

**WATER DISTRICT NO. 130  
THOUSAND SPRINGS AREA  
2015 ADOPTED RESOLUTIONS**

The water users of the Thousand Springs Area Water District, designated as Water District 130, meeting at the annual district meeting on Tuesday, February 3, 2015 at Jerome, 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 the duties described in the Final Order Creating Water District 130<sup>1</sup>, signed by the Director of the Idaho Department of Water Resources (IDWR), February 19, 2002.
2. The Idaho Department of Water Resources be elected to provide the watermaster services for Water District 130 and that the Director of IDWR appoint Cindy Yenter, an employee of IDWR, or other employees of IDWR as may be necessary, to serve as the watermaster for the ensuing fiscal year or as otherwise provided in Idaho Code § 42-608(4) and the Memorandum of Understanding dated February 13, 2009 and executed July 13, 2013.<sup>2</sup>
3. Lynn Carlquist be elected Water District 130 treasurer. The duties of the treasurer will be to approve expenses, oversee disbursement of 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 Section 42-619.
4. The budget for Water District 130 for the fiscal year 2015 beginning March 1, 2015 and ending on February 28, 2016, be as follows: Sixty-one Thousand Nine Hundred Ninety-Five Dollars (\$61,995) for Watermaster duties, and Thirteen Thousand Five Hundred Thirty Five Dollars (\$13,535) for measuring and reporting of diversions not reporting to a subdistrict, for a total budget amount of Seventy-Five Thousand Five Hundred Thirty Dollars (\$75,530). An itemized budget sheet is attached. Carryover amounts from the budget of 2014 in the amount of \$50,000 will be used to offset the amount assessed in 2015.
5. The Watermaster of Water District 130 is hereby authorized to collect the assessments of the Water District in accordance with Idaho Code § 42-618.
6. Given that the water district cost for administering water for many water users is greater than their normal assessments would be based upon their total annual use of water, it is resolved that pursuant to Idaho Code § 42-612 (4) the watermaster of Water District 130 is authorized to assess a \$25 minimum charge for watermaster services for water users within his or her jurisdiction.
7. In accordance with Idaho Code § 42-612 (5), the assessment amount for each individual user as shown in the annual adopted budget shall constitute a final determination of the amount due for that year. In the computation of assessments, the watermaster shall use a 5-year rolling average of

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<sup>1</sup> Final Order Creating Water District 130 may be found on the IDWR website at [http://www.idwr.idaho.gov/WaterManagement/WaterDistricts/ThousandSprings/wd130\\_1000\\_springs.htm](http://www.idwr.idaho.gov/WaterManagement/WaterDistricts/ThousandSprings/wd130_1000_springs.htm)

<sup>2</sup> The executed Memorandum may be found on the IDWR website by visiting this link: <http://www.idwr.idaho.gov/WaterManagement/WaterDistricts/default.htm> and completing a Water District Records Search where Water District # = 130 and Four Digit Year = 2009.

diversions for each water user.

8. Water users in Water District 130 who are not reporting annual diversions to one of the sub-districts created herein shall report diversions directly to the watermaster of Water District 130. A separate annual fee will be charged by Water District 130 for direct measurement and reporting; this fee will cover costs of periodic evaluation and certification of the measurement device or other method (typically every third year), plus the cost of annual year-end data collection for the diversion. Measurement and reporting fees will appear as a separate line-item charge on the Water District assessment statement. *Measuring and reporting charges paid either to a subdistrict or directly to Water District 130 will not be used to determine voting shares.*
9. An advisory committee shall be elected to provide input to the watermaster and the Director of IDWR. The number and composition of the advisory committee for the ensuing year shall total 11 seats as follows:
  - 1 member of the North Snake Ground Water District;
  - 1 member of the Magic Valley Ground Water District;
  - 1 member of A&B Irrigation District;
  - 1 Basin 37 ground water irrigator
  - 2 ground water users holding commercial, industrial or municipal water rights;
  - 5 spring water users, with at least one representing Basin 37

Additional seats may be added to the committee in subsequent years depending on further revisions or expansions of the water district boundaries, to be determined annually. Each group represented will also select an alternate for each seat. Candidates will be voted on at caucus during the annual meeting. The advisory committee will meet as often as needed to address the structure, governance and operation of the district. Decisions or recommendations of the advisory committee must be made with at least 70% of advisory members present in favor.

