

DISTRICT 72D
CLAYTON AREA SUB-DISTRICT
PREVIOUSLY ADOPTED RESOLUTIONS WILL REMAIN IN EFFECT UNTIL
CHANGED BY SUBSEQUENT RESOLUTION OR OTHERWISE ALTERED BY
MAJORITY VOTE OF THE WATER RIGHT OWNERS IN THEIR ANNUAL MEETING
OR SPECIAL MEETING CALLED FOR SUCH PURPOSE

RECEIVED
MAR 26 2024
DEPT. OF WATER RESOURCES
SOUTHERN REGION

ANNUAL MEETING DATE

Adopted 2014

It is resolved that the Annual Meeting for Sub-Water district 72D shall be the third (3rd) Monday in March at a time and place to be determined each successive year.

WATERMASTER TERM OF SERVICE

Adopted 2010

It is resolved that the Sub-district 72D watermaster's term of service shall begin upon annual meeting election and continue until the next annual meeting.

WATERMASTER ACCESS TO CONTROL STRUCTURES AND MEASURING DEVICES

Adopted 2010

Recognizing that watermaster access to control structures and measuring devices is essential for providing watermaster services and limiting expense, 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 or deputy watermaster a key or combination to any such locks.

RESOLUTION TO COLLECT BUDGET

Adopted 2010

It is resolved that the adopted budget for Sub-district No. 72D be collected from the water users by the Sub-district No. 72D Watermaster as provided by Idaho Code § 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. All funds shall be deposited in a separate bank account maintained by the sub-district.

RESOLUTION TO ASSESS NONCONSUMPTIVE WATER RIGHTS

Adopted 2019

Pursuant to Idaho Code 42-605(A), it is resolved that the watermaster shall determine each year the cost of delivery of nonconsumptive water rights. Those nonconsumptive rights determined to incur delivery charges shall be assessed the same pro-rata rate as consumptive water rights in that year. Other nonconsumptive rights shall be subject to any applicable minimum charge. Nonconsumptive rights which will be assessed a pro-rata charge will be identified each year in the meeting minutes.

WATER RIGHT OWNER RESPONSIBILITIES

Adopted 2023

All water right owners will follow Idaho Law and are required to pay the assessment rate based on their CFS or Acre Feet used the previous year as determined through the calculations in the assessment formula to collect the adopted budget and will provide approved measuring devices for the watermaster to gather the data

**DISTRICT 72D
CLAYTON AREA SUB-DISTRICT**

PREVIOUSLY ADOPTED RESOLUTIONS WILL REMAIN IN EFFECT UNTIL
CHANGED BY SUBSEQUENT RESOLUTION OR OTHERWISE ALTERED BY
MAJORITY VOTE OF THE WATER RIGHT OWNERS IN THEIR ANNUAL MEETING
OR SPECIAL MEETING CALLED FOR SUCH PURPOSE

DISTRICT PAYMENT TERMS

**Adopted 2010
Updated 2024**

It is resolved that the following payment terms be put into effect:

1. Assessments shall be payable within thirty (30) days of the billing date. The postmark date will be considered the date of payment. Accounts not paid within thirty (30) days shall be charged in accordance with Idaho Code §42-617 which provides for a late fee of 10% of the amount due and interest of 1% per month for each month.
2. All assessments shall be paid in United States funds.
3. The Watermaster will terminate water delivery to any water user whose assessments are not paid in full within thirty (30) days of the billing date and will not resume delivery until that user's amount due is paid in full.

FINAL ASSESSMENT DETERMINATION

Adopted 2013

It is resolved that, in accordance with Idaho Code §42-612 (5), the assessment amount for each user as shown in the adopted budget shall constitute a final determination of the amount due for that year.

MINIMUM USER FEE

Adopted 2022

It is resolved that a minimum charge of \$75.00 per water right owner shall be assessed. Whenever the prorated charge to a user is less than \$75.00, that user will be assessed \$75.00.

DISTRICT FISCAL YEAR

Adopted 2020

It is resolved that the fiscal year for Sub-district No. 72 be defined as starting on the first of the month of the annual meeting, and ending on the last day of the month prior to the annual meeting. The fiscal years shall be referred to using the year of the meeting during which the budget for that fiscal year was adopted.

WATERMASTER EMPLOYMENT AND COMPENSATION

Adopted 2020

The Watermaster will be paid as independent contractor at \$25/hr., plus mileage reimbursement for travel at the federal reimbursement rate in effect on the date the mileage was incurred. Watermaster shall be paid monthly based on actual hours worked and mileage incurred during the previous 30-day pay cycle.

TREASURER COMPENSATION

Adopted 2020

The Treasurer will be paid as independent contractor at \$25/hr., plus mileage reimbursement for travel at the federal reimbursement rate in effect on the date the mileage was incurred. Treasurer shall be paid monthly based on actual hours worked and mileage incurred during the previous 30-day pay cycle.

