

ADOPTED RESOLUTIONS FOR 2011 WATER DISTRICTS 37 & 37M

1. BE IT RESOLVED that hereafter the annual meeting of Water District 37, Big Wood River, and Water District 37M, Silver Creek and Little Wood River shall be held on the second Monday of January of each year.
2. BE IT RESOLVED that for the year 2011, a charge of \$40.00 shall be assessed to each individual who owns a water right, whose share of the total budget is less than the above specified amount.
3. BE IT RESOLVED that the amounts payable by each ditch, canal company, or other water user, as shown by the approved budget, shall become due and payable on April 1st. and said amount, if not paid, shall bear a penalty of 10% and interest from that date until paid, at the rate of 1% per month.
4. BE IT RESOLVED that no ditch, canal company, or other water user shall have the right to demand and receive water, and the Watermaster shall not deliver to such person or persons, until the amount due and payable from such users, as fixed by the budget, has been paid.
5. BE IT RESOLVED that the Watermaster of these districts shall be in service for the full year, commencing on February 1st of each year and continuing until the following January 31st, or until his successor has been duly qualified and elected.
6. BE IT RESOLVED that the Deputy Watermaster(s) for the Big Wood River, Water District 37, above Magic Reservoir, may remain in service for 12 months from the date of hire.
7. BE IT RESOLVED that in accordance with Idaho Code 42-605A, that all non-consumptive Hydro Power water users shall be charged for 15% of the total amount of their water used for the year to pay the additional costs and expenses for Watermaster services for data collection, water measurement, delivery of water and administration.
8. BE IT RESOLVED that in accordance with Idaho Code 42-605A, that all non-consumptive water users assessments, except Hydro Power, shall be based upon the total amount of their water delivery, the same as consumptive water users, to pay the additional costs and expenses for the Watermasters services for data collection, water measurement, delivery of water and administration costs.
9. BE IT RESOLVED that Kevin Lakey be elected Watermaster of District 37& 37M for the ensuing year beginning February 1, 2011 and ending January 31, 2012, and that he shall be authorized to hire a full-time staff consisting of three deputies. The Watermaster may hire additional assistants as authorized in Idaho Code 42-609 in an emergency.

10. BE IT RESOLVED that Cyndi McCowan be elected Secretary-Treasurer, for Districts 37 & 37M for the ensuing year, beginning February 1, 2011 and ending January 31, 2012.

11. BE IT RESOLVED that the elected Treasurer of Water District 37 & 37M should only disburse monies from water district accounts upon a voucher approved by the Watermaster. All district checks can be signed either by the Treasurer or Watermaster, but must be co-signed by an Advisory Board Member. Frederic Brossy or Jerry Nance (or other named person) shall serve for the purpose of co-signing all district checks.

12. BE IT RESOLVED that the 2011 assessments shall be calculated over a five-year average, according to Idaho Code 42-612 paragraph 5 which reads as follows:

Other provision of Chapter 6, title 42, Idaho Code, notwithstanding, water users at the annual meeting may provide by resolution the respective amounts owed by each water user as shown in the adopted budget shall constitute a final determination of the amount due for that year without the need to carry forward any water user debits or credits to the following year.

13. BE IT RESOLVED the Watermaster shall require lockable and controllable measuring devices to monitor the flows of water both from and back to the main source from which water has been delivered. He shall have the authority to investigate, enforce and act accordingly with the Code of the State of Idaho.

~~14. RESEARCH TO REBUILD DISTRICTS RECORDS~~

~~15. INTERIM ADMINISTRATION~~

16. BE IT RESOLVED the constituents of Water Districts 37 & 37M direct the Watermaster and Advisory Board members to collaborate with officials of the Idaho Department of Water Resources in establishing the authority of Water Districts 37 & 37M in regulating and monitoring all ground water diversions within Water Districts 37 & 37M excepting groundwater currently regulated in Water District 130.