

DEAVER IRRIGATION DISTRICT POLICIES

Pursuant to W.S. S41-7-303, 1977 the following provisions repeal, amend, supplement, supersede and recodify the Board Policies and Rules and Regulations of the Deaver Irrigation District. The Board of Commissioners of the Deaver Irrigation District will hereinafter be referred to as the Board.

TURNOUTS

1. The turnouts for delivery to the Original Farm Units, in most cases, are sufficient for the irrigation of the land. Where the turnout on some farms are found to be inconveniently placed, the Manager, after inspection, may issue written approval for relocation of the turnout.
2. Under no circumstances will ADDITIONAL turnouts be permitted, without the prior written approval of the Board. It is understood that once approved, any additional turnouts will be installed and maintained at the expense of the landowner.
3. On purchased lands (Public land sold by the United States) turnouts will be those provided at the time of the sale of land or approved by the Board.
4. The necessary right-of-ways for conveyance of water to all subdivisions of a farm are the responsibility of the landowner (seller and purchaser) and is not part of District's responsibility.
5. The Irrigation District will deliver water to the existing headgate for those farm units as they exist as of January 1, 2000. This does not change the District responsibility to maintain the District facilities on or through private property.

WEIR POOLS

1. The District will normally accept the responsibility of keeping weir pools clean provided that the landowner does not allow livestock or other destructive farm operation to occur at the weir pool which will accelerate the need or frequency of cleaning. The Board may assess charges to the landowner where the operation of the landowner has contributed to the problem.

WASTE WATER

1. It is the responsibility of each individual wateruser to insure that the return flow water inlet pipes and the drainage ditch leading to such pipes which service the wateruser's land do not become plugged or damaged in any way. It is the wateruser's responsibility to insure that the return flow ditches or return flow inlet pipes are kept free of debris or silt to provide for the unrestricted flow of the water back to the District drainage system.
2. It is the responsibility of the wateruser to take control of his water once it goes through the District's turnout. This includes the duty to properly convey water back to an appropriate drainage ditch. If his return flows must cross neighboring property, it is his duty to keep the ditch properly maintained to insure that the water does not cause damage and that his water ultimately enters an approved drainage system (as indicated on the most recent district map).
3. Nothing in this Section is intended abrogate or alter a wateruser's duty under state law concerning drainage or waste water, but only to reiterate and extend that duty.
4. Any damage to the waterway or waste water inlet pipe caused by a wateruser or waterusers' failure to maintain and keep the same open and flowing freely, will be corrected by the District at the expense of the responsible wateruser or waterusers.
5. Additional inlet pipes may be installed, if necessary, with a written permit from the District. Such additional inlets will be installed by the District, if possible, or an approved contractor to District specifications at the total expense of the wateruser making the request for an inlet. Maintenance of any inlet, installed at the expense of the wateruser, will be the responsibility of that wateruser.
6. Maintenance cleaning is to be agreed jointly by the landowners involved. The District will not be an agent for either party.

WATER USE

1. The District was organized for the purpose of supplying irrigation water for domestic, stock use and for irrigation of the assessed lands. The water quality and District facilities are not suitable to supply water for potable use.
2. The District will supply water for flood irrigation by the water users only. If any water user elects an alternate method of irrigation all costs to implement and operate said system will be at their expense. Such alternative systems can not interfere with the agricultural operation of other landowners and must be approved by the Board prior to installation.

3. Any water service for purposes other than irrigation of pay class lands must, (surplus water sale), be granted by the Board on an annual basis, with such granting done at regular or special meetings and said granting be recorded in the minutes of such meeting.
4. It shall be the policy of the Board to administer the use of water in accordance with State Law. When surplus water is available, the District Manager will be delegated authority to allow the disbursement of water at a rate of 1cfs/40 acres, 1cfs/50acres or 1cfs/60 acres. However, if a water user chooses to accept their water without respect to other demands being placed on the system, e.g., requesting their water right be delivered daily during the entire irrigation season, that water will be delivered at a rate of 1cfs/70acres.
5. Once a turnoff card has been submitted for a given parcel, a turn on card cannot be submitted for 5 days from the date the turn off card is submitted, except in an emergency situation.
6. The purpose of this policy is to better distribute water across the entire project and limit the amount of time that water is being delivered to any farm unit. Therefor, if a water user is desirous of delivery of water in excess of the rate of 1cfs/70 acres, the term of the delivery will in no instance exceed fifteen consecutive days for that farm unit.

