

**NORTH UNIT IRRIGATION DISTRICT
JEFFERSON COUNTY, OREGON
ORDINANCE NO. 2010-03**

An Ordinance regarding North Unit Irrigation District water delivery to users who share a common head gate or delivery.

Recitals:

The Board of Directors of the North Unit Irrigation District (NUID), Jefferson County, Oregon, has determined that certain requirements and standards concerning water delivery should be enacted to water users who share a common head gate or delivery.

Findings:

The Board of Directors has determined that it is impractical and costly to deliver water individually and to individually bill each landowner who shares a common head gate or delivery. Therefore, where there is an established delivery to multiple water users who share a common head gate or delivery; it will be the policy of NUID to encourage these water users to create a corporation or other legal organization or entity which will be solely responsible for delivery of water to the land owners who share a common head gate. It shall be the policy of NUID to discourage any further establishment of common head gates for multiple users, excepting in those situations in which use of a common head gate for delivery to multiple water users is the practical method to deliver water to the water users.

NOW THEREFORE, be it resolved by the Board of Directors of the North Unit Irrigation District as follows:

1. Any water users who share a common head gate or delivery are encouraged to establish a corporation or other legal organization or entity which will be solely responsible for delivery of water to the land owners who share a common head gate.
2. All water users who share a common head gate shall agree to and be a part of said corporation or other legal organization or entity. The written consents of all of these landowners who agree to be a part of said corporation or other legal organization or entity shall also include that they are subject to the terms of this ordinance. These consents shall be provided to NUID prior to NUID charging only one account fee to the corporation or other legal organization or entity. Until all of the water users who share a common head gate agree and the consents have been provided to NUID, NUID may continue to bill an account charge to each individual water user who uses the common head gate.
3. The corporation or other legal organization or entity will be responsible in conjunction with NUID for determining the one point for delivery of water. Said legal organization or entity will then be responsible for distributing the water to its members, shareholders or land owners, to those who share a common head gate. Furthermore, that entity shall be responsible for collecting the irrigation water charges of NUID from its members,

shareholders and land owners who share the common head gate. NUID may charge a legal organization or entity the entire charges for all of the water rights for the lands of the water users who share this common head gate. However, NUID may place a lien against the individual land owner who does not pay his/her/its charges to the entity or organization, or may file a lien against the entire lands of those water users who share a common head gate, if the entire amount has not been paid by the corporation or other legal organization or entity on the entire property where the water rights are located for those water users who share this common head gate.

This ordinance shall take effect immediately upon its adoption by the Board of Directors.

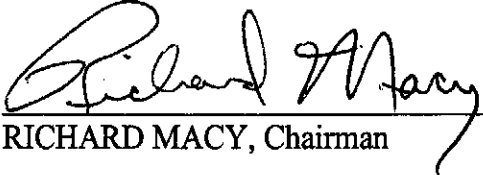
Adopted by the Board of Directors of North Unit Irrigation District at a regular meeting held on the 16th day of March, 2010, by the following votes:

AYES: 5

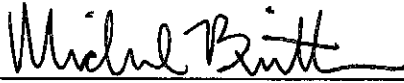
NAYS: 0

ABSENT: 0

Approved this 16th day of March, 2010.


RICHARD MACY, Chairman

ATTEST:


MICHAEL BRITTON, Secretary/Manager