

WATER DISTRICT NO. 143 RAFT RIVER BASIN 2023 RESOLUTIONS

The water users of Water District No. 143, as part of the annual district meeting held on January 24, 2023, at Malta, Idaho, HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

1. DISTRICT CREATION AND BOUNDARIES

Water District 143 consists of the area and water rights as defined by the *Preliminary Order Creating Water District No. 143*, dated December 2, 2015. The district includes all ground water rights in the Raft River Basin, except rights used for domestic and stock water purposes as defined by Idaho Code § 42-111 and 42-1401A and ground water rights located within Water District 130 overlying the ESPA.

2. ADVISORY COMMITTEE

It is herewith resolved that an advisory committee shall be selected to provide input to the watermaster and the Director of IDWR. The advisory committee will meet as often as needed to address the structure, governance and operation of the district. Seven water users shall comprise the advisory committee, five representing irrigation and two non-irrigation. The five irrigation representatives will be selected from the five divisions as defined by the Raft River Ground Water District. It shall be required that six of the seven representatives shall not be members of the Raft River Ground Water District Board. The advisory committee members for the ensuing year shall be the following (members selected at the meeting):

Member #1(RRGWD Division 1): Jake Gerratt
Member #2(RRGWD Division 2): Mike Wheeler
Member #3(RRGWD Division 3): Nolan Branch (RRGWD Board Member)
Member #4(RRGWD Division 4): Kirt Yates
Member #5(RRGWD Division 5): Dallen Ward
Member #6(Non-irrigation): Scott Nichols
Member #7(Non-irrigation): Jason Webb

3. ANNUAL MEETING DATE

It is herewith resolved that the Annual Meeting for Water District 143 shall be held on the fourth Tuesday of January of each year at a time and place to be determined each successive year unless the Director of IDWR should find it necessary to change the meeting date or unless changed by resolution of the district at any annual meeting. The next Annual Meeting will be held on January 23, 2024.

4. ANNUAL MEETING MINUTES

Copies of the minutes of the annual meeting and all approved resolutions shall be filed with the Director of IDWR immediately after the annual meeting in accordance with Idaho Code § 42-605(5).

5. ELECTION OF WATERMASTER AND TREASURER

It is herewith resolved that the Idaho Department of Water Resources (IDWR) be elected to provide the watermaster services for Water District 143 and that the Director of IDWR appoint Brian Ragan, an employee of IDWR, or other employees of IDWR as may be necessary, to serve as the watermaster for the ensuing year.

It is herewith resolved that Sara Jane Ward be elected Water District 143 treasurer. The duties of the treasurer will be to approve expenses, oversee disbursement of Water District funds, and to prepare or authorize a review of financial affairs of the district at the end of each fiscal year, in accordance with Idaho Code Section § 42-619.

6. WATERMASTER DUTIES

The Watermaster shall perform his or her duties as required by Chapter 6, Title 42, Idaho Code and in accordance with:

- a. Direction and guidance provided by the Director of IDWR;
- b. The annual water district resolution adopted herein.
- c. Guidance and input from the Water District 143 Advisory Committee.

It is here with resolved beginning fall of 2018 the Raft River Ground Water District (RRGWD) will be responsible for the collection of flow meter totalizing data and entering it into the IDWR database for calculation of annual use for members of the RRGWD. The RRGWD will contract a hydrographer to complete this work. Flow meters on wells owned by users not participating in RRGWD will be the responsibility of the Watermaster.

7. WATERMASTER TERM OF SERVICE

As provided in Idaho Code § 42-608(4), watermaster's term of service shall begin upon appointment by the Director of IDWR immediately following the annual meeting election and continue until the next annual meeting, or until a successor is appointed and qualified under the provision of Section 42-604, Idaho Code.

8. WATER DISTRICT BUDGET

The water users of Water District 143 hereby empower the elected advisory committee to enter into a Memorandum of Understanding between the Water District and the Director of IDWR that will provide for the following:

- 1) The budget for Water District 143 for the year beginning February 1, 2023 and ending on January 31, 2024 shall be Seventeen Thousand Dollars (\$17,000) for Watermaster duties.
- 2) Given that the water district cost for administering water for many water users is greater than their normal assessments would be based upon their total water right, it is resolved that pursuant to Idaho Code § 42-612 (5) the watermaster of Water District 143 is authorized to assess a \$20 minimum charge for watermaster services to water users within his or her jurisdiction.

- 3) In accordance with Idaho Code § 42-612 (6), the assessment amount for each individual user as shown in the annual adopted budget shall constitute a final determination of the amount due for that year. In the computation of assessments, the watermaster shall use a 5-year rolling average of diversions for each water user.
- 4) Water users in Water District 143 who are not participating in RRGWD and require the watermaster to read meters for annual water use will be assessed a measurement and reporting fee of \$50 per well each year.
- 5) If IDWR is elected to provide watermaster services, the watermaster shall maintain an office for the ensuing year within the IDWR Southern Regional Office, located in Twin Falls, Idaho. IDWR will provide office space, vehicles and the use of all necessary office and field equipment, and other necessary watermaster expenses. This arrangement shall not give Water District 143 any ownership interest in any IDWR office space and equipment.

9. COLLECTION OF THE BUDGET AND DISBURSEMENT OF FUNDS

It is herewith resolved that the budget for Water District 143 be collected from the water users by the Water District 143 Watermaster as provided by Idaho § 42-618. The Watermaster will make an assessment to each water user in pro-rata amounts as determined by the budget which is formally adopted at the annual meeting. Collection of the assessment for water right holders which are members of the Raft River Ground Water District (RRGWD) shall be assessed through the RRGWD. Water right holders which are not members of the RRGWD shall receive an assessment directly from Water District 143. All funds shall be deposited in a bank account maintained by the water district at D.L. Evans Bank in Albion, ID. Treasurer shall disperse funds from water district bank account using two-party signature checks signed by Treasurer and one member of the Advisory Committee.

10. WATERMASTER ACCESS TO CONTROL STRUCTURES AND MEASURING DEVICES

Whereas watermaster access to control structures and measuring devices is essential for providing watermaster services and limiting expenses, it is herewith resolved that all users shall provide for watermaster access where access to control structures and measuring devices is through a locked gate and other reasonable means of access are not available. The user shall, upon request by the watermaster, provide to the watermaster a key or combination to any such locks.

11. ENTRY OF LANDS BY WATERMASTER

It is herewith resolved that the watermaster and any watermaster assistants are authorized as employees of IDWR under Idaho Code § 42-1701(5) to make reasonable entry on lands within the district, in accordance with IDWR policy, to carry out the duties of the watermaster as instructed by IDWR. These duties include but are not limited to:

1. Inventory of diversions in the district, including inspection of conveyance infrastructure and place of use of water.

2. Measuring and recording rates of diversions, and regulating diversions as necessary from the ground water diversions within the district.
3. Monitoring the place, period, and nature of use of water to identify unauthorized diversion and use and/or to determine compliance required by any agreement or order of IDWR.

12. PARTICIPATION IN IDAHO WATER USERS ASSOCIATION

It is herewith resolved that Water District 143 will participate in the Idaho Water Users Association (IWUA) as a general member. The annual membership fee of \$50 will be paid from the Water District 143 account. Water District 143 will also budget \$1,200 annually for a member of the advisory committee to attend the IWUA annual meeting and vote on behalf of Water District 143. The budgeted amount for attendance at the IWUA annual meeting shall be used for registration fees, travel, food, and lodging expenses incurred while attending the annual meeting.