

OTHER MINUTES

Water District 100 Advisory Meeting
January 23, 2012
IDWR, Idaho Falls

Meeting was called to order at 1:00 p.m. Those in attendance were Dale Swensen, James Cefalo, Wendy Murphy, Kenda Jones, Jim Bitzenburg, Mark Ricks, Kade Raymond, and Rich Crapo.

James Cefalo introduced Jim Bitzenburg who replaced Gene Hansen, and Kade Raymond the Dam Safety Engineer for IDWR. Minutes were reviewed from the January 24, 2011 meeting. Mark Ricks motioned to accept the minutes as presented, Dale Swensen seconded and the motion was passed.

Wendy Murphy presented the financial report. Current balance shows \$13,887 in checking/savings. Accounts receivable shows a balance of \$183 for total current assets of \$14,071. Projected expenses are \$238. Current retained earnings are \$14,394, net loss of \$562, for total equity of \$13,832. Profit/loss shows \$45 received in finance charges, assessment income was \$9869, interest income of \$15 for total income of \$9930. Expenses included reimbursement of \$2000 to water district 1 for measurement equipment, IDWR contract is \$8492, for total expenses of \$10,492. Net loss in income was -\$562. Delinquent accounts were discussed and there are only a couple of outstanding assessments. Rich Crapo motioned to accept the financial report as presented, Dale Swensen seconded and the motion was passed.

Jim Bitzenburg presented the watermaster report. Twenty four wells were to be measured this year. Nineteen wells were measured, four wells were too complex for PCC and will need a flowmeter or were not functioning, and one wasn't running every time he visited. New wells are being entered into WMIS. The 1/3 protocol for the district was met. Department standards for flowmeters were discussed. It was recommended to get MAG meters because they tend to last longer. Information can be found on the IDWR web page. The 5 year average report was presented and it was recommended to add the owner name to the report.

Resolutions for 2012 were discussed. Dates were changed to reflect the new year. Resolution #5 addresses the budget for the upcoming year. Assessments are based on 5 year average use and assessment income was adjusted/increased slightly as a result of updating numbers. In addition, \$2000 was eliminated from the budget for equipment, which will be reflected in the 2012 budget numbers. No other changes are proposed to assessments for 2012. IDWR contract was lowered for 2012. There is \$13,000 in reserve. A recommendation to accept the 2013 budget and resolutions as presented (see Attached) was made by Mark Ricks, Rich Crapo seconded the motion and they will be presented at the annual meeting for approval. Jeff Raybould agreed, via advisory member, to continue as treasurer. A list of Advisory members will be available at Annual meeting scheduled for January 30, 2012.

Meeting adjourned at 1:45 p.m.

MINUTES OF ANNUAL MEETING

Water District 100 Annual Meeting
Fremont Madison Irrigation District
January 30, 2012, 1:00 p.m.

The meeting was called to order at 1:10 p.m. Those in attendance were Dale Swensen, Jeff Raybould, Mark Ricks, Wendy Murphy, John Millar, James Cefalo, Kenda Jones, and Jim Bitzenburg.

Dale Swensen started the meeting with the election of the meeting chairman and secretary. Jeff Raybould nominated Dale Swensen as chairman and Wendy Murphy as secretary. All are in favor and the nominations are passed.

Minutes were reviewed from the February 13, 2013 annual meeting. There was one correction, and John Millar was added to the attendees as he was not listed. Mark Ricks motioned to accept the minutes, with the correction. John Millar seconded and the minutes were approved.

Wendy Murphy presented the financial report. Wendy Murphy presented the financial report. Current balance shows \$13,887 in checking/savings. Accounts receivable shows a balance of \$183 for total current assets of \$14,071. Projected expenses are \$238. Current retained earnings are \$14,394, net loss of \$562, for total equity of \$13,832. Profit/loss shows \$45 received in finance charges, assessment income was \$9869, interest income of \$15 for total income of \$9930. Expenses included reimbursement of \$2000 to Water District 1 for measurement equipment, IDWR contract is \$8492, for total expenses of \$10,492. Loss in net income was -\$562. Delinquent accounts were discussed and there are only a couple of outstanding assessments.

