

Minutes

Water District 45-O

The meeting held on 3/9/2022 started shortly after 1:00.

Moved by David that Jana be chairman of the meeting. 2nd, Russell

Jana read the minutes from the 2021 meeting. Moved for acceptance of minutes by Russel. 2nd, Paul

Jana reviewed the water use for each of the users. She also reviewed the budget and explained the shortfall of budget funds was due to the dry year and water shortage. Jana had to make more trips to the valley to keep water use under the allotted amount for the Golden Valley Order. Monthly reports to the water users turned into bi-monthly as the acre feet allotments for each water user drew close to running out. Paul commented that he really liked the regular reports of usage as it kept them up-to-date as water was short this year. Jana reviewed the budget and the assessment of \$0.74 per AF for 2022. The budget approval was moved by Paul. 2nd by David.

Discussion on Golden Valley order and penalties for over/under allotments.

Discussion of proposed resolutions. Nathan discussed the IDWR request for an updated Memorandum of Understanding (MOU) concerning WD45-0's relationship with the Department. Nathan offered to have the Department update the resolution to be consistent with the MOU. A motion was made to accept the proposed resolutions with the Department updating the language for the MOU. Moved by David, Russell 2nd.

Jana passed out depth-to-water graphs for the two monitoring wells that lead to a discussion about well pumping and drawdown. Jana will check with Hydrology and get historical water levels for the two monitoring wells and present it at the next annual meeting.

Moved that IDWR continue as WM for 2021 by David, 2nd by Russell.

The date of the next meeting is scheduled for March 8, 2023 at 1300 at Duncan's shop.

Moved to adjourn by Russell.

2nd by Lincoln

Adjourned at 1:50.

Attendees:

Jana Reeder, IDWR

Nathan Erickson, IDWR

David Pickett

Russell Patterson

Lincoln Pickett

Hermilo

Paul Duncan

**WATER DISTRICT NO. 45-O
GOLDEN VALLEY AREA
2022 RESOLUTIONS**

The water users of the Golden Valley Area Water District, designated as Water District 45-O, meeting at the annual district meeting on Wednesday, March 9, 2022, HEREBY PROPOSE THE FOLLOWING RESOLUTIONS:

1. That the watermaster perform the duties as required by Chapter 6, Title 42, IDAHO CODE and in accordance with the Order in the Matter of Ground Water Withdrawal in the Cottonwood Critical Ground Water Area dated 30th of August, 2004.
2. The Idaho Department of Water Resources be elected to provide the watermaster services for Water District 45-O and that the Director of IDWR appoint Jana Reeder, an employee of IDWR, or other employees of IDWR as may be necessary, to serve as the watermaster for the ensuing year.
3. As provided in IDAHO CODE § 42-608(4), the watermaster shall begin service on this date and continue until the next annual meeting when a successor is elected or appointed.
4. The water users of Water District 45-O hereby authorize a Memorandum of Understanding (MOU) between Water District 45-O and the Director of IDWR that will provide for the following:
 - a. IDWR will provide full-time or part-time employees as necessary for watermaster duties during the dates of service as identified in Resolution #3. The watermaster shall maintain an office for the ensuing year within the IDWR Southern Regional Office, located in Twin Falls, Idaho.
 - b. IDWR will provide office space, vehicles and the use of all necessary office and field equipment, and other necessary watermaster expenses in exchange for compensation as set in the approved budget. This arrangement shall not give Water District 45-O any ownership interest in any IDWR office space and equipment.
 - c. Water District 45-O will reimburse IDWR for watermaster services an amount not to exceed the amount shown in the adopted budget. IDWR will provide an invoice to the Water District by March 5 of each year.
 - d. The Water District 45O advisory committee shall consist of Paul Duncan, David Pickett and Russell Patterson. Russell Patterson shall be designated the chairman of the advisory committee with authority to sign the MOU.
5. The duties of the treasurer will be performed by the watermaster to approve expenses and disbursement of Water 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 Section 42-619.

6. The budget for Water District 45-O for the fiscal year 2022 beginning March 10, 2022, and ending on March 9, 2023, be as follows: Twenty-Nine Hundred and Seventeen Dollars and Forty-Three Cents (\$2917.43) for Watermaster duties.
7. In accordance with Idaho Code § 42-618, the Watermaster of Water District 45-O is hereby authorized to collect the expenses of the Water District directly from the water users.
8. In accordance with Idaho Code § 42-612 (5), the assessment amount for each individual user as shown in the adopted budget shall constitute a final determination of the amount due for the current year.
9. The watermaster shall prepare assessments for the current year budget after the water users present at the annual meeting have formally adopted the budget. The annual assessments will be due to Water District 45-O on or before May 1, each year so that there will be sufficient funds early enough in the year to accommodate the expenses of the water district.
10. It is resolved that the Watermaster is authorized pursuant to Idaho Code Section 42-618, to withhold or suspend deliveries of water to any water user who has not paid their assessment charges in full by the above mentioned due date.
11. The annual Water District 45-O meeting shall hereafter be held on the second Wednesday in March, of each year unless the Director of IDWR should find it necessary to change the meeting date or unless changed by resolution of the district at any annual meeting.

