

**GARDEN CREEK & CHALLIS CREEK
WATER DISTRICT NO. 72-A**

**P. O. Box 910
Challis, Idaho 83226-0910**

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MAR 16 2007

**DEPT. OF WATER RESOURCES
SOUTHERN REGION**

**2007
ADOPTED BUDGET**

Garden Creek & Challis Creek Water District No. 72-A collects and holds its own funds.

I HEREBY CERTIFY that the within is a true and correct copy of the budget as adopted at the Annual Water User's Meetings of the Garden Creek & Challis Creek Water District No. 72-A held at the Challis High School on Tuesday, March 6, 2007, at 7:00 P.M. and all Resolutions adopted at that meeting pertaining to the time and the manner of collecting the amounts provided for in the said Adopted Budget.



**J. R. Challis, Watermaster
Garden Creek & Challis Creek
Water District No. 72-A
Custer County, Idaho**

**GARDEN CREEK & CHALLIS CREEK
WATER DISTRICT No. 72-A**

**2007
Adopted Budget
Expense Projection**

Remuneration:

\$ 4,000.00	Watermaster's Compensation
3,500.00	Ditch Rider's Compensation
1,000.00	Secretary/Treasurer's Compensation

Pro Rata Expenses:

\$ 1,500.00	Mileage Reimbursement (Watermaster, Ditch Rider & Secretary/Treasurer)
\$ 500.00	State Insurance Fund (Workman's Compensation)
\$ 350.00	Post Office Box & Postage
\$ 250.00	Telephone, Office Supplies & Miscellaneous
\$ 250.00	Copy Charges
\$ 50.00	Highline Canal Maintenance (billed to Highline Canal users <u>only</u>)
\$ 500.00	Computer Software Expense
\$ <u>100.00</u>	Watermaster Supplies

\$12,000.00 Total Expenditures

**Garden Creek & Challis Creek Water District No. 72-A
2007 Adopted Budget**

Water Right Owner	Non-Min. User	Minimum User	2007 Adopted Budget Amount
Andrews, Robert W. & Barbara D.		\$50.00	\$50.00
Armbruster, Mark Alan & Vicki B.		\$50.00	\$50.00
Axline, Estate of Patricia J.		\$50.00	\$50.00
Baker, Robert E.		\$50.00	\$50.00
Bauchman, Stephen	\$1,246.18		\$1,246.18
Belkowski, Frank H.		\$50.00	\$50.00
Billet, Danny L.		\$50.00	\$50.00
Bird, Byron R.	\$57.05		\$57.05
Black, Dennis H. & Mimi Mary		\$50.00	\$50.00
Bloxham, Ronald W.		\$50.00	\$50.00
Burchill, R. Richard & Ruth E.	\$56.63		\$56.63
Butterfield, Jenness R.		\$50.00	\$50.00
Butts, Thomas A. & Claudia		\$50.00	\$50.00
Cain, Pierre C. & Joni D.		\$50.00	\$50.00
Carlisle, Linda L.		\$50.00	\$50.00
Challis, J. R. & Patricia W.	\$168.90		\$168.90
Challis Ranger District Ralph E. Rau, District Ranger		\$50.00	\$50.00
Chivers, Mayanna J.		\$50.00	\$50.00
City of Challis	\$199.85		\$199.88
Collins, John		\$50.00	\$50.00
Cope, Stephen G.		\$50.00	\$50.00
Cordova, Orlando A. & Caroline		\$50.00	\$50.00
Cox, Eugene M. & Mary E.	\$222.62		\$222.62
Cranney, John C. & Cathy F.		\$50.00	\$50.00