OPEN DRAINS (Constructed by USBR or District and designated in Appendix A)

1. All waste water must have pipe inlets provided by landowners installed and maintained to District specifications
2. No raw sewage connections will be permitted nor drainage from corrals
3. Watering of livestock from drains must be applied for by written request from landowner and must conform to District requirements for maintenance of drains.
4. The District will maintain all drains unless by special arrangements agreed upon by the Board and landowners.
5. The right-of-way shall not be encroached upon by the landowner. The District shall have authority to maintain the right-of-way. Removal of any encroachments within the right-of-way will be at the expense of the landowner.
6. No fences shall be permitted on the right-of-way. If the landowner insists on placing a fence on the right-of-way, it shall be his responsibility to remove the fence at his expense when maintenance of the drain becomes necessary.
7. The District shall have the responsibility for maintaining those drains identified in Appendix A of the policy.

8. Weed control shall normally be the responsibility of the District. Weed control may also be performed by the landowner and any payment of claim for expenses incurred by the landowner must have prior Board approval.

OPEN DRAINS (Private Construction)

1. No maintenance of private drains will be performed by the District. The Board may agree to assist on a mutual program of O&M on an annual basis only by prior request of the landowner submitted to the Board and agreed to in writing.

CLOSED DRAINS (Constructed by USBR or District and designated in Appendix A)

1. Maintenance will be performed by the District.
2. Manholes must be maintained as installed, in particular those located on an angle point or junction of two drains. Manholes in fields may be lowered upon approval only of the District and then only after the fourth irrigation season.
3. No sewage or effluent connections may be made into tile drains.

CLOSED DRAINS (Private Construction)

1. No maintenance of closed drains will be performed by the Districts. The Board may agree to assist on a mutual program of O&M on an annual basis only by prior request of the landowner submitted to the Board and agreed to in writing.

NATURAL DRAINS

1. The District is not responsible for weed control along the natural drains. The landowners must take care of their own weeds along these drains.

O&M ROADS

1. The United States requires complete, unobstructed access to all canals, lateral and drains operated by it or operated by the District under contract. These roads are not maintained for public access, however, the landowner or lessee in their day-to-day operation required for farming, may use them. No person may place a permanent obstruction across any O&M road. Cattleguards may be used and placed, under the direction of the manager. The District will not assume responsibility for repair or maintenance cleaning of the cattleguard. The landowner requesting, using and/or placing the cattleguard is responsible for any and all repairs, maintenance, cleaning or replacing of said cattleguard.

- 2 From and after the date when water is turned into the canals and laterals each spring, and until the water is turned out in the fall all right of ways for canals and laterals shall be kept free and clear of all gates and bars. Any gates, fences or other obstructions to the free and unobstructed use of such rights of way during the irrigation season shall be an unauthorized obstruction and may be summarily removed by the district, its agents or employees, or at its option, the district may suspend the delivery of water to any person who may construct or maintain such gate or bar, and upon any land which gate or bar is erected until such obstruction is removed.
3. If cattleguards are not passable, the landowner will be notified by the District and given 10 days to correct the problem. If no action is taken by the landowner, the cattleguard will be fixed by the District at the landowners expense.

BRIDGES AND CROSSINGS

- 1 The landowner(s) will be permitted, subject to approval of the United States and the District, to place bridges over the canals, laterals, and waste ditches, including culverts, if no access is within a ½ mile. Any such requests must be submitted in writing to the District Manager and a Special Use Permit will be granted for no longer that 5 years and for no less than \$25 00. The special use permit must be requested every 5 years.
- 2 All installations must be done by a contractor approved by the District or the District itself, at the landowners expense. The responsibility for maintenance or replacement shall belong to the landowner(s). The Deaver Irrigation District assumes no liabilities, whatsoever.
- 3 No permanent structures may be placed on the right of way easement of any district canal, lateral or drain, either open or closed. Further, no trees or bushes may be planted on these right of ways. Any trees outside of the right of way, whose root system grows through the right of way and into any District facility that has the potential to create damage, must be removed or controlled at the landowner's expense. In the event a request is made by the District for removal or control, and the landowner fails or refuses to take the appropriate action within a reasonable time, then the District may come in and do the removal or control at the landowner's expense.

