

**ANNUAL MEETING MINUTES
WATER SUB-DISTRICT 72D, CLAYTON AREA
MONDAY MARCH 19, 2018 7:00 PM
CLAYTON COMMUNITY CENTER**

RECEIVED
MAR 24 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

Meeting was called to order by Wayne Baker.

Present were: Cindy Yenter IDWR and 170 Watermaster, Paul May, Howard Cutler, Brent Cutler, Dan Turner, Preston Cutler, Richard Giampedraglia, Jay Giampedraglia, Cheryl Baker, Doug Baker, Thomas V. McGowan, JR Baker, Gary Ingram, Melodie Baker, Wayne Baker, Kevin Braden, Cynthia Braden and Evan Turner.

Paul May was nominated as Meeting Chairman by JR Baker and Melodie Baker Second. Motion passed unanimously.

Howard Cutler nominated Melodie Baker as the Meeting Secretary and Wayne Baker Second. Motion passed unanimously.

Everyone read the 2017 meeting minutes. Howard Cutler moved to accept the minutes and Doug Baker second. Motion passed unanimously.

ADVISORY COMMITTEE: Paul asked if the advisory committee as stands would be willing to continue serving and they all agreed to continue their services. They are currently: Area 1-Thompson Creek Mine-Richard Giampedraglia, Squaw Creek-Tom McGowan, East Fork-Wayne Baker, Main Salmon-Howard Cutler.

FINANCIAL REPORT: Melodie said that her time has lessened with Brent being paid as contract labor and not as an employee, since we don't have to do all of the payroll reporting and taxes. There is more time now spent sending out notices for change of address, but that will be contained to two letters per user. Only three water users did not pay their assessment and we will be writing off one, as they no longer own the property.

WATERMASTER'S REPORT: Twelve notices went out for compliance with measuring devices needed. Brent told us that the biggest users diversions are all

**WATER DISTRICT 72D
ADOPTED BUDGET 2018**

Date: March 19, 2018

Proposed Expenses

Watermaster Wages (300 hours @ \$20/hr)	\$6,000.00
Secretary/Treasurer Wages (\$20/hr not to exceed 100 hours)	\$2,000.00
Workers Comp	\$350.00
 Vehicle Mileage (3700 miles @ 0.535 / mile)	 \$1,980.00
Supplies / misc	\$400.00
Contingency	\$1,500.00
 TOTAL PROPOSED BUDGET	 \$12,230.00
 Carryover	 \$5,000.00
 TOTAL AMOUNT TO COLLECT	 \$7,230.00

measurable. Howard Cutler moved to accept the proposed budget and Doug Baker second. Motion passed unanimously.

REVIEW OF PROPOSED BUDGET AND RESOLUTIONS-Melodie stated that Cindy has picked up some users who have not been assessed in the past, so this will help to lessen the burden of expenses a little on the larger users and could possibly mean a reduction in the minimal rate for small users.

RESOLUTIONS: There were no changes or additions in the resolutions.

NEW BUSINESS: Cindy informed the group that District 170 had been expanded to Lemhi.

The legislators are proposing that district meetings could be allowed to have meetings as late as the 4th Tuesday in May if they want.

The legislators are also discussing lowering the transfer fee to help with the cost to have records corrected for those who are finding errors in the diversion points on their water rights from the adjudication process.

Paul asked if there was any other business.

With there being no more business to discuss, Tom V. McGowan made a motion to adjourn the meeting and Jay Giampedraglia second. Motion passed unanimously. Meeting adjourned at 7:47 p.m.

Minutes submitted by Meeting Secretary, Melodie 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 OR SPECIAL MEETING CALLED FOR SUCH PURPOSE**

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.

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.
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.

