

Water District No 65 Annual Meeting
Proposed Resolutions
January 11, 2023

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RESOLUTION NO. 1

BE IT RESOLVED, that the water users of Water District No. 65 do hereby agree to vote by acclamation for the resolutions to be adopted in this meeting, unless a request is made by a qualified voter to vote on any resolution by casting a roll call vote counting the numbers of voting shares based on the average annual dollar amount assessed per Idaho statute 42-605

RESOLUTION NO. 2

A motion, to be made and seconded, that the 2023 Budget (Attachment A) be adopted as read and that the items of salary and other expenses be fixed as contained therein.

RESOLUTION NO. 3

A motion, to be made and seconded, that Neil Shippy be elected to serve as Watermaster for Water District No. 65, at the prescribed salary fixed in the 2023 Budget (Attachment A), until the next annual meeting of the District.

RESOLUTION NO. 4

A motion, to be made and seconded, that the Watermaster for Water District No. 65 be authorized to collect the assessment directly from the water users of the District the amount assessed to each user shall be a pro rata share based on the volume of water delivered to each water user in proportion to the whole amount delivered to all water users. 42-610. If a right has not previously been assessed or if past season delivery records are not available, the watermaster may, by resolution of the water users, estimate the volume of water delivered or reasonably used when water was available under the priority of the right during the past season or seasons. 42-612. a minimum of \$50 will be assessed. For non-irrigation water users, a fee of \$200 shall be assessed by the District.

RESOLUTION NO. 5

A motion, to be made and seconded, that the amounts payable by each ditch, canal company, irrigation district, or other water user, as shown by the approved budget, shall become due and payable on June 1, 2023, and said amounts shall, if not paid by the due

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date, bear interest from that date until paid at a rate of 8.0 % per annum, and that the Watermaster of Water District No. 65 be authorized to withhold or suspend water deliveries from water users who have not paid said assessment.

RESOLUTION NO. 6

A motion, to be made and seconded, that the following persons nominated for Chairman, Vice Chairman, Secretary and Treasurer be elected by the water users to serve for the ensuing year until the next annual meeting of the District.

<u>Marc Haws</u>	Chairman
<u>John Hartman</u>	Vice-Chairman
<u>Kevin Border</u>	Secretary
<u>Ron Mio</u>	Treasurer

Be it further resolved that the persons nominated for the 2023 Water District No. 65 Advisory Board (Attachment B) be elected by the water users to serve for the ensuing year until the next annual meeting of the District.

RESOLUTION NO.7

A motion, to be made and seconded, that the water users of Water District No. 65 pay the necessary expense, as listed in the approved budget, to send the Watermaster to the Idaho Water Users Association State Convention as the voting delegate for the District, and any other workshops, meetings or conventions deemed necessary by the Advisory Board of Water District No. 65.

RESOLUTION NO. 8

A motion, to be made and seconded, that the persons duly nominated by the water users of Water District No. 65 (Attachment B) be appointed to serve as the Nominating/ Budget Committee for the ensuing year until the next annual meeting of the District. In the event that a board member is unable to continue attending the advisory meetings, the advisory board may appoint a replacement to serve till the next annual meeting.

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RESOLUTION NO. 9

A motion, to be made and seconded, that the Advisory Board approve any and all expenditures from the "50% Cost Share Incentive Program, Facility Improvement" category, limiting individual requests to 50% cost share of expenditures for improvements to measuring devices, head structures, or for facilities constructed to improved water management within the District, limited to \$ 50,000 per request for the 2023 budget year, except as may be modified by the terms defined in Resolution No.14.

RESOLUTION NO. 10

A motion, to be made and seconded, that the Advisory Board approve any and all expenditures from the "50% Cost Share Incentive Program, Water Quality " category, limiting individual 50% cost share expenditures for water quality monitoring or water treatment projects designed to ultimately improve the water quality entering the Payette, Boise, and Snake Rivers to \$ 3,000 per request for the 2023 budget year, and in doing so, protect the ability of water rights to use water from the District.

RESOLUTION NO. 11

A motion, to be made and seconded, that the Watermaster is authorized to reimburse the Chairman, Vice Chairman, and Secretary of Water District #65 for any necessary mileage to and from District meetings, at the current allowable federal mileage rate, as well as any other necessary expenses incurred by these Officers deemed appropriate for reimbursement by the Advisory Board.