CUSTOM HIRE REQUESTS

1. All requests from District landowners for non-District related work to be conducted by District employees with District equipment shall be submitted to the manager. The manager will make a determination that the requested work is consistent with the Board's objectives and that the work has either direct or indirect benefits to the District. The manager or his/her designee will then make a site visit and prepare a work order for review by the landowner. The work order must be signed by the manager and the landowner prior to commencement of the work. The work order will serve as a contract

between the landowner and the District for the work to be performed and to ensure payment.

2. All payments for custom hire will be due by the 10th of the month. Interest will accrue on all accounts over 30 days at a rate of 1 1/2%. In the event that payment is not made, and the District is forced to turn this over for collection, the landowner will be responsible for all costs and expenses of collection, including reasonable attorney fees.

PUMP PERMITS

1. All return flow (i.e. waste water, subsurface closed drains and open drains) is claimed for use by the United States until it leaves the project boundary. The District, by virtue of its repayment contract, has assumed this same right and, therefore, must provide rules and regulations regarding its use
2. All water, other than that delivered by District employees which is taken from a canal, lateral or drain (open or closed), by pumping or any other method of diversion, shall have a permit issued annually by the District.
3. A permit provides the district a record of pump installations being used each year. Installations can not interfere with normal District operation.
4. Where there is an existing water right on pumps for yards, there is no charge for water providing the pump does not have a suction line greater than 1 1/2" inside diameter

CROSSINGS (Bridges, CMP, Flumes)

1. All bridges, pipe crossings, etc. into farmsteads shall be the responsibility of the landowner to maintain after initial construction or R&B programs have been completed
2. Access crossings, when permitted by the Board, shall be constructed and maintained by the landowner according to specifications approved by the District. Approval of the District must be obtained before any crossing over the irrigation and drainage system shall be constructed. The District will limit the number of crossings permitted.
3. District drain crossings shall be maintained by the landowner, unless constructed by the District for District purposes.
4. Flumes for individual farm use used to convey water over ditches or drains which bisect the farm shall be maintained by the landowner.
5. Any crossing within a farm unit that is used daily by the District in performance of O&M work will jointly be maintained with the landowner. Occasional use shall not be considered as a joint responsibility.

6. County Roads - All crossings after initial construction will be maintained by the County insofar as District irrigation and drainage systems are involved.

PAYMENT OF ASSESSMENTS

1. All assessments levied by the District for operation, maintenance and repayment of capital construction costs shall follow state statutes set forth governing collection of county taxes. The District shall be reimbursed by the landowner for any legal fees required in the collection of assessments.
2. No water shall be delivered to any landowner, renter or operator to any farm unit when payments are delinquent.
3. Irrigation taxes and Assessments by the Deaver Irrigation District for each year are due and payable at the District Office. These may be paid in two installments First half delinquent November 10th and second half delinquent May 10th Interest and penalty is 18% per annum starting 15 days from date of delinquency. All can be paid on or before December 31st without penalty. 15 day grace period does not apply. NO WATER WILL BE DELIVERED IF AN ASSESSMENT IS DELINQUENT THIS APPLIES TO O&M, CONSTRUCTION, R&B AND WATER SERVICE CONTRACTS.

PAYMENT OF ACCOUNTS RECEIVABLE

1. Work done for water users shall be billed on the 25th of each month. On past due bills, the account shall be turned over to our attorney for collection after it is 90 days past due. The 90 day past due notice shall state that the water user has ten (10) days in which to pay the account before legal action is taken. Collection fees shall be added onto the delinquent bill. No water shall be delivered to any landowner, renter or operator of any land when payments are delinquent. Custom hire can not be done for any non-landowner within the District.

