

**ADOPTED BUDGET AND RESOLUTIONS
PERTAINING TO THE COLLECTION THEREOF**

For 2009

WATER DISTRICT NO. 45-F

STREAM: Marsh Creek

COUNTY: Cassia

NAME OF SECRETARY: David R. Bell

ADDRESS OF SECRETARY: Star Route Box 25
Albion, Idaho 83311

COLLECTION AND HOLDING OF WATER DISTRICT FUNDS

Please check the appropriate box regarding the collection and holding of Water District funds.

The Water District collects and holds its own funds.

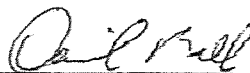
☒ Cassia County collects and holds funds for the Water District.
(county name)

Cassia County collects the Water District's funds and deposits the funds in an account held by the water district.

(This report must be certified and made in duplicate, one copy to be forwarded to the appropriate regional office of the Idaho Department of Water Resources., and one copy to the Secretary of the Annual Water User's Meeting of the Water District. If a designated county collects funds for the water, then a third copy must be sent to the auditor of the designated county.)

Albion, Idaho, March 2, 2009

I HEREBY CERTIFY that the within is true and correct copy of the budget as adopted at the annual Water User's Meeting of Water District No. 45-F, held at Albion, Idaho on the day of March, and all resolutions adopted at said meeting pertaining to the time and the manner of collecting the amounts provided for in the said budget.



Secretary, Water District No. 45-F

Water Master's Annual Report

For 2008 -2009

Marsh Creek Water district 45F

I would like to thank all of the Water District Members as a whole for the overall cooperation on the call of water during this last irrigation season. We did work as a team when it counted. Almost everyone did their part. I would also like to thank Earl Worthen, Ron Sorenson and George Montgomery for being there overseeing the water, when I was out of the area

Our members utilized the water earlier, getting the ground moisture up, this was primarily due to excessive water runoff in April, May and the first part of June. On the Land and Marsh Creek drainage side, we did have high water but creeks did maintain within their channels. June 6th was the primary date of the high water mark on Land creek.

The overall previous seasons (2007 & 2008) actual usage has far exceeded the Five Year projections that basically sets up the proposed Budget that we present you with each year. Therefore, some individuals who have not utilized that water quota, does received a sizeable credit going into the next year adjusting what is proposed for the following year. Example of this is in 2007 there was 5157.10cfs / 6203.93cfs and 2008 there was 5304.97cfs / 6732.84cfs. For 2009 a projection of 6024.44cfs is being proposed for the budget, we are hoping that the actual will continue to improve as the last two years that I mentioned. We have so far had very dry snow fall for the majority of this winter versus what we have had in the past. Hopefully the rains will come at the right time to provide the moisture to produce the crops.

I have met with different individuals, had telephone conversations and also met with some of the Starrh Ditch representatives in a meeting setup by Elaine Asher 2/11/09, which I want to thank. I am only sorry that we only ended up with 5 or 6 people. But they did commit the rest that did not show on sharing costs in maintaining the delivery system.

The attached documents pertaining to Head-gates & Measuring Devices in detail along with a map pertaining to the change(s) were sent by certified mail to each individual MCWD Member and I would like to say only one was returned due to wrong address. Since then, it was re-mailed at regular mail. Due to the lateness in getting this information out, a few have made inquiries on why such a short notice! This is primarily from those individuals that did not attend the annual meeting.....(reason)

- It will be noted there was a 37-page document report generated with a detail mapping (12 pages) of the MCWD Delivery System, generated by me and had to duplicate areas for mailing purposes.

I am requesting as your current Water Master, action from this delegation today on the following:

- I am asking for a motion that the secretary, mail out the minutes to each individual member, after each annual meeting, to commence with the 2009 meeting. Also,
- Due to the lateness of information getting to those individuals, that they have an extension in the 2009 irrigation season to complete their task. Also,

I would like to thank those individuals, who have completed or are in the process of completing the tasks that were requested of them.

It will be noted most of the Spring's along the whole mountain frontage of the Water District have yet to reestablish, most are still dry. Amos Creek ran all season (estimated 1.20cfs max to .15cfs min). A spring in the upper portion of Section 24 had a pretty good flow all season.

- The Water District 45F, did accomplish being a separate surface water district from Water District 140. We accomplished this by maintaining an efficient working water district and maintaining proper records and the efforts of a diehard team who believed that it was worthwhile to try and save Marsh Creek Water District 45F. Also, MCWD will not be subject to future assessments from Water District No. 140 for the delivery of surface water provided they continue and maintain good water records.
- We have also been given time to figure out whether we go with our own monitoring of our Deep Wells or let Water District 140 handle the program! Therefore, I feel that at this meeting we need to decide what MCWD is going to do.

One other item of business under ole business is that we agree on a charge for service dealing with Pomerelle Ski Resort, as per discussed in our last meeting. I have formulated my version but have not submitted for review to either the U.S. Forrest Dept. or Pomerelle.


Proposed Billing Rate:

IRS Mileage rate x R/T mileage +

Hours involved @ hourly rate of \$7.04

Example: 0.545 x 26 miles per trip = \$14.17
 \$7.04 at 1.5 hr's 10.56
 Per trip chg. \$24.73

With no other comments from me, are there any questions! If not, I would ask the Chairman if she would accept my report as read and allow Cindy Yenter some time in giving a status report on District 140 and where MCWD45F stands.

Thank you,

Watermaster 45F

Water District 45F
Resolution Pertaining to Interest
And Penalties on
Delinquent Accounts

RECEIVED
MAR 11 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Whereas, Water District 45F has by resolution established April 1, as the due date for water charges as adopted in the approved budget, and

Whereas, Idaho Code Title 42-613 permits the district to set by resolution interest and penalties for delinquent accounts,

Be It Resolved, Accounts not paid by April 1, of the year they were assessed shall be delinquent and be charged interest at a rate of 1% per month from April 1, until paid. Further, accounts not paid in full by December 31 of the year billed shall be charged a penalty of 10%. Interest will continue to accrue until account is paid in full.

Adopted, 3/2/09

Signed



Secretary
Water District 45F

Resolutions Pertaining To The Time And Manner Of Collecting The Budget
As Adopted At The Annual Meeting Of The Users Of
Water District No. 45-F

Except as provided in 1.a below:

1. BE IT RESOLVED , that no ditch, canal company, or other water user as shown by the approved budget shall have the right to demand and receive water, and the watermaster shall not deliver to such person or persons until the amount due and payable from said water user or user's, as fixed by the approved budget, has been paid. Water must be paid on, or before April 1, each year.

1.a. Where circumstances dictates that a water user desires to request water delivery ahead of payment for season water , the user shall present a signed written request to the watermaster stating the circumstances for requesting delivery ahead of the scheduled delivery. If acceptable to the watermaster , the request shall be countersigned by the watermaster and retained for the record.

1.b. No water will be delivered to any user who has not paid his/her previous season's water bill.

2. BE IT RESOLVED that for the year 2009, the watermaster ,after beginning his term of service , shall continue in service for twelve calendar months.

Resolution Pertaining to the Method of
Apportioning District Cost Among Water Users

Whereas, the Idaho Code 42-612 paragraph 5 provides for an alternate method of apportioning the districts cost among appropriators,

BE IT RESOLVED, other provisions of chapter 6, title 42, notwithstanding, 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 that year without the need to carry forward any water user debits or credits to the following year.

ADOPTED 3/2/09 David Bell