

Board Of Control Operating Rules

Adopted _____12_January_____, 2017

This document outlines the Operating Rules for the Joint Works under the Board of Control (BOC) for the Wood River Valley Irrigation District # 45 (WRVID 45) and the Triangle Irrigation District (TID) in accordance with Idaho Code Section 43-13250.

1. The BOC is comprised of representatives from the TID and WRVID 45. The duty of the BOC is to deliver their member's water through the control, operation and maintenance of the Joint Works. This includes planning, budgeting, reviewing and approving construction and maintenance work as needed for the efficient operation of water delivery.
2. The TID and WRVID 45 hold their own regular monthly meetings during which patrons have the opportunity to ask questions or voice concerns with their respective board members. Their BOC representatives will take up relevant information and questions to the BOC meetings.
3. The Chairman controls the meeting agenda. If a subject is not on the agenda it should not be discussed unless agreed upon by the board to add it to the agenda under the heading of " Other Pertinent Business". If a meeting includes a quorum it must be publicly noticed. With 5 member boards 2 members can meet and deliberate, but no action taken may be taken until a quorum is established. Any district directors may serve on the BOC as the open meeting law does not apply to them when serving on their BOC. Meetings will be held quarterly at 227 Baseline Rd. or more often as scheduled by the Chairman. Directors may be participate by phone.
4. WRVID 45 and TID are each responsible for their proportional share of expenses associated with the operation and maintenance of the Joint Works in accordance with the approved BOC budget. District assessments for the Joint Works shall be transferred to the BOC account as received or in a fashion to provide funding in advance of BOC incurred expenses. In event of advance funding, the BOC bookkeeper and treasure shall provide a statement of necessary amount of prefunding to the respective districts for their issuance. If a District or one of its members is delinquent on payment, water may not be delivered to that entity at the BOC's discretion. It is well established that prepayment is fundamental to water delivery. It is the District's duty to collect assessments.
5. Exclusive WRVID 45 and TID works as delineated on the Joint Works map are maintained by the relevant district. Such private systems generally serve subdivisions in which the owners' associations or individual owners hold water rights. Beyond the Point of Distribution (POD) at the " TOP" of the private system the BOC has no obligation for maintenance or water delivery. The water users in a private system are required to administer their own deliveries and maintain their own systems and right of ways.

6. Field personnel are not authorized to act outside of the operating rules or instructions of management. This includes, but is not limited to, head gate adjustments, measurement standards, ditch maintenance and repairs as well as policies regarding exceptions that may be made, or procedures that are to be followed, to enforce BOC regulations. Field personnel are instructed to refer all such questions to the Manager or to the BOC.
7. Where a piece of land has been watered successfully in a certain way, any changes necessary or structures required to bring water from a different place must be paid for by the land owner and the structures must be of a permanent type. All new structures must be pre-approved by the Manager of the BOC.
8. Installation of unauthorized pipes, pumps or siphons in canals or laterals is prohibited.
9. Subdivision of land:
New divisions of land are to pay in advance for all necessary structures to get water to the land. Subdivisions must install permanent approved structures. No structures will be built for subdivisions of less than 10 acres unless the BOC approves. The Board will allow a separate tap for tracts of less than 10 acres provided the requirements do not add greatly to the Water Master's responsibilities and might increase the efficiency of water. The new water user will be responsible for any easements or construction required beyond the weir. The land owner will sign an agreement with the BOC prior to construction.
10. Private bridges over a joint works waterway may only be installed upon approval of the BOC and signing of the Crossing Agreement. A bridge or culvert must have a minimum of 1 ft of clearance above high water. A signed Crossing Agreement is required for any underground, surface or overhead crossing of a District right of way. Contact the Manager or Watermaster to obtain the Crossing Agreement or Encroachment Agreement.
11. Private bridges, flumes or structures in the BOC right of way are maintained by the land owner.
12. No obstruction shall be allowed, including plants, bushes, trees or rocks that will interfere with the free passage of water. No tires, furniture, garbage or trash of any kind may be put in the waterways or on its banks.
13. All unauthorized encroachments on easements that interfere with operations and maintenance will be removed. Upon written request by the BOC the landowner must initiate removal within 7 days or the BOC will have the encroachment cleared. The BOC will protect its right of ways from encroachment to the fullest extent of the law, including the right to occupy the full width of land necessary to clear, maintain and repair the canals, ditches or drains with whatever equipment it deems is needed.

Included is the right to place debris on the banks and to take measures necessary to insure canal bank integrity. The BOC will not authorize any encroachments which interfere with the Board's use of its right of ways.

