

2008 RESOLUTION No. 14
RESEARCH TO REBUILD DISTRICT RECORDS

WHEREAS, water rights have been transferred, split, and otherwise moved around to parts of Basin 37 away from the original place of use, and have likewise been transferred to new purposes of use;

WHEREAS, a comprehensive knowledge of the current and prior uses is a critical factor in the Water District's ability to properly administer water rights in Basin 37;

WHEREAS, water rights in the upper part of Basin 37 if not properly administered could deprive senior water users throughout Basin 37 of their water supplies;

WHEREAS, it is in the interests of all water users in Basin 37 to have all water usage properly cataloged and mapped, including those uses without valid rights and to learn where water spreading has occurred;

WHEREAS, historical records of Water Districts 37 & 37M were destroyed in an office fire in 1994 and complete records are essential to proper management of water rights within the districts;

NOW, THEREFORE, BE IT RESOLVED, that Water Districts 37 & 37M wish to retain the services of an expert as an independent contractor and not as an employee of the Water Districts to research water rights records and provide mapping information to the Water Districts. The Water Districts authorize the expenditure of up to \$90,000 for the year 2008, to be included in the assessments pursuant to Idaho Code §42-612 (1). The expert's statements for work performed on behalf of the Water District shall be submitted to the Advisory Board through the Water Master for reimbursement by the Water District.

**2008 RESOLUTION No. 15
INTERIM ADMINISTRATION**

WHEREAS, Basin 37 is in an over appropriated basin and water delivery curtailment is a regular necessity in the Basin;

WHEREAS, the Department of Water Resources has recommended water rights in Parts 1, 2 and 3 of Basin 37, in the Directors Report filed with Snake River Basin Adjudication (SRBA) Court, and the objection periods for water rights in Part 1, 2 and 3 has passed;

WHEREAS, Idaho Code 42-1417 authorizes the Court in a water rights adjudication to order Interim Administration of water rights in accordance with the directors report, or as modified by the Court's Order;

WHEREAS, under Idaho Code 42-1417 Interim Administration is appropriate when reasonably necessary to protect senior water rights;

WHEREAS, the SRBA Court has previously ordered Interim Administration of water rights in Part 1 of Basin 37;

WHEREAS, in the Court's Order granting Motion for Interim Administration in Part 1 of Basin 37, the SRBA Court noted that it was typical to order Interim Administration after the objection period has expired;

WHEREAS, in this same Order the SRBA Court found that the available water supply in all or portions of Basin 37 surface water is not currently adequate to satisfy some senior water rights and is projected in the future to be inadequate to supply these water rights;

WHEREAS, Interim Administration based on the Director's Report, as modified in the various subcases, would assist the Water Master in Delivering water and benefit the

water users in communicating with the Water Master on allocation of the resource in times of scarcity;

WHEREAS, in prior years some water users in Basin 37 have resisted administration by the Water Master and refused to abide by curtailment directives;

WHEREAS, Interim Administration, based on the recommendations in the Director's Report is the fairest and most equitable way to administer water rights in the Basin, pending completion of the partial decree;

NOW, THEREFORE, BE IT RESOLVED, that Basin 37 Water District supports Interim Administration of all water rights in Basin 37 pending completion of the SRBA, requests that the Department of Water Resources or the State of Idaho file a motion for Interim Administration with the SRBA court, and in the absence of such a motion filed by the Department or the State, authorizes the Water District to file or to designate an appropriate representative to file such a motion requesting Interim Administration with the SRBA Court on behalf of the Water District.