UTILITIES ON DISTRICT RIGHT-OF-WAYS

1. District distributaries within the county road dedication have prior right-of-way. Any utility constructed in District right-of-ways without written consent approved by the Board must assume any and all costs involved when the district performs operation, maintenance or rehabilitation within the District right-of-way.
2. All utilities crossings of District rights-of-way must have written consent approved by the Boards.
3. Outside contractors, who cross District rights-of-way will have to purchase a \$100 permit and \$50 inspection permit and a performance bond will be required. These fees will be waived if the work is done by the District, the County or the City. The performance bond

will vary depending upon the scope of work required. The minimum will be a \$500 bond.

4. Utility crossings or other crossing under the canal, drain, lateral etc., will need to have a detailed drawing showing elevations and measurement from a permanent control point, and filed with Wyoming One Call and the District.

RIGHT OF WAY EASEMENTS

1. Since the District was established, a right of way easement has been retained along all District facilities for the operation and maintenance of said facilities. These easements are located on private property and therefore these roads or easements are not for public access. The District will not be liable for any public use of these roads or easements. It is the landowner's responsibility to protect themselves from third party access.
2. The 1890 Canal Act states that the right of way easement will be whatever is needed for the operation and maintenance of the canal, lateral, drain, etc. In the event a landowner or the District requires a meets and bounds description of the right of way, the right of way will extend 75 feet on either side of the high water mark of any open canal, lateral or other District conveyance or 75 feet either side of the centerline of any buried conveyance.
3. Persons desiring to conduct any activities within District easements must contact the District for a permit before building any structures, such as buildings, roads, fences, ditches or anything else adjacent to or across these right of way easements.
4. When the district office is notified of an intent to construct any of the above, along or across the right of way easement, a representative of the District will meet with the permittee on the site and decide as to the width of the easement necessary for the operation and maintenance of that particular structure. In the case of crossings, District personnel will help the applicant prepare a request for a permit to be submitted to the Board for approval.
5. Any fences crossing waterways, delivery or drainage on the Project, must be constructed in such a manner so that they will not interfere with the flow of the water or with the operation and maintenance of the system.
6. More specifically, and without limitation, no object shall extend below the high watermark of waterways which will impede the flow of water, without a prior written permit from the District. Devices used to prevent livestock from passing through the ditch and under the fence during winter months shall be removed before flushing is commenced by the district each spring. Use of these devices shall not be allowed during the irrigation season. The District will remove them if they remain after commencement of spring flushing and cleaning of the ditches.

7. Gates across Operation and Maintenance roads will remain open during the irrigation season. This season runs from approximately from April 1st through October 15th. Gates across O&M roads will be removed at the landowner's expense. Gates can be placed on O&M roads at the end of the irrigation season but arrangements must be made with the District to provide access if the gates are to be locked. Cattleguards will be allowed across said roads, if they meet District specifications and have been properly permitted. Cattleguards may be purchased by the landowner and installed at the District's expense but maintenance of the cattleguard will be at the landowner's expense.
8. All existing fences along right of ways that are interfering with the operation and maintenance of the waterways, shall be removed by the landowner or by the district, at the landowner's expense.
9. No permanent structures may be placed on right of way easement of any District canal, lateral or drain, either open or closed. Further, no trees or bushes may be planted on these right of ways. Any trees outside of the right of way, whose root system grows through the right of way and into any District facility, must be removed or controlled at the landowner's expense.
10. As per previous Solicitor's opinions through the Bureau of Reclamation, title to any structures allowed under this section (bridges, pipeline crossings, etc) will be held by the permittee and will not under any circumstance be held by the Deaver Irrigation District.

STOCK WATER

1. This policy does not affect the normal running water in open drains. It is set forth to prohibit diverting water into a system which would not normally run water during the off irrigation season. Livestock watered out of District facilities are doing such at the owners risk. No liability is assumed by the District
2. All parties that use District facilities to water livestock and whose stock causes damage to said facilities shall be billed for repairs to the facilities.
3. The District encourages stock ponds for watering of livestock rather than having a stock stream. The continuous running of water down a lateral to provide stock water results in higher maintenance cost for the district and is injurious to landowners on the lateral. Therefore the District will build stock ponds at District expense for those landowners who request water for livestock. These ponds can be filled during normal irrigation schedules. The District will assist in the design of the stock pond.

WATER CARDS

- 1 Forty eight (48) hours in advance is required for ordering water on.

2. Twenty four (24) hours in advance is required for ordering water off.
3. If your card is not in the box when the ditch rider goes by, the card will not count for that day.
4. Cards submitted with incomplete information will not be honored.

