

RESOLUTION NO: 10-12

A resolution by the Bonneville County Board of Commissioners to Declare its Intention to Dissolve the Roberts Kettle Butte Water District

WHEREAS, the Bonneville County Clerk Ronald Longmore has brought to our attention a non functioning special watershed district called the Roberts Kettle Butte District, which has not functioned since its inception in 1974; and

WHEREAS, the only remaining original officer, Vail Van Leuven of said watershed district, has delivered a letter to the Bonneville County Board of Commissioners requesting the dissolution of the Roberts Kettle Butte special district; and

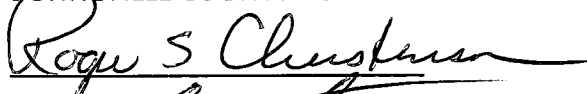
WHEREAS, Title 63, Chapter 41 of the Idaho Code provides that the Board of County Commissioners may by its own volition or petition take action to dissolve a non functioning special district; and

WHEREAS, the Jefferson County Board of Commissioners has by resolution dissolved its own portion of the Roberts Kettle Butte Watershed Special District;

NOW, THEREFORE, be it resolved that on September 17, 2010 the Bonneville County Board of Commissioners agrees with Bonneville County Clerk Ronald Longmore and the remaining officer of said district and declares its intention to dissolve the Roberts Kettle Butte Watershed Special District.

ADOPTED this 17th day of September, 2010.

BONNEVILLE COUNTY BOARD OF COMMISSIONERS



Roger S Christensen, Chairman




Lee Staker, Member



Dave Radford, Member

ATTEST:


Ronald Longmore, County Clerk

County Commissioners Bonneville & Jefferson County

For many years I have at times tried to get the Kettle Butte drainage area discontinued. I am happy to help in this effort. This taxing area was established in 1974 in an effort to create what was, at the time, an organization that was thought to be badly needed to control floods. This organization was formed as we were trying to get fed funds and grants for studies and construction. About the time we got the study completed we were told we would have to have an environmental impact statement and at that time the project was planned to take the water to the river and that was vetoed by the state of Idaho. The cost estimates were very high. The project died at that point. No meeting was ever held. No assessment was ever leveled there was a president, vice president and I was secretary. That is how my name was put on the papers.

A brief history of the water problem is following.

Many years ago there was a channel southwest of Roberts that ran drainage water from near Kettle Butte to the Snake River. It went into the Snake River near where the Golden Valley Packers was located there are still places where this drainage is still visible. Even at places small canyons go through the rocks. I believe it was called Elk Creek. With the building of the Butte and Market Lake Canal Railroad & roads the water was cut off and backed up and covered a lot of land with no way to Drain out. Except they would cut the Butte and Market Lake Canal and run part of it to the River.

The first time I saw this was about 1940, again maybe about 1950 and one more time about 1970. This area was south and west of Roberts.

Another area was around 800 N and 2500 E north of Roberts. This came in from another Drainage area west of there because that area is lower than the Snake River. There was no way to drain this water and it covered several farms.

There was a third area and somewhat different of a condition. It was sub water and covered almost all of the area north of Roberts to near Sage Junction including the fish & game management area. About 1920 an unsuccessful Drainage Project was started and then dropped about 1930.

The Sub Water would raise out of the sand areas in the winter and freeze above the ground sometimes about 2 or 3 feet deep then would melt in the spring and cover the land below it. The slope of the land is too the west. There was no way to drain most of this water. It has been pretty well proven that much of this sub water came from the Egin Bench area where sub irrigation was practiced. I am sure the higher level of the aquifer also contributes to this sub water.

So what happened? Take the sub water problem first, Egin Bench area converted to sprinkler irrigation about 1976, each year the flow of the Roberts area springs got less. We know that the Roberts north Sub water is connected to the aquifer that is pumped south & west of this area. As the aquifer lowers the sub water lowers.

