

**ANNUAL MEETING MINUTES
WATER DISTRICT 170 – UPPER SALMON RIVER
Tuesday, January 26, 2016 7:00 pm
Custer County Courthouse, Challis ID**

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SOUTHERN REGION**

Meeting was called to order by Chairman Gary Chamberlain at 7:00 pm. Nine District members were in attendance.

Gary Chamberlain volunteered and was subsequently selected to continue as meeting chair, and Cindy Yenter was selected to act as meeting secretary.

Gary introduced Cindy as the current Watermaster of Water District 170. She was appointed in June 2015 to replace Nick Miller who accepted a promotion within the Department of Water Resources.

Chairman Chamberlain read the 2015 minutes, which were approved with no objections.

Cindy Yenter gave a brief watermaster report which described her field activities in WD170 during 2015 and her goals and plans for WD170 in 2016. That report is attached to these minutes.

Chairman Chamberlain presented the proposed 2016 resolutions, which were unchanged from 2015 with the exception of date modifications in Advisory Committee Members, Watermaster Services, and Budget section. Water District 170 will continue to have a zero budget in 2016 and will not make assessments. Robert Boren made a motion to adopt the resolutions as proposed. Paul Mayes seconded and the motion passed on a voice vote.

After minimal discussion regarding the time of the meeting, next year's meeting is set for 7:00 pm on the fourth Tuesday of January which falls on January 24, 2017. Meeting location will be determined at a later date.

The meeting was adjourned at 7:25 pm.

Respectfully submitted,



Cindy Yenter
650 Addison Ave West Suite 500
Twin Falls, ID 83301

**WATER DISTRICT No. 170
THE UPPER SALMON RIVER WATER DISTRICT**

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SOUTHERN REGION

**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 BYLAWS

Adopted 2007

The Idaho Department of Water Resources (IDWR) Watermaster Handbook and related Idaho Statutes (both as may be duly amended from time to time) and Resolutions as duly approved by the water right owners of the District shall serve as the Upper Salmon Water District No. 170 Bylaws.

WATERMASTER TERM OF SERVICE

Adopted 2008

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, it is herewith resolved that The USWD Watermaster's term of service shall begin upon annual meeting election and continue until the next annual meeting.

ELECTION OF OFFICERS

Adopted 2007

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, it is herewith resolved that District Officers shall be elected at the end of each Annual Meeting allowing incumbents to conduct the entire meeting and Agenda business prior to any potential change(s).

OFFICER AUTHORITY

Adopted 2007

Upon being duly elected by water right owner majority vote at their Annual Meeting the Secretary/ Treasurer shall, until replaced by subsequent majority vote of the water right owners in their Annual Meeting or special meeting called for such purpose, have full authority to sign on behalf of the District including, but not limited to, the District bank account(s). The Chairman and Watermaster shall also have alternate signature authority for the District bank account(s).

WATER RIGHT OWNERSHIP BY MULTIPLE PARTIES

Adopted 2007

Any water right(s) owned by more than one individual (or married couple) shall declare a single individual (or married couple) who shall represent all other owner's interests and be the primary contact with the District on relevant District issues.

WATERMASTER ACCESS

Adopted 2009

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, it is herewith resolved that all users shall provide for watermaster access to control structures and measuring devices. If the access is through a locked gate, the user shall, upon request by the watermaster, provide to the watermaster or deputy watermaster a key or combination to such locks.

ANNUAL MEETING DATE

Adopted 2007

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, it is herewith resolved that the Water district 170 Annual Meeting shall be the fourth (4th) Tuesday in January on a date, time and place to be determined at the Annual Meeting each successive year.

WATER DISTRICT No. 170
THE UPPER SALMON RIVER WATER DISTRICT

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DISTRICT PAYMENT TERMS

Adopted 2007

1. Annual Adopted Budget payment shall be payable on or before March 1; any other billing within thirty (30) days following such billing; the postmark date will be considered the date of payment.
2. If not paid by April 1st the water user shall be charged in accordance with Statute 42-613 which provides for a late fee of 10% of the amount due and interest of 1% per month.
3. If not paid in full (partial payments shall not be acceptable) including Late Fee by April 1st, Treasurer shall so inform the Watermaster who shall immediately terminate water delivery to the water right owner who is in payment default.
4. Treasurer must thereafter receive the original invoice amount, Late Fee(s) plus a \$25.00 Watermaster Service Fee before Treasurer shall advise the Watermaster who shall then again deliver the applicable right(s).
5. A returned or insufficient fund check shall require the Treasurer to so advise the Watermaster who shall immediately terminate the appropriate water delivery. All monies originally due plus applicable bank charges and any charges then resulting from unmet District payment terms must be paid in cash, cashier's check or money order before Treasurer shall so advise the Watermaster who shall then deliver the appropriate water right(s).
6. In the event payment in full is not received by the end of the then current irrigation season (or sooner if the Treasurer determines sale of the property and associated water right[s] is imminent), the Treasurer may, on behalf of the District, initiate legal action in Small Claims Court against the water right owner(s). Eventual recovery is to include costs incurred by such action as well as all other monies due.