EROSION OF DISTRICT FACILITIES

1. It will be the responsibility of the landowner and/or water user to prevent any erosion of canals, laterals, waste and/or drain/ditches, whether caused by livestock or waste water being returned to said facilities. Landowners will be required to install pipes or chutes, at their cost where flows have damaged the system and the cost of any reconstruction due to livestock damaging the facilities. If any landowner does not take immediate action to remedy the problem the District will perform the work and charge the landowner accordingly.

WASTING OF WATER

1. The wasting of water will not be permitted. Any water user(s) wasting water will be notified and given eight (8) hours to rectify the situation or they shall have their delivery terminated for a period of not less the seventy-two (72) hours.
2. For the purposes of this policy wasting of water will be defined as using or allowing the use of water for other than it's intended purpose, failure to apply water in a prudent and reasonable manner or allowing the water to cause unnecessary harm to adjacent lands, improvements, facilities or personal property.
3. Water that is delivered to any water user(s) must be handled and cared for by the user(s). Liability for damages to other users and the property of the United States will be the sole responsibility of the individual, not properly handling or using the water delivered.

SUBDIVISIONS

1. The term "subdivision" as used in this section refers to the sale or transfer of less than all of the lands under an existing farm turn out and/or defined by county planning and zoning as a subdivision, resulting in the divided portions of the irrigated lands being owned by more than one person. Due to the disproportionate cost of administration, operation and maintenance that subdivisions have on the district, **the Deaver Irrigation**

District will no longer provide nor allow additional turn outs when land is being subdivided.

2. Minimum annual assessment. The minimum annual assessment for current expense of the district for landowners holding less than 35 total acres, and/or platted with the county as a subdivision, shall be their regular O&M assessment, together with an additional \$30.00 per year per water user. Payment of such minimum charge shall entitle the landowner to base allotment of water as set by the Board.
3. If the landowners in a subdivision elect a watermaster for that subdivision the District will reimburse the landowners the \$30 subdivision fee at the end of each water season. Any watermaster so elected is not an agent or employee of the District, and the District will not be responsible for the actions or inaction's of any such watermaster.
4. The watermaster will be the sole contact person with the District. He/she will submit all water cards for water on and off and will schedule water deliveries to the individual landowners within the subdivision. The watermaster will also insure the waste water from the subdivision is properly taken care of, returning it to the historical drain.
5. In the event District personnel have to enter into the subdivision to insure proper delivery or disposal of water to the individuals within the subdivision, the member of the subdivision will be billed \$10 each visit. This amount will be added onto the annual assessment or subtracted from the refundable subdivision fee to insure payment.
6. Any person or persons subdividing or selling off a parcel of a farm unit containing land with water rights shall provide the Irrigation District with a licensed surveyors plat containing rights-of-ways or easements for both irrigation water and return flows. This plat shall also list and define the irrigable land by land classes with the amount of irrigable acres for each class of land for each lot in the subdivision. All associated costs will be the responsibility of the subdivider.
7. The district will assist any existing subdivision or any person desiring to subdivide a farm unit to compute the irrigable acreage contained within each parcel thereof and the allocation of water to which each parcel is entitled, and for such service will make a reasonable charge equivalent to the cost incurred by the District for the time and personnel required. Upon request of any landowner, any engineer or surveyor employed by landowner will be allowed access to the irrigable area, records and plats of the district to make such determination, at the cost of the subdivider.
8. For all farm units which have heretofore been or are hereafter subdivided, the total irrigable acreage of the farm unit must be apportioned among the lots and parcels thereof, including the irrigable area portions dedicated to streets and roads. Unless the subdivider shall designate otherwise upon the plat of the subdivision, the total irrigable area of the subdivided lands shall be apportioned by the District pro-rata in proportion that the area of each individual lot or parcel is to the total irrigable area of the farm unit, and such lot

or parcel shall be assessed upon the basis of the number of irrigable acres as so determined. The total irrigable area of each farm unit assessed by the district shall not be reduced by reason of any portion thereof having been dedicated for use as a street, road or other non-agricultural area.

