

WATER DISTRICT NO. 75-A
Jesse Creek and Tributaries
2010 PROPOSED RESOLUTIONS

The water users of Water District No. 75-A, as part of the special water district meeting held on May 25 , 2010, at the _____ in Salmon, Idaho, HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

1. WATERMASTER DUTIES

The Watermaster shall perform his or her duties as required by Chapter 6, Title 42, Idaho Code and in accordance with:

- a. Direction and guidance provided by the Director of IDWR;
- b. The annual water district resolutions adopted herein.

2. ELECTION OF WATERMASTER

It is herewith resolved that _____ be elected as watermaster for Water District No. 75-A for the ensuing year.

3. RESOLUTION REGARDING WATERMASTER TERM OF SERVICE

As provided in Idaho Code § 42-608(4), the Water District 75-A watermaster's term of service shall begin upon appointment by the Director of IDWR immediately following the special meeting election and continue until the next annual meeting, or until a successor is appointed and qualified under the provision of Section 42-604, Idaho Code.

4. BUDGET MATTERS

5a. 2010 BUDGET

It is herewith resolved that the 2010 operating budget for Water District No. 75-A is as follows:

Watermaster Wages)	\$
Secretary/Treasurer Wages (flat fee)	\$
FICA/Medicare/Workers Comp (est. 13.6%)	\$
Vehicle Mileage (est. ____ miles/week @ \$0.55/mi.)	\$
Office Supplies/misc	\$
Contingency/Reserve	\$
Total	\$

* Budget line item totals shown are estimates; actual line item costs may vary, but the total expense for the water district cannot exceed \$____ prior to the 2011 annual meeting.

5b. ASSESSMENTS

1. It is herewith resolved that the adopted budget for Water District No. 75-A be collected from the water users by the Water District No. 75-A _____ (Watermaster or Treasurer) as provided by Idaho Code § 42-618. The _____ (Watermaster or Treasurer) will make an assessment to each water right holder, except those holders of water rights meeting the criteria in item 3 below, in pro-rata amounts. All funds shall be

deposited in a bank account maintained by the Water District. The _____ (Watermaster or Treasurer) shall prepare annual assessments after the water users present at the special meeting have formally adopted the budget.

2. Whereas Idaho Code Sections 42-612 and 42-615 require that proposed water district budgets and annual assessments to individual right holders be prorated based upon the amount of water delivered or used by individual right holders during the past season or seasons (not to exceed five seasons) and, whereas no records of water delivery currently exist in the newly created Water District 75-A; it is therefore resolved that Water District 75-A will estimate annual water use for all irrigation rights using the following formula:

Estimated seasonal use (total 24 hr-cfs) = Total authorized water right diversion rate (cfs) multiplied by ___ days per season

Estimated annual water use for municipal and other non-irrigation consumptive use water rights shall be based on actual records of water use as recorded using installed flow meters (meters read by watermaster and/or supplemented by user readings reported to watermaster) , subject to approval by the watermaster and IDWR.

3. Surface water rights that are used solely for domestic and stock water purposes or other small uses that are consistent with the use limits defined by Idaho Code Section 42-111 shall be exempt from any water district assessments.

5c. MINIMUM USER ASSESSMENTS

It is herewith resolved that a minimum charge of \$_____ per water right owner shall be assessed. Whenever the prorated charge to a user is less than \$_____, that user will be assessed \$_____.

It is further resolved that holders of non-consumptive water rights in excess of 0.04 cubic feet per second (cfs), including but not limited to water rights used for hydropower or fish propagation purposes, shall be subject to a minimum assessment of \$_____.

5d. FINAL ASSESSMENT DETERMINATION

It is herewith resolved that, in accordance with Idaho Code § 42-612 (5), the assessment amount for each user as shown in the 2010 adopted budget shall constitute a final determination of the amount due for 2010.

5e. DISTRICT PAYMENT TERMS

It is herewith 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 § 42-613 which provides for a late fee of 10% of the amount due and interest of 1% per month.
2. The Watermaster is authorized pursuant to Idaho Code Section 42-618, to withhold or suspend deliveries of water to any water user who has not paid their assessment charges within 60 days of the billing date.

5. ELECTION OF A DISTRICT TREASURER

It is herewith resolved that _____ be appointed as secretary/treasurer for Water District No75-A until a successor is elected and appointed. The duties of the treasurer will be to approve expenses and disburse water 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.

6. ADVISORY COMMITTEE STRUCTURE

It is herewith resolved that an advisory committee shall be selected to provide input to the watermaster and the Director of IDWR. The advisory committee will meet as often as needed to address the structure, governance and operation of the district. ____ water users shall comprise the advisory committee, which shall include (specify how committee is composed if necessary or desirable). The advisory committee members for the ensuing year shall be the following (to be selected at the meeting):

Member #1: _____

Member #2: _____

Member #3: _____

Member #4: _____

Member #5: _____

7. VOTING BY ALTERNATIVE METHOD

It is herewith 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. 75-A Watermaster
- the current Water District No 75-A Secretary/Treasurer
- one member of the Water District No. 75-A Advisory Committee appointed by the meeting chairman

If either or both the watermaster or secretary/treasurer are not present, the meeting chairman may appoint a replacement from either the advisory committee or from the water users present at the meeting

8. ANNUAL MEETING DATE

It is herewith resolved that the Annual Meeting for Water District 75-A shall be held on the ____ of ____ March of each year at a time and place to be determined each successive year unless the Director of IDWR should find it necessary to change the meeting date or unless changed by resolution of the district at any annual meeting. The next Annual Meeting will be held on ____, 2011.

10. ANNUAL MEETING MINUTES AND REPORTS OF THE WATERMASTER AND WATER DISTRICT

- a. Copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and any report prepared in accordance with Idaho Code § 42-615, shall be filed with the director of the Department of Water Resources immediately after the annual meeting in accordance with Idaho Code § 42-617.
- b. The watermaster of Water District 75-A 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. WATERMASTER ACCESS TO CONTROL STRUCTURES AND MEASURING DEVICES

Whereas watermaster access to control structures and measuring devices is essential for providing watermaster services and limiting expense, it is herewith resolved that 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 a key or combination to any such locks.

12. ENTRY ON LANDS BY WATERMASTER

It is herewith resolved that the watermaster and any watermaster assistants are authorized as employees 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 the duties of the watermaster as instructed by IDWR. These duties include but are not limited to:

- a. Inventory of diversions in the district, including inspection of conveyance infrastructure and place of use of water.
- b. Measuring and recording rates of diversions, and regulating diversions as necessary from the surface water sources within the district.
- c. Monitoring the place, period, and nature of use of water to identify unauthorized diversion and use and/or to determine compliance required by any agreement or order of IDWR.