

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 425

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

1 RELATING TO WATER DISTRICTS; AMENDING SECTION 42-612, IDAHO CODE, TO PROVIDE
2 THAT WATER USERS MAY PROVIDE FOR AN ANNUAL MINIMUM CHARGE NOT TO EXCEED
3 TWO HUNDRED FIFTY DOLLARS PER WATER USER FOR WATERMASTER SERVICES.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 42-612, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 42-612. BUDGET OF WATER DISTRICT -- ADOPTION AND CONTENTS -- DEBT OF
9 WATER USER. (1) At any annual meeting the water users must adopt a budget
10 covering the estimated expenses of delivering the water of the district for
11 the ensuing year, and by resolution determine that the budget shall be col-
12 lected. The compensation of the watermaster and the watermaster's assis-
13 tants and any other expenses of delivering the water of the district to the
14 users thereof, including the costs of the advisory committee in implementing
15 resolutions adopted by the water users of the district for activities other
16 than the payment of the salary and operating expenses of the watermaster and
17 assistants, shall be paid in the manner hereinafter, in this section, pro-
18 vided.

19 (2) To the extent possible, funding for advisory committee expenses as-
20 sociated with implementing resolutions adopted by the water users for other
21 than the payment of the salary and operating expenses of the watermaster
22 and assistants shall come from funds available pursuant to section 42-613A,
23 Idaho Code.

24 (3) The budget shall show the aggregate amount to be collected from all
25 the water users in the district, and the amount to be paid by each ditch,
26 canal company, irrigation district or other water user. For the purpose of
27 computing the respective amounts, to be paid by each water user, the water
28 delivered to the various ditches, canal companies, irrigation districts or
29 other users during the past season or seasons, not exceeding five (5) sea-
30 sons, shall be used as a basis.

31 (4) Upon the adoption of the budget the amount payable by each ditch,
32 canal company, irrigation district or other water user, as shown by the
33 budget, shall become the debt of each respectively and shall become due and
34 payable as hereinafter provided. Other provisions of chapter 6, title 42,
35 Idaho Code, notwithstanding, water users may at the annual meeting by reso-
36 lution provide for an annual minimum charge not to exceed two hundred fifty
37 dollars (~~\$250-00~~) per water user for watermaster services. The minimum
38 charge is applicable whenever the prorated charge against any ditch, canal
39 company, irrigation district or other water user is less than the minimum
40 charge.

41 (5) Other provisions of chapter 6, title 42, Idaho Code, notwithstand-
42 ing, water users at the annual meeting may provide, by resolution, that the

1 respective amounts owed by each water user as shown in the adopted budget
2 shall constitute a final determination of the amount due for that year with-
3 out the need to carry forward any water user debits or credits to the follow-
4 ing year.