VOTING BY ALTERNATIVE METHOD

Adopted 2010

It is resolved that, in the event that a vote by the alternative method (as described in Idaho Code § 42-605(4)) is requested during any annual meeting, a credentials committee will be assembled to determine

**DISTRICT 72D
CLAYTON AREA SUB-DISTRICT**

PREVIOUSLY ADOPTED RESOLUTIONS WILL REMAIN IN EFFECT UNTIL
CHANGED BY SUBSEQUENT RESOLUTION OR OTHERWISE ALTERED BY
MAJORITY VOTE OF THE WATER RIGHT OWNERS IN THEIR ANNUAL MEETING
OR SPECIAL MEETING CALLED FOR SUCH PURPOSE

the number of votes cast by individual water users. The credentials committee shall be composed of the following parties:

- the current Water District No. 170 Watermaster
- the current Sub-district No. 72D Watermaster
- at least one other Sub-district No. 72D water user

SUB-DISTRICT 72D ADVISORY COMMITTEE

Adopted 2021

It is resolved that an advisory committee shall be selected to provide input to the watermaster and the Directory of IDWR. The advisory committee will meet as often as needed to address the structure, governance and operation of the sub-district. Four water users shall comprise the advisory committee. Each of the advisory committee members will represent one of four areas within the sub-district, as shown below.

- Area 1: Thompson Creek Mine
- Area 2: Squaw Creek area
- Area 3: East Fork and tributaries
- Area 4: Main Salmon River and tributaries downstream of East Fork

SUB-DISTRICT 72D ADVISORY COMMITTEE MEMBERS

Adopted 2021

The advisory committee members for the ensuing year shall be the following:

- Area 1: Thompson Creek Mine – Richard Giampedraglia
- Area 2: Squaw Creek area – Ron Yacomella
- Area 3: East Fork and Tributaries – Wayne Baker
- Area 4: Main Salmon River and tributaries downstream of East Fork – Howard Cutler

WD170 ADVISORY COMMITTEE REPRESENTATIVE

Adopted 2021

It is resolved that the Sub-district No. 72D representative on the Water District No. 170 Advisory Committee shall be Howard Cutler

**CHARGES FOR NON-ESSENTIAL OR NON-SCHEDULED
WATERMASTER VISITS**

Adopted 2016

Updated 2024

Any water user who makes a call on the Watermaster outside of regularly scheduled visits may be subject to charges if the visit is not necessary for purposes of regulation and administration of water rights. The charge will be used to cover the cost of the Watermaster's time and mileage, plus the cost of the Treasurer's time that is incurred.

If the Watermaster has to address an issue outside of their regularly scheduled visits, the Watermaster and Advisory Committee reserves the right to charge the water user who caused the issue that needed to be addressed. The charge will be used to cover the cost of the Watermaster's time and mileage, plus the cost of the Treasurer's time that is incurred.

**DISTRICT 72D
CLAYTON AREA SUB-DISTRICT**

PREVIOUSLY ADOPTED RESOLUTIONS WILL REMAIN IN EFFECT UNTIL
CHANGED BY SUBSEQUENT RESOLUTION OR OTHERWISE ALTERED BY
MAJORITY VOTE OF THE WATER RIGHT OWNERS IN THEIR ANNUAL MEETING
OR SPECIAL MEETING CALLED FOR SUCH PURPOSE

A 2/3 vote of the Watermaster and 4-member Advisory Committee will determine if the visit was necessary and what water user should be charged.

1. Charges for this shall be payable within thirty (30) days of the billing date. The postmark date will be considered the date of payment. Accounts not paid within thirty (30) days shall be charged in accordance with Idaho Code §42-617 which provides for a late fee of 10% of the amount due and interest of 1% per month for each month.
2. All assessments shall be paid in United States funds.
3. The Watermaster will terminate water delivery to any water user whose charges are not paid in full within thirty (30) days of the billing date and will not resume delivery until that user's amount due is paid in full.

VOTE BY PROXY

RESOLUTION SETTING THE 2022 BUDGET

Adopted 2024

It is resolved that the 2023 operating budget for Sub-district No. 72D is as follows:

Watermaster Wages \$25/hr estimated 200 hours (\$5,100 total)
Secretary/Treasurer Wages \$25/hr estimated 80 hours (\$2,400 total)
Workers Comp. \$402
Vehicle Mileage for Watermaster and Treasurer \$2,200.00
Office Supplies/misc \$300
Total \$10,402.00
Less Portion of Carryover \$1,052.00
Total Amount to Collect \$9,350.00

*Budget line-item totals shown are estimates; actual line-item costs may vary, but the total cost incurred for the sub-district cannot exceed \$9,350 during this fiscal year.

WATERMASTER

Adopted 2019

It is resolved that Brent Cutler be appointed as watermaster and Nora Cutler be appointed as deputy watermaster for Sub-district No. 72D until a successor is elected or appointed.

DISTRICT TREASURER

Adopted 2016

It is resolved that Melodie Baker be appointed as secretary/treasurer for Sub-district No. 72D until a successor is elected or appointed. The duties of the treasurer will be to approve expenses and disburse sub-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 § 42-619.

DISTRICT 72D

CLAYTON AREA SUB-DISTRICT

PREVIOUSLY ADOPTED RESOLUTIONS WILL REMAIN IN EFFECT UNTIL
CHANGED BY SUBSEQUENT RESOLUTION OR OTHERWISE ALTERED BY
MAJORITY VOTE OF THE WATER RIGHT OWNERS IN THEIR ANNUAL MEETING
OR SPECIAL MEETING CALLED FOR SUCH PURPOSE