WATER DISTRICT 29D, LOWER PORTNEUF RIVER & TRIBUTARIES
2024 ADOPTED RESOLUTIONS

The water users of Water District 29D ("WD29D"), as part of the annual district meeting held on March 11, 2024, at the City of Pocatello Council Chambers in Pocatello, Idaho, HEREBY ADOPT THE FOLLOWING RESOLUTIONS:

1. DISTRICT CREATION AND BOUNDARIES

WD29D, Lower Portneuf River and Tributaries consists of the area and water rights as defined by the *Preliminary Order Creating a Water District for the Lower Portneuf River and Tributaries, and Combining Water Districts 29-C, 29-F, and 29-U, in the New District*, signed by the Director of the Idaho Department of Water Resources (IDWR) on June 22, 2009.

2. 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 WD29D Resolutions adopted herein.

3. ELECTION OF WATERMASTER

It is herewith resolved that Kristin Evans be elected as watermaster of WD29D for the ensuing year.

4. WATERMASTER TERM OF SERVICE

Under Idaho Code §42-608(4), the WD29D watermaster's term of service shall begin upon appointment by the Director of IDWR and continue until the next annual meeting, or until a successor is appointed pursuant to Idaho Code §42-604.

5. ANNUAL BUDGET AND ASSESSMENT

5a. BUDGET

It is herewith resolved that the FY 2024 approved budget for WD29D shall be $27,500, as shown in the "Summary of Proposed Expenses and Budget FY 2024".

5b. ASSESSMENTS AND WATER DELIVERY RECORDS

Assessments shall be consistent with Idaho Code §42-610 and §42-612, requiring proposed water district budgets and annual assessments to individual water right holders be prorated based upon the average amount of water delivered or used by the water right holders during the past season or seasons (not to exceed five seasons). If the past season delivery records are not available, the watermaster may estimate the volume of water delivered or reasonably used when water was available under the priority of the right during the past season or seasons.

Water rights meeting the definition of Idaho Code §42-111 shall be exempt from any water district assessments. Except that any use of water for irrigation, regardless of size, shall be subject to the minimum assessment.

5c. MINIMUM USER ASSESSMENTS

It is herewith resolved that a minimum charge of $75.00 per water right owner shall be assessed. Whenever the prorated charge to a user is less than $75.00, that user will be assessed the minimum charge.

It is further resolved that holders of non-consumptive water rights in excess of 0.25 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 $75.00.

5d. FINAL ASSESSMENT DETERMINATION
It is herewith resolved that, in accordance with Idaho Code §42-612 (6), the assessment amount for each user, as shown in the adopted budget, shall constitute a final determination of the amount due.

5e. PAYMENT OF ASSESSMENTS AND FISCAL YEAR
It is herewith resolved that:

1. Annual assessments shall be payable on or before June 1 of each year, as noted on the billing invoice. The postmark date will be considered the date of payment. Accounts not paid within thirty (30) days of the due date 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. Water users shall reimburse WD29D for any overdraft item fee assessed by the bank for a returned check.
2. The watermaster is authorized, pursuant to Idaho Code §42-613, to withhold or suspend deliveries of water to any water user who has not paid their assessment charges within 60 days of the due date.
3. The holder of any water right(s) who acquired the right(s) at any time between the last annual meeting date and the end of the last irrigation season (or December 31 for non-irrigation use rights) shall be responsible for payment of the assessment and all late charges from the prior year, but shall not be responsible for payment of unpaid assessments from prior years under a different owner or owners.
4. The fiscal year for WD29D shall be defined as the calendar year.

6. ELECTION OF A DISTRICT TREASURER
It is herewith resolved that Dianna Burden be appointed as treasurer for WD29D until a successor is elected and appointed. The duties of the treasurer will be to prepare and collect annual assessments in coordination with and on behalf of the watermaster, maintain the WD29D checking account, approve expenses adopted in the budget, disperse 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.

7. COLLECTION OF THE BUDGET AND DISBURSEMENT OF FUNDS
It is herewith resolved that the adopted budget for WD29D be collected from the water users by the WD29D treasurer as provided by Idaho Code §42-613. The treasurer will make an assessment in coordination with and on behalf of the watermaster to each water user in pro-rata amounts as determined by the budget, which is formally adopted at the annual meeting. All funds shall be deposited in a bank account maintained by the water district. The WD29D checking account is maintained at DL EVANS BANK, Pocatello, ID.
The treasurer shall disperse funds from the water district bank account using two-party signature checks when the amount is greater than $1,000, signed by the treasurer and one member of the advisory committee.