10. The elected chair of the Advisory Committee for current Fiscal Year is Phyllis Beard. The water users of Water District 130 hereby empower the elected chairman of the advisory committee created herein to do the following as approved by the committee:

Enter into a Memorandum of Understanding between Water District 130 and the Department of Water Resources

Enter into a service contract between Water District 130 and any qualified party, in exchange for monetary compensation, as necessary and as authorized by the adopted annual budget.

Authorize and schedule external financial reviews as needed.

11. Water District 130 includes one or more ground water districts, irrigation districts, municipalities, or other geographical areas where the source of water or nature of water use is common among water right owners and users. Pursuant to the Order creating Water District 130, the following subdistricts are recognized within Water District 130:
- North Snake Ground Water District
  - Magic Valley Ground Water District
  - Carey Valley Ground Water District
  - A&B Irrigation District
  - City of Rupert
  - City of Burley
  - Thousand Springs Area
  - Basin 37 Area
12. The sub-districts designated above may have employees or agents who measure and report diversions to Water District 130, and who may provide other services to the sub-district. The Director of IDWR therefore may appoint employees or agents of the sub-districts as assistant watermasters for purposes of measuring and reporting water use to the watermaster of Water District 130. The water district watermaster and the Director of IDWR will provide direction and guidance to assistant watermasters for measuring and reporting of diversions in sub-districts, including but not limited to the following:
- a. Each sub-district shall prepare an annual report of diversion data to the water district watermaster in accordance with Idaho Code § 42-606, § 42-708, § 42-709, and the direction provided by the Director of IDWR.
  - b. Assistant watermasters from sub-districts shall cooperate and coordinate with the water district watermaster and IDWR in sharing water use information and in the investigation of water uses within sub-districts, including but not limited to investigation of water use to confirm reductions of water use when required, and confirm and report compliance of water use with valid water rights.
  - c. The regulation of diversions, including curtailment of diversions and other water right enforcement actions, shall be the primary responsibility of the water district watermaster or IDWR.
  - d. Sub-districts and sub-district assistant watermasters may cooperate and participate with the water district and IDWR in resolution of unauthorized diversions or other enforcement matters.
  - e. To the extent that sub-district assistant watermasters may otherwise be involved in the regulation or enforcement of diversions, such involvement will be under the instruction of the watermaster or the Director of IDWR.
13. The watermaster, working with the water district advisory committee, shall prepare a proposed budget prior to the annual meeting of the water users of Water District No. 130 in accordance with Idaho Code § 42-615, 42-612 and 42-605(A). It is resolved that the recognized costs of delivery of non-consumptive rights in Water District 130 shall be equal to one-half the approved administrative budget. Such costs shall be apportioned among non-consumptive diversions on a pro-rata basis.

14. The advisory committee shall make available a copy of the recommended resolutions, including the recommended budget, at least 5 (five) days prior to the annual meeting by posting the copy on IDWR's website. Any proposed changes to the resolutions made prior to the annual meeting will be highlighted. This shall not preclude any member from proposing any new resolution or proposing changes to resolutions at the annual meeting.
15. Current year assessments shall be due to Water District 130 on or before April 1 of each year.
16. All payments for assessments not received by January 1 of the year following the billing date shall accrue penalties in the amount of 10% of the charge plus interest in the amount of 1% per month, as of the April 1 due date and as provided pursuant to Idaho Code Section 42-617. It is resolved that 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 by January 1 of the year following the billing date.
17. The annual Water District 130 meeting shall hereafter be held on the first Tuesday of February, of each 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.
18. The watermaster, deputy watermasters and 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.
19. In the event that a vote by shares pursuant to 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 or by subdistricts. The credentials committee shall be comprised of the following parties:
  - a. the current Watermaster
  - b. the assistant Watermaster or a representative from each subdistrict present at the meeting, which is authorized to measure and report diversions
  - c. an IDWR representative

Any water user who is a member of either the North Snake Ground Water District or the Magic Valley Ground Water District, and who, in the event of a vote by shares at the annual meeting, wishes to vote his or her own shares, must notify the ground water district board and the water district in writing prior to the annual meeting. After all individuals have cast votes, any unvoted subdistrict shares may be cast by proxy by the Ground Water District Chairman as authorized under Idaho Code § 42-5224(7).