply. One interpretation of the land limitation portion of that law would indicate that no profit can be obtained from the sale of water from a federal reservoir. The Parties hereto assume the risk that if such an interpretation were to prevail, that this permanent transfer of water may be subject to attack by the Secretary of Interior or his agents.

December 8, 2025

RESOLVED, That that certain agreement made and entered into by and between Gerald Martens for Westpark Partners of Twin Falls County, State of Idaho, party/(ies) of the first part, City of Twin Falls of Twin Falls County, State of Idaho, party/(ies) of the second part, under date of November 21, 2025 wherein it is agreed that the assessments of the American Falls Reservoir District heretofore levied against Grand Finale a PU in Southwest Quarter (SW1/4) in Section Thirty-three (33), Township Nine (9) South, Range Seventeen (17) East, Boise Meridian for the purchase of a waterright supplemental to Three and 93/100 (3.93) share of the stock of the Twin Falls Canal Company shall be chargeable against Grand Finale a PU in Southwest Quarter (SW1/4) in Section Thirty-three (33), Township Nine (9) South, Range Seventeen (17) East, Boise Meridian and that said the assessments shall be effective in all respects against said land, shall be, and the same is hereby ratified and approved; and,

RESOLVED, Further, that all assessments of the American Falls Reservoir District be, and the same are hereby transferred to the lands herein last above described in accordance with the terms and provisions of said agreement.

It is understood and agreed that part of the water being transferred herein is water from federal reservoirs to which the provisions of Federal Reclamation Law apply. One interpretation of the land limitation portion of that law would indicate that no profit can be obtained from the sale of water from a federal reservoir. The Parties hereto assume the risk that if such an interpretation were to prevail, that this permanent transfer of water may be subject to attack by the Secretary of Interior or his agents.

December 8, 2025

RESOLVED, That that certain agreement made and entered into by and between The Betty Hyder Living Trust of Jerome County, State of Idaho, party/(ies) of the first part, The Betty Hyder Living Trust of Jerome County, State of Idaho, party/(ies) of the second part, under date of October 27, 2025 wherein it is agreed that the assessments of the American Falls Reservoir District heretofore levied against Northwest Quarter Southwest Quarter (NW1/4SW1/4), aka Block One (1), Lot One (1) of Jack Hyder Subdivision, in Section Thirty-two (32), Township Eight (8) South, Range Seventeen (17) East, Boise Meridian for the purchase of a waterright supplemental to Two and 00/100 (2.00) share of the stock of the North Side Canal Company shall be chargeable against Southwest Quarter Northeast Quarter (SW1/4NE1/4) in Section Thirty-two (32), Township Eight (8) South, Range Seventeen (17) East, Boise Meridian and that said the assessments shall be effective in all respects against said land, shall be, and the same is hereby ratified and approved; and,

RESOLVED, Further, that all assessments of the American Falls Reservoir District be, and the same are hereby transferred to the lands herein last above described in accordance with the terms and provisions of said agreement.

It is understood and agreed that part of the water being transferred herein is water from federal reservoirs to which the provisions of Federal Reclamation Law apply. One interpretation of the land limitation portion of that law would indicate that no profit can be obtained from the sale of water from a federal reservoir. The Parties hereto assume the risk that if such an interpretation were to prevail, that this permanent transfer of water may be subject to attack by the Secretary of Interior or his agents.

December 8, 2025

RESOLVED, That that certain agreement made and entered into by and between Co-Personal Representatives Janice Lynn Brown & Robyn Kay Hope of the Estate of Carolyn Chandler of Gooding County, State of Idaho, party/(ies) of the first part, Doyle & Robyn Hope of Gooding County, State of Idaho, party/(ies) of the second part, under date of November 18, 2025 wherein it is agreed that the assessments of the American Falls Reservoir District heretofore levied against Southeast Quarter Northwest Quarter (SE1/4NW1/4) in Section Thirty-One (31), Township Seven (7) South, Range Fifteen (15) East, Boise Meridian for the purchase of a waterright supplemental to Four and 50/100 (4.50) share of the stock of the North Side Canal Company shall be chargeable against Northeast Quarter Southwest Quarter (NE1/4SW1/4) in Section Thirty-One (31), Township Seven (7) South, Range Fifteen (15) East, Boise Meridian and that said the assessments shall be effective in all respects against said land, shall be, and the same is hereby ratified and approved; and,

RESOLVED, Further, that all assessments of the American Falls Reservoir District be, and the same are hereby transferred to the lands herein last above described in accordance with the terms and provisions of said agreement.

