

STATE ASSOCIATION OF WASHINGTON IRRIGATION DISTRICTS

Minutes - Board of Directors Meeting, Yakima, Washington, Tuesday, January 13, 1953:

Present - Fred Beisner, R. W. Hendricks, Clifford Kail, A. D. MacKelvie, G. L. Sterling, Charles L. Powell, Harry L. Olson and Ted Newstrum.

As President Brooks was not present, Vice President Beisner presided.

The primary purpose of the meeting was to discuss legislation to be proposed by the Association at the 1953 session of the State Legislature.

Mr. Olson brought up the subject of securing someone in the Legislature to introduce bills for the Association, and after consultation with Mr. Powell stated that Senator Eugene D. Ivy of Yakima would probably take care of this, and that Representative Harold Petrie should be requested to handle such matters in the House.

There was then discussion on the proposed amendment to Section 49 of Chapter 112 of the Laws of 1949, of which copies had been distributed to the Directors. Suggestions had been received that the proposed amendment, which exempts irrigation districts from the provisions of the law, be broadened to include water companies and individuals, as also exempt. After discussion as to what constituted a "water company", it was the decision of the Board and the Legislative Committee that the amendment should be introduced as written, with the idea that it would have more chance of passing the Legislature if not made too broad, that water companies and individuals could attempt to secure exemptions from the provisions of the law with more chance of success if our proposed amendment is passed, and that the Association is primarily concerned with organized irrigation districts of the state.

The matter of the Association securing the services of someone in Olympia to check on legislation introduced was then brought up. Mr. Powell had investigated having the representative of the State Bar Association do this and found this would not be possible. After discussion, the Secretary was instructed to write Mr. Galbraith, Director of the Department of Conservation & Development, and request that someone in his Department (preferably George Thompson) do this for the Association. It was thought Mr. Thompson was better qualified for this than anyone else we could secure. A motion was made, seconded and unanimously carried to the effect that the Association depend upon the Dept. of Conservation & Development to keep us advised on all legislation pertaining to irrigation districts and that the Association should keep its funds which were to be expended for this purpose for use in paying the expenses of members of the Board and of the Legislative Committee to attend Committee hearings, etc. at Olympia when necessary. Also that anyone who went to Olympia in the near future should contact Mr. Thompson regarding his assistance to the Association.

In connection with legislation affecting the voting powers of landowners in irrigation districts, after considerable discussion it was decided that an amendment providing for certain qualifications for a Director of an irrigation district would have better chance of passing the Legislature than one curtailing the voting powers of landowners. It was therefore moved, seconded and unanimously approved that the Legislative Committee prepare the draft of a bill amending the law pertaining to the qualifications of Directors to add the following: "No director shall be qualified to take office unless at the time of his election as such director he was the owner of five acres or more of land within the district subject to assessments by the irrigation district, provided that this additional qualification for the office of director shall not apply in any irrigation district where more than fifty percent of the total acreage of the district subject to assessment is owned in individual ownerships of less than five acres".

Mr. Sterling brought up a matter recently discussed with him by Mr. Burrage, Secretary of the Cascade Irrigation District at Ellensburg. This involved the sale by landowners in irrigation districts to the State Highway Department of rights of way for state highways. The problem concerns the settlement of irrigation district charges against such lands and future assessments, altho the lands are no longer used for farming purposes. It was thought a similar situation might be encountered on the Columbia Basin in the development of roads on the Basin. The Board considered that since it was too late for any legislation to be studied and drafted for this session on this subject, it should be a matter for further study and discussion.

Mr. Hendricks inquired if anything had been done regarding the recommendation made at the annual meeting of the Association concerning the request that an appointment be made of some state official (preferably a non-political appointment) to handle for the state and represent the state on all reclamation matters. Certain difficulties to this were brought out, such as the fact that continued employment of a Deputy Attorney General would be doubtful because of changes in administration, and that under present conditions any appropriation for the salary of such an official would be unlikely. It was thought someone in the Department of Conservation & Development might serve.

