



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Mathew Weaver

December 12, 2024

Dear Water User,

On behalf of the Director of the Department of Water Resources (Department or IDWR), notice is hereby given of the first **annual meeting of Water District 129, Portneuf River Basin (WD129)**. Water users present at the meeting will adopt a budget, elect water district staff, and consider resolutions to adopt. The annual meeting is scheduled for the time and location listed below:

Day & Date: **Wednesday, January 15, 2025**
Time: **6:00 P.M.**
Location: **Marsh Valley High School, Performing Arts Center
12655 S. Old Hwy 91
Arimo, ID 83214**

Since WD129 was created on May 1, 2024, a steering committee of local volunteer water users has met regularly with Department staff to prepare for the district's first annual meeting. The steering committee's proposed budget, resolutions, and candidate selections to be considered for approval at the annual meeting are attached.

Water users need to understand that assessments will be sent to them after the annual meeting to cover the estimated expenses of delivering the water of the district.

Before the start of the annual meeting, IDWR staff will host an informational session covering the basics of water rights. Water users interested in learning more about the information and conditions listed on their water rights are welcome to attend this optional session between 5 and 5:45 PM.

Immediately following the annual meeting, IDWR will host an additional informational session on ground water districts, which differ from state-created water districts. Ground water users in WD129 may be interested in creating a ground water district in the near future so they can be represented in various water use issues and related legal matters, including developing and operating mitigation and recharge plans.

If you have questions regarding this notice, please contact the Department's State Office Distribution Section at 208-287-4800 or the Eastern Regional Office in Idaho Falls at 208-525-7161.

Sincerely,

Steven Visosky
IDWR, Water Compliance Bureau

Enclosure: *Water District 129, Portneuf River Basin Area 2025 Proposed Resolutions*

WATER DISTRICT 129, PORTNEUF RIVER BASIN AREA

2025 PROPOSED RESOLUTIONS

*****Proposed resolutions to be considered for adoption by water users at the first annual water district meeting on January 15, 2025*****

ADOPTED RESOLUTIONS THAT WILL REMAIN IN EFFECT UNTIL CHANGED BY SUBSEQUENT RESOLUTION OR OTHERWISE ALTERED BY A MAJORITY VOTE OF THE WATER RIGHT OWNERS IN THEIR ANNUAL MEETING OR SPECIAL MEETING CALLED FOR SUCH PURPOSE

1. DISTRICT BOUNDARIES

Proposed 2025

Water District 129 (WD129) consists of the area and water rights as defined by the *Preliminary Order Creating Water District 129 and Modifying Water District 13T* (“Order”), dated May 1, 2024. The district includes all ground water rights in a portion of Administrative Basin 29 as shown in the map attached to the Order, except (a) ground water rights used for domestic and stock water purposes as defined by Idaho Code §§ 42-111 and 42-1401A; and (b) ground water rights administered by the Shoshone-Bannock Tribes and the United States pursuant to the 1990 Fort Hall Indian Water Rights Agreement.

2. WATERMASTER DUTIES

Proposed 2025

The watermaster shall perform their duties as required by Chapter 6, Title 42, Idaho Code, and the following:

- a. Direction and guidance provided by the Director of IDWR;
- b. The annual water district resolutions adopted herein;
- c. Guidance and input from the WD129 Advisory Committee.

3. WATERMASTER TERM OF SERVICE

Proposed 2025

Per Idaho Code § 42-608, the watermaster’s term of service shall begin upon appointment by the Director of IDWR following their election by the water users at the annual meeting and continue until the next annual meeting or until a successor is appointed.

