

Statutory Water Bank Summary of Tasks & Responsibilities



The following document is meant to assist in your completion of the Statutory Water Bank Tasks & Responsibilities Survey. Full explanations of each **heading**, **subheading**, and **task** can be found within the survey itself.

If the task is noted as **Required**, it is required by the Statute. If it is noted as **Necessary** it is not required by the Statute, but is necessary for a

functional water bank. If the task is noted as **Optional**, it is not required or necessary, but will be helpful for completing a water transaction.

Expertise: the information resources, skills, experience, familiarity, and process to undertake the task

Capacity: the availability of personnel, time, and budget to undertake the task and see it to completion

1. Bank Organization Activities

A) Bank Formation Discussions

Necessary

i) Participate in stakeholder discussions to determine interest, form, and function of local water bank

Required

ii) Define Bank Service Area

Required

iii) Determine the form of leasing arrangement the bank will facilitate between interested parties

Required

iv) Determine form of legal entity

B) Bank Incorporation Tasks

Required

i) Prepare Governance Documents

Necessary

ii) Legal Review Governance Documents

Necessary

iii) Incorporate Legal Entity

2. “Marketing” the Water Bank

A) Water Transaction (Match Making)

Necessary
if desired

- i) Soliciting water to be leased through the bank

3. Change Application Coordination

A) Internal Review of Potential Change Application

Necessary

- i) Establish procedures for reviewing water rights deposits into the waterbank

Required

- ii) Review water right deposit application according to bank procedures

Required

- iii) Establish procedures for reviewing water right deposit applications

B) Change Application Process

Necessary

- i) Bank participation in Change Application process

4. Water Distribution through Bank (Authority Role)

A) Internal Review

Required

- i) Understand and note conditions of approval on Water Rights

Required

- ii) How to address requests to keep at the heretofore place of use

Necessary

- iii) Compliance with interlocal agreements/ Coordination with Parties

B) State Engineer Coordination

Required

- i) Timely deliver approved lease amounts to State Engineer to include in distribution plan

Required

- ii) Meet State Engineer Distribution Office on agreed to distribution plan



4. Water Distribution through Bank (Authority Role)

(continued)

C) Monitoring

Optional

- i) Bank physically check meters or meter reads to insure instream flows met

D) Enforcement

Required

- i) Review information and Inform the State Engineer of a distribution issue

Necessary

if it occurs

- ii) File State Engineer Enforcement Action against those taking water in contradiction to distribution schedule

5. Water Lease Administration

A) General Leasing Tasks

Required

- i) Draft Leasing Form Document

Optional

- ii) Advertise administrative fee for processing lease applications

B) Ongoing Lease Administration

Required

- i) Announce leasing to be open to potential lessors

Required

- ii) Review lease applications

Optional

- iii) Assist applicants in completing lease form if they have questions

6. Pricing

A) Pricing

Required

- i) Determine procedure for pricing annual leases



7. Bank Administration

A) Office

Required

i) Point of contact for water bank

Required

ii) Mailings or copies of bank materials

B) Financial Services

Optional

i) Escrow & billing services

B) Record Keeping

Required

i) Record Keeping

8. Annual Report to Board

A) Annual Report to Board

Required

i) Tabulation of deposits, delivery requests, actual deliveries.
Financial reporting

Required

ii) Report writing and submittal

9. Bank Funding

A) Bank Funding

Required

i) Money for operation

10. Complaint Resolution

A) Complaint Resolution

Required

i) Respond to complaints according to bank procedures

Necessary

ii) Legal Consultation