Jim Bitzenburg introduced himself and presented the watermaster report. Out of the 24 wells that he measured, 19 wells, 4 wells were too complex or not functioning, and 1 wasn't running. New wells are being entered into WMIS. The 1/3 protocol for the district was met. Jim talked about new wells that may have been added in the past year. They will need field exams and to be added to WMIS. Jim reviewed several USGS sites where the depths are measured on a regular basis. The levels in 20 wells increased, 6 have levels that have fallen and 8 remain unchanged. Snow/water equivalent records for the area show we are at 90% of normal compared to 120% this time last year. Reservoirs are looking good so far this year. Jackson Lake is at 75% of full, Palisades 86%, American Falls is 2/3 full, and Henry's Lake is almost full. River flows are above average so far for the year, stream flows are also looking good so far this year. Snotel sites indicate we are average compared to last year, Pine Creek snotel indicates above average snow pack as compared to last year. Overall, we are at around 90% of normal for the year. Stream flows are 70-90% of normal for this time of year.

Resolutions for 2012 were reviewed. Dates were changed to reflect the new year. Other proposed changes are as follows:

*Resolution #5 addressed the budget for water district 100. Assessment income will increase slightly due to increased number of POD's. Personnel hours may increase slightly due to a proposed one time 3% "bonus" or "increase" by the Governor.

*Resolution #12- the annual meeting date for the 2013 year will be changed to the last Tuesday in January.

Mark Ricks motioned to accept the Resolutions, with changes and amended meeting date. Jeff Raybould seconded and the Resolutions are passed. No advisory meeting will be scheduled for 2013.

Election of Advisory board was discussed. It is proposed that committee members remain the same with the addition of Curtis Parkerson, who was removed in 2011 due to no attendance of meetings and he no longer represents the commercial users. He will be added back per current members. Jeff Raybould moved to retain the current advisory board members, with the addition of Curtis Parkerson. It was seconded and the motion passed.

Late assessments were discussed and how to handle water users that have measuring devices that are not functioning. Water district 100 currently assesses users based on usage. Those users that do not report or have measuring devices that are not functioning are assessed by actual water right. It was proposed that this subject be added to the 2013 meeting agenda.

Jeff Raybould motioned to adjourn, Mark Ricks seconded and the meeting adjourned at 2:00 p.m.

APPROVED RESOLUTIONS

**Water District 100
2012 Resolutions**

The water users of Water District No. 100 meeting at the annual district meeting on January 30, 2012, at Fremont-Madison Irrigation District, St. Anthony Idaho, HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

1. That the watermaster perform the duties as required by Chapter 6, Title 42, Idaho Code and in accordance with:
 - 1) The duties described in the Final Order Creating Water District 100, signed by the Director of the Idaho Department of Water Resources (IDWR), December 29, 2006, including:
 - a) Measure, record and report diversions of ground water rights included in Water District No. 100;
 - b) Administer and enforce water rights in Water District No. 100 in priority;
 - c) Curtail unauthorized or excessive diversions in Water District No. 100 (i.e., any diversion without a water right or in excess of the elements or conditions of a water right);
 - d) Curtail out-of-priority diversions under ground water rights in Water District No. 100 determined by the Director to be causing injury to senior priority water rights if not covered by a stipulated agreement or a mitigation plan approved by the Director;
 - e) Enforce the provisions of any stipulated agreements or mitigation plans approved by the Director and applicable in Water District No. 100.
 - 2) Direction and guidance provided by the Director of IDWR pursuant to Idaho Water Law.
 - 3) The annual water district resolutions as adopted herein.
2. James Cefalo is elected the watermaster for Water District 100. That the Director of IDWR appoints James Cefalo an employee of IDWR, to provide watermaster services for the ensuing year.
3. As provided in Idaho Code § 42-608(4), the watermaster shall serve until the next annual meeting of the water district after election at this meeting and upon appointment by the Director.
4. The water users of Water District No. 100 hereby empower the elected advisory committee to enter into a Memorandum of Understanding between Water District No. 100, and the Director of IDWR that will provide for the following:

- a) The 2012 budget for Water District No. 100 will be set at this annual meeting.
 - b) Water District No. 100 will provide compensation to IDWR for clerical and financial account support services, Watermaster services and measuring/reporting services.
 - c) The watermaster shall maintain an office for the ensuing year within the IDWR Eastern Regional Office, located in Idaho Falls, Idaho.
 - d) IDWR will provide office space, vehicles and the use of all necessary office and field equipment in exchange for compensation as set in the budget for the ensuing year. This arrangement shall not give Water District No. 100 any ownership interest in any IDWR office space and equipment. However, any equipment purchased by Water District 100 will remain owned by Water District 100.
5. The budget of Water District No. 100 for the fiscal year 2012 beginning February 1, 2012, and ending on January 31, 2013, be as follows:

Income	
Assessment Income	\$ 10,031
	10,031
Total Income	\$ 10,031
	10,031
 Expenses	
IDWR Contract	\$ 10,320
Equipment charge	\$
	\$
Total Expense	\$ 10,320
	10,320

WHEREAS some small diversions would have regular assessments less than the amount required by IDWR to maintain their account,

WHEREAS many of these small diversions are not currently measured by the IDWR, ground water districts, or the irrigation district. and;

WHEREAS measurement of diversions smaller than 0.24 cfs that irrigate 5 or less acres is cost prohibitive and the water use for many of these diversions can be estimated.

BE IT RESOLVED that Water District 100 will have a minimum charge of \$25.

6. Diversions in Water District 100 that have a water right diversion rate in excess of 0.24 cfs and/or irrigation of more than five acres shall be measured directly by the water district every three years and assessed at the following rate;
 - a) \$25 per diversion, and;
 - b) .33 per acre foot based upon a 5-year average of water use.
7. All payments for assessments not received by May 1, 2012 shall accrue penalties in the amount of 10% of the charge and interest in the amount of 1% per month, as provided pursuant to Idaho Code Section 42-617.
8. Be it also resolved, that the Watermaster is authorized pursuant to Idaho Code Section 42-618, to withhold or suspend deliveries of water to any water users who have not paid their assessment charges by January 1 of the year following the billing date.
9. Jeff Raybould is elected Water District No. 100 Treasurer. The duties of the treasurer will be to approve the expenses and disburse water district funds, and to prepare or oversee preparation of a written statement of the financial affairs of the district at the end of each fiscal year, in accordance with Idaho Code, Section 42-619. James Cefalo, Watermaster of WD100 will also be designated an authorized signature for banking purposes.
10. An advisory committee shall be elected at each regular annual session to represent the interests of the water users and to provide input to the watermaster and the Director of IDWR. The 2012 Water District 100 advisory committee shall consist of an odd number of members with a minimum of three. At least two members shall be water users with irrigation rights and one shall be a water user from municipal, commercial or industrial use.
11. WHEREAS Idaho Code 42-605 provides for voting by water users and election of an advisory committee, the water users of Water District No. 100 hereby resolve that the credentials for voting in any district meeting and for serving on the district advisory committee will be as follows:
 - a) Must be a water user of the district as evidenced by a valid water right.
 - b) Must have paid all assessments owed to the water district.
12. The annual Water District No. 100 meeting shall hereafter be held on the last Monday of January of each year unless the Director of IDWR or the Water District No. 100 advisory committee should find it necessary to change the meeting date or unless changed by resolution of the district at any annual meeting.

13. Copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and the report prepared in accordance with Idaho Code § 42-615, shall be filed with the director of the Department of Water Resources in accordance with Idaho Code § 42-617.
14. The watermaster of Water District No. 100 shall be responsible for submitting to IDWR annual reports showing water use and such other information that may be deemed necessary by the Director of IDWR in accordance with Idaho Code § 42-606, § 42-708, and § 42-709.
15. The watermaster and assistant watermasters are authorized under Idaho Code § 42-1701(5) to make reasonable entry on lands within the district to carry out the duties of the watermaster as instructed by IDWR. These duties include but are not limited to:
 - a) Monitoring diversion and measuring rate and volume of water diverted from ground water and other public water sources.
 - b) Measuring the depth to water in wells.
 - c) Monitoring the place, period, and nature of use of water to identify unauthorized diversion and use and to determine compliance with mitigation provisions required by agreement or order of IDWR.