8. ADVISORY COMMITTEE
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. Five water users shall comprise the advisory committee, which shall include two irrigation right holders that pay a regular assessment (i.e., assessed more than the minimum charge), two irrigation right holders who pay a minimum assessment, and one non-irrigation right holder who pays a regular assessment. The advisory committee members for the ensuing year shall be the following (to be selected at the annual meeting):

Member #1 (Irrigation regular assessment)	**Jim Guthrie**
Member #2 (Irrigation regular assessment)	**Jeromey Stanger**
Member #3 (Irrigation minimum assessment)	**Dennis Hill**
Member #4 (Irrigation minimum assessment)	**George Chandler**
Member #5 (Non-irrigation regular assessment)	**Rich Diehl**

Advisory committee members must pay in full their water district assessment(s) on or before June 1st of each year. Advisory committee members must comply with Idaho water law. If an advisory committee member fails to meet these requirements, the committee member may be required to resign by a majority vote of the other advisory committee members.

In the event a member of the advisory committee resigns or is otherwise unable to continue to serve on the committee, the remaining members of the advisory committee are authorized to select a replacement to serve until a successor is selected by the users at the next annual meeting.

9. 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 WD29D watermaster
- the current WD29D treasurer
- one member of the WD29D advisory committee appointed by the meeting chairman

If either or both the watermaster or 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.

10. ANNUAL MEETING DATE

It is herewith resolved that the annual meeting for WD29D shall be held on the second (2nd) Monday 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 **March 10, 2025.**

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

a. Copies of the minutes of the annual meeting, the budget as approved, and adopted resolutions shall be filed with the Director of IDWR immediately after the annual meeting in accordance with Idaho Code §§42-615 and 42-613.
b. The watermaster of WD29D shall be responsible for submitting to IDWR annual reports and such other information that may be deemed necessary by the Director of IDWR in accordance with Idaho Code §42-606.
c. The watermaster, working with the advisory committee, shall prepare a proposed budget, including the proportionate amount proposed to be assessed to the respective water users, 14 days prior to the annual meeting of WD29D in accordance with Idaho Code §42-612.

12. 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 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.

13. 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.

14. DISTRICT WATER YEAR FOR YEAR-ROUND USE

It is herewith resolved that the total amount of water recorded for water users authorized to divert year-round or outside of the irrigation season (i.e. municipal users) shall be from November 1st of the previous year to October 31st.

15. WATERMASTER ASSISTANTS

It is herewith resolved that the watermaster is authorized to hire watermaster assistants to aid in the discharge of the watermaster's duties. Watermaster assistants must comply with the watermaster's instructions. Watermaster assistants have the same responsibilities and authority as the watermaster and must take the same oath as the watermaster. The compensation for watermaster assistants shall be fixed at the annual meeting and included in the adopted budget.

16. TRACKING AND REPORTING OF MITIGATION WATER

It is herewith resolved that water users that have rented or otherwise secured mitigation water to offset injury to downstream senior water users on the Snake River, must:

1. Have a water use tracking and reporting plan approved by the watermaster;
2. Have controlling works and an approved measuring device installed if required by IDWR. If a measuring device is not required by IDWR, an estimated diversion rate and volume use must be agreed upon by the watermaster and the water user; and
3. Pay in full all water district assessments and costs associated with the rental of mitigation water.

Summary of Proposed Expenses and Budget FY 2024

Expenses:	
Watermaster & Assistant Watermaster compensation needed)	$ 16,000 ($22/hr. x 727.27 hrs., if
Treasurer compensation	$ 3,000
Payroll expenses- Employer	$ 2,000
Vehicle mileage for watermaster	$ 4,000
Office supplies	$ 800
Field supplies, including watermaster phone	$ 1,100
Contingency	$ 600
Total Expenses	**$ 27,500***
Total expenses, if approved	$ 27,500
Previous year cash forward *(district reserves)*	$ 8,458
District reserves applied to expenses	$ 1,000
Total to collect by assessment	**$ 26,500**

*Budget line-item totals shown are estimates; actual line-item costs may vary, but the total water district expenditures shall not exceed $**27,500** during the fiscal year.