

STATE ASSOCIATION OF WASHINGTON IRRIGATION DISTRICTS

Minutes - Board of Directors and Legislative Committee meeting Friday, March 23, 1956, at Yakima, Washington.

Present - David P. Brown, Harold J. Eidemiller, R. W. Hendrick, Clifford Kail, Chris Larsen, Keith McDnaiels, G. L. Sterling, C. M. Zediker, Directors, William McAnlis and A. D. MacKelvie, Legislative Committee members, and Ted Newstrum, Secretary.

Also present were: Jerome Clarke and Van E. Nutley of the Kennewick I.D., Ernest Myers and H. E. Alexander of the Sunnyside Valley I.D., W. G. Bayle, H. R. Praetorious Marvin Eakins and M. J. Crawford of the Yakima-Tieton I.D., Ray N. West, K. P. Bates and Fred Palmer of the Ahtanum I.D., C. P. Houghton of the Roza I.D., and O. W. Lindgren, Superintendent of the Yakima Project.

This meeting was called at the request of the Association by Mr. Lindgren, who presided during the morning session. Those present from the various divisions of the Yakima Project were representatives of the Yakima Project Advisory Committee.

The purpose of the meeting with the Yakima Project Advisory Committee and Mr. Lindgren was to discuss the proposed state water resources policy which had been drafted by the committee appointed by the Governor, which committee is composed of the heads of the five state code departments with the Secretary of the state polution commission acting as Committee secretary. The Association was concerned with the affect the adoption of such a water policy might have on the irrigation districts of the state as it was not believed enough emphasis or consideration was given to the importance of irrigation as a paramount water user. It was brought out during the meeting that the effectiveness of such a water policy depended upon authorization and approval by the state legislature and it was agreed that the Association and the irrigation districts of the state should follow closely any legislation introduced as enabling legislation for the proposed policy and be prepared to analize and approve or reject any such legislation from the standpoint of the use of water for irrigation.

Mr. Zediker reported on the meeting held by this committee in Olympia on June 24, 1955 at which meeting a statement prepared by the Legislative Committee of the Association was read. It was emphasized by Mr. Zediker that the committee and the policies proposed could be dominated by the departments of fisheries and game and that the interests of those departments and of the irrigation districts were often opposed.

After considerable discussion the following resolution was moved, seconded and unanimously approved: That the President of the Association appoint a committee of seven members, with Mr. Zediker as chairman, to follow any action by the committee on state water resource policy and take such action in connection therewith as thought best. The rest of the committee to be composed of three members from the Yakima Valley and one each from Spokane area, the Columbia Basin and the Okanogan area.

During the afternoon session of the meeting President Brown made the following appointments to this committee, the others to be appointe d at a later date: H. E. Alexander, G. L. Sterling, Van E. Nutley and Bert Fenton.

Mr. Fred Palmer, attorney for the Ahtanum Irrigation District, was then asked to present to the Association a statement of the difficulties between that district and the Yakima Indians over the waters of Ahtanum Creek, over which there has been litigation for the past $8\frac{1}{2}$ years. Mr. West of the Ahtanum board of directors also spoke on this matter.

Briefly, this situation is that as Ahtanum Creek borders the Indian Reservation the Indians claim rights to all of the water they necessarily beneficially need for the irrigation of reservation lands. This creates a controversy which involves the interpretation of the 1855 treaty between the Government and the Yakima Indians and an agreement of 1908 between the Secretary of the Interior and the Ahtanum Water Users, which latter allocated 25% of the flow of the creek to the Indians and 75% to the Ahtanum water users. The Ahtanum Irrigation District has made a request for financial assistance from various districts and from the Association to hold them cover the costs of litigation, on the assumption that if the district loses in this action (which might be taken to the Supreme Court) it might open up the question of water rights in the Yakima River and in any other streams which border or flow thru Indian reservations. The situation at the present time is that the case has been appealed by the Government (the Department of Indian Affairs acting for the Indians) to the Court of Appeals of the 9th Circuit at San Francisco.

There was considerable discussion of this matter by the Directors. It was the contention by the representatives present from the Sunnyside Valley I.D. that the water rights in the Yakima River had been finally and permanently settled by a judgment in 1945 in the District Court, Eastern Division of Washington, Judge Schwollenbach.

The Directors were undecided whether a contribution in this case was justified unless all member districts in the Association were affected or might become affected.

A motion was made, seconded and unanimously approved that the matter be given further consideration by the Board of Directors at the next meeting.

The President and Secretary then reported to the Board on various meetings of some Boards of Directors of Irrigation Districts which they had attended, particularly on a meeting at Twisp, Washington, at which there were representatives from 15 private ditch companies. These people were anxious to join the Association but the Constitution of the Association limits membership to "landowners, water users or officials in any organized irrigation district in the state". They were told the matter would be taken up with the Board and if approved by them an amendment to the Constitution would be proposed at the next annual meeting.

After considerable discussion regarding the advisability of expanding the membership in the Association to include private ditch and canal companies, the following motion was made, seconded and approved: That the Board study the advisability of taking ditch companies into the Association and if found advisable present a resolution at the annual meeting amending the constitution.

After some general discussion, the meeting adjourned.

Ted Newstrum, Secretary