

**BY-LAWS  
OF  
THE SHOSHONE IRRIGATION DISTRICT  
(Amended May 13, 2003)**

Article I  
**NAME AND CONTROL**

Sec. 1. **Name.** The name of this corporation shall be The Shoshone Irrigation District.

Sec. 2. **Control.** It shall be managed and controlled by the board of five commissioners elected by the unit holders at the annual election, which board shall constitute the corporate authority of said District and shall exercise the functions conferred upon it by law.

Sec. 3. **Rules.** Meetings shall be governed by the current Roberts Rules of Order.

Sec. 4. **Rules.** Standing Rules of Order will apply for all order of business.

Article II

Sec. 1. **Annual Meetings.** The annual meeting of the unit holders of The Shoshone Irrigation District for the purpose of electing commissioners and for the transaction of such other business which may legally come before said meeting shall be held in the manner provided by the statutes of the State of Wyoming on or before the third Tuesday in February of each year at an hour and place within the boundary of the District fixed by the commissioners.

Sec. 2. **Notice.** Notice of said meeting shall be given as provided by the statutes of the State of Wyoming.

Sec. 3. **Special Meetings.** Special meetings of the unit holders may be called by the President or by the Board of Commissioners for the purposes and at the time and place as shall be specified in the notice thereof. Such meeting shall be conducted in the same manner provided for the annual meeting by the statutes of the State of Wyoming.

Sec. 4. **Notice of Special Meeting.** Notice stating the time, place, and purpose of a special meeting shall be given in the same manner as provided by statutes for the annual election.

Sec. 5. **Order of Business.** Standing Rules apply.

Sec. 6. **Nomination of Candidates for Commissioner.** Candidates for office of commissioner shall file, or there shall be filed for them with the Secretary of the Irrigation District, a petition signed by not less than five (5) qualified electors of the district from which the commissioner is to be elected and said petition must be filed at least ten (10) days before the election.

Article III  
**COMMISSIONERS**

Sec. 1. **Election and Tenure.** One commissioner shall be elected from each subdivision of the District as shown on the map of the District approved by the Court and on file in the Office of the Clerk of the District Court of Park County, Wyoming. All commissioners shall be elected for a term of three years and until their successors are elected and qualified. The term of a commissioner shall commence upon the reorganizational meeting following the annual meeting.

Sec. 2. **Removal and Vacancies.** If any commissioner shall be absent from six consecutive meetings of the Board of Commissioners of said District without being excused there from by a two-thirds vote of the entire board, his/her office shall be declared vacant. In the event of any vacancy in the office of commissioner through death, resignation, removal, or other cause such vacancy shall be filled by appointment by the remaining members of said board and such commissioner shall hold office for the un-expired term of such vacancy.

Sec. 3. **Meetings.** Regular monthly meetings of the Board of Commissioners shall be held at the office of the board in the Town of Powell, Wyoming, on or before the second Wednesday after the first Monday of each and every month or at such times as may from time to time be designated by the board.

Sec. 4. **Special Meetings.** Special meetings may be called at any time by the President of the Board, by giving notice thereof to each member, either by mail, by phone, or in person. Such notice shall be given either by the President of the Board or by the Secretary/Treasurer. Any three members of the Board of Commissioners may call a special meeting by giving notice to the other two members of the time and place thereof at least twenty-four hours in advance of the time of said meeting.

Sec. 5. **Quorum.** A quorum for the transaction of business shall consist of any three members of the Board of Commissioners. The vote of a majority of those present at a meeting at which a quorum is present shall be the act of the Board of Commissioners. A less number than a quorum may adjourn from time to time until a quorum is obtained. The attendance of all commissioners at a meeting shall be taken as a waiver of any and all notice thereof.

Sec. 6. **Order of Business.** Standing Rules apply.

Sec. 7. **Reorganizational Meeting.** Standing Rules apply.

Sec. 8. **Manner of Voting.** The manner of voting shall be decided by the President provided, however, that a roll call vote shall be taken and recorded in the minutes upon the request of any commissioner.

Sec. 9. **Committees.** The membership of all committees shall be approved by a majority vote of all members present.

#### Article IV **OFFICERS**

Sec. 1. **Number.** The officers of the board shall consist of a President, a Vice President, and a Secretary/Treasurer. The Secretary/Treasurer may or may not be a member of the board.

Sec. 2. **Election and Tenure.** The President and Vice President shall be elected annually at the first organization meeting held by the members of the newly elected board following their election. Each of said officers shall hold his/her office for a period of one year and until his/her successor is elected and qualified. The Secretary/Treasurer shall be appointed by the board to hold office at its pleasure.