9. The District shall show upon its assessment roll, the name of the owner of each lot, tract and farm unit as appears of record in the office of the District. In the event of the sale, conveyance or transfer of any such lot, tract or parcel, the parties thereto, or one of them, is requested to provide to the District a certified copy or photocopy of the instrument of transfer, or to provide to the district by writing, signed by all parties involved, the names of the transferor, the name and address of the transferee and a description of the property involved. Unless such information is provided to the district, the District cannot be responsible for a proper mailing of notices of assessment, meeting, excess water usage and other matters relating to the operation of the District.
10. In the event that the Irrigation District and the subdivider agree, the subdivider will relinquish all water rights appurtenant to irrigated agricultural lands and will require that future landowners within the subdivision irrigate only from their own wells. If such rights are relinquished prior to the subdivision development, the District will so notify the Board of County Commissioners. This procedure will preclude any future use of water from the district's systems but would also eliminate any of the costs appurtenant thereto.
11. For parcels of land within a subdivision larger than 1.25 acres of irrigable land, this procedure may not be acceptable to the landowners. In that event, the following procedure will have to be followed:
 - a. The District shall continue to make deliveries, as in the past to the original farm unit turnout for the subdivided area and only in amounts required by the various classes of irrigable land. The standards for the irrigable land shall be those used by the Bureau of Reclamation.
 - b. Distribution within the subdivision, beyond the existing farm unit turnout, shall be implemented and controlled by a subdivision water users' association. This association (its representatives as authorized in its by-laws) shall be the sole entity to conduct business with the Irrigation District. All fees, charges and assessments owed to the district by the subdivision shall be paid by the association. Collection for the pro-rata share from individual landowners shall be the responsibility of the association. No water deliveries shall be made by the District until all outstanding debts of the association have been paid.
 - c. The rights-of-way and/or easements appurtenant to the District's irrigation facilities shall be clearly defined on the subdivision plat. Protective covenants to run with all lands shall protect such rights-of-way and/or easements from encroachment by any permanent structures, in perpetuity. Planting of larger shrubs and trees shall be considered as permanent structures and shall not be permitted within said easements or rights-of-way. Roads and other structures

constructed and maintained by the District for the express purpose of operating and maintaining its facilities shall not be used by any individuals except those specifically granted such right by the District.

- d. The District will provide whatever assistance it can for such purposes as describing rights-of-way for underground drains, laterals and canals and estimating costs to be levied by the District for the operation, maintenance, excess water, etc.
 - e. The District shall not be held liable for any damages done to structures or other property as the result of encroachment on the District's right-of way by landowners when such damage is the result of work required for the reasonable and prudent operation and maintenance of the District's facilities.
 - f. Disputes which arise within the subdivision concerning water matters that cannot be resolved by the association shall be referred to the Wyoming State Engineer's local representative. The District shall not become involved in the internal affairs of the association.
12. It shall be the policy of the Deaver Irrigation District when the landowner sells, transfers or conveys land which holds a water right, to a political subdivision, State or Federal Government, religious or charitable organization, that all charges or liens, matured or unmatured, for the irrigation system including the Reserve Works shall be satisfied in full prior to consummation of any sales, transfers or conveyances. In addition to payment of the obligations mentioned above, the Board shall require relinquishment of water rights by the landowner where change of use of the water rights for irrigation, livestock or domestic use is anticipated.

DIVERSION OF WATER ON IRRIGABLE LANDS

1. Each farm unit or parcel of land shall share on a pro-rata basis in delivery of water. The rate of delivery shall be computed on the following factors:
 - (a) District canal capacity ownership
 - (b) Appropriated water rights
 - (c) Storage rights
 - (d) Distribution losses
 - (e) Relationship of total irrigable area owned by landowner as it bears to the total irrigable acreage of the system.
 - (f) Safe operating practices
2. Grouping of irrigation heads will be permitted under the following condition:
 - (a) Lands must be under same ownership unless a rotation is mutually agreed upon by the District and landowners.
 - (b) That the rate of delivery for grouping of heads does not exceed the amount the individual farms or parcels would be entitled to under individual operation.

3. Beneficial Use shall be the basis, the measure and limit of the right to use water at all times and the Board shall maintain control of all appropriated and permit water, return flows, its use, distribution, priority and allied functions.