Some years ago a group of farmers west of interstate 15 went together and put in a drain system that pumps water to the River. It has only been used a small portion of the years, Robison Farms pumps some of this water for irrigation. It is doubtful that this problem of sub water will return.

South of Roberts Flooding has been helped by several things.

Before the advent of farming was much of that area was covered by sagebrush much of that is gone. It is believed that the farmed ground absorbs more run off then it did when it was sagebrush covered.

Weather conditions was probable also a lot of the problem. Deep snow would be in the sagebrush then a heavy warm rain would melt the snow and the water would run. The snow in the sagebrush would not run until the conditions were right for it to occur. Sometimes the weather conditions may be right and there will be a repeat of these occurrences.

Yes this unused organization should be done away with as I am sure there is a cost to carry this forward. I will do what I can to help get this done.

Vail Van Leuven
2867 East 800 North
Roberts, ID 83444
(208) 228-3881

Vail Van Leuven

COMMISSIONER	
SEP 22 2009	
Date Received	Date
Initial	
District No. 1	
District No. 2	
District No. 3	
Action:	

BONNEVILLE COUNTY

10-13-2009

BOARD OF COMMISSIONERS

Roger Christensen, Chairman, District #1
Dave Radford, District #2
Lee Staker, District #3

605 N. Capital Ave.
Idaho Falls, ID 83402
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Commissioner Tad Hegsted
3521 E. 100 N.
Rigby, ID 83442

September 30, 2009

Dear Commissioners Hegsted:

It has come to our attention that a joint special water shed district is now nonfunctioning and has not functioned since its inception in 1974.

Our County Clerk, Ron Longmore, has explained to me that no county tax has been levied and a letter of one of the original officers of this district called the Roberts Kettle Butte water shed District has requested dissolution of this now nonfunctioning special district.

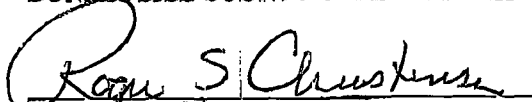
As per Title 63, Chapter 41 of the Idaho Code empowers the County Commissioners either on a petition or recognition by our own volition to dissolve a tax district that is nonfunctioning. This can be done as a matter of agenda vote. Our goal here at Bonneville County is to put it on our agenda and read the letter addressed to both Jefferson and Bonneville County Commissioners by Vail Van Leuven to take this taxing district off the rolls.

Vail Van Leuven, who is the only original officer of this original taxing district back in 1974, can be contacted by phone, (208) 228-3881, and mail at address 2867 East 800 North, Roberts, ID 83444.

Our County Clerk of over 30 years has stated that this will be one less letter contact made by your County Clerk each year. Please feel free to contact me, Dave Radford, Bonneville County Commissioner at (208) 529-1360 or Ron Longmore, (208) 529-1350, ext. 1355, with any questions.

Sincerely,

BONNEVILLE COUNTY COMMISSIONERS



Roger S. Christensen, Commissioner/Chairman



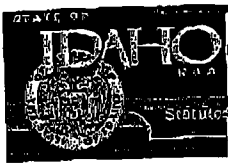
Lee Staker, Commissioner



Dave Radford, Commissioner

Cc: Scott Hall, Bonneville County Attorney

Enclosures: Idaho Statues, Title 63 Chapter 41
Vail Van Leuven Letter



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Idaho Statutes

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TITLE 63 REVENUE AND TAXATION

CHAPTER 41 SPECIAL DISTRICT DISSOLUTION ACT

63-4104. NONFUNCTIONING DISTRICT. Any special district which fails or has ceased to function for two (2) or more years may be dissolved by the board or boards of county commissioners of the county or counties in which it is located. The county commissioners may initiate such action upon their own volition or it may be initiated by petition. If by resolution a board of county commissioners finds that an emergency exists, the board may immediately take all steps necessary to operate and provide services of the district and preserve and maintain the property owned by the district.

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