

**AGENDA
WATER DISTRICT 37B
2022 ANNUAL MEETING**

Thursday, February 10

1:00 p.m.

Call Meeting to Order and Introduction (copies of Meeting Agenda, 2021 Annual Meeting Minutes, 2022 Budget and Proposed Resolutions on the table at entrance)	Lou Andersen (Chairman)
Selection of 2022 Meeting Chairman	Lou Andersen
Selection of 2022 Meeting Secretary	Meeting Chairman
Approval of minutes from 2021 Annual Meeting	Meeting Chairman
Water Master report on activity of 2021 year	Rusty Kramer
Discussion of Proposed 2022 District 37B Budget and 2022 Resolutions	Meeting Chairman
Adoption of Proposed Budget and 2022 Resolutions	Meeting Chairman
Adjournment of Meeting	Meeting Chairman

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WATER DISTRICT 37B
MINUTES OF THE ANNUAL WATER DISTRICT MEETING
FEBRUARY 10, 2022 1:00 P.M.

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ITEM #1 on Agenda – CALL MEETING TO ORDER AND INTRODUCTION

Lou Andersen, Advisory Board Chairman, called the annual meeting to order at 1:07 P.M. (Copies of Meeting Agenda, 2021 Annual Meeting Minutes, 2021 Budget to Actuals, 2022 Proposed Budget and Resolutions were handed out at entrance).

ITEM #2 and #3 on Agenda – SELECTION OF 2022 MEETING CHAIRMAN and SELECTION OF 2022 MEETING SECRETARY.

Jim Kramer made a motion to select Lou Andersen as Meeting Chairman of the annual meeting. Charlie Kester seconded. No discussion. Motion passed unopposed.

Mitch Fleming made a motion to select Teresa Andersen as secretary of the annual meeting. Charlie Kester seconded. No Discussion. Motion passed unopposed.

Lou introduced Nathan Erickson and Cory King from IDWR, who attended the meeting.

ITEM #4 on Agenda– APPROVAL OF MINUTES FROM 2021 ANNUAL MEETING

Lou asked that everyone take a few minutes to look over the 2021 annual meeting minutes and opened the floor for discussion. No discussion.

Jim Kramer made a motion to approve the minutes as presented. Jill Frostenson seconded. No discussion. Motion passed unopposed.

ITEM #5 on Agenda – WATERMASTER REPORT OF 2021 YEAR

Rusty gave some of the NRCS Snow Data, as of Jan 31 shows Big Wood drainage at 113% of normal, Dec. was 146%, last year this time 87%. Snow-tel sites on Camas Creek Divide at 95%, Soldier Ranger Station at 81% of normal. Magic Reservoir is lower than last year at this time.

The water district is all surface, storage and ground water, we have 151 different water right owners-last year we had 139. There are 408 water rights this year-last year there were 380. We also have a lot more surface diversions and meters. Rusty stated he still gets a few questions about forfeiture dates. All water rights in this district were “decreed” in 2010 and in Idaho will be forfeited if not used for five consecutive years, putting water in the water bank pauses forfeiture date but does not reset it. If there is a drought and there is no water to irrigate with, it does not count against you for the 5 consecutive year usage.

Rusty gave a list of his duties and responsibilities –

- Measuring all devices – surface water and groundwater

- Make sure all meters and devices are up to IDWR standards

- Make sure all water amounts are recorded with the IDWR

Facilitate water cuts when the creeks dry up
Help IDWR identify issues on non-compliance
Keep the advisory board up to date on issues
Communicate with everyone in the District with what you need to know and any questions for WM

And also a list of Not the Job of the Watermaster but he is willing to help with –

Can help with water right transfers and water bank applications

Water bank issues-leases expire

Maintaining devices – replacing batteries, cleaning sand out flumes

Policing water delivery after the point of diversion

(Nathan Erickson mentioned that a group of water right users receiving water from the same ditch could look into forming a lateral ditch association)

Water issues that do not concern the Water District (ie water issues in town is up to the City of Fairfield)

Groundwater - there are 41 big wells, 6 small wells and 10 municipals.