4. WATERMASTER ASSISTANTS

Proposed 2025

It is resolved that the watermaster is authorized to hire watermaster assistants to aid in discharging the watermaster’s duties. Before hiring an assistant, the watermaster must notify the advisory committee and disclose the candidate's qualifications. If any advisory committee members object to the candidate’s qualifications, the advisory committee and watermaster shall meet to discuss the objections before hiring the assistant. Watermaster assistants must obey the watermaster’s instructions, have the same responsibilities and authority as the watermaster, and take the same oath. The compensation for watermaster assistants shall be fixed at the annual meeting and included in the adopted budget for the watermaster wages.

5. DISTRICT TREASURER TERM OF SERVICE

Proposed 2025

It is resolved that the elected treasurer’s term of service shall begin upon appointment by the Director of IDWR following their election by the water users at the annual meeting and continue until the next annual meeting or until a successor is appointed. The treasurer's duties will be to maintain financial records, collect and disburse water district funds, and prepare or authorize a review of the district's financial affairs at the end of each fiscal year, per Idaho Code § 42-619. The district treasurer will be paid an annual flat fee.

6. ADVISORY COMMITTEE STRUCTURE AND STIPEND

Proposed 2025

It is resolved that WD129 select an advisory committee to provide input to the watermaster and the Director of IDWR. The advisory committee will meet as often as needed to address the district's structure, governance, and operation. Seven water users, water rights owners, or representatives of entities owning water rights within the

district shall comprise the advisory committee. The advisory committee members should represent all water users within the district and should represent the following types of water uses or geographical areas:

- Large irrigation paying a regular assessment (more than the minimum assessment) - 3 members
- Small irrigation paying the minimum assessment - 1 member
- Commercial/industrial – 1 member
- Municipal (cities) – 1 member
- Domestic (non-exempt domestic use such as sub-divisions, community wells, etc.) – 1 member

Advisory committee members who attend any posted WD129 public meeting (i.e., regular advisory committee meeting or special meeting) that lasts longer than 30 minutes, other than the water district annual meeting, **will be paid \$200 per meeting**. No more than five paid meetings can occur yearly, and payment will only be made once at year-end.

7. ADVISORY COMMITTEE REPLACEMENTS *Proposed 2025*

It is resolved that if an advisory committee member resigns or cannot continue serving, the remaining advisory committee members are authorized to select a replacement member to serve until the water users select a successor at the next annual meeting.

8. ANNUAL MEETING DATE *Proposed 2025*

It is resolved that the annual meeting for WD129 shall be held on the third Wednesday in January 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 by resolution of the district at an annual meeting. The next annual meeting will be held on **January 21, 2026**.

9. ANNUAL MEETING MINUTES *Proposed 2025*

Copies of the annual meeting minutes and all approved resolutions shall be filed with the Director of IDWR immediately after the annual meeting per Idaho Code §§ 42-605(5) and 42-613.

10. COLLECTION OF THE BUDGET AND DISBURSEMENT OF FUNDS *Proposed 2025*

It is resolved that the adopted budget for WD129 be collected from the water users by the WD129 Treasurer as provided by Idaho Code § 42- 613(3). The treasurer will assess pro-rata amounts for each water user as determined by the budget formally adopted at the annual meeting. All funds shall be deposited into a bank account maintained by the water district at **Ireland Bank in Pocatello, ID**. The treasurer shall disperse funds from the water district bank account using two-party signature checks when the amount exceeds \$1,000, signed by the treasurer and one advisory committee member.

11. ASSESSMENTS *Proposed 2025*

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 to 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 unavailable, 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.

Whereas no records of water delivery currently exist in the newly created WD129, it is resolved that WD129 will (a) assess all water users with the annual minimum charge until water use records are available.

12. FINAL ASSESSMENT DETERMINATION *Proposed 2025*

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

13. ANNUAL MINIMUM CHARGE *Proposed 2025*

It is resolved that the minimum charge of **\$125** per water user shall be assessed. Whenever the prorated charge to a user is less than **\$125**, that user will be assessed **\$125**.

