

**ANNUAL MEETING MINUTES
WATER SUB-DISTRICT 72D, CLAYTON AREA
MONDAY MARCH 18, 2019 7:00 PM
CLAYTON COMMUNITY CENTER**

RECEIVED
APR 03 2019
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Meeting was called to order by Wayne Baker

Present were: Richard Giampedraglia, Ron Vernia, Cindy Yenter, Brent Cutler, Wayne Baker, Howard Cutler, Gary Ingram, Preston Cutler, Thomas V. McGowan, Becky McGowan, Tim Leuzinger, Paul May, Bill White, JR Baker, Larry Mellen, Jeremy Wiley, Sande Hill, Ron Yacomella, Melodie Baker

Howard Cutler was nominated as Meeting Chairman by Richard Giampedraglia. Second by Tim Leuzinger. Motion passed unanimously.

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

Everyone read the 2018 meeting minutes. Paul May moved to accept the minutes and Tim Leuzinger second. Motion passed unanimously.

WD170 Advisory Committee Representative Report was given by Cindy Yenter (Sub-District 72D's Representative Tom McGowan was not able to make the meeting.) Cindy said that Lemhi was added to WD170 and in the future, the final district to be added will be from Ellis to the Middle Fork, minus Pahsimeroi, which is already an established district. There was discussion about maintenance, compliance and regulation guided by statute.

Financial Report was given by the Treasurer, Melodie Baker. All but two assessments were paid and we had a small net income. IRS mileage rate is going up from \$0.545 to \$0.58, stamps are increasing from \$0.50 to \$0.55 and post office box rental went up, so there will be some increases there. There will be more time spent by the treasurer in preparing the paperwork and support information for the advisory committee and members to help with setting the upcoming budget, as that has been turned over to the treasurer. Office supplies were up a little and Brent's time and mileage have increased this year and that will probably not decrease back to previous year's totals.

Watermaster Report was given by the Watermaster, Brent Cutler. Everything went well. There were some improvements made towards compliance with measuring devices this year. BLM called and Brent had to go out and check on a water user's diversion. Everything was alright and the water user was in compliance. This issue over a claim where the watermaster has to go out and make a review and finds nothing wrong needs to be charged back on the caller. No action was taken

BUDGET-There was discussion over the 2019 budget, including minimum rates and possible increases in the budget. After discussion, Paul May moved to keep the budget the same as last year. Tom McGowan second the motion. Motion passed unanimously.

RESOLUTIONS-In reviewing the draft assessments, Howard noticed that the Fish and Game's Squaw Creek Pond Water Right was being assessed at the minimum rate. Cindy explained it was a non-consumptive use and we had a resolution that set non-consumptive use at the minimum rate. After review of the resolutions, no resolution was found stating this. Brent said he beginning in 2019, IDFG should receive a pro-rata charge for diversion of 72-7549 at Squaw Creek 3, as he has to visit SQC3 the same as any other diversion to deliver the right to the pond. For diversions to fish screens, he acknowledged he is there anyway delivering other rights. If the diversion is off, the screen is off (ie, no additional cost). He doesn't visit the fish trap (no cost). There was also discussion to get IDFG to self-report the fish trap so that Brent will not have to go in there.

Wayne Baker made the motion to create a resolution 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. IDFG SQC3, a non-consumptive user will pay the pro-rata rate as a consumptive water right based on actual use, second by Gary Ingram. Motion passed unanimously.

There was discussion to have Brent Cutler's wife, Nora deputized as a Deputy Watermaster. Wayne Baker made the motion to deputize Nora Cutler, Richard Giampedraglia second the motion. Motion passed unanimously.

Gary Ingram made the motion to keep the advisory committee as it stands, JR Baker second the motion. Motion passed unanimously. They are currently: Thompson Creek Mine-Richard Giampedraglia, Squaw Creek-Tom McGowan, East Fork-Wayne Baker and Main Salmon-Howard Cutler.

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

NEW BUSINESS-Richard Giampedraglia brought up adding to our budget a donation to the community center to cover the cost of our using it for our meetings, which will go toward the city's water assessment. We will add this as a line item to the budget in future years. Motion made by Richard Giampedraglia, second Wayne Baker. Motion passed unanimously.

With there being no more business to discuss, Paul May made the motion to adjourn the meeting, second by Melodie Baker. Motion passed unanimously. Meeting was adjourned at 7:49 pm.

Minutes submitted by Meeting Secretary, Melodie L. Baker

**WATER DISTRICT 72D
ADOPTED BUDGET 2019**

Date: March 18, 2019

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DEPT OF WATER & POWER

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

Budget Apportionment

Total 2018 Delivery (24-hr cfs)	22,308.2
Assessment Cost Factor (per 24-hr cfs)	0.32
Minimum Charge	\$50.00

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DEPT OF WATER RESOURCES
SOUTHERN REGION

**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 MEEING 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.

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.