Water Right Owner	Non-Min. User	Minimum User	2007 Adopted Budget Amount
Cullinane, Raymond J. & Falma J.	\$83.17		\$83.17
Curtis, Linda A.		\$50.00	\$50.00
Doll, Norman D. & Nikki L.		\$50.00	\$50.00
Dungan, Jim L. & Watana	\$69.08		\$69.08
Dunkle, James A. & Waltraud R.		\$50.00	\$50.00
Enzenauer, Everett P. & Mary E.	\$148.09		\$148.09
Evans, D.V.M., Rodney E. & Karlene		\$50.00	\$50.00
Fayle, Bandy A. & Sherry M.		\$50.00	\$50.00
Gammache, Anthony D.	\$579.95		\$579.95
Gassman, Ronald W. & Sally J.		\$50.00	\$50.00
Gerheim, Thad S. & Karen E.		\$50.00	\$50.00
Green, Estate of Gerald D.	\$70.31		\$70.31
Green, Estate of Roberta Helen	\$208.10		\$208.10
Green, Ronald Clyde	\$93.34		\$93.34
Hamilton, Russell & Hali		\$50.00	\$50.00
Hansen, Ronald K. & Martha E.		\$50.00	\$50.00
Hanson, Gary M. & Beverly J.		\$50.00	\$50.00
Harriman, Richard L. & Donna M.		\$50.00	\$50.00
Harwood, James H. & Shelia J.		\$50.00	\$50.00
Hasskamp, William D. & Mary Ann	\$68.89		\$68.89
Hawkins, Jake J. & Anna M.		\$50.00	\$50.00
Hayse, M.D., Bruce M.	\$226.47		\$226.47
Henderson, Alan Eugene & Harriet Magee	\$256.70		\$256.70
Hoggan, Nate & Lynda		\$50.00	\$50.00
Hughes, Delbert H. & Donna L.	\$452.60		\$452.60
Hyatt, Kenneth Henry & Patricia Marie		\$50.00	\$50.00

Water Right Owner	Non-Min. User	Minimum User	2007 Adopted Budget Amount
Inskeep, Oliver Roy & Doris E.		\$50.00	\$50.00
Ivie, Brent L. & Sandra K.		\$50.00	\$50.00
James, Christopher (Living Waters Ranch)	\$89.03		\$89.03
Jarvis, Lon Thomas & Bonnie Joy		\$50.00	\$50.00
Jiminez, Joseph M. & Jacque L.		\$50.00	\$50.00
Kahn, Richard A.		\$50.00	\$50.00
Kemmerer, Craig L. & Sheri E.		\$50.00	\$50.00
Keppner, Ester L.	\$422.59		\$422.59
Kingston, David O.		\$50.00	\$50.00
Knox, Jerry W. & Faye		\$50.00	\$50.00
Leaton, Ruth		\$50.00	\$50.00
Long, Janice L.		\$50.00	\$50.00
Lukkes, Lloyd J.		\$50.00	\$50.00
Lusher, Betty Rustin		\$50.00	\$50.00
Matthews, William A. & Jacqueline A.		\$50.00	\$50.00
Matusky, Paul W. & Ruth N.		\$50.00	\$50.00
McFarland, Cherie		\$50.00	\$50.00
Meyer, Kevin Richard & Judith Stanton		\$50.00	\$50.00
Moore, Donnie G. & Bridget A.		\$50.00	\$50.00
Nelson, Arlene L.		\$50.00	\$50.00
Norris, Jay Preston & Linda Marie		\$50.00	\$50.00
Peters, Donald W. & Debra J.		\$50.00	\$50.00
Phillips, George F. & Elizabeth N.		\$50.00	\$50.00
Phillips, Steve F.		\$50.00	\$50.00
Philps, Richard Allen & Cheryl D.	\$397.81		\$397.81
Piva, Julian M. & Peggy L.	\$79.34		\$79.34

Water Right Owner	Non-Min. User	Minimum User	2007 Adopted Budget Amount
Piva, Robert A. & Kay A.	\$383.53		\$383.53
Plummer, Kathleen J.		\$50.00	\$50.00
Rankin, Mario		\$50.00	\$50.00
Robbins, Fred	\$87.58		\$87.58
Robins, Allen B.		\$50.00	\$50.00
Rovetto, Joyce B. (Hammond Fmly. Corp.)		\$50.00	\$50.00
Rowles, D. Gridley		\$50.00	\$50.00
Rowles, Donald R. & Bonnie J.		\$100.00	\$100.00
Sampino, Joseph P. & Marie		\$50.00	\$50.00
Schultz, Judy A.		\$50.00	\$50.00
Sechrist, Thomas L. & Laurie K.		\$50.00	\$50.00
Shannon, Estate of Michael	\$283.72		\$283.72
Shaul, Mary A.		\$50.00	\$50.00
Shefts, Gregory Martin & Carol Anne		\$50.00	\$50.00
Sidlo, Larry G. & Judy A.		\$50.00	\$50.00
Simmons, Dwight H. & Cindy L.		\$50.00	\$50.00
Simpson, Wayne D. & Deborah L.		\$50.00	\$50.00
Smith, John S.		\$50.00	\$50.00
Smith, Jr., O'Dell		\$50.00	\$50.00
Stanley, DVM, David W. J.	\$68.39		\$68.39
Steever, Robert M. & Linda L.		\$50.00	\$50.00
Stevenson, Lynn T.		\$50.00	\$50.00
Strand, Dan (Challis Recreation & Development Corp.)	\$232.04		\$232.04
Strickler, Fred E. & Ester A.		\$50.00	\$50.00
Strickler, Ted R.	\$97.22		\$97.22
Stuart, Tab J.		\$50.00	\$50.00

