

**ANNUAL MEETING MINUTES  
WATER SUB-DISTRICT 72D, CLAYTON AREA  
MONDAY MARCH 15, 2021 7:00 PM  
CLAYTON COMMUNITY CENTER**

Meeting was called to order by Melodie Baker at 7:11.

Present were: Richard Giampedraglia, Patty Maloney, Preston Cutler, Howard Cutler, JR Baker, Leonard Fisher, Steve Cullen, Nathan Erickson, Larry Wahl (representing Deana Wheeler), Wayne Baker, and Melodie Baker.

Patty Maloney was nominated as Meeting Chairman by Wayne Baker. Second by JR Baker. Motion passed unanimously.

Mel Baker was nominated as Meeting Secretary by Richard Giampedraglia. Second by Wayne Baker. Motion passed unanimously.

Everyone read the 2020 meeting minutes. Wayne Baker moved to accept the minutes and Richard Giampedraglia second. Motion passed unanimously.

There was discussion over the need to find an Advisory Committee Member for Area 2-Squaw Creek Area. Wayne Baker nominated Ron Yacomella. Second by JR Baker, Motion passed unanimously. Melodie Baker made the motion to leave the remaining advisory committee as it stands, JR Baker second the motion. Motion passed unanimously. They are currently: Thompson Creek Mine-Richard Giampedraglia, East Fork-Wayne Baker, Main Salmon-Howard Cutler and now Squaw Creek-Ron Yacomella.

There was no WD170 Advisory Committee Representative Report. There was discussion over whether we need a representative to replace Tom McGowan. Howard Cutler said he would accept the position. Melodie Baker made the motion for Howard Cutler to be the new Representative, JR Baker second the motion. Motion passed unanimously.

Financial Report was given by the Treasurer, Melodie Baker. As Treasurer, Mel said her time and supplies have increased some with the spring preparation for the annual meeting, but the proposed budget has plenty in place to cover both. The Watermaster's Contract Labor and mileage is up partially due to Cindy being able to put more water users into the system meaning Brent has more diversions to check. IRS mileage rate is going down from \$0.575 to \$0.56, so Brent's mileage could be a bit lower, but everything else seems to be stable.

A brief watermaster Report was given by Melodie Baker and Howard Cutler for Brent Cutler who was absent.

BUDGET-Everyone reviewed the proposed budget. Wayne Baker moved to accept the proposed budget and Richard Giampedraglia second the motion. Motion passed unanimously.

RESOLUTIONS-Howard Cutler made the motion to accept the resolutions as the stand, except for the changes to Squaw Creek Advisory Committee Member, WD170 Representative and new budget. Leonard Fisher second the motion. Motion passed unanimously.

JR Baker made the motion to keep Brent Cutler as Watermaster and Nora Cutler as Deputy Watermaster, Richard Giampedraglia second the motion. Motion passed unanimously.

Howard Cutler made the motion to keep Melodie Baker as Treasurer. Second by Richard Giampedraglia. Motion passed unanimously.

With there being no more business to discuss, Wayne Baker made the motion to adjourn the meeting, second by Leonard Fisher. Motion passed unanimously. Meeting was adjourned at 7:40 pm.

Minutes submitted by Meeting Secretary, Melodie L. Baker

**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  
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**ANNUAL MEETING DATE**

**Adopted 2014**

It is resolved that the Annual Meeting for Sub-Water district 72D shall be the third (3<sup>rd</sup>) 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.

**DISTRICT PAYMENT TERMS**

**Adopted 2010**

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.

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3. The Watermaster will 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 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 2015**

It is resolved that a minimum charge of \$50.00 per water right owner shall be assessed. Whenever the prorated charge to a user is less than \$50.00, that user will be assessed \$50.00.

**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 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,

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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 WATERMASTER VISITS** **Adopted 2016**

Any water user who makes a call on the Watermaster outside of regularly scheduled visits may be subject to charges for additional watermaster hours and mileage, if the visit is not necessary for purposes of regulation and administration of water rights. The Watermaster and the Advisory Committee representative for the area shall determine if the visit was necessary.

**RESOLUTION SETTING THE 2021 BUDGET** **Adopted 2021**

It is resolved that the 2021 operating budget for Sub-district No. 72D is as follows:

Watermaster Wages \$25/hr estimated 180 hours (\$4,500 total)

Secretary/Treasurer Wages \$25/hr estimated 80 hours (\$2,000 total)

Workers Comp. \$350

Vehicle Mileage for Watermaster and Treasurer \$1900.00

Office Supplies/misc \$300

Contingency \$500

Total \$9,550.00

Less Portion of Carryover \$3,300.00

Total Amount to Collect \$6,250.00

\*Budget line-item totals shown are estimates; actual line-item costs may vary, but the total cost incurred for the sub-district cannot exceed \$6,250 during this fiscal year.

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**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.

**SUB-DISTRICT 72D SIGN IN SHEET**  
**MARCH 15, 2021 7:00 PM ANNUAL MEETING**

	Name	Affiliation	Email	Phone #
1	Mel Baker	Treasurer/Rancher	wmbaker@custerel.net	838-2440
2	Wayne Baker	Rancher/Adv Co	" "	" "
3	Richard Giampedrosta	TCM	Richard.Giampedrosta@centurygold.com	838-6955-
4	Patty Maloney		P.MALONEY@custerel.net	838-2972
5	Preston Cutler	Rancher		838-2576
6	Howard Cuth	"		838-2366
7	JR BAKER	"		838 2318
8	LEONARD M. FISHER	LANDOWNER		208 636 2338
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WATER DISTRICT 72D  
PROPOSED BUDGET 2021  
March 15, 2021

***Proposed Expenses***

Watermaster Contract Labor (180 hours @ \$25/hr)	\$4,500.00
Secretary/Treasurer Contract Labor (80 hours @ \$25/hr)	\$2,000.00
Workers Comp	\$350.00
Vehicle Mileage (3,392 miles @ \$0.56/mile)	\$1,900.00
Supplies/misc (including post office box rental expense)	\$300.00
Contingency	\$500.00
<b>TOTAL PROPOSED BUDGET</b>	<b>\$9,550.00</b>
Amount to use out of \$6050.50 carryover from 2020 to cover Proposed Budget	\$3,300.00
<b>TOTAL AMOUNT TO COLLECT</b>	<b>\$6,250.00</b>

WATER DISTRICT 72D  
APPROVED BUDGET 2021  
March 15, 2021

Watermaster Contract Labor (180 hours @ \$25/hr)	\$4,500.00
Secretary/Treasurer Contract Labor (80 hours @ \$25/hr)	\$2,000.00
Workers Comp	\$350.00
Vehicle Mileage (3,392 miles @ \$0.56/mile)	\$1,900.00
Supplies/misc (including post office box rental expense)	\$300.00
Contingency	\$500.00
<b>TOTAL BUDGET</b>	<b>\$9,550.00</b>
Amount to use out of \$6050.50 carryover from 2020 to cover Proposed Budget	\$3,300.00
<b>TOTAL AMOUNT TO COLLECT</b>	<b>\$6,250.00</b>