

**Water District 27
Year 2005 Resolutions**

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JUN 16 2005
Department of Water Resources
Eastern Region

1. BE IT RESOLVED that the annual Water District 27 meeting shall hereafter, or until changed by further resolution of the district, be held on the second Monday of January of each year unless the director and advisory members should find it necessary to change the meeting date. The next annual meeting is to be held January 9, 2006.

2. BE IT RESOLVED, that it is the watermaster's responsibility to apply the best available methods and technology to assure accurate deliveries of natural flow and stored water, consistent with regulatory procedures and the availability of the water supply; that he maintain accurate records of water delivered to each water user.

That, the watermaster shall accurately allocate the expenses of delivering water of the district to each ditch, canal company, irrigation district, or other water user as provided by law; and that he shall prepare the annual watermaster's report required by Idaho Code 42-606 and a proposed budget for the succeeding year as required by Idaho Code 42-615.

BE IT FURTHER RESOLVED that:

The watermaster will investigate ways to expand and maintain automation where it can effectively improve water management, reduce personnel costs, travel costs, or result in cost or water savings for water users in Water District 27, or assure better and more current data.

The Watermaster will adjust the headgates of all natural flow rights. The Fort Hall Project Engineer will adjust the central gates of the Blackfoot Reservoir, the equalizing reservoir, the Little Indian Canal, and the North and Main Canal headgates. The Watermaster will be duly advised of all changes made in the gates regulated by the Fort Hall Project Engineer.

Ronald D. Carlson be elected watermaster for the ensuing year, and be authorized to appoint deputies and hire such other assistants as provided by the adopted budget. The watermaster may hire additional assistants as authorized in Idaho Code 42-609 in an emergency.

Dale Rockwood be elected Water District 27 Treasurer.

The duties of the watermaster and treasurer shall continue until the next annual meeting.

The budget for Water District 27 for the 2005 year beginning January 19, 2005, and continuing until the annual meeting in 2006, shall be as follows:

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3. WHEREAS, it is the watermaster's responsibility to assure the proper delivery of water to all water users, and

WHEREAS, the normal water district cost of delivering water to many water users is greater than their normal assessments would be based upon their total annual use of water;

NOW, THEREFORE, BE IT RESOLVED that the watermaster of Water District 27 is hereby authorized to assess a \$30.00 minimum charge for every diversion within his jurisdiction.

4. WHEREAS, the water users of Water District 27 meeting in regular annual session find it necessary to confirm the continuation of the following "on-going" resolutions which direct the watermaster and the treasurer of the district in certain aspects of Water District 27 operations;

NOW, THEREFORE, BE IT RESOLVED that the budget of Water District 27 adopted at the annual meeting shall become the basis for the aggregate amount to be collected from all water users in the district for the current year based upon historical average delivery to each user. Debits and credits for the preceding year will be added to the current approved budget before assessments for the irrigation season are made.

It is hereby agreed that the natural flow users shall pay 40% of Water District 27 Budget, and that the Fort Hall Project shall pay 60% of said expense. The rate of assessment per 24 hour second feet shall be computed in accordance with the above proportions.

No water shall be delivered to any delinquent water user until all delinquencies have been paid, and no water shall be delivered after the first day of June, 2005, until the current year's assessment has been paid: Provided that assessments in excess of \$100.00 may be paid in installment of 1/3 of the total assessment, less any credit due on previous years, May 1, 2005, and 1/3 of the total assessment on the first of July 2005. The balance of the assessment shall become due and payable upon approval of the Watermaster's report by the Director of the Department of Water Resources for the state of Idaho, as provided in Section 42-614 of the Idaho Code.

That the treasurer shall establish and maintain a general account and shall cause all monies received to be deposited and shall make all disbursements as necessary to conduct the business of the water district;

BE IT FURTHER RESOLVED that no ditch, canal company, or other water users shall have the right to demand and receive water, and the watermaster shall not deliver to such person until receipt of the amount due and payable from such user, and

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That copies of the minutes of the annual meeting, the approved budget, and related resolutions, shall be filed with the Director of the Department of Water Resources and with the county auditors of Bingham and Caribou counties in accordance with Idaho Code 42-612 and 42-617.

5. WHEREAS, the water district meets in regular annual session, as provided by by state law, and;

WHEREAS, there are, from time to time, decisions related to water district contracts, or policies that may not have been specifically addressed by resolution at the annual meeting;

NOW THEREFORE BE IT RESOLVED that the advisory committee of Water District 27 is authorized to take such actions as they, by consensus deem necessary and appropriate to fulfill the duties for which the district was created.

6. WHEREAS Idaho Code 42-707 provides for voting by water users and election of an advisory committee, the water users of Water District 27 hereby resolve that the credentials for voting in any district meeting and for serving on the district advisory committee will be as follows:

- 1) The advisory committee is to consist of 5 members, equitably proportionate to interests within the district.
- 2) Each advisor must be a landowner and water user within the boundaries of Water District 27.
- 3) Must have paid all assessments owed Water District 27.

IT IS FURTHER RESOLVED that this resolution shall continue from year to year until repealed or changed by the water users.

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7. ACCEPTANCE BY THE UNITED STATES INDIAN SERVICE

BE IT RESOLVED that adoption of all resolutions become effective with respect to the Fort Hall Project and all water distributed to the Fort Hall Project from any source, when the Fort Hall Project Engineer has affixed his signature in the presence of two witnesses.

Layne Hamilton

Layne Hamilton, Chairman
Blackfoot River Water User's Association

Allan L. Oliver

Allan L. Oliver, Irrigation Mgr.
Fort Hall Agency

Approved and accepted this 18th day of January, 2005.

Witnesses:

L. Miller

Clifford Buckner