

1984-MNT3

POLICY SUBJECT: FINANCIAL RESPONSIBILITY FOR REQUESTED CONSTRUCTION AND MAINTENANCE OF IRRIGATION STRUCTURES.

DATE APPROVED: APRIL 4, 1984
Amended: December 12, 2011 (also replaces 1984-MNT4)

PURPOSE: This policy is established to delineate financial responsibility for requested construction and maintenance of irrigation structures utilized for water delivery and efficiency purposes within EBID facilities.

Findings: The Board of Directors has determined that it is in the best interests of the District to provide the services which are the subject of this policy so as to maintain consistent construction of EBID facilities and to continue to provide constituents all the available benefits of being a constituent of the District. Additionally, the fees for labor and equipment shall be waived for EBID constituents (which includes construction and maintenance of irrigation structures) because costs are paid by constituents through the annual assessments.

POLICY: EBID will provide labor and equipment for all EBID constituents in good standing for the following:

- a. The construction and/or installation of new irrigation structures for water delivery and efficiency purposes built at a location where none previously existed.
- b. Repair, replacement, or relocation of existing irrigation structures.

It is the responsibility of the requesting constituent to pay for all material, supplies, and any other costs. Non-constituents will be responsible for all costs, which includes labor and equipment in addition to material, supplies, and any other costs.

- a. Costs are calculated based on materials, labor (as applicable), and equipment (as applicable), and payment in full is required before the project is started.
- b. Where structures serve multiple owners, costs will be prorated among the constituents.

All requests for new structures and the relocation of existing structures require application and acquisition of a right-of-use permit (subject to application and permit fees), and approval by the Board of Directors.

DEFINITIONS:

Constituent: Assessed property owners (or their representatives) with water righted land within EBID boundaries.

EBID facilities: Conveyance, storage, and other structures owned and operated by EBID including but not limited to canals, laterals, sub-laterals, drains and the associated control structures and rights-of-way.

Good standing: An EBID constituent with no outstanding payment obligations and no irrigation or water right infractions.

Irrigation structures: Structures within EBID facilities including but not limited to culverts/crossings, flumes, pipes, radio telemetry units (RTUs), siphons, and turnouts.

Prorated: To calculate proportionately by dividing the cost among each benefitting property owner based on the number of acres served by the structure, or as mutually agreed upon by the constituents involved.