

***Water District 61D – Little Canyon Creek, Elmore County, Idaho
2023 Adopted Resolutions and Budget***

SCANNED
MAY 01 2023

The water users of Water District 61D (Little Canyon Creek and Tributaries), at a special meeting of the water users held on Monday, January 10, 2023 at Glenns Ferry, Idaho, HEREBY ADOPT THE FOLLOWING RESOLUTIONS and BUDGET.

BE IT RESOLVED THAT:

1. WATER DISTRICT 61D JURISDICTIONAL BOUNDARIES

Water District 61D (WD61D or the district) is composed of the entire Little Canyon Creek Drainage Basin and is located in Elmore County. The district and the watermaster are responsible for proper regulation and delivery of the waters of Little Canyon Creek and all tributary streams.

2. ANNUAL MEETING DATE

The annual meeting for WD61D shall be held on the second Tuesday of January of each year at a time and place to be determined each year.

3. ANNUAL MEETING MINUTES

Annual meeting minutes shall be recorded by the chosen secretary for the annual meeting. A copy of the minutes of the annual meeting and all adopted resolutions shall be filed with the Director of IDWR within five (5) business days after the annual meeting in accordance with Idaho Code § 42-605(5).

4. ADVISORY COMMITTEE

An advisory committee shall be selected to provide input to the watermaster and the Director (Director) of the Idaho Department of Water Resources (IDWR). The advisory committee will meet as often as needed to ensure proper operation of the district. Three (3) water users or water right owners, having the use of water within the district, shall comprise the WD61D Advisory Committee. The members shall be selected at the regular annual meeting of WD61D and shall serve a term extending to the next annual meeting.

5. ADVISORY COMMITTEE REPLACEMENTS

When a member of the WD61D Advisory Committee resigns or is otherwise unable to continue to serve on the committee, the remaining members of the WD61D advisory committee are authorized to select a replacement member to serve until a successor is selected by the users at the next annual meeting.

6. ADVISORY COMMITTEE MEMBERS

The advisory committee members for the ensuing year shall be:

Member #1: Nate Jones, chairman

Member #2: Mark Anderson

Member #3: Paul Bautrel

7. WATERMASTER DUTIES AND TERM OF SERVICE

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

- direction and guidance provided by the Director of IDWR;
- the annual water district resolutions adopted herein;
- guidance and input from the WD61D Advisory Committee.

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

The watermaster shall measure and record the amount of water delivered to the individual water users and properly prepare the required proration of assessments and the watermaster's annual report.

8. AUTHORITIES AND ADDITIONAL DUTIES OF WATERMASTER

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 consistent with Chapter 6, Title 42, Idaho Code, and as instructed by IDWR.

The watermaster's duties include but are not limited to

- ensuring that all regulated diversions within WD61D are equipped with lockable controlling works or headgates, and measuring devices approved by IDWR;
- measuring, recording and regulating amounts of water diverted by, or delivered to the individual water users;
- reporting the total amount of water diverted and delivered during the watermaster's term of service;
- 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.

9. WATERMASTER SERVICES AND COMPENSATION

Wilder Jones shall be elected to serve as watermaster of WD61D. The elected and appointed watermaster will be compensated up to the amount specified in the adopted budget at an annual salary of \$1,500 for performance of his or her duties. The watermaster will be reimbursed for mileage at the federal reimbursement rate in effect at the time the mileage was accrued.

10. WATERMASTER ASSISTANTS

The watermaster is authorized to select a person, based on approval of the water users at the annual meeting or the Advisory committee, who upon appointment by the Director of IDWR, may be employed by WD61D to assist the watermaster in performing his or her duties and responsibilities as provided by Idaho law. The assistant watermaster will be compensated at an annual salary of \$500. Any assistant watermaster will be reimbursed for mileage at the federal reimbursement rate in effect at the time the mileage was accrued. The watermaster shall review and approve mileage and hours submitted by any assistant watermaster.

11. MEASURING DEVICES AND HEADGATES

All diversions of water in WD61D shall be equipped with lockable headgates and measuring devices consistent with the requirements of Idaho Code § 42-701, unless specifically exempted by IDWR and the watermaster. The watermaster is authorized to refuse or suspend delivery of water to any water user that fails to install and maintain the required controlling works or measuring device(s).

12. TREASURER DUTIES AND COMPENSATION

Teresa McCallum shall be elected as treasurer of WD61D, and be compensated \$0 as approved in the

adopted budget. The treasurer shall maintain financial records, disburse water district funds and 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.

The treasurer shall collect annual assessments in coordination with and on behalf of the watermaster, maintain the WD61D checking account, approve expenses, and oversee disbursement of water district funds in coordination with the advisory committee chairman. The WD61D checking account is maintained at: Pioneer Federal Credit Union, 250 W 3rd S, Mountain Home, ID 83647.

13. DISTRICT FISCAL YEAR

The fiscal year for WD61D is February 1st to January 31st of each year. The fiscal year shall be referred to using the year of the annual meeting during which the budget was adopted.

14. COLLECTION OF THE BUDGET AND DISBURSEMENT OF FUNDS

The adopted budget for WD61D be collected from the water users by the WD61D 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 adopted at the annual meeting or special meeting called for that purpose. All assessments collected shall be deposited in the bank account maintained by the water district. The WD61D Treasurer shall disperse funds from the water district bank account.

15. FINAL ASSESSMENT DETERMINATION

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. The proposed assessment amounts to the water users prepared by the watermaster shall be made available for review by the advisory committee and the water users at least 21 days prior to the annual meeting.

16. MINIMUM ASSESSMENT

A minimum charge of \$40.00 per water right owner or water user shall be assessed, whenever the prorated charge to the water right owner or water user would be less than \$40.00.

17. PAYMENT OF ASSESSMENTS

Annual assessments shall be payable on or before April 1. Any other billing is due within thirty (30) days of the billing date. The postmark date will be considered the date of payment. Accounts not paid by the due date 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.

The Watermaster is authorized to terminate water delivery to any water user whose assessments are not paid in full within sixty (60) days of the billing date and will not resume delivery until the outstanding amount is paid in full.