DISTRICT 72D
CLAYTON AREA SUB-DISTRICT
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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 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

**DISTRICT 72D
CLAYTON AREA SUB-DISTRICT**

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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, 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

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 2019 BUDGET

Adopted 2019

It is resolved that the 2019 operating budget for Sub-district No. 72D is as follows:

Watermaster Wages \$20/hr estimated 300 hours \$6,000 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.

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CLAYTON AREA SUB-DISTRICT

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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.

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DEPT. OF WATER & SEWERAGE
600 N. 12TH ST. S.W.
TAMPA, FL 33604

9:33 PM

03/24/19

Cash Basis

SUB-DISTRICT NO. 72D
Profit & Loss Prev Year Comparison
March 1, 2018 through February 20, 2019

	Mar 1, '18 - Feb 20, 19	Mar 1, '17 - Feb 20, 18	\$ Change	% Change
Ordinary Income/Expense				
Income				
INTEREST INCOME				
CHECKING 3899	0.07	0.00	0.07	100.0%
SAVINGS 6788	2.53	1.94	0.59	30.4%
Total INTEREST INCOME	2.60	1.94	0.66	34.0%
Late Fee-Assessments	72.00	112.82	-40.82	-36.2%
REIMBURSEMENT OF EXPENSE	0.00	-71.88	71.88	100.0%
WATER USER'S FINANCE CHARGE	0.00	1.00	-1.00	-100.0%
Water User Yearly Assessment	7,284.10	7,211.80	72.30	1.0%
Total Income	7,358.70	7,255.68	103.02	1.4%
Gross Profit	7,358.70	7,255.68	103.02	1.4%
Expense				
Bank Service Charges	26.00	28.00	-2.00	-7.1%
Office Supplies	120.94	115.18	5.76	5.0%
Rent Expense	54.00	52.00	2.00	3.9%
TREASURER	1,131.00	1,029.00	102.00	9.9%
WATERMASTER				
WATERMASTER CONTRACT LABOR	3,270.00	2,690.00	580.00	21.6%
WATERMASTER MILEAGE	1,722.76	1,299.73	423.03	32.6%
Total WATERMASTER	4,992.76	3,989.73	1,003.03	25.1%
WORKMAN'S COMP	300.00	300.00	0.00	0.0%
WRITE OFFS	116.50	0.00	116.50	100.0%
Total Expense	6,741.20	5,513.91	1,227.29	22.3%
Net Ordinary Income	617.50	1,741.77	-1,124.27	-64.6%
Other Income/Expense				
Other Income				
OTHER INCOME	26.00	0.00	26.00	100.0%
Total Other Income	26.00	0.00	26.00	100.0%
Net Other Income	26.00	0.00	26.00	100.0%
Net Income	643.50	1,741.77	-1,098.27	-63.1%

SD 72D TREASURER'S REPORT 2018

MARCH 2018-FEB 20, 2019

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SOUTHERN REGION

INCOME

INTEREST INCOME	\$2.60
LATE FEE-ASSESSMENT	\$72.00
REIMBURSEMENT OF EXPENSE	\$26.00

WATER USER YEALRY ASSESSMENT	<u>\$7,284.10</u>
TOTAL INCOME	<u>\$7,384.70</u>

EXPENSES

BANK SERVICE CHARGES	\$26.00
OFFICE SUPPLIES	\$120.94
PO BOX RENTAL	\$54.00
TREASURER	\$1,131.00
WATERMASTER	
WATERMASTER CONTRACT LABOR	\$3,270.00
WATERMASTER MILEAGE	\$1,722.76
WRITE OFFS	\$116.50
WORKMAN'S COMP	<u>\$300.00</u>
TOTAL EXPENSES	<u>\$6,741.20</u>

NET INCOME	<u>\$643.50</u>
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STARTING BALANCE	\$6,397.75
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INCOME	\$7,384.70
EXPENSES	- \$6,741.20
ACCOUNTS RECEIPVABLES	<u>- \$4.00</u>
ENDING BALANCE	\$7,037.25

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9:34 PM
03/24/19
Cash Basis

SUB-DISTRICT NO. 72D
Balance Sheet Prev Year Comparison
As of February 20, 2019

	Feb 20, 19	Feb 20, 18	\$ Change	% Change
ASSETS				
Current Assets				
Checking/Savings				
Wells Fargo Checking	220.58	399.62	-179.04	-44.8%
WF SAVINGS 6788	6,816.67	6,315.60	501.07	7.9%
Total Checking/Savings	7,037.25	6,715.22	322.03	4.8%
Accounts Receivable				
Accounts Receivable	-8.00	-12.00	4.00	33.3%
Total Accounts Receivable	-8.00	-12.00	4.00	33.3%
Total Current Assets	7,029.25	6,703.22	326.03	4.9%
TOTAL ASSETS	7,029.25	6,703.22	326.03	4.9%
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	8,250.84	6,600.52	1,650.32	25.0%
Net Income	-1,324.14	0.15	-1,324.29	-882,860.0%
Total Equity	6,926.70	6,600.67	326.03	4.9%
TOTAL LIABILITIES & EQUITY	7,029.25	6,703.22	326.03	4.9%