

WATER DISTRICT NO. 37U  
FISH CREEK  
2023 ADOPTED RESOLUTIONS

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DEPT OF WATER RESOURCES  
SOUTHERN REGION

The water users of Water District No. 37U (Fish Creek), as part of the annual district meeting held on March 13, 2023, at Carey, Idaho, HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

**1. DISTRICT CREATION AND BOUNDARIES**

Water District 37U consists of the area and water rights as defined by the entire Fish Creek drainage basin. The district includes all surface water rights. Currently the district does not administer tributaries not reaching Fish Creek and rights used for domestic and stock water purposes as defined by Idaho Code § 42-111 and 42-1401A.

**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 on the second Monday of each month to address the structure, governance and operation of the district. Three water users shall comprise the advisory committee. The advisory committee members for the ensuing year shall be the following (members selected at the meeting):

Member #1: Chip Molyneux

Member #2: Doug Surerus

Member #3: Sherri Wilde

**3. ANNUAL MEETING DATE**

It is herewith resolved that the Annual Meeting for Water District 37U shall be held on the second Monday of March 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 March 11, 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 Jerry Weaver be elected watermaster for Water District 37U. It is herewith resolved that Lacee Peterson be elected Water District 37U 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 Chapter 6, Title 42 Idaho Code.

**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 37U Advisory Committee.

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## **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. GROUND WATER RECHARGE**

Fish Creek Irrigation District is the current owner of water right 37-22599 which authorizes the storage and diversion of water from the Fish Creek Reservoir for ground water recharge. Fish Creek Irrigation District will maintain a measuring device and transducer to record the amount of water delivered for recharge, the total annual recharge volume will be reported to the watermaster. Water district 37U will deliver water when called for and in priority, the total annual volume delivered as reported by Fish Creek Irrigation District will be included in the watermasters annual report. Water District 37U will not assess the Fish Creek Irrigation District for the delivery and measurement of ground water recharge delivered under water right 37-22599.

## **9. WATER DISTRICT BUDGET**

**The budget for Water District 37U for the 2023 fiscal year, beginning April 1, 2023 and ending on March 31, 2024 shall be \$13,813.48 for Water District expenses.** An itemized budget sheet is attached. Carryover amounts from the budget of 2023 in the amount of \$4506.29 will remain in the account to offset additional expenses.

Given that the water district cost for administering water for some 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 the watermaster of Water District 37U is authorized to assess a \$20 minimum charge for watermaster services to water users within his or her jurisdiction.

## **10. COLLECTION OF THE BUDGET AND DISBURSEMENT OF FUNDS**

It is herewith resolved that the budget for Water District 37U to be collected from the water users by the Water District 37U Treasurer. The assessments shall be based upon the total amount of annual water delivery from the previous year as fixed by the approved budget. **The assessment will be \$3.50/af Water District water ran in 2022.** All funds shall be deposited in a bank account maintained by the water district at Ireland Bank. Treasurer shall disperse funds from water district bank account using two-party signature checks signed by Treasurer and one member of the Advisory Committee.

It is herewith resolved that the amounts payable by each user, as shown by the approved budget, shall become due and payable by May 1 and said amount, if not paid, shall bare a penalty of 10% and interest from that date until paid, at the rate of 1% per month or at the discretion of the treasurer. If a customer's account(s) has not been paid in full by May 1 of the year assessed, the watermaster may be directed by the advisory committee to withhold delivery of water per Idaho Code § 42-618.

## **11. 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

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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.

## **12. 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.

## **13. LEASE OF FISHCREEK IRRIGATION DISTRICT VEHICLE**

It is herewith resolved that Water District 37U will lease a vehicle from Fishcreek Irrigation District. This amount is budgeted for the upcoming year for a value of **\$100.00**. This is the maximum amount Water District 37U will be responsible to pay without notification from Fishcreek Irrigation District.

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