**2022 MEETING OF
GOLDEN VALLEY WATER DISTRICT 45-0
MARCH 9, 2022**

1. Selection of Chairman for 2022
2. Review of Minutes for 2021
3. Watermaster report
4. 2022 Budget
5. 2022 Resolutions
6. Other business
7. Next meeting: March 8, 2023
8. Adjourn

Paul Duncan

Lincoln Pickett

DAVID J. PICKETT

HERMILO RUIZ SKYLINE DAIRY

Russell V. Patterson - Triple Ace Inc

2ND LINCOLN

ROSTER OF ATTENDANCE

20 ____ ANNUAL MEETING

WATER DISTRICT NO. 450

WATER DISTRICT AREA Golden Valley

ANNUAL MEETING

Date 3/10 Time 12:00 am/pm

Location Duncan's Shop

Address 9005 1400 E

NAME	ADDRESS	REPRESENTING
HERMILO Ruiz	704W 1000S Burley	Skyline Dairy
DAVID J. PICKETT	568 W. 1690S. DAWLEY	PICKETT RANCH
Russell V. Patterson	1800 E Street Hephurn, Id 83336	Triple Ace
Brian Higgs	3550 500S Burley	WD 140
Jana Reeder		IDWR
Shane Leming	1400 W 900S	C.D.F

2021 Watermaster Report

2022 Water District Budget

	WATER RIGHT OWNER	IDWR WATER RIGHT IDENT NO.	DIVERSION NAME/ REMARKS
1	TUGAW RANCH	45-2283, 45-2322, 45-2575	205, 207, 208
2	PKD & TLD PROPERTIES	45-2578, 45-2597	348, 216, 386
3	PATTCO, LLP	45-2582A, 45-2585A, 45- 11042, 45-2582B, 45-13613	339, 214, 215

2021 Total Delivery (AF)		2022 Assessment	Accounting	
			2021 Total number of hours	39
1	1658	\$1226.92	2021 Water District Expenses	\$2,158.52
2	904	\$668.96	March 1, 2022 Bank Balance	\$1,441.09
3	1388	\$1027.12	2021 Shortfall	\$717.43
			2022 Recommended Watermaster expenses	\$2,200.00
			2022 Adopted Budget	\$2,917.43
			Total AF delivered	3950 AF
			Cost per AF	\$0.74

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is entered into between the Department of Water Resources, (the Department) and the water users of Water District 450, Golden Valley Area, (Water District) acting through the Water District Advisory Committee (Advisory Committee).

Recitals

A. The statutes of the State of Idaho require the Director to have direction and control of the distribution of the waters of the state to those holding valid water rights within water districts created pursuant to Title 42, Chapter 6, Idaho Code.

B. On March 9, 2022, the Water District authorized the Advisory Committee, as advisors to, and elected representatives of the Water district, to enter into an agreement with the Department to provide the Water District with watermaster services.

Agreement

The parties agree as follows:

1. The Department will provide the following services to the Water District:
 - a. Watermaster services as described in the Water District adopted resolutions and budget (Resolutions), attached and incorporated by this reference. Such watermaster services will be provided consistent with the provisions of Title 42, Chapter 6, Idaho Code.
 - b. Any full-time or part-time employee(s) as necessary for the water distribution operations of the Water District in accordance with its adopted budget. Any persons directly employed by the Department as classified state employees, performing duties on behalf of the Water District under this MOU will only perform those duties as described in the Resolutions.
 - c. Office space as necessary for operation of the Water District and Department vehicles for use by full-time employees of the Department, to conduct Water District business, and to share the use of other Department equipment and facilities as are necessary to equitably administer, monitor, regulate and distribute the waters to the users within the Water District.
2. The Water District will pay the Department, in accordance with the Resolutions, sufficient funds to cover the costs of operations incurred in providing watermaster services. Reimbursement shall not exceed the personnel costs and other costs incurred in conducting Water District business and providing watermaster services. Indirect costs will be paid at the rate approved by the Cognizant Federal Agency and current at the time of the water district annual meeting.
3. This MOU shall take effect on the date when all parties have signed. This MOU shall automatically renew each year for five years, subject to the Water District adopting a resolution and budget each year providing funds for this MOU. The MOU can be terminated by written agreement of the Director of the Department and the Water District, on the recommendation of the Advisory Committee.

4. No waiver, modification, or amendment of this MOU or any of its terms is valid unless in writing executed by both parties.
5. Nothing in this MOU will act to change, modify, or release either party of any obligation or responsibility otherwise provided by contract or by law.
6. This MOU may be executed with electronic signatures and in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document.

The parties have executed this MOU on the date following their respective signatures.

State of Idaho

**IDAHO DEPARTMENT OF WATER
RESOURCES**

322 East Front Street
PO Box 83720
Boise, ID 83720-0098

WATER DISTRICT 450

Gary Spackman
Director



Russell Patterson
Advisory Committee Chair

Date



Date