

STATE ASSOCIATION
OF
WASHINGTON IRRIGATION DISTRICTS

Minutes of joint meeting with Board of Directors and Legislative Committee Members of the State Association of Washington Irrigation Districts and members of State Highway Department, held June 15, 1959 in the office of Paul Lemargie at Ephrata, Washington, 1:30 p.m.

Board and Committee members in attendance were:

Keith J. McDanielis	Van E. Nutley
R. W. Hendrick	Ralph Overbay
Kermit M. Rudolf	Wm. L. McAnlis
G. L. Sterling	Paul Lemargie
David P. Brown	A. D. Mackelvie
Chris Larsen	M. J. Crawford
Clifford Keil	

Others in attendance were:

John A. Richardson	- Dept. of Conservation - Olympia
R. E. Billingsley	- Columbia Basin Commission - Ephrata
Ernest Myers	- Sunnyside Valley I. D. - Sunnyside
O. F. Uhlhorn	- Lake Chelan Reclamation Dist. - Manson
Mark Richards	- Department of Highways - Olympia
W. E. Schussler	- Department of Highways - Olympia
Edw. E. Level	- Attorney General's Office - Olympia
Vera Arnold	- Department of Highways - Olympia

President Keith McDanielis called on Mr. Schussler to introduce the people from Olympia.

Mr. Arnold said he was wondering what our thinking was on the interpretation of the Right of Way law.

Sterling said Mr. Schussler had asked only for information on costs of construction on land in the Kittitas Project being taken out of irrigation by right of way and nothing was said about O. & M. costs.

Arnold felt that capitalizing it into perpetuity was a pretty stiff penalty.

Overbay gave example of flooding part of their land. Also stated that when the P. U. D. took over from Washington Water & Power they continued to pay O. & M.

McDanielis expressed the opinion that each case would have to be settled by a separate agreement.

Mackelvie stated he could not see why the Highway Department objected to paying O. & M. each year on land taken out of project use.

Schussler - that is not the way the bill was written.

Level - how did the districts intend to determine how the increased costs would be figured out?

Rudolf - as the bill now reads it is a problem of determining the annual increase in O. & M. costs.

Shussler - the problem is in paying.

Arnold - we are not going to be able to go ahead with a lot of the highways that have been programmed for the next 12 months.

Hendrick - we cant let the irrigation districts pay costs of these highways.

Level - can only pay for highway benefits.

Leurgie - are you thinking of challenging the act on the basis that it is unconstitutional?

Level - Attorney General's office is not considering challenging the act but someone will undoubtedly challenge it.

Sterling - highway right of way is expected to take about 1,300 acres out of the Vitvitas project.

Hendrick - we have previously tried to work out a solution to this problem in the past without any success.

Rudolf - not until the Washington State College made out their report did we get any boost.

Level - do the L. I. D. assessments include anything for retirement of bonds?

Arnold - I think what we should do is live with it awhile and see what happens.

The people representing the Highway Department left at this time which was 2:40 p.m.

President McDaniels brought up the subject of wage and hour law.

Rudolf said some district might get one of its employees to enter suit in their own county.

Leurgie said in cases of this kind you have to pay both sides of the law suit.

Mackelvie moved this matter be tabled until our next annual meeting.

Sterling said he did not like tabling the matter but felt we ought to all act the same way on this thing. If tabled every district will take different action on it.

Leurgie suggested getting a brief on the law prepared by some attorney.

Mulley said the Kennewick Irrigation District specifies the hours to be worked and then keep track of additional hours above the forty hours but do not intend to pay for the extra time.

Mackelvie withdrew his motion.

Sterling moved, Dave Brown seconded and the motion carried that Kermit M. Rudolf be retained to prepare a brief for presentation to the Department of Labor and Industries to determine whether or not Irrigation Districts would be considered agricultural and to present to the Director of the Department citations supporting this opinion thru the Association.

President McDaniel's asked for a definite time and place for our next annual meeting.

Dave Brown moved the annual meeting next be held November 13 at Sunnyside, Washington. Motion passed following a second by Cliff Kail.

Hendrick presented expense bill from the Legislative Committee totaling \$57.74 and moved for payment. Motion seconded by Kail and carried.

Lemergie brought up objection of Roy Mundy regarding activity on bills he had presented for the Association. Group said there had been considerable individual effort.

Sterling suggested President McDaniel's be given authority to appoint a committee to work on the annual meeting program.

Rudolf related a case pertaining to a person who had claimed being out of water some six years previous which resulted in crop loss. Rudolf said he felt some period of limitation should be set up. This problem has come up before and the trouble has been that no one could agree on the time limit.

Hendrick said 4 or 5 years ago he was appointed to a committee on State Agronomy Board at State College and he still gets literature but had never attended meetings. Also said he was resigning from the appointment. Sterling and Brown both said the member was the President of the association. Kail said he had attended some of those meetings years ago. It seemed to be a cut and dried program with considerable political activity at one of these meetings.

There being no further business the meeting adjourned at 4:25 p.m.


M. J. CRAWFORD, Secretary