

**Water District 100
2016 Resolutions**

The water users of Water District No. 100 meeting at the annual district meeting on January 26, 2016, at Fremont-Madison Irrigation District, St. Anthony Idaho, HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

1. That the watermaster perform the duties as required by Chapter 6, Title 42, Idaho Code and in accordance with:
 - 1) The duties described in the Final Order Creating Water District 100, signed by the Director of the Idaho Department of Water Resources (IDWR), December 29, 2006, including:
 - a) Measure, record and report diversions of ground water rights included in Water District No. 100;
 - b) Administer and enforce water rights in Water District No. 100 in priority;
 - c) Curtail unauthorized or excessive diversions in Water District No. 100 (i.e., any diversion without a water right or in excess of the elements or conditions of a water right);
 - d) Curtail out-of-priority diversions underground water rights in Water District No. 100 determined by the Director to be causing injury to senior priority water rights if not covered by a stipulated agreement or a mitigation plan approved by the Director;
 - e) Enforce the provisions of any stipulated agreements or mitigation plans approved by the Director and applicable in Water District No. 100.
 - 2) Direction and guidance provided by the Director of IDWR pursuant to Idaho Water Law.
 - 3) The annual water district resolutions as adopted herein.
2. James Cefalo is elected the watermaster for Water District 100. The Director of IDWR shall appoint James Cefalo, an employee of IDWR, to provide watermaster services for the ensuing year.
3. As provided in Idaho Code § 42-608(4), the watermaster shall serve until the next annual meeting of the water district after election at this meeting and upon appointment by the Director.
4. The water users of Water District No. 100 hereby empower the elected advisory committee to enter into a Memorandum of Understanding between Water District No. 100 and the Director of IDWR that will provide for the following:

- a) The 2016 budget for Water District No. 100 will be set at this annual meeting.
- b) Water District No. 100 will provide compensation to IDWR for clerical and financial account support services, Watermaster services and measuring/reporting services.
- c) The watermaster shall maintain an office for the ensuing year within the IDWR Eastern Regional Office, located in Idaho Falls, Idaho.
- d) IDWR will provide office space, vehicles and the use of all necessary office and field equipment in exchange for compensation as set in the budget for the ensuing year. This arrangement shall not give Water District No. 100 any ownership interest in any IDWR office space and equipment. However, any equipment purchased by Water District 100 will remain owned by Water District 100.

5. The budget of Water District No. 100 for the fiscal year 2016- beginning February 1, 2016, and ending on January 31, 2017, be as follows:

| | |
|--------------------------|-----------|
| Income | |
| Assessment Income | \$ 12,693 |
| Total Income | \$ 12,693 |
| Expenses | |
| IDWR Contract | \$ 16,655 |
| Total Expense | \$ 16,655 |

WHEREAS some small diversions would have regular assessments less than the amount required by IDWR to maintain their account,

WHEREAS many of these small diversions are not currently measured by the IDWR, ground water districts, or the irrigation district. and;

WHEREAS measurement of diversions smaller than 0.24 cfs that irrigate 5 or less acres is cost prohibitive and the water use for many of these diversions can be estimated.

BE IT RESOLVED that Water District 100 will have a minimum charge of \$40.

- 6. Diversions in Water District 100 that have a water right diversion rate in excess of 0.24 cfs and/or irrigation of more than five acres shall be measured directly by the water district every three years and assessed at the following rate;
 - a) \$40 per diversion, and;
 - b) \$0.33 per acre foot based upon a 5-year average of water use.

7. All payments for assessments not received by May 1, 2016 shall accrue penalties in the amount of 10% of the charge and interest in the amount of 1% per month, as provided pursuant to Idaho Code Section 42-617.
8. Be it also resolved, that the Watermaster is authorized pursuant to Idaho Code Section 42-618, to withhold or suspend deliveries of water to any water users who have not paid their assessment charges by January 1 of the year following the billing date.
9. Jeff Raybould is elected Water District No. 100 Treasurer. The duties of the treasurer will be to approve the expenses and disburse water district funds, and to prepare or oversee preparation of a written statement of the financial affairs of the district at the end of each fiscal year, in accordance with Idaho Code, Section 42-619. James Cefalo, Watermaster of WD100, will also be designated an authorized signature for banking purposes.
10. An advisory committee shall be elected at each regular annual session to represent the interests of the water users and to provide input to the watermaster and the Director of IDWR. The 2016 Water District 100 advisory committee shall consist of an odd number of members with a minimum of three. At least two members shall be water users with irrigation rights and one shall be a water user from municipal, commercial or industrial use.
11. WHEREAS Idaho Code 42-605 provides for voting by water users and election of an advisory committee, the water users of Water District No. 100 hereby resolve that the credentials for voting in any district meeting and for serving on the district advisory committee will be as follows:
 - a) Must be a water user of the district as evidenced by a valid water right.
 - b) Must have paid all assessments owed to the water district.
12. The annual Water District No. 100 meeting shall hereafter be held on the last Tuesday of January of each year unless the Director of IDWR or the Water District No. 100 advisory committee should find it necessary to change the meeting date or unless changed by resolution of the district at any annual meeting.
13. Copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and the report prepared in accordance with Idaho Code § 42-615, shall be filed with the director of the Department of Water Resources in accordance with Idaho Code § 42-617.
14. The watermaster of Water District No. 100 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.

15. The watermaster and assistant watermasters are authorized under Idaho Code § 42-1701(5) to make reasonable entry on lands within the district to carry out the duties of the watermaster as instructed by IDWR. These duties include but are not limited to:
 - a) Monitoring diversion and measuring rate and volume of water diverted from 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 and to determine compliance with mitigation provisions required by agreement or order of IDWR.

**WATER DISTRICT 100
BUDGET 2016**

Income Budget

| | | | | | |
|------------------|-------|----|-------|----|-------|
| Minimum Charges | 88 | \$ | 40.00 | \$ | 3,520 |
| Diversion Charge | 82 | \$ | 40.00 | \$ | 3,280 |
| Acre-foot Charge | 17859 | \$ | 0.33 | \$ | 5,893 |

Assessments

\$ 12,693

Expense Budget***Administrative Charges***

| | | | | | |
|----------------------|--|----|--|--|-------|
| Watermaster Services | | \$ | | | 3,073 |
| Clerical Assistant | | \$ | | | 2,942 |

Total Administrative

\$ 6,015

Measurement and Reporting

| | | | | | |
|--|--|----|--|--|---------------|
| Assistant Watermaster | | \$ | | | 7,697 |
| Clerical Assistant | | \$ | | | 2,942 |
| Measurement & Report Equipment | | \$ | | | - |
| Total Measurement & Reporting | | \$ | | | <u>10,639</u> |

Total Expense Budget

\$ 16,655

Gain / Loss

(\$3,961)