Water Right Owner	Non-Min. User	Minimum User	2007 Adopted Budget Amount
Sullivan, Joesph J. & Toni K.		\$50.00	\$50.00
Swigert, James Stewart		\$50.00	\$50.00
Swindell, Richard & Lula		\$50.00	\$50.00
Tanner, Daniel C.		\$50.00	\$50.00
Taylor, Robert L. & Kathrin S.		\$50.00	\$50.00
Thomas, Michael L. & Sandy	\$212.12		\$212.12
Thompson Creek Mining Company	\$273.09		\$273.09
Thornton, C. Rod & Christine L.		\$50.00	\$50.00
USDI - BLM		\$50.00	\$50.00
Valnoski, Robert J.	\$147.22		\$147.22
Van Alfen, John K.		\$50.00	\$50.00
Van Kampen, Thomas J. & Leslie I.		\$50.00	\$50.00
Walsh, Jerold P. & Carol J.		\$50.00	\$50.00
Watson, Kent S. & Debra L.		\$50.00	\$50.00
Wegner, Robin J.		\$50.00	\$50.00
Whitten, Claudia A.		\$50.00	\$50.00
Wilson, Harold D.		\$50.00	\$50.00
Winegarner, Jon		\$50.00	\$50.00
Wood, David M. & Deborah K.		\$50.00	\$50.00
Wren, Estate of Dorothy M.		\$50.00	\$50.00
Yacomella, Antony R.		\$50.00	\$50.00
Yacomella, Ronald G. & Sandra K.		\$50.00	\$50.00
Yacomella, Thomas Lee & Terri Susan		\$50.00	\$50.00
Yacomella, Tony S. & Madge E.	\$168.36		\$168.36
Zollinger, Linda Ann		\$50.00	\$50.00
TOTALS	\$7,150.00	\$4,850.00	\$12,000.00

**GARDEN CREEK & CHALLIS CREEK
WATER DISTRICT No. 72-A**

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**DEPT. OF WATER RESOURCES
SOUTHERN REGION**

**RESOLUTIONS ADOPTED BY UNANIMOUS VOTE OF THE WATER USERS AT THE
MARCH 6, 2007, ANNUAL MEETING:**

RESOLUTION REGARDING DISTRICT BYLAWS

The Idaho Department of Water Resources (IDWR) Watermaster Handbook and related Idaho Statutes (both as may be duly amended from time to time) and Resolutions as duly approved by the water right owners of the District shall serve as the Garden Creek & Challis Creek Water District No. 72-A Bylaws.

RESOLUTION FOR ANNUAL BUDGET DETERMINATION

As provided under Idaho Statute, Title 42-612(5) water users shall provide that the respective amounts owed by each water user as shown in the Adopted Budget shall constitute a final determination of the amount due for the year without the need to carry forward any water user debits or credits to the following year. The amounts shown on the Adopted budget shall be the amount indicted as owing in the Watermaster's Report for the preceding year. Should additional funds be determined by the water users in their Annual Meeting (or special meeting called for such purpose) to be required for any special and/or abnormal expenditure such shall be prorated (based upon the previous year's CFS charges) among the appropriate water users and added to the Adopted Budget for that respective billing season only.

**RESOLUTION REGARDING JOB DESCRIPTIONS FOR WATERMASTER AND
SECRETARY/TREASURER**

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, it is herewith resolved the following shall serve as the respective job descriptions:

WATERMASTER'S DUTIES

Manage the Water District in accordance with IDWR guidelines serving on an annual basis

Coordinate with the Secretary/Treasurer in:

- Preparation and maintenance of District budgets
- Preparation and collection of assessments
- Provide documentation for Treasurer's payment of duly incurred expenses

Hire, train and supervise Ditch Rider(s) and other employees of the District

Operate, maintain and/or supervise the operation of all office and field equipment utilized by the District

Analyze water measurement data and apply the data to make water delivery determinations in accordance with IDWR guidelines

Maintain a means compatible with IDWR that will provide for updating ownership records utilized by both the District and IDWR

Coordinate with IDWR to analyze spatial data including use of GIS for monitoring irrigated place of use, calculating area incorporating GPS data

Conduct water rights administration enforcement actions including:

