

RESOLUTIONS OF WATER DISTRICT 61E – COLD SPRINGS CREEK

ADOPTED RESOLUTIONS WILL REMAIN IN EFFECT UNTIL CHANGED BY VOTE OF THE WATER RIGHT USERS AT THEIR ANNUAL MEETING OR SPECIAL MEETING CALLED FOR SUCH PURPOSE

WATER DISTRICT 61E – COLD SPRINGS CREEK 2020 PROPOSED RESOLUTIONS AND BUDGET

The water users of Water District 61E (WD61E), as part of the annual district meeting held on January 13, 2020, at Glenns Ferry City Hall in Glenns Ferry, Idaho, HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

1. WATER DISTRICT 61-E JURISDICTIONAL BOUNDARIES

Water District 61E is composed of the entire Cold Springs Creek drainage basin and is located in Elmore County as determined by the Director of IDWR. The watermaster is responsible for the distribution and control of the waters of Cold Springs Creek and its tributaries.

2. ANNUAL MEETING DATE

The annual meeting for WD61E shall be held on the second Monday of January of each year at a time and place to be determined each year. Water right holders at its annual meeting will: choose a meeting secretary and meeting chairman, may adopt resolutions governing the operations of WD61E, elect a watermaster, elect a treasurer, and adopt a budget for the ensuing year.

3. ANNUAL MEETING MINUTES

Annual meeting minutes shall be recorded by the chosen secretary for the annual meeting. A copy of the minutes of the annual meeting and adopted resolutions shall be filed with the Director of IDWR within five (5) business days after the annual meeting in accordance with Idaho Code 42-605(5).

4. ADVISORY COMMITTEE

The advisory committee will consist of all water users. The committee will serve as advisors to the Director of IDWR and watermaster. The advisory committee will meet as often as needed to address structure, governance and operation of WD61E.

5. WATERMASTER DUTIES AND AUTHORITIES

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

- Direction and guidance provided by the Director of IDWR;
- The annual water district resolutions adopted herein;
- Guidance and input from the WD61E Advisory Committee.

The watermaster's duties include but are not limited to:

- Ensuring that all regulated diversions within WD61E are equipped with lockable controlling works or headgates and measuring devices approved by IDWR;
- Measuring, recording and regulating amounts of water diverted by, or delivered to the individual water users;
- Reporting the total amount of water diverted and delivered during the watermaster's term of service;
- Preparing the required proration of assessments and the watermaster's annual report;
- Monitoring the place, period, and nature of use of water to identify unauthorized diversion and use and/or determine compliance required by any agreement or order of IDWR.

Any person that is kin to/or a water right holder within WD61E may not be watermaster or assistant watermaster, without 100 percent agreement of the water holders present at the annual meeting.

The watermaster and any watermaster assistants are authorized 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 consistent with Chapter 6, Title 42, Idaho Code, and as instructed by IDWR.

6. ASSISTANT WATERMASTER DUTIES AND AUTHORITIES

The watermaster is authorized to employ one assistant to fill in when the watermaster is not available. The compensation to be paid to the assistant watermaster for the performance of their duties shall be as specified in the adopted budget.

7. WATERMASTER TERM OF SERVICES AND COMPENSATION

Rich Wootan shall be elected to serve as watermaster of WD61E. The elected and appointed watermaster will be compensated up to the amount specified in the adopted budget at \$75.00 per callout. The watermaster will be reimbursed for mileage at the rate of 80 cents (\$0.80) per mile.

As authorized by Idaho Code 42-608(4), the watermaster's term of service shall begin upon appointment by the Director of IDWR following his or her election at the annual meeting and continue until the next annual meeting, or until a successor is appointed.

The expense adopted for watermaster services is based on the following anticipated callout schedule:

January: 1 for annual meeting and 2 per month

February through August: 2 per week

September through December: 2 per month

Total call outs: 71

8. WATER USER REQUIREMENTS

1. MEASURING DEVICES AND HEADGATES

All diversions on the mainstem of Cold Springs Creek shall be equipped with lockable headgates and working measuring devices consistent with the requirements of Idaho Code 42-701 unless specifically exempted by IDWR and the watermaster.

2. CALL FOR WATER

Water users need to notify the watermaster when any water is to be turned on or off. Advance notice to the watermaster is appreciated to allow time for scheduling call outs.

3. CHANGES TO WATER RIGHT

Water right holders are required to maintain current contact information on water rights through a Change of Address form or Notice of Change of Ownership form available on IDWR's website. A change to the point of diversion, place of use, period of use, and or nature of use requires an approved IDWR transfer.

9. TREASURER DUTIES AND COMPENSATION

Teresa McCallum shall be elected as the treasurer of WD61E and be compensated \$ **0.00** as approved in the adopted budget. The treasurer shall maintain financial records, collect annual assessments in coordination with and on behalf of the watermaster, approve expenses, disburse water district funds and 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. The Treasurer will maintain and prepare all correspondence. The watermaster and treasurer will prepare the agenda for the next annual meeting. The WD61E checking account is maintained at: First Interstate Bank, 400 N. 3rd East, Mountain Home, Idaho 83647.

10. DISTRICT FISCAL YEAR

The fiscal year for WD61E is February 1 through January 31.

11. ADOPTED BUDGET

The adopted budget for WD61E for the 2020 fiscal year, shall be \$ _____. The annual amount of cash carryover by WD61E shall not exceed \$1,000.

12. COLLECTION OF THE BUDGET AND DISBURSEMENT OF FUNDS

The adopted budget for WD61E shall be collected from the water users by the WD61E treasurer in coordination with the watermaster. The treasurer, in coordination with the watermaster, will make an assessment to each water user in pro-rata amounts as determined by the budget adopted at the annual meeting or special meeting called for that purpose. All assessments

collected shall be deposited in the bank account maintained by the water district. The WD61E treasurer shall only disburse funds for expenses incurred for water district purposes related to the delivery of water.

13. DETERMINATION OF ASSESSMENTS

To determine the respective amounts to be paid by each water user, the assessments will be based on water delivered during the past four seasons (4) until five (5) seasons are available. The proposed budget and assessment amounts made to the water users prepared by the watermaster shall be made available for review by the water users at least fourteen (14) days prior to the annual meeting. The assessment amount for each user as shown in the budget adopted at the annual meeting shall constitute a final determination of the amount due for that year.

14. MINIMUM ASSESSMENT

A minimum charge of \$25.00 per water right owner or water user shall be assessed, whenever the prorated charge to the water right owner or water user would be less than \$25.00.

15. PAYMENT OF ASSESSMENTS

Annual assessments shall be payable on or before April 1. Any other billing is due within thirty (30) days of the billing date. Accounts not paid by the due date shall be charged in accordance with Idaho Code 42-617 which provides for a late fee of 10% of the amount due and interest of 1% each month.

The watermaster is authorized to terminate water delivery to any water user whose assessments are not paid in full by the due date and will not resume delivery until the outstanding amount is paid in full.