

**NORTH UNIT IRRIGATION DISTRICT
JEFFERSON COUNTY, OREGON
ORDINANCE NO. 2006-08**

An Ordinance regarding North Unit Irrigation District water rights in new partitions and subdivisions.

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 in newly created partitions and subdivisions that have North Unit Irrigation District water rights and that have lots or parcels of five acres or less in size.

Findings:

The Board of Directors has determined that it is impractical and costly to deliver water individually to small landowners within subdivisions and partitions. Therefore, where newly created partitions and subdivisions have NUID water rights that create a lot or parcel of five acres or less, NUID should require these landowners to either transfer the water rights to existing parcels that have NUID water rights that are outside of the newly created partition or subdivision; or transfer the water rights to parcel(s) within NUID, subject to Ordinance No. 06-06 and Ordinance No. 06-07; or create a corporation or other legal entity or organization which will be solely responsible for delivery of water to the landowners within the subdivision or multiple parcels created by a partition that create within the new subdivision or partition a parcel of five acres or less. Delivery of irrigation water from NUID to the entire subdivision or parcel shall be to only one point of delivery.

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

1. Any newly created subdivision or partition that creates a parcel or lot of five acres or less, shall either transfer the water rights to other parcels outside of the newly created subdivision or partition to parcel(s) that have at that time NUID water rights; or
2. Transfer the water rights to parcel(s) within NUID shall be subject to Ordinance No. 06-06 and Ordinance No. 06-07; or
3. Create a corporation or other legal organization or entity that in conjunction with NUID will be responsible for determining the one point for delivery of water to its newly created subdivision or partition from NUID's canal system. Thereafter, said legal organization or entity will then be responsible for distributing the water to its members, shareholders, or landowners within the subdivision or partition; and the entity shall be responsible for collecting the irrigation water charges of NUID from its members, shareholders, or landowners within the newly created subdivision or partition. NUID may charge the legal organization or entity the entire charges for the water rights located within the newly created subdivision or partition. However, NUID may place a lien against the individual landowner

who does not pay his/her/its charges to the entity or organization or may file a lien against the entire newly created subdivision or partition 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.

4. Nothing in this ordinance shall diminish NUID's rights under ORS 545.101. NUID hereby adopts the provisions of ORS 545.101 in effect both at the time of execution of this ordinance and as it may be amended from time to time.
5. This ordinance replaces Ordinance No. 04-01.

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

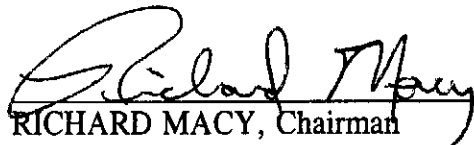
Adopted by the Board of Directors of North Unit Irrigation District at a regular meeting held on the 10TH day of OCTOBER, 2006, by the following votes:

AYES: 5

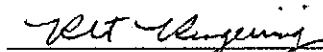
NAYS: - 0 -

ABSENT: - 0 -

Approved this 10TH day of OCTOBER, 2006.


RICHARD MACY, Chairman

ATTEST:


ROBERT RINGERING, Secretary-Manager