RESOLUTION NO. 12

A motion, to be made and seconded, to authorize the Watermaster, with the consent of the Advisory Board, to acquire, hold and disburse of real and personal property, equipment and facilities in the name of Water District No. 65 as necessary for the proper distribution of water.

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RESOLUTION NO. 13

A motion, to be made and seconded, that the water users of Water District No. 65 hereby adopt the following policies for the operation of the 2023 Water District No. 65 Advisory Board:

The Advisory board shall conduct regular bimonthly meetings on the second Tuesday of every other month or as often as deemed necessary by the advisory board. The Advisory board may set the District's annual meeting date between the second Monday and the last day of January each year. The Advisory Board should foster open communications and participation within the Water District No. 65 in a cooperative manner in order to strengthen the positions of the water users of the District. The Advisory Board will operate and vote on issues by consensus or agreement of all members in attendance. If an issue is unresolved through consensus or becomes too divisive, the issue will be tabled until a future meeting when consensus is reached. Otherwise, the issue may be voted on at the next Annual or Special Meeting of the District, if necessary.

RESOLUTION NO. 14

A motion to be made and seconded, that the Advisory Board shall determine during the regular November meeting if all funds within the Facility Improvement Incentive Program Budget will be utilized during that budget year. Funding determined to be uncommitted or released from other projects may become eligible for reapplication by large projects previously funded at a level less than 50 % (as determined by Resolution No.9). At the discretion of the Advisory Board these uncommitted funds may be directed to one or more project, limiting the total combined cost share expenditures to a level not to exceed 50% of the project cost.

RESOLUTION NO. 15

A motion to be made and seconded, that the Advisory Board approve payment of the Idaho Water Users Association, Annual Membership Dues for all water using acres and entities included in the Payette River Water Accounting System for 2023, hereby including all acres and entities in the membership list of the Idaho Water Users Association. A complete list of owner members with acreage and or entity type represented, also to be provided to the Idaho Water Users Association by the Water District No. 65. Any individual or entity may retain the right to pay their dues directly if preferred, by informing the Water District 65 of their election.

RESOLUTION NO. 16
Preservation of Physical Reservoir Storage

WHEREAS, the Lake Reservoir Company and the Bureau of Reclamation on behalf of the space holders of the Payette River Basin reservoirs, have filed storage Refill Rights 1 and 2; with the Idaho Department of Water Resources in the Payette River Basin (administrative Basin 65); and

WHEREAS, Water District 65's water supply function relies in substantial part upon reservoir storage water rights that are essential to the district's ongoing operations; and

WHEREAS, the Idaho Department of Water Resources and the Basin 65 Watermaster have historically condoned and facilitated this storage and used a physical refilling of the reservoirs after a flood control release as an administrative practice though also asserting that the practice is not supported by a legally defensible water right or perfected property interest in that water; and

WHEREAS, the water users of Water District 65 support the preservation of the legal right to store water for beneficial irrigation use, and the right to receive water from storage for irrigation use in accordance with the priorities of established and existing storage and natural flow water rights.; and

THEREFORE, BE IT RESOLVED, The water users of Water District 65 support the need to settle and resolve the physical refilling of the reservoirs after a flood control release in the Payette Basin such that the storage and end beneficial use of water during and after flood control operations is protected by a valid, perfected, and legally defensible water right (or rights) so that future growth and water development in the Payette River Basin is orderly, and occurs without detriment or injury to existing water rights, reservoir operations, and uses of water consistent with the historic status quo in the basin.

THEREFORE, BE IT RESOLVED, the water users of Water District 65 support The Refill 1, Refill 2 water right applications submitted by the Bureau of Reclamation and Lake Reservoir Company in the Payette River Basin (Administrative Basin 65), and all efforts to secure "Refill 1" and "Refill 2" water rights in the Payette River Basin, and to defend and preserve the ongoing utility of existing storage water rights and reservoirs in the

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basin against future water appropriations threatening that ongoing utility and operational status quo.

These Resolutions, numbers 1 through 16, are hereby adopted at this Annual Meeting to serve the Payette River Basin, Water District No. 65, through the Water Year 2023.

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