

DRAFT

Water District No. 170 Upper Salmon River Basin Water District 2006 Proposed Resolutions

THE WATER USERS OF THE UPPER SALMON WATER DISTRICT, DESIGNATED AS WATER DISTRICT NO. 170, MEETING AT THE ANNUAL DISTRICT MEETING ON APRIL 11, 2006, AT THE AMERICAN LEGION MEMORIAL BUILDING IN CHALLIS, IDAHO, HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

1. The Upper Salmon Water District ("USWD") consists of the area and water rights as defined by the Final Order Creating Water District No. 170, signed by the Director of IDWR on March 6, 2006, and the Amended Final Order Creating Water District No. 170, signed by the Director on April 6, 2006.
2. The USWD Watermaster shall perform the duties as required by Chapter 6, Title 42, Idaho Code and in accordance with the following:
 - a) The duties described in the Final Order Creating Water District No. 170 signed by the Director of IDWR, March 6, 2006, and the Amended Final Order Creating Water District No. 170, signed by the Director on April 6, 2006 including:
 - 1) Assure that water uses are in compliance with Idaho water law;
 - 2) Enforce water rights in priority;
 - 3) Measure, record and report flows under the water rights and diversions in the district, in accordance with requirements established by IDWR and the USWD.
 - b) Work with sub-district Deputy Watermasters and, if preferred by the sub-districts, Officers and Advisory Board members, to locate and identify diversions within the USWD using Global Positioning System (GPS) receivers and GPS site tags approved by IDWR.
 - c) Direction and guidance provided by the Director of IDWR, including but not limited to, general guidelines as provided in the IDWR Watermaster Handbook.
 - d) The annual USWD resolutions as adopted herein and as may be amended or supplemented by resolutions duly approved and adopted in future annual meetings by the USWD water users.
3. Measuring devices shall be installed on non-deminimis diversions in accordance with orders issued by the Director of IDWR, where such orders include consultation with the USWD Watermaster, sub-district Deputy Watermasters, and the Advisory Committee members of the USWD and USWD sub-districts. Orders requested by the USWD and issued by IDWR will provide specific timelines for compliance and the opportunity for recipients to file motions for reconsideration if they feel aggrieved by issuance of any such orders. The USWD encourages IDWR to recognize that some diversions on Federal Land may require additional time for compliance due to necessary authorizations required by Federal government agencies.
4. IDWR be elected to provide the watermaster services for the USWD and that the Director appoint _____ to serve as the USWD Watermaster for the ensuing year at no expense to the USWD.

5. As provided in Idaho Code 42-608(4), the USWD Watermaster's term of service shall begin upon annual meeting election and continue until the next annual meeting.
6. The water users of USWD hereby empower the duly elected Chairperson of the USWD Advisory Committee created herein to enter into a Memorandum of Understanding between the USWD and the Director of IDWR that will provide the following:
 - a. IDWR will provide one (1) full-time employee equivalent (FTE), for USWD Watermaster duties during the dates of service as identified in resolution no. 5.
 - b. The Director of IDWR and the USWD Watermaster may appoint other staff as necessary to perform measurement and reporting of diversions within the USWD that are not within a sub-district and/or heretofore have not measured or reported flows. Such staff will be appointed as USWD watermaster assistants.
 - c. IDWR will provide office space, vehicle and the use of all necessary office and field equipment and other necessary watermaster expenses during the watermaster's term of service as described in Resolution # 3. This arrangement shall not give the USWD any ownership interest in any IDWR office space and equipment.
7. An Advisory Committee shall be elected to provide input to the watermaster and the Director of IDWR. The advisory committee for the ensuing year shall be comprised as follows:

Basin 71 irrigation representative(s) (3)
 Basin 72 sub-districts, one each (3 total)
 Basin 72 non sub-district area irrigation (2)
 Basin 71 & 72 commercial/industrial/municipal/other uses (3)
 US Forest Service (1)
 US Bureau of Land Management (1)
Ex-officio/Non-Voting members from Basins 73-75 (?)

Seats may be added to or subtracted from the 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. Candidates will be voted on at caucus during the annual meeting. The advisory committee will meet as often as needed to address the structure, governance and operation of the district. Decisions or recommendations of the Advisory Committee must be made with a minimum of two-thirds of the members in attendance and a majority of those Advisory Committee members present in favor.

8. The USWD Annual Meeting shall hereafter be held on the second Tuesday of March of each year unless the Director of IDWR should find it necessary to change the meeting date or unless changed by future resolution of the District at any annual meeting. An agenda for the annual meeting shall be prepared 21 days prior to the annual meeting by the advisory committee and posted to the IDWR water district web site. Copies shall be mailed to all advisory committee members.
9. Copies of the Minutes of the annual meeting, , all resolutions approved, and any report prepared in accordance with Idaho Code 42-615, shall be filed with the Director of the IDWR in accordance with Idaho Code 42-617.

10. The USWD Watermaster shall be responsible for submitting to IDWR annual reports showing water use and such other information that may be deemed necessary by the Director of IDWR in accordance with Idaho Code 42-606, 42-708, and 42-709.
11. The USWD Watermaster, sub-district watermasters and any watermaster assistants are authorized as appointed agents of IDWR under Idaho Code 42-1701(5) to make reasonable entry on lands within the District, in accordance with IDWR policy, to carry out their duties as instructed by IDWR. These duties include but are not limited to:
 - a. Monitoring diversion and measuring rate and volume of water diverted from surface and ground water and other public water sources.
 - b. Measuring the depth to water in wells.
 - c. Monitoring the place, period, and nature of use of water to identify unauthorized diversion and use of water to IDWR.
12. The Advisory Committee shall make available any proposed resolutions or budget at least twenty-one (21) days prior to the annual meeting. This shall not preclude any water right owner from proposing any new resolution or proposing changes to resolutions at any annual meeting.