Rusty also mentioned that batteries were a continual issue. Batteries will go dead, the meters must be hooked to power, and if the meters quit they need to be replaced.

PCCs, only 3 left in the District. The old mechanical meters – if they were on before the water district was formed, they were grandfathered in but if they fail they have to be replaced with an IDWR approved meter.

Surface water measuring devices – measurement order went out in October 2015 - all streams and all reservoirs are required to have measuring devices that is a controllable device and have to be lockable, that requirement was spread over 3 years. All POD must be correct.

Rusty reminded everyone, water users must have their assessment paid in full before any water can be turned on and they must contact Rusty when they turn on water so he can get accurate measurements.

According to the IDWR order, groundwater users start date is May 1st and stop date is Sept 15th.

Rusty reminded everyone that the date is preset for the annual meeting to be the second Thursday of February.

ITEM #6 and #7 on Agenda – DISCUSSION OF PROPOSED 2022 DISTRICT 37B BUDGET and ADOPTION OF PROPOSED 2022 RESOLUTIONS AND BUDGET

Lou asked that everyone look over the Proposed Budget and Resolutions. Lou went through each of the resolutions, none had changed except the addition of #3 which states that any water user who uses water for any purpose before notifying the water master at the start of the season, will incur a penalty of \$100. Lou went over the 2022 proposed budget and 2021 Budget to Actuals stating that the water

district did come in under budget again this year. He explained the increase in Rusty's salary, the budget shows \$26,000 per year plus the board has been giving him a bonus of \$2000 each year bringing his total salary to \$28,000 per year – the board is proposing increasing Rusty's salary to \$30,000 and do away with the bonus all together. Also, they proposed getting Rusty a new desktop computer for his office. The office supplies have been under budget each year and the board thought if they added just \$200 to the existing office supplies budget, they could purchase a new computer and monitor. The other change in the proposed budget was to increase the reimbursement for Rusty's cell phone from \$40 per month to \$62.50 per month. The proposed budget would increase the assessment just \$.067 per acre feet from last year's assessment.

Lou asked for a motion to approve the budget.

Dennis Strom made a motion to approve the 2022 Proposed budget. Rod Gonsales seconded. No discussion. Motion passed unopposed.

Rod Gonsales made a motion to approve the proposed 2022 Resolutions. Jim Kramer seconded. No discussion. Motion passed unopposed.

Lou turned the floor over to Nathan Erickson with IDWR. Nathan said Rusty is doing a great job. He talked a little bit about the water right ownership, stating that water rights are not required to be changed with property purchases and that it is up to the buyers and sellers to change with IDWR.

Lou asked if there was any other business.

Rod Gonsales made a motion to adjourn.

Jim Kramer seconded. No discussion. Motion passed unopposed. Meeting adjourned at 2:00 p.m.

(Attendance at the meeting included 21 attendees)

2022 WD 37B Annual Meeting Sign up Sheet

Name	Address	Phone #	Email Address
Dennis Strom	PO Box 137 Hill City	208-590-3268	dennisstrom10gmail.com
Dallas Smith	PHO Box 518	208-539-5900	
Kaylin Dennis	701 N Soldier Creek Rd	208-539-7849	kdennis1212@gmail.com
John & Kate Dennis	655 Spring Coe Rd Bliss	208-358-1801	juneranch@hotmail.com
Jim Kramer	478 E 400S Fairfield	208-358-2578	remarkj@hughes.net
Steve Moore	274 S 600 W	208-484-8857	steve.mooreranch@gmail.com
Glenn Koch	1137W 287N	208-890-3960	gkoch@mwiah.com
Karen Simon	PO Box 545	208-539-0874	dks@rtci.net
Mitch Fleming	PO Box 47	208-539-5543	mcf6881@gmail.com
Andrew Simon	599E 250N	208-490-2692	
Jay Caven	5596 N Driscoll Pl	208-891-3426	
Jill Fronstenson	PO Box 442	206-227-5491	jillfrostenson@gmail.com
Charlie Kester	PO Box 442	206-227-5492	chasbkester@gmail.com
Mark Toone	2096E 1500S	208-539-7114	