COST SHARING WITH LANDOWNERS

1. In cases where the landowner proposes to share in the cost of rehabilitating or relocating a lateral, drain, canal or other facility serving the District, the Board shall review each proposal on a case-by-case basis. If the proposal is approved by the Board, the Board shall set the minimum contribution by the landowner, based on the proportionate share of benefits to the landowner and the district. If District funds are available, then the district portion or share of the costs shall be charged to either operation and maintenance or rehabilitation and betterment programs. There shall be a written agreement executed by both parties before construction begins. All costs not paid by the District shall be the responsibility of the landowner.

POOLING AGREEMENTS

1. At the discretion of the Board, pooling agreements for the rehabilitation of existing District facilities may be made with any person(s) owning irrigated lands within the District. These agreements may also cover routing operation and maintenance of facilities. These agreements will be made in writing and filed with the District and at the County Courthouse before any work begins.

EMERGENCIES

1. All landowners and/or water users are fully expected to cooperate with the district in the event of a declared emergency, involving the irrigation facilities. When in the opinion of the Board or the Manager, an emergency situation exists that threatens any portion of the facilities or threatens human lives, the system may be de-watered to whatever extent necessary to correct the situation. The cooperation of every person is needed and expected in an emergency.

RECLASSIFICATION

1. The United States must approve all changes in land classification, whether being brought in or taken out.
2. Any acreage changes involving irrigated (righted lands) ground may be requested in any year, however, reclassification of irrigated lands can only be done when sufficient requests have been made that the costs involved can be equitable distributed to various parties (approximately once every five years).
3. Requests for reclassification on lands must be submitted to the Board in writing for approval. If approved, such requests will then be forwarded to the Bureau of Reclamation for further action.

OWNERSHIP OF WATER

1. All water diverted is the property of the State of Wyoming, and is subject to diversion and use by the District. No landowner or other consumer acquires any proprietary right in the water by reason of such use, nor does such landowner or consumer acquire any right to re-sell the water or use it for purposes other than irrigation.
2. All persons intercepting, using or impounding water controlled by the District will be charged for such water at the rates established by the District, irrespective of whether the water is diverted from a conduit or taken from or impounded in a natural channel or drain, or whether it is waste, spill, seepage, runoff or other waste.

CONDITION OF PRIVATE CONVEYANCE SYSTEMS

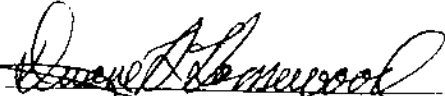
1. The owner, user, or landowner is responsible for the costs of all repairs, maintenance and/or replacement of all private conduits, ditches, etc., unless otherwise agreed to in writing by the District.
2. All private conduits and ditches must be kept free from weeds, silt, trash or other obstructions and shall be of sufficient capacity and properly constructed and maintained to carry the flow of water requested, without danger of overflow, leaks or undue seepage.
3. The Manager may shut off the delivery of water to any private conveyance not meeting the above requirements, and require them to be cleaned, repaired or reconstructed before water is returned into them. Failure to comply with the order of the Manager shall relieve the District of any liability on its part.

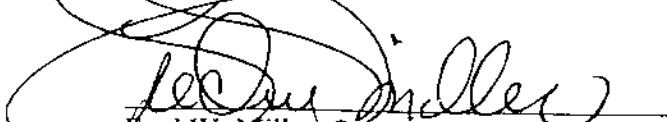
COMPLAINTS - All complaints should be made immediately to the manager or the District office.

APPEALS

All decisions of the Board are subject to appeal. All appeals of the Board decisions shall be made in writing within 30 days. The Board will hear the appeal at their next regularly scheduled meeting following receipt of the appeal. Upon hearing the appeal, the Board will respond in writing to the appellant within 60 days notifying them of their decision. All decisions subsequent to the appeal will be final.

THIS IS YOUR PROJECT - The operation and delivery of water depends upon your cooperation.


Duane H. Homewood, President


Fred W. Miller, Secretary

Robert H. Goodwill, Vice President


Nick Wambeke, Member

Chester L. Zwemer, Member

FILE DATE: 01/11/2000 FILE TIME: 09:06
PARK COUNTY, WY, KAREN CARTER - COUNTY CLERK

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