

**WATER DISTRICT 170
ADOPTED BUDGET 2020 (FY 2021)
Fiscal Year February 1 - January 31**

Date: January 28, 2020

RECEIVED
FEB 05 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

Administrative Charge

Watermaster Services \$0

Financial Review \$0

Administrative Subtotal \$0

Estimated 2018 Carryover \$0

Recommended Administrative Assessment \$0

Measuring and Reporting Charges-for non-subdistrict diversions

Watermaster Assistants \$0

Clerical Staff \$0

Measuring and Reporting Subtotal \$0

Estimated 2019 Carryover \$0

Recommended M & R Assessment \$0

Total 2020 Budget \$0

Total 2020 Assessment \$0

ANNUAL MEETING MINUTES
WATER DISTRICT 170 – UPPER SALMON RIVER
Tuesday, January 28, 2020
General Meeting - 2:00 pm
USFS Challis-Yankee Fork Ranger District Office

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DEPT OF WATER RESOURCES
SOUTHERN REGION

Approximately 15 people were in attendance. Jim Hawkins called the meeting to order at approximately 2:05 and asked that those in attendance introduce themselves. Mr. Hawkins then announced selection of meeting officers. George Miller made a motion that the existing meeting officers be retained – Jim Hawkins chair, Cindy Yenter, meeting secretary. Motion passed unanimously.

The 2019 minutes were read and reviewed. James Whittaker moved that the minutes be accepted. George Miller seconded, passed on voice vote.

Chairman Hawkins asked for the Watermaster report and presentation of budget and resolutions. Cindy Yenter gave a presentation (attached) on 2019 activities and goals for 2020. Changes to resolutions were discussed. Chairman Hawkins recommended that all proposed changes be passed, except for changes to Advisory Committee structure, as there was not a representative present for sub-district 72A where the seats were proposed to be reduced from 2 to 1. The previously vacant seats for BLM and Forest Service have been filled. Subdistrict chairs will be listed as representatives to WD170 unless a different representative is named. The 2020 budget is submitted as zero.

George Miller moved that the 2020 resolutions be adopted, to include the changes discussed (except for Advisory Committee structure), zero budget and election of IDWR to provide watermaster services. Mike Cutler seconded, passed on a voice vote.

In accordance with the resolutions, Chairman Hawkins asked for a motion to select officers in advance of the 2021 meeting. George Miller made a motion that the existing officers be retained. Richard Giampedraglia seconded, passed on voice vote.

The 2020 meeting will be held on the fourth Tuesday of January, in Salmon, at a time and place to be determined.

There being no other business brought forth, Chairman Hawkins adjourned the meeting at 2:22 pm.

Respectfully submitted,



Cindy Yenter
102 S Warpath
Salmon ID 83467

ADVISORY COMMITTEE MEETING MINUTES
WATER DISTRICT 170 – UPPER SALMON RIVER
Tuesday, January 28, 2020
1:00 pm
USFS Challis-Yankee Fork Ranger District Office

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DEPT OF WATER RESOURCES
SOUTHERN REGION

The Advisory Committee of WD170 met in advance of the annual general meeting. Six advisory members were in attendance – Richard Giampedraglia, Jim Hawkins, Tom McGowan, Linda Price, Chuck Mark, and George Miller. Jim Hawkins called the meeting to order at 1:05.

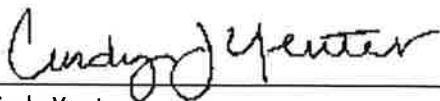
Cindy Yenter explained the proposed changes to the resolutions

- IDWR spent \$565 on postage for the WD170 meeting notices this year. This amount will only grow larger as Basin 75 is added to WD170. Cindy proposes to add a resolution that waives the mailed notice requirement and allows meeting notices to be published in local newspapers. In this case, publication in the Salmon Recorder Herald and the Challis Messenger would provide adequate notice to the entire water district area. Total cost is estimated to be less than \$200. Advisory members could still receive mailed notices, which virtually all were in favor of. Since not everyone reads the paper, it was suggested that radio announcements and email reminders to sub-district chairs or secretaries, be used to supplement the legal notices.
- The meeting location resolution should be modified so that the meeting can alternate between Salmon and Challis. This is also in response to the pending addition of Basin 75. There was no objection. Next year's meeting will be in Salmon.
- The structure of the advisory committee seemed out of balance with sub-district 72A having 2 seats and other sub-districts having only one. No one could remember why this was set up this way. Jim noted that no one from 72A was in attendance and felt the Advisory structure should be left as is until those members can provide input.