- Distribute water to rights in accordance with IDWR direction using information provided by IDWR based upon decrees, partial decrees, Director's Reports, permits, licenses and transfers
- Curtail out-of-priority diversions determined by IDWR to be causing injury to senior water rights that are not covered by a stipulated agreement or mitigation plan approved by IDWR
- Curtail unauthorized or excessive diversions
 - ✓ Utilize a database compatible to IDWR including functional spatial interface to assist on the location and tracking of illegal diversions
 - ✓ Be capable of regulating water rights by both point of diversion and place of use
 - ✓ Be capable of assisting IDWR to issue and follow-up on Notices of Violation as required and following other curtailment provisions in accordance with instructions by IDWR
- Curtail diversions for which assessments have not been paid

Conduct District reporting in a format and medium approved by IDWR or in accordance with instructions from IDWR including:

- Quarterly reporting of usage in District to USWD
- An annual report showing:
 - ✓ Water usage of each user by diversion
 - ✓ Mitigation plans for ground water rights diverting out of priority
 - ✓ Expenses and budget for the District plus apportionment of expenditures among water right owners
 - ✓ Unauthorized and excessive diversions
 - ✓ Other information as deemed necessary by the Director of IDWR
- A proposed and adopted annual budget for the following year including an annual work plan
- Posting District information to the internet in coordination with IDWR

As an annual position be committed to the hours necessary to do the job realizing longer hours during the irrigation season will be necessary

Strive to maintain good working relationships with water users, Advisory Board, IDWR and other agencies

Maintain, operate and be able to be proficient in computer software and hardware that is compatible with IDWR systems

Communicate in writing and orally and, when necessary, coordinate periodic meetings with IDWR, Advisory Board members, water users and representatives of the federal government regarding management goals and progress of the District and implementation of the Wild & Scenic Rivers Agreement stipulations

Record and submit monthly to the Secretary/Treasurer an ongoing written log of hours worked (including a corresponding record of vehicle mileage incurred) with a brief description of work completed which shall be submitted annually (or upon request) to the Advisory Board and/or water right owners (upon written request); upon receipt of such acceptable record remuneration shall be calculated and paid accordingly by the Secretary/Treasurer

The Watermaster shall function as Contract Labor thus responsible for any and all employment and income taxes

SECRETARY/TREASURER'S DUTIES

Record and maintain a permanent record of the Minutes of the Annual Meeting and, if adopted, any Resolutions approved during such Meetings (a Certified Copy of said Minutes and, when adopted, Resolutions shall be forwarded to IDWR); and any and all special water right owners meetings and Advisory Board Meetings

Coordinate with the Watermaster to:

- Prepare and submit Adopted Budget
- Conduct a fair and equitable annual assessment billing
- Pay Sub-District obligations duly incurred

Comply with State Insurance Fund Workman's Comp requirements

Prepare an annual financial report in accordance with IDWR guidelines and provide for independent financial audits in accordance with minimum requirements of Section 67-450B

Maintain an ongoing log of hours worked (including a corresponding record of vehicle mileage incurred) with a brief

description of work completed which shall be maintained on file for review by the Advisory Board (submitted the end of each irrigation season or upon request) and/or to any water right owners (upon written request)

Retain the monthly work records of the Watermaster submitted with each month's flow records for review by the Advisory Board (submitted the end of each irrigation season or upon request) and/or the water right owners (upon written request)

Maintain an amicable working relationship with IDWR via telephone, email, and/or in writing on an ongoing basis as dictated by necessity

Work with water right owners via telephone, in writing, and, whenever possible, via email on an ongoing basis as dictated by necessity

Prior to each year's Annual Meeting provide all water right owners with an Agenda, copy of the prior year's Annual Meeting Minutes, Treasurer's Report with Income and Expense Breakdown and anything else deemed appropriate for review prior to an upcoming Annual Meeting

The Secretary/Treasurer shall function as Contract Labor thus responsible for any and all employment and income taxes; a 1099-MISC IRS filing shall be made annually by the Secretary/Treasurer for such Contract Labor remuneration (including that of the Watermaster and, when applicable, Ditch Rider) with respective copies provided as dictated by IRS filing requirements

RESOLUTION OF OFFICER AUTHORITY

Upon being duly elected by water right owner majority vote at their Annual Meeting the Secretary/Treasurer shall, until replaced by subsequent majority vote of the water right owners in their Annual Meeting or special meeting called for such purpose, have full authority to sign on behalf of the District including, but not limited to, the District bank account(s). The Chairman and Watermaster shall also have alternate signature authority for the District bank account(s).

