

Proposed

BY LAWS OF THE  
WATER DISTRICTS

61 C BENNETT CREEK  
61 E COLD SPRINGS CREEK

ARTICLE I

Name, Location, Business

SECTION 1: **Name:** The name of this organization shall be Bennett Creek and Cold Springs Creek Water District. "it shall be referred to hereinafter as "the organization".

SECTION 2: **Location:**

SECTION 3: **Business:** This organization shall engage in the business of controlling and running the operations of Bennett Creek and Cold Springs Creek Water Districts 61C and 61E as prescribed by these By Laws.

ARTICLE II

Purpose

SECTION 1: **Purpose:** The purpose for which this group is organized is civic in nature to control the operation of irrigation along Bennett Creek and Cold Springs Creek. The organization shall be and is empowered to cooperate and work in compliance with the State of Idaho governmental agencies to achieve it's purpose. This organization shall act as the primary controlling agency for Bennett Creek and Cold Springs Creek Water District and shall promote just and equitable rules and controls in business, through the collection and dissemination of information, and through services that may be rendered in connection with subjects of general importance, through research and if needed direct action.

SECTION 2: **Limitations:** The organization in its activities shall be limited to insuring irrigators along both Bennett Creek and Cold Springs Creek are in compliance with their water rights and controls are in place to enforce compliance as directed by Water District and the State of Idaho.

ARTICLE III

Membership

SECTION 1: **Eligibility:** Any person, firm, partnership, corporation/association, estate, or trust may apply for membership if they have water rites for taking water from either Bennett Creek or Cold Springs Creek and agrees to conform to and abide by the By Laws

of Water District 61C Bennett Creek and 61E Cold Springs Creek and any amendments there to.

**SECTION 2: Classification of Members:** All active members in good standing shall be entitled to vote, to hold office, to serve on standing and special committees, to attend all regular and special membership meetings, to have the privileges of the floor at such meetings and to participate in all referenda conducted by the organization. A member in good standing is one that is in compliance with all requirements of this organization and is current in any and all assessments made by this organization.

**SECTION 3: Membership dues:** The minimum annual membership dues for active members of this organization shall be reviewed annually by the board of officers and any proposed assessment shall be voted on by organization membership.

**SECTION 4: Voting:** Each individual member in good standing shall be entitled to one vote. Votes shall be by individual persons only, one vote person, and not by proxy. Every firm shall designate a voting representative for each vote authorized.

**SECTION: Termination of membership:** Upon termination of any membership by death, resignation or expulsion, the interests of such member in and to the property of this organization and his/her rights and privileges shall be forfeited. In the event of termination of membership, assessments shall not be refundable.

## ARTICLE IV

### Membership Meetings

**SECTION 1: Annual Meetings:** The annual membership meeting of this organization shall be held in the month of January of each year at such time and place as may be designated by the President. At such annual meeting, the newly elected officers shall be installed.

**SECTION 2: Special Meetings:** The President may call such special meeting of the membership as he/she may deem necessary, and shall call a membership meeting upon the request of ten percent of the members in good standing.

**SECTION 3: Quorum:** Ten percent of the active members in good standing of the organization shall constitute a quorum for the transaction of any business at a membership meeting.

## ARTICLE V

### Officers

**SECTION 1: President's Office:** The President shall preside at all meetings of this organization and perform all duties incident to that office. He/She shall, as he/she may deem proper, commend to the membership such matters and make suggestions as may tend to promote the prosperity and increase the usefulness of the organization.

**SECTION 2: Secretary/Treasurer's Office:** It shall be the duties of the secretary to conduct the official correspondence, communication, and maintain an accurate record of the proceedings of this organization. The treasurer shall receive and disburse the funds of this organization. He/She shall keep all monies of this organization deposited in the

name of this organization. All disbursements shall be made by check duly signed by the President and counter signed by the Treasurer.

**SECTION 3: Vacancies:** Vacancies occurring in the offices herein provided for shall be filled by interim appointment by a Resolution of the membership. The interim appointment shall be until the vacancies' term has expired.

**SECTION 4: Hold Harmless:** The Officers of this organization shall not be held personally liable for any of the actions of the membership of this organization unless criminal intent is shown.

**SECTION 5: Term of officers:** The term of elected officers shall be one calendar year.

## ARTICLE VI

### Representatives

Any person or persons appointed to act as the official representative or representatives of this organization at conventions, hearings, or public meetings of any kind, shall so act only after receiving specific instructions from the President. Upon completion of such an assignment the representative(s) shall make a full report to the President.

## ARTICLE VII

### Budgeting

**SECTION 1: Fiscal Year:** The fiscal year of this organization shall be January 1 through December 31.

**SECTION 2: Budget:** The President shall constitute the Budget Committee and adopt a budget in December each year for the following year. At the annual meeting the President shall present the budget to the membership for approval and or adjustments. The President shall adjust and/or revise the annual budget to conform with any limitations or expenses created by changing conditions throughout the year.

**SECTION 3: Disbursement of Funds:** No disbursements of funds over 300.00 per line item can be made unless the same shall have been approved, authorized and ordered by the membership of this organization.

## ARTICLE VIII

### Amendments

These Bylaws may be altered, amended, or repealed by one of the following:

- A. By the affirmative vote of two-thirds of the members of this organization at any regular or special meeting, provided the proposed action be presented in writing at the meeting to the membership preceding such vote, or notice in writing be sent to each member of this organization at least fifteen (15) days prior to such vote;

- B. By a two-thirds affirmative vote of the members entitled to vote there at, at the Annual meeting of the members, or any other meeting of the members called for that purpose by the President.

## ARTICLE IX

### Dissolution

On dissolution of this organization any funds remaining shall be distributed to one or more regularly organized and qualified charitable, educational, scientific, or philanthropic organization to be selected by the President and no funds shall be distributed to the members of this organization.

**DATE ADOPTED:** \_\_\_\_\_