14. PAYMENT OF ASSESSMENTS *Proposed 2025*

It is resolved that annual assessments shall be payable on or before **April 1** of each year if not otherwise noted on the billing invoice. Any other billing is due within thirty (30) days of the billing date. The postmark date will be considered the date of payment. Accounts not paid by the due date shall be charged per Idaho Code § 42-613, which provides for a late fee of 10% of the amount due and interest of 1% per month. The watermaster will terminate water delivery to any water user whose assessments are not paid in full within sixty (60) days of the billing date and will not resume delivery until that user’s amount due is paid in full.

15. DISTRICT FISCAL YEAR AND WATER YEAR *Proposed 2025*

It is resolved that the fiscal year for WD129 be defined as the calendar year. The total annual volume 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.

16. ENTRY OF LANDS BY WATERMASTER *Proposed 2025*

It is resolved that the watermaster and any watermaster assistants are authorized as employees of IDWR under Idaho Code § 42-1701(5) to make a reasonable entry on lands within the district, per IDWR policy, to carry out the duties of the watermaster as instructed by IDWR. These duties include but are not limited to:

1. Inventory of diversions in the district, including inspection of conveyance infrastructure through evaluation of pump size, power usage, and the water right place of use.
2. Measuring and recording rates of diversions and regulating diversions as necessary.
3. Monitoring the place, period, and nature of water use to identify unauthorized diversion and use and to determine compliance required by any agreement or order of IDWR.

17. SETTING THE 2025 BUDGET *Proposed 2025*

It is resolved that the 2025 adopted budget for WD129 shall be **\$46,875**, as shown in Attachment A.

18. ELECTION OF 2025 WATERMASTER *Proposed 2025*

It is resolved that **KRISTIN EVANS** be elected as watermaster for WD129 for the ensuing year.

19. ELECTION OF 2025 TREASURER *Proposed 2025*

It is resolved that **DIANNA BURDEN** be elected as treasurer for WD129 for the ensuing year.

20. 2024 ADVISORY COMMITTEE MEMBERS *Proposed 2025*

It is resolved that the WD129 Advisory Committee members for the ensuing year shall be the following:

- Member #1 (large irrigation): **KEVIN PECK**
- Member #2 (large irrigation): **JARED PARKER**
- Member #3 (large irrigation): **BRANTLEY HATCH**
- Member #4 (small irrigation): **DAVE O’CONNELL**
- Member #5 (commercial/industrial): **?? (need a candidate)**
- Member #6 (municipal (cities)): **RICHARD DIEHL**
- Member #7 (domestic-non-exempt): **?? (need a candidate)**

Attachment A:

**Water District 129, Portneuf River Basin
2025 **Proposed** Budget**

| | |
|---|-------------------|
| Operating Expenses | |
| Watermaster & Assistant(s) Wages (\$25/hr.) | \$ 19,000 |
| Treasurer Compensation | \$ 5,500 |
| FICA/Medicare/Workers Compensation | \$ 3,500 |
| Vehicle Mileage for Watermaster and Assistants <i>(Includes up to \$500 for additional auto insurance)</i> | \$ 3,000 |
| Supplies for Watermaster <i>(phone, data plan, computer, etc.)</i> | \$ 2,300 |
| Office Supplies, Postage, Misc. Expenses | \$ 750 |
| Contingency Fund <i>(includes grant writer or funds to cover a shortfall in assessments)</i> | \$ 5,825 |
| Advisory Committee Stipend <i>(maximum to be covered)</i> | \$ 7,000 |
| | |
| Total Operating Expenses* | \$ 46,875* |
| Amount from cash reserves to apply toward operating expenses | \$ 0 |
| Total Budget to be Assessed | \$ 46,875 |

*Operating expense line items are estimates; actual line item costs may vary, but the total water district operating expenses shall not exceed \$ **46,875** during the fiscal year.

2025 **Proposed Assessments**

Each water user will be charged the minimum assessment of **\$125**
Approximately 375 water users x \$125 = **\$46,875**