2022 WD 37B Budget

	Unit cost	Units	Subtotal
WM Salary	\$ 30,000.00		\$ 30,000.00
FICA/Medicare	7.65%	-	\$ 2,295.00
Workers Comp Est	4.125%	-	\$ 1,237.50
Mileage	\$ 1.250	5500	\$ 6,875.00
Commercial Truck Insurance	\$ 418.000	1	\$ 418.00
Four Wheeler	\$ 500.000	1	\$ 500.00
Telephone	\$ 62.50	12	\$ 750.00
Rent/Internet	\$ -	0	\$ -
Office Supplies/IWUA Dues/Misc	\$ 1,200.00	1	\$ 1,200.00
Secretary/Treasurer	\$ 2,000.00	1	\$ 2,000.00
FICA/Medicare	7.65%	-	\$ 153.00
Workers Comp Est	4.125%	-	\$ 82.50
SUTA (State Unemployment)	\$ 218.02		\$ 218.02
Carry In from 2021/Account Rec.	\$ 7,686.71		-\$7,686.71
Twin Lakes Res. Measure Credit	\$ 3,570.53		\$ 3,570.53
Idaho Power Cloud Seeding	\$ 5,000.00		\$ 5,000.00
Contingency	\$5,000		\$ 5,000.00
		Total	\$ 51,612.84
Unadjusted estimated cost per AF of WR			1.808212
Adjusted estimated cost per AF of WR			1.694784
Carry in from 2021			\$ 7,686.7100
Authorized Budget Total			\$ 59,299.5500

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2021 WD 37B Budget to Actuals

	Unit cost	Units	Subtotal
WM Salary	\$ 26,000.00		\$ 26,000.00
FICA/Medicare	7.65%	-	\$ 1,989.00
Workers Comp Est	4.125%	-	\$ 1,072.50
Mileage	\$ 1.000	6500	\$ 6,500.00
Commercial Truck Insurance	\$ 418.000	1	\$ 418.00
4 Wheeler	\$ 500.000	1	\$ 500.00
Telephone	\$ 40.00	12	\$ 480.00
Rent/Internet	\$ -	0	\$ -
Office Supplies/IWUA Dues/Misc	\$ 1,000.00	1	\$ 1,000.00
Secretary/Treasurer	\$ 2,000.00	1	\$ 2,000.00
FICA/Medicare	7.65%	-	\$ 153.00
Workers Comp Est	4.125%	-	\$ 82.50
SUTA (State Unemployment)	\$ 218.02		\$ 218.02
Carry In from 2020/Account Rec.	\$ 4,676.06		-\$4,676.06
Twin Lakes Res. Measuring Credit	\$ 3,678.79		\$ 3,678.79
Idaho Power Cloud Seeding	\$ 5,000.00		\$ 5,000.00
Contingency	\$5,000		\$ 5,000.00
		Total	\$ 49,415.75
Unadjusted estimated cost per AF of WR			1.728543
Adjusted estimated cost per AF of WR			1.627091
Carry in from 2020			\$ 4,676.0900
Authorized Budget Total			\$ 53,370.2400

Start date	02/12/21	Actual Expenditures to date - Feb. 10, 2022	
Stop date	02/10/22	Water Master gross wages	\$26,000.00
Number of	365	WM employer taxes	\$ 1,989.00
Number of v	52	Worker's Comp	\$ 1,329.00
Workdays/w	3.0	WM SUTA	\$ 166.06
Total Workc	156	WM Mileage	\$ 4,957.31
		Comm Veh. Ins.(2021)	\$ 418.00
		Equip Rent (4-wheeler)	\$ 500.00
		Telephone Exp. \$40/mo	\$ 480.00
		Office Supplies/postage	\$ 557.73
		Secretary gross wages	\$ 1,342.50
		Sec. employer taxes	\$ 102.70
		Sec. SUTA	\$ 8.49
		Twin Lakes Res. Meas Credit	\$ 3,678.79
		Cloud Seeding	\$ 5,000.00