It is understood and agreed that part of the water being transferred herein is water from federal reservoirs to which the provisions of Federal Reclamation Law apply. One interpretation of the land limitation portion of that law would indicate that no profit can be obtained from the sale of water from a federal reservoir. The Parties hereto assume the risk that if such an interpretation were to prevail, that this permanent transfer of water may be subject to attack by the Secretary of Interior or his agents.

EXHIBIT "A"

TOWNSHIP 7 SOUTH, RANGE 15 EAST, BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 31: E $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPTING THEREFROM the next 3 Parcels, described as follows:

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

PARCEL NO. 1

Section 31: A parcel of land in the E $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Commencing at the Center (C $\frac{1}{4}$) Quarter Corner of said Section 31 (Which lies South 89°41'52" East a distance of 2352.71 feet from the West (W $\frac{1}{4}$) Quarter Corner) and THE TRUE POINT OF BEGINNING;
Thence North 89°41'52" West for a distance of 18.50 feet;
Thence North 00°07'13" West for a distance of 415.00 feet;
Thence North 89°01'51" West for a distance of 1.50 feet;
Thence North 00°07'13" West for a distance of 679.16 feet;
Thence South 89°47'51" West for a distance of 184.60 feet;
Thence North 88°26'51" West for a distance of 103.39 feet;
Thence North 87°53'31" West for a distance of 15.01 feet;
Thence North 00°07'13" West for a distance of 359.81 feet;
Thence North 81°34'46" East for a distance of 173.42 feet to approximate the centerline of an irrigation ditch;
Thence along the centerline of the irrigation ditch the following courses:
South 89°59'32" East for a distance of 44.31 feet;
South 78°15'16" East for a distance of 14.24 feet;
South 67°33'57" East for a distance of 17.73 feet;
South 45°16'43" East for a distance of 41.20 feet;
South 36°51'48" East for a distance of 20.22 feet;
South 51°29'23" East for a distance of 18.12 feet;
South 87°54'11" East for a distance of 21.26 feet to a point on the East boundary of the NW $\frac{1}{4}$ of said Section 31;
Thence along the East boundary of the NW $\frac{1}{4}$ of said Section 31, South 00°01'13" East for a distance of 1415.31 feet to THE TRUE POINT OF BEGINNING. (containing 3.26 ac. (±)).

PARCEL NO. 2

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 31: A parcel of land located in the E $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Beginning at the Center (C $\frac{1}{4}$) Quarter Corner of said Section 31 (Which lies South 89°41'52" East a distance of 2352.71 feet from the West (W $\frac{1}{4}$) Quarter Corner);
Thence North 89°41'52" West for a distance of 18.50 feet;
Thence North 00°07'13" West for a distance of 415.00 feet;
Thence North 89°01'51" West for a distance of 1.50 feet;
Thence North 00°07'13" West for a distance of 679.16 feet;
Thence South 89°47'51" West for a distance of 184.60 feet;
Thence North 88°26'51" West for a distance of 103.39 feet;
Thence North 87°53'31" West for a distance of 15.01 feet to THE TRUE POINT OF BEGINNING;
Thence continuing North 87°53'31" West for a distance of 51.33 feet;
Thence North 87°15'30" West for a distance of 103.73 feet;
Thence North 00°07'13" West for a distance of 330.04 feet;
Thence North 81°34'46" East for a distance of 156.53 feet;
Thence South 00°07'13" East for a distance of 359.81 feet to THE TRUE POINT OF BEGINNING.
(containing 1.23 ac. (±))