Cindy noted that she is still finishing inventory on non-subdistrict diversions but that the control and measuring requirement must be enforced this year, and data collection from these diversions started next year. With the exception of the three entities who are already self-reporting diversions (Gini Ditch, Challis Irrigation and City of Challis), Cindy believes that there will need to be an assistant watermaster employed to effectively administer non-subdistrict diversions. This will require assessment of those water users next year. Jim wanted to know how water users would be notified. Cindy will send out a notice letter and then do site followup. Jim feels strongly that face to face followup is important.

Jim suggested that the present non-subdistrict diversions (with the exception of the three above) should be put into another subdistrict. Cindy feels that since the non-subdistrict areas are not contiguous, this would be problematic. The areas should ultimately be combined with existing subdistricts. This can't be accomplished before next year. Further discussion was tabled.

Respectfully submitted,



Cindy Yenter
102 S Warpath
Salmon ID 83467

RECEIVED

FEB 05 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

**WATER DISTRICT 170
UPPER SALMON RIVER**

**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 (WD170) 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 WD170 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 2020

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 resolved that the WD170 Annual Meeting shall be the fourth (4th) Tuesday in January, on a date and time to be determined at the Annual

WATER DISTRICT 170 UPPER SALMON RIVER

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Meeting each successive year. The meeting location shall alternate between Challis, ID on even-numbered years and Salmon, ID on odd-numbered years.

ANNUAL MEETING NOTICES

Adopted 2020

Pursuant to I.C. 42-605(2), the requirement to mail annual district meeting notices is hereby WAIVED, and notice for future WD170 meetings will be provided by publication of the meeting information in the Salmon Recorder Herald and the Challis Messenger. Upon request, elected WD170 officials, Advisory Committee members and Chairs of any WD170 subdistrict may continue to receive a mailed meeting notice.

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

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PROXY VOTING & WATER RIGHTS USED BY OTHERS

Adopted 2020

In accordance with I.C. 42-605(4), "Absentee voting and voting by proxy are prohibited." A right may be voted by "a person present, owning or having the use of the right for the ensuing season". This resolution applies to use of appurtenant rights by a person such as a farm manager, tenant, lessee or contract purchaser.

In such case(s) or whenever a right may be used 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 of use, stating with whom such agreement exists, whether such voting right is granted, and/or granting authority to make water calls or represent the water right owner on water delivery issues that may arise during the irrigation season or balance of the agreement.

ADVISORY COMMITTEE STRUCTURE

Adopted 2020

A WD170 Advisory Committee shall be elected to provide input to the watermaster and the Director of IDWR. The WD170 Advisory Committee shall be comprised of 14 total seats, as follows:

Sub-district representatives (8 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), Lemhi Basin (2 seats)
Basin 72 non sub-district area irrigation (2 seats)
Commercial/industrial/ municipal/other uses (2 seats)
US Forest Service (1 seat) At large, non-voting seat
US Bureau of Land Management (1 seat) At large, nonvoting seat

Seats may be added to or subtracted from the WD170 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. Each sub-district will notify the WD170 watermaster of the representatives selected following the sub-district annual meeting. If the sub-district representative is not identified, the elected Chair of the sub-district will be the Advisory Committee Representative for the upcoming year. Representatives for the non-sub-district groups will be selected at the WD170 annual meeting. Federal Agency representatives will be appointed by the agency. The WD170 Advisory Committee will meet as often as needed to address the structure, governance and operation of the district.

CURRENT YEAR ADVISORY COMMITTEE MEMBERS

Adopted 2020

Basin 72 non sub-district area irrigation (2 seats) –
Gary Chamberlain, Challis Irrigation
Mitch Wilson, Gini Canal. *Alternate* Karma Bragg
Basin 71 & 72 commercial/industrial/ municipal/other uses (2 seats) –
VACANT

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Thompson Creek Mine: Richard Giampedraglia. *Alternate* Bradley Kucera
US Forest Service – Chuck Mark
US Bureau of Land Management – Linda Price
Sub-district representatives –
 WD71 – Cliff Hansen
 WD72A – Jeri D’Orozio
 WD72D – Tom McGowan
 WD72F- Jim Hawkins
 WD73 – George Miller
Basin 74 – Carl Ellsworth, Lowell Cerise

WATERMASTER SERVICES

Adopted 2018

Watermaster services for WD170 shall be provided by IDWR and the Director shall name or appoint a Department employee to serve as the WD170 Watermaster for the ensuing year.

BUDGET RESOLUTION

Adopted 2018

Recognizing that IDWR will appoint a watermaster for WD170 with the understanding that water users in areas organized as sub-districts within WD170 will each elect and fund a sub-district watermaster to perform the day to day duties within their sub-district, it is 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) A sub-district that adequately measures, records, reports and controls diversions will not be subject to assessments from WD170.

For the current year, the Budget for WD170 shall be \$0.00.