Total Expenses **\$46,529.58**

Checking Account Balance as of 2/10/22 \$ 7,686.71

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WATER DISTRICT 37-B BYLAWS

1. The annual meeting of Water District 37-B shall be held at 1:00 PM on the second Thursday of February of each year unless changed by resolution at the annual water district meeting. If, a majority of the advisory board determines that it is necessary for an alternate date to be selected, the board shall notify the Director of IDWR who shall then send notice of the meeting.
2. A minimum charge of \$50.00 shall be assessed to each individual who owns a water right if their acre-foot assessment from resolution 1 is less than \$50.00. This includes water bank and CRP rights.
3. The amounts payable by each ditch, Canal Company, or other water user shall become due on May 1, of the current year and said amount, if not paid, shall bear a penalty of 10% and an additional 1% per month until paid as authorized by Idaho Code § 42-613.
4. No ditch, Canal Company, or other water user shall have the right to demand and receive water and the water master shall not allow water to be delivered or pumped until the amount due and payable has been paid (Idaho Code § 42-618). A water user must notify the water master at the start of the irrigation season before using any water for any purpose. The water user will also notify the water master when they have turned off for the season.
5. The water right holders at its annual meeting, may amend these bylaws provided the proposed amendment has been presented to the board of advisors at least thirty days before the annual meeting. The water right holders at its annual meeting will also adopt or amend the resolutions governing the operations of Water District 37-B, elect a board of advisors, elect a water master, elect a treasurer, and adopt a budget for the ensuing year. Each elected position will serve for one year or until the next annual meeting. Each elected position will perform their duties in such a manner that meets or exceeds the

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minimum standards for operating water districts as established by the Idaho Department of Water Resources. The advisory board will meet as often as needed to address the structure, governance and operation of the district.

6. The board of advisors will be comprised of five shareholders as follows:

One from Soldier Creek water users, one ground water pumper, and three from the district at large.

7. The secretary shall only disburse monies upon approval by the water master. All district's checks must be signed by the treasurer or secretary and a designated member of the advisory board.

8. The water master, working with the advisory board, shall prepare a proposed budget prior to the annual meeting of water users of WD-37B in accordance with Idaho Code 42-615, 42-612 and 42-605A. The budget will run from the second Thursday of February of the current year to the second Thursday of the next year.

RESOLUTIONS FOR WATER DISTRICT 37B

1.BE IT RESOLVED that whereas Idaho Code Sections 46-612 and 42-615 require that proposed water district budgets and annual assessments to individual right holders be prorated based upon the amount of water delivered or used by individual right holders during the past season or seasons (not to exceed five seasons) it is therefore resolved that Water District 37-B will determine annual water use and assessments for all irrigation rights using the following formulas for the ensuing water year:

For those water right users who had approved measurement methods in use during the preceding water use year and used since installed, it will be their average seasonal use in acre-feet as measured and recorded by the Water master multiplied by the amount stated in the attached budget.

For water right users that did not yet have approved water measurement methods in use prior to the current water use year it will be their total authorized water right acres multiplied by one acre-foot per acre. This estimated seasonal use will then be multiplied by the amount stated in the attached budget.

2.BE IT RESOLVED that in accordance with Idaho Code all water user's assessments shall be based upon the total amount of yearly water delivery to pay the costs and expenses for the water master's services, which includes data collection, water measurement, delivery of water and administration. The Twin Lakes Canal Co has employees that maintain proper delivery of water and can efficiently measure the amount of the water that the company delivers and report the same to the district. This company will be allowed a rebate to compensate for such services. The amount of such rebate shall be set by the annual budget of WD37-B.

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3.BE IT RESOLVED that any water user who uses water for any purpose before notifying the water master at the start of the season, will be penalized \$100.00 due and payable within 30 days of the notice of penalty.

4.BE IT RESOLVED that Rusty Kramer shall be elected water master of District 37-B for 2022.

5.BE IT RESOLVED that Matt McLam shall be elected treasurer for District 37-B for 2022.

6.BE IT RESOLVED that the following water users be elected to serve on the advisory board of District 37-B for 2022:

Lou Andersen	Soldier Creek
W. A. Simon	Ground Water
Dallas Smith	At Large
Dennis Strom	At Large
Matt McLam	At Large

7.BE IT RESOLVED that Water District 37-B adopt the following budget for 2022: (to be attached)