DISTRICT 72D CLAYTON AREA SUB-DISTRICT

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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 2016

It is resolved that the fiscal year for Sub-district No. 72 be defined as starting on the first of the month following the annual meeting, and ending on the last day of the month of 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 2016

The Watermaster will be paid as independent contractor at \$20/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 2016

The Treasurer will be paid as independent contractor at \$20/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 2010

It is resolved that an advisory committee shall be selected to provide input to the watermaster and the Director 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. The advisory committee members for the ensuing year shall be the following:

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

DISTRICT 72D CLAYTON AREA SUB-DISTRICT

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SUB-DISTRICT 72D ADVISORY COMMITTEE MEMBERS

Adopted 2017

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

Area 1 Thompson Creek Mine – Richard Giampedraglia

Area 2 Squaw Creek area – Tom McGowan

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 2012

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

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 2018 BUDGET

Adopted 2018

It is resolved that the 201 operating budget for Sub-district No. 72D is as follows:

Watermaster Wages \$20/hr estimated 300 hours \$6000 total)

Secretary/Treasurer Wages \$20/hr estimated 100 hours (\$2,000 total)

Workers Comp. \$350

Vehicle Mileage for Watermaster and Treasurer \$1980

Office Supplies/misc \$400

Contingency \$1,500

Total \$12,230

* Budget line item totals shown are estimates; actual line item costs may vary, but the total cost incurred for the sub-district cannot exceed \$12,230 during this fiscal year.

WATERMASTER

Adopted 2016

It is resolved that Brent Cutler be appointed as 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 NO. 72D
TREASURER'S REPORT 2017
March 2017 through February 2018

Mar '17 - Feb 18

Ordinary Income/Expense

Income

INTEREST INCOME

SAVINGS 6788 \$ 2.09

Total INTEREST INCOME \$ 2.09

Late Fee-Assessments \$ 102.82

REIMBURSEMENT OF EXPENSE \$ (71.88)

WATER USER'S FINANCE CHARGE \$ 1.00

Water User Yearly Assessment \$ 7,221.80

Total Income \$ 7,255.83

Gross Profit \$ 7,255.83

Expense

Bank Service Charges \$ 28.00

Office Supplies \$ 139.50

Rent Expense \$ 52.00

TREASURER \$ 1,322.00

WATERMASTER

WATERMASTER CONTRACT LABOR \$ 2,690.00

WATERMASTER MILEAGE \$ 1,299.73

Total WATERMASTER \$ 3,989.73

WORKMAN'S COMP \$ 300.00

Total Expense \$ 5,831.23

Net Ordinary Income \$ 1,424.60

Net Income \$ 1,424.60

Starting Balance \$ 4,968.19

**Interest for Jan & Feb 2017 not in last
year's ending balance** \$ 0.26

Income \$ 7,255.83

Expenses \$ (5,831.23)

Accts Rec not shown inbove \$ 5.00

Ending Balance \$ 6,398.05

8:46 AM

03/03/18

Cash Basis

SUB-DISTRICT NO. 72D
Balance Sheet Prev Year Comparison
As of February 28, 2018

	<u>Feb 28, 18</u>	<u>Feb 28, 17</u>	<u>\$ Change</u>	<u>% Change</u>
ASSETS				
Current Assets				
Checking/Savings				
Wells Fargo Checking	82.30	473.91	-391.61	-82.6%
WF SAVINGS 6788	6,315.75	4,494.54	1,821.21	40.5%
Total Checking/Savings	6,398.05	4,968.45	1,429.60	28.8%
Accounts Receivable				
Accounts Receivable	-12.00	-7.00	-5.00	-71.4%
Total Accounts Receivable	-12.00	-7.00	-5.00	-71.4%
Total Current Assets	6,386.05	4,961.45	1,424.60	28.7%
TOTAL ASSETS	<u>6,386.05</u>	<u>4,961.45</u>	<u>1,424.60</u>	<u>28.7%</u>
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Other Current Liabilities				
Payroll Liabilities	102.55	102.55	0.00	0.0%
Total Other Current Liabilities	102.55	102.55	0.00	0.0%
Total Current Liabilities	102.55	102.55	0.00	0.0%
Total Liabilities	102.55	102.55	0.00	0.0%
Equity				
Unrestricted Net Assets	6,600.52	6,398.16	202.36	3.2%
Net Income	-317.02	-1,539.26	1,222.24	79.4%
Total Equity	6,283.50	4,858.90	1,424.60	29.3%
TOTAL LIABILITIES & EQUITY	<u>6,386.05</u>	<u>4,961.45</u>	<u>1,424.60</u>	<u>28.7%</u>