Note: When a water delivery termination is imminent and there are others utilizing the same diversion that could be affected, those others affected shall, whenever possible, be advised of said delivery termination as soon as possible after the problem arises so they shall have the opportunity, if they so desire, to deal with the matter as they may deem appropriate before water delivery is reduced by the amount covered by the applicable right(s) being terminated

PROXY VOTING & SUBORDINATED WATER RIGHTS

Adopted 2007

1. In accordance with District Bylaws, proxy votes shall not be allowed "except that in the absence of the owner a right may be voted by another person present who has the use of the right for the ensuing season, such as a tenant, lesser or contract purchaser".
2. In such case(s) or whenever a right is subordinated and/or "worked" by anyone other than the owner a form adopted and provided by the District shall be completed and returned to the Secretary/Treasurer to remain on file throughout the term stating with whom such agreement exists, whether such voting right is granted, and/or granting authority to represent the water right owner on any other water issues that may arise during the irrigation season or balance of the agreement term to be recorded by water right owner with the County Recorder of jurisdiction.

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ADVISORY COMMITTEE STRUCTURE

Adopted 2014

A Water District No. 170 Advisory Committee shall be elected to provide input to the watermaster and the Director of IDWR. The Water District No. 170 Advisory Committee shall be comprised as follows:

Sub-district representatives (6 total): Stanley Basin (1 seat), Clayton Area (1 seat), Garden Creek (1 seat),
Challis Creek (1 seat), Morgan Creek (1 seat), Pahsimeroi Basin (1 seat)
Basin 72 non sub-district area irrigation (2 seats)
Basin 71 & 72 commercial/industrial/ municipal/other uses (2 seats)
US Forest Service (1 seat)
US Bureau of Land Management (1 seat)
Non-Voting members from Basins 74-75

Seats may be added to or subtracted from the Water District No. 170 Advisory Committee in subsequent years depending on further revisions or expansions of the district boundaries to be determined as necessary. Each group represented may also select an alternate for each seat.

Representatives for sub-district areas will be selected during that sub-district's annual meeting. The sub-district will notify the WD170 watermaster of the representative(s) selected following the sub- district annual meeting. Representatives for the non-sub-district groups will be selected at the WD170 annual meeting. The Water District No. 170 Advisory Committee will meet as often as needed to address the structure, governance and operation of the district.

2016 ADVISORY COMMITTEE MEMBERS

Adopted 2016

Basin 72 non sub-district area irrigation (2 seats) – Gary Chamberlain, Charlie Boge
Basin 71 & 72 commercial/industrial/ municipal/other uses (2 seats) – City of Challis, Thompson Creek Mine

Sub-district representatives, US Forest Service, and US Bureau of Land Management – To be selected by each entity.

2016 WATERMASTER SERVICES

Adopted 2016

Watermaster services for the USWD shall continue to be provided by IDWR in 2016 and that the Director name or appoint a Department employee to serve as the USWD Watermaster for 2016 at no expense to the USWD.

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2016 BUDGET RESOLUTION

Adopted 2016

Recognizing that the Idaho Department of Water Resources (IDWR) has offered to provide watermaster services for water district No. 170 for the ensuing season, and that IDWR has offered to provide these services at no cost to the users of Water District No. 170 with the understanding that water users in areas organized as sub-districts within Water District No. 170 will each elect and fund a sub-district watermaster to perform the day to day duties within their subdistrict, it is herewith resolved that,

- 1) The existing sub-districts will each adopt a budget to be collected from the users within the respective sub-districts only, and that users not within that sub-district will not be responsible for any portion of that sub-district budget.
- 2) The proposed 2016 Water District No. 170 budget for watermaster services other than sub- district operations, is \$0.00.

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**WATER DISTRICT 170
ADOPTED BUDGET 2016**

Date: January 26, 2016

<i>Administrative Charge</i>		
Watermaster Services		\$0
Financial Review		\$0
<i>Administrative Subtotal</i>		<hr/> \$0
Estimated 2015 Carryover	\$0	
Recommended Administrative Assessment		\$0
<i>Measuring and Reporting Charges-for non-subdistrict diversions</i>		
Watermaster Assistants		\$0
Clerical Staff		\$0
<i>Measuring and Reporting Subtotal</i>		<hr/> \$0
Estimated 2015 Carryover	\$0	
Recommended M & R Assessment		\$0
Total 2016 Budget		\$0
Total 2016 Assessment		\$0