PARCEL NO. 3

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 31: A parcel of land in the E $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Beginning at the Center (C $\frac{1}{4}$) Quarter Corner of said Section 31 (Which lies South 89°41'52" East a distance of 2352.71 feet from the West (W $\frac{1}{4}$) Quarter Corner);
Thence North 89°41'52" West for a distance of 18.50 feet;
Thence North 00°07'13" West for a distance of 415.00 feet;
Thence North 89°01'51" West for a distance of 1.50 feet;
Thence North 00°07'13" West for a distance of 679.16 feet;
Thence South 89°47'51" West for a distance of 184.60 feet;
Thence North 88°26'51" West for a distance of 103.39 feet;
Thence North 87°53'31" West for a distance of 66.34 feet;
Thence North 87°15'30" West for a distance of 103.73 feet, to THE TRUE POINT OF BEGINNING;
Thence continuing North 87°15'30" West for a distance of 66.49 feet;
Thence North 44°09'41" West for a distance of 47.83 feet;
Thence North 59°26'50" West for a distance of 58.23 feet;
Thence North 00°07'13" West for a distance of 240.79 feet;
Thence North 81°34'46" East for a distance of 151.32 feet;
Thence South 00°07'13" East for a distance of 330.04 feet to THE TRUE POINT OF BEGINNING.
(containing 1.01 ac. (±))

December 8, 2025

RESOLVED, That that certain agreement made and entered into by and between Co-Personal Representatives Janice Lynn Brown & Robyn Kay Hope of the Estate of Carolyn Chandler of Gooding County, State of Idaho, party/(ies) of the first part, Scott C & Sandi J Luttmer of Gooding County, State of Idaho, party/(ies) of the second part, under date of November 18, 2025 wherein it is agreed that the assessments of the American Falls Reservoir District heretofore levied against Nine and No/100 (9.00) shares from the Northeast Quarter Northwest Quarter (NE1/4NW1/4) and Four and 50/100 (4.50) shares from the Southeast Quarter Northwest Quarter (SE1/4NW1/4) in Section Thirty-One (31), Township Seven (7) South, Range Fifteen (15) East, Boise Meridian for the purchase of a waterright supplemental to Thirteen and 50/100 (13.50) share of the stock of the North Side Canal Company shall be chargeable against Southeast Quarter Southwest Quarter (SE1/4SW1/4) in Section Thirty-six (36), Township Six (6) South, Range Thirteen (13) East, Boise Meridian and that said the assessments shall be effective in all respects against said land, shall be, and the same is hereby ratified and approved; and,

RESOLVED, Further, that all assessments of the American Falls Reservoir District be, and the same are hereby transferred to the lands herein last above described in accordance with the terms and provisions of said agreement.

It is understood and agreed that part of the water being transferred herein is water from federal reservoirs to which the provisions of Federal Reclamation Law apply. One interpretation of the land limitation portion of that law would indicate that no profit can be obtained from the sale of water from a federal reservoir. The Parties hereto assume the risk that if such an interpretation were to prevail, that this permanent transfer of water may be subject to attack by the Secretary of Interior or his agents.

EXHIBIT "A"

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Section 31: E $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPTING THEREFROM the next 3 Parcels, described as follows:

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

PARCEL NO. 1

Section 31: A parcel of land in the E $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Commencing at the Center (C $\frac{1}{4}$) Quarter Corner of said Section 31 (Which lies South 89°41'52" East a distance of 2352.71 feet from the West (W $\frac{1}{4}$) Quarter Corner) and THE TRUE POINT OF BEGINNING;
Thence North 89°41'52" West for a distance of 18.50 feet;
Thence North 00°07'13" West for a distance of 415.00 feet;
Thence North 89°01'51" West for a distance of 1.50 feet;
Thence North 00°07'13" West for a distance of 679.16 feet;
Thence South 89°47'51" West for a distance of 184.60 feet;
Thence North 88°26'51" West for a distance of 103.39 feet;
Thence North 87°53'31" West for a distance of 15.01 feet;
Thence North 00°07'13" West for a distance of 359.81 feet;
Thence North 81°34'46" East for a distance of 173.42 feet to approximate the centerline of an irrigation ditch;
Thence along the centerline of the irrigation ditch the following courses:
South 89°59'32" East for a distance of 44.31 feet;
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South 67°33'57" East for a distance of 17.73 feet;
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South 36°51'48" East for a distance of 20.22 feet;
South 51°29'23" East for a distance of 18.12 feet;
South 87°54'11" East for a distance of 21.26 feet to a point on the East boundary of the NW $\frac{1}{4}$ of said Section 31;
Thence along the East boundary of the NW $\frac{1}{4}$ of said Section 31, South 00°01'13" East for a distance of 1415.31 feet to THE TRUE POINT OF BEGINNING. (containing 3.26 ac. (±)).

PARCEL NO. 2

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 31: A parcel of land located in the E $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Beginning at the Center (C $\frac{1}{4}$) Quarter Corner of said Section 31 (Which lies South 89°41'52" East a distance of 2352.71 feet from the West (W $\frac{1}{4}$) Quarter Corner);
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Thence North 00°07'13" West for a distance of 415.00 feet;
Thence North 89°01'51" West for a distance of 1.50 feet;
Thence North 00°07'13" West for a distance of 679.16 feet;
Thence South 89°47'51" West for a distance of 184.60 feet;
Thence North 88°26'51" West for a distance of 103.39 feet;
Thence North 87°53'31" West for a distance of 15.01 feet to THE TRUE POINT OF BEGINNING;
Thence continuing North 87°53'31" West for a distance of 51.33 feet.
Thence North 87°15'30" West for a distance of 103.73 feet,
Thence North 00°07'13" West for a distance of 330.04 feet;
Thence North 81°34'46" East for a distance of 156.53 feet;
Thence South 00°07'13" East for a distance of 359.81 feet to THE TRUE POINT OF BEGINNING.
(containing 1.23 ac. (±))

PARCEL NO. 3

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 31: A parcel of land in the E $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Beginning at the Center (C $\frac{1}{4}$) Quarter Corner of said Section 31 (Which lies South 89°41'52" East a distance of 2352.71 feet from the West (W $\frac{1}{4}$) Quarter Corner);
Thence North 89°41'52" West for a distance of 18.50 feet;
Thence North 00°07'13" West for a distance of 415.00 feet;
Thence North 89°01'51" West for a distance of 1.50 feet;
Thence North 00°07'13" West for a distance of 679.16 feet;
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Thence North 88°26'51" West for a distance of 103.39 feet;
Thence North 87°53'31" West for a distance of 66.34 feet;
Thence North 87°15'30" West for a distance of 103.73 feet, to THE TRUE POINT OF BEGINNING;
Thence continuing North 87°15'30" West for a distance of 66.49 feet;
Thence North 44°09'41" West for a distance of 47.83 feet;
Thence North 59°26'50" West for a distance of 58.23 feet;
Thence North 00°07'13" West for a distance of 240.79 feet;
Thence North 81°34'46" East for a distance of 151.32 feet;
Thence South 00°07'13" East for a distance of 330.04 feet to THE TRUE POINT OF BEGINNING.
(containing 1.01 ac. (±))

- B. IWRB Grants
- C. Legislative Meeting Summary
- D. Idaho Water Resource Board Workshops

CURRENT BUSINESS

Secretary Debbie Falconburg presented the final fencing bids. A motion from Director Rob Blick, seconded by DeWitt Marshall to accept the bid from Longhorn Fencing & Supply. There were three aye votes and two nay votes. President Dan Shewmaker declared the motion passes. Secretary Debbie Falconburg also informed the Board that the office would be closed December 21, 2025 through January 2, 2026 for the holidays.

There being no further business to come before this Board the meeting adjourned.



President Dan Shewmaker



Secretary Debbie Falconburg