14. The BOC will object to additional or polluting run off into its waterways caused by change in land use and will deny all applications for which the applicant does not submit an acceptable plan capable of regulating both the quantity and quality of run off. Any discharge into the BOC's system of canals and laterals must be of acceptable quality and volume and be acceptable to the BOC.
15. Tail water (the excess irrigation water that runs off or by the intended parcel) is the responsibility of the person whose land it runs off of, and may not be welcomed by the receiving parcel owner. Written or oral agreement must be obtained from the receiving parcel owner before receiving tail water. Tail water may be considered wastewater.
16. Weirs or meters will be installed at owner's expense for measurement of water from the BOC's canals or laterals for sprinklers and other irrigation or water systems.
17. No pumping directly from the canals or laterals shall be permitted. Water deliveries are on a 24 hr. basis and any withdrawal must be capable of a 24hr. flow. All pumps should be equipped with low-pressure shut offs in the event of insufficient water.
18. Board of Control Directors' meetings will be conducted under the Robert's Rules of Order. The chairman is allowed to vote in case of a tie.
19. With prior, 24 hr minimum notice, a farmer may pump water into a canal with an improved measuring device and take it out at a lower diversion point with an allowance for ditch loss.
20. The BOC directors acknowledge that the Watermaster/Ditchrider Handbook is a part of these Operating Rules.
21. Water Transfers:
The BOC recognizes that the District's members own their own water rights. Within the District's system of canals and laterals the water right owner, in short water times as well as other times when there is sufficient canal capacity, may direct water to be delivered to different lands within the District's system provided the lands are operated, leased or owned by the same entity. Such water may also be directed to benefit aquifer recharge. Transfers will usually be made when there is a surplus of water available or later in the season when the water cannot be delivered down a long dry lateral. Injury to other users is to be avoided at the same time as the most water possible is being put to beneficial use.
22. The BOC may use third party contractors to perform the duties on behalf of the BOC for the Joint works maintenance and operation.

23. Management and Measurement of Water

- a. Deliveries will only be made to land on which assessments are current and no interest or penalties are still owing. The respective districts are responsible for providing notification of these lands to the BOC for implementation.
- b. The BOC requires standardized measuring devices and control devices at all delivery points. The BOC, in order to manage water delivery, must know how much water is to be delivered to members. This information shall be provided by the respective districts and maintained for accuracy by said districts. No water shall be withdrawn from a ditch, pipeline, flume or other conveyance system before the withdrawal rate is measured via a weir or meter or other BOC approved methods/means; this includes pumping from a pipe or other sealed conveyance that exits from the delivery and measuring device.
- c. All water delivery points must be equipped with head gates and weirs or other approved distribution control devices. Head gates and weirs or other approved distribution control devices where not existing, shall be installed at the landowners' expense. For any new delivery points, the method of diversion and measurement shall be submitted to the BOC for review and pre-approval prior to construction.
- d. Members must take delivery of his/her water at all times, unless arrangements have been made and approved by the BOC. If a delivery is found to be flooding back or not taking water, the water delivery will be turned off.
- e. The Water Master makes adjustments if notified by phone 24 hours in advance.
- f. The Water Master delivers water to the head diversion of private lateral or ditch systems.
- g. The BOC has no obligation for delivery of water, construction, or maintenance of private systems beyond the private diversion head gate/weir or measurement device.
- h. At his/her own expense, water users are required to maintain and update his/her irrigation equipment as necessary and as required by the district, including any changes or structures necessary to deliver water. Diversion structures should be of a permanent type and must be approved by the BOC.
- i. Water may not be pumped directly from a delivery or weir box unless prior written approval is obtained.
- j. It is the landowner's responsibility to clear and maintain their own head gates.
- k. If you have a specific need you must contact your respective district Board of Directors (BOD) with any general topics regarding the BOC. The Water Master may be

contacted on minor/ daily operation topics, but at his/her or discretion, may refer the customer to their respective Irrigation District Director.

24. Easements and Right of Ways

- a. The BOC, on behalf the respective districts, will monitor joint works easements & right of ways in accordance with Title 42, Chapters 11 & 12 of Idaho code. The BOC representative(s) shall inform both districts of a situation and the districts shall cooperate with the BOC to address.
- b. The easements are owned by the respective districts. The easements are operated and maintained by the BOC with respect to the Joint Works.
- c. The BOC shall not be liable for any damages resulting directly or indirectly from anyone trespassing or using WRVID#5 and TID property or facilities.

25. Amendment of This Agreement:

The Board of Control Operating Rules shall be reviewed annually in January or as more frequently if requested by the respective BOD's of WRVID45 and the TID. These Rules are subject to revision and amendment as, and when, the respective BOD's deem necessary.