RESOLUTION COVERING UTILIZATION OF DITCH RIDERS/ASSISTANTS AND REMUNERATION OF WATERMASTER, DITCH RIDER/ASSISTANT & SECRETARY/TREASURER

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, it is herewith resolved the Watermaster is authorized to utilize Ditch Rider(s)/Assistant(s) as deemed necessary in accordance with Idaho Statute 42-605(3). It is further resolved remuneration to each shall be \$15.00 (fifteen dollars) per hour confirmed by documentation of hours worked as dictated by job descriptions and mileage incurred in the execution of related duties and also documented in accordance with such related work shall be reimbursed in accordance with the then prevailing standard IRS mileage rate.

RESOLUTION OF DISTRICT PAYMENT TERMS

1. Annual Adopted Budget payment shall be payable on or before March 1st; any other billing within thirty (30) days following such billing; the postmark date will be considered the date of payment.
2. Starting April 1st (or 30 days after the date of any other billing) a \$10.00 Late Fee per month shall be assessed.
3. If not paid in full (partial payments shall not be acceptable) including Late Fee by April 1st, Treasurer shall so inform the Watermaster who shall immediately terminate water delivery to the water right owner who is in payment default.
4. Treasure must thereafter receive the original invoice amount, Late Fee(s) plus a \$25.00 Watermaster Service Fee before Treasurer shall advise the Watermaster who shall then again deliver the applicable right(s).
5. A returned or insufficient fund check shall require the Treasurer to so advise the Watermaster who shall immediately terminate the appropriate water delivery. All monies originally due plus applicable bank charges and any charges then resulting from unmet District payment terms must be paid in cash, cashier's check or money order before Treasurer shall so advise the Watermaster who shall then deliver the appropriate water right(s).

6. In the event payment in full is not received by the end of the then current irrigation season (or sooner if the Treasurer determines sale of the property and associated water right[s] is imminent), the Treasurer may, on behalf of the District, initiate legal action in Small Claims Court against the water right owner(s). Eventual recovery is to include costs incurred by such action as well as all other monies due.

Note: When a water delivery termination is imminent and there are others utilizing the same diversion that could be affected, those others affected shall, whenever possible, be advised of said delivery termination as soon as possible after the problem arises so they shall have the opportunity, if they so desire, to deal with the matter as they may deem appropriate before water delivery is reduced by the amount covered by the applicable right(s) being terminated.

RESOLUTION REGARDING MINIMUM USER FEE

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, it is herewith resolved that the Minimum User Fee shall be \$50.00 in accordance with the maximum amount allowed by Idaho Statute.

RESOLUTION REGARDING WATER RIGHT OWNERSHIP BY MULTIPLE PARTIES

Any water right(s) owned by more than one individual (or married couple) shall declare a single individual (or married couple) who shall represent all other owner's interests and be the sole contact with the District on relevant District issues.

RESOLUTION REGARDING PROXY VOTING & SUBORDINATED WATER RIGHT(S)

1. In accordance with District Bylaws proxy votes shall not be allowed "except that in the absence of the owner a right may be voted by another person present who has the use of the right for the ensuing season, such as a tenant, lesser or contract purchaser".
2. In such case(s) or whenever a right is subordinated and/or "worked" by anyone other than the owner a form adopted and provided by the District shall be completed and returned to the Secretary/Treasurer to remain on file throughout the term stating with whom such agreement exists, whether such voting right is granted, and/or granting authority to represent the water right owner on any other water issues that may arise during the irrigation season or balance of the agreement term.
3. If this completed form is not provided by the applicant after written request and a reasonable period of time as determined by the Secretary/Treasurer, the Secretary/Treasurer may request that the Watermaster terminate water delivery until such compliance. Should this become necessary the Watermaster Service Fee and/or any other related expenses to continue water delivery shall be borne by the water right owner and be payable before water delivery is continued.

RESOLUTION OF ANNUAL MEETING DATE

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, it is herewith resolved that the 72-A Annual Meeting shall be the fourth (4th) Monday in January on a date, time and place to be determined at the Annual Meeting each successive year.

RESOLUTION OF OFFICER'S ELECTION

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, it is herewith resolved that District Officers shall be elected at the end of each Annual Meeting allowing incumbents to conduct the entire meeting and Agenda business prior to any potential change(s).

RESOLUTION REGARDING SPECIALIZED EXPENDITURES

It is herewith resolved that any canal, lateral ditch and/or other means of water conveyance downstream from any IDWR approved District POD (Point of Diversion) will be the sole responsibility of those utilizing such canal, lateral ditch or such other means of conveyance. Should funds in the District treasury be approved by the water right owners of the District in any Annual Meeting to be utilized to pay for anything benefiting such select users, the Secretary/Treasurer shall invoice those select users proportionately and the District treasury reimbursed accordingly by those having benefited.