A report was made by the Budget Committee which had been appointed at the last Directors meeting. It was recommended by the Committee and a motion made, seconded and unanimously carried that the dues for the Association for the year 1953 be at the same rates and based on the same scale as the dues for the year 1952.

In discussing the report of the Water Policy Committee of the N.R.A. it was suggested that since the Association had agreed to mail out copies of this report to the Directors of all irrigation districts in the state, some comments on the report should accompany them. It was also suggested that the ideas of the Directors on the report should be given to Mr. Floyd Hagie (and to anyone else from the state who might attend) before the meeting of the National Water Conservation Conference in St. Louis on February 10, 11 and 12. It was therefore decided the Directors should be furnished copies of the report for study and that a meeting be held the last week in January (in time to furnish Mr. Hagie with the Directors' comments on the report) at the convenience of Mr. Cheadle to thoroly discuss the report and prepare such comments and criticisms.

After some general discussion, the meeting adjourned.

STATE ASSOCIATION OF WASHINGTON IRRIGATION DISTRICTS

Minutes - Board of Directors Meeting, Ephrata, Washington, January 27, 1953:

Present - Fred Beisner, Paul Booker, R. W. Hendrick, Clifford Kail, G. L. Sterling, Claude Zediker, Paul Lemargie, Hubert Walter and Ted Newstrum.

Mr. Lemargie distributed copies of a draft of a bill which the three Columbia Basin Districts wished introduced at the 1953 session of the State Legislature. This bill was in connection with the recordable contracts on the Columbia Basin project, and Mr. Lemargie's explanation for the necessity of such legislation was as follows: "The irrigable lands on the Columbia Basin project, as yet, do not have an established water right which is an appurtenance to the land and which, as such, could be foreclosed on for non-payment of taxes and assessments along with the land and conveyed out as a result of sales held under such proceedings. The right of these lands to receive water is predicated upon the continued existence of a valid recordable contract and certain other requirements. If that contract is wiped out, the land is no longer eligible to receive water and, under the present Columbia Basin Project Act and its companion State Act, it would not be possible to put another recordable contract on the land after water became available, or even in a period less than approximately two years before then."

It was agreed by the Board members that this bill should be presented to our Legislative Committee with the request that it be introduced in the Senate by Senator Ivy and sponsored by the Association.

There was considerable discussion with Mr. Lemargie and Mr. Walter on the subject of voting by owners of small tracts of land. It was brought out that Senate Bill No. 114, on an additional qualification for directors of irrigation districts, which was prepared by the Association and introduced in the Senate by Senator Ivy, solved this problem only insofar as directors are concerned. It does not at all touch on the problem of the vote by owners of small tracts of land in elections within irrigation districts other than director elections.

Mr. Lemargie had prepared a draft of legislation, amending the qualifications of voters in irrigation districts, providing as follows: "That any such person holding title or evidence of title to land in a district comprising 200,000 or more acres shall be entitled to one vote for the first ten acres of said land or any fraction thereof and one vote for each additional ten acres of said land up to but not exceeding a total of one hundred sixty acres thereof".

The desirability of such an amendment was recognized but there was no agreement by those present that this wording was entirely satisfactory, altho, after many suggestions and much discussion nothing more satisfactory was proposed. It was agreed that the draft of this amendment should be submitted to the Directors of the three Columbia Basin Districts and if approved by them the bill should be sponsored in the legislature by the Columbia Basin Commission since the Association already had one amendment in the legislature to the same chapter.

After lunch the Board members considered the drafts of two letters which had been prepared and sent over by Mr. Cheadle. These were letters to C. Petrus Peterson, President of the N.R.A. and to Floyd Hagie, delegate to the National Water Conservation Conference to be held at St. Louis beginning February 10. These letters were read to the Board, unanimously approved, and instructions given that they should be prepared as quickly as possible and signed by Mr. Beisner as First Vice President.

After some discussion regarding state legislation, the meeting adjourned.