Sec. 3. **Removal.** The President or Vice President shall be subject to removal by a three-fifths vote of the full membership of the Board of Commissioners for any misconduct or neglect of duty.

Sec. 4. **Vacancy.** In the event of the removal, death, resignation, or other vacancy in any of the said offices, the vacancy shall be filled by the Board of Commissioners at its next regular or special meeting for the un-expired term.

Sec. 5. **Duties of President.** The President shall preside at all meetings of the Board of Commissioners, shall sign all warrants or contracts authorized by the Board of Commissioners, and shall perform all other duties incident to the office of President.

Sec. 6. **Duties of Vice President.** In the absence of the President, the Vice President shall perform the duties of the President.

Sec.7. **Duties of Secretary/Treasurer.** The Secretary/-Treasurer shall be responsible to the Board of Commissioners for directing and executing the program of duties associated with that position. To keep a record of all the minutes and proceedings of the Board of Commissioners, to carry on the correspondence of said District, to keep and preserve all records and correspondence of said District, to keep the official seal of the District, to attest, sign, and affix the corporate seal of the District to all warrants and contracts authorized by the Board. To maintain proper records of all receipts and disbursements, prepare financial reports for the board meetings, maintain proper records pertaining to employees' pension plan and prepare the required tax reports. To cause assessments to be levied and maintain proper records of assessments and assessable acreages. Prepare annual financial reports (by working with competent auditing firm), and to provide financial reports and other information that will assist the management in administering programs of the districts. To do all things necessary and incident to the secretarial work of the Board of Commissioners, to keep all warrants drawn upon the same, signed by authorized personnel and to give bond in such amount as shall be required by the Board of Commissioners. The books of the Secretary/Treasurer shall be opened for inspection by the Board of Commissioners at any and all times and said books shall be kept in such form as may from time to time be prescribed by the Board of Commissioners.

Article V  
**CORPORATE SEAL**

Sec. 1. The corporate seal of the District shall be circular in form with the words "The Shoshone Irrigation District, Park County, Wyoming" surrounding the word "Seal."

Article VI  
**AMENDMENTS**

Sec. 1. These by-laws may be altered or amended at any regular meeting of the Board of Commissioners by an affirmative vote of at least four members of the board, provided that notice of the proposed amendment or amendments shall, in all cases, be given at a meeting of the Board of Commissioners at least ten days prior to the time that final action is taken thereon.

Article VII  
**ENACTING CLAUSE**

Sec. 1. **Amendment.** All previous by-laws are hereby amended to read as herein provided and all by-laws; rules and regulations in conflict herewith are hereby repealed.

Sec. 2. **Effective Date.** These by-laws shall take effect and be in force from and after their adoption by the Board of Commissioners.

PASSED AND ADOPTED this 13 day of May, 2003.

Rick Harrison  
Rick Harrison, President

ATTEST:

Lora L. Nordland  
Lora Nordland, Secretary/Treasurer



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PARK COUNTY, CODY, WY  
KAREN CARTER, COUNTY CLERK

REC \$0.00

08/06/2003  
02:01:00PM

#2003-7324  
4 OF 4

STATE OF WYOMING            )  
  ) ss  
COUNTY OF PARK            )

On this 13 day of May, 2003, before me personally appeared Rick Harrison, to me personally known, who, being by me duly sworn, did say that he is the President of the Shoshone Irrigation District, a Public Corporation organized and existing under and by virtue of the laws of the State of Wyoming, and having its principal place of business in the County of Park, and that the seal affixed to the above and foregoing Board Policies, Rules and Regulations of said Irrigation District is the corporate seal of said public corporation, and that said Board Policies, Rules and Regulations were signed and sealed on behalf of said public corporation by authority of its Board of Commissioners and said Rick Harrison acknowledged that such Board Policies, Rules and Regulations of the Shoshone Irrigation District are the free act and deed of said public corporation.

Given under my hand and notary seal this 13<sup>th</sup> day of May, 2003.



Lora L. Nordland  
Notary Public

My Commission Expires  
12/13/2004

## SHOSHONE IRRIGATION DISTRICT

Pursuant to W.S. §41-7-303, the following provisions repeal, amend, supplement, supersede and re-codify the Board Policies and Rules and Regulations of the Shoshone Irrigation District, as originally adopted on November 28, 1925, and subsequently amended and recorded:

### SHOSHONE IRRIGATION DISTRICT BOARD POLICIES

#### 1. FARM TURNOUTS

- A. The number of turnouts to a farm unit will be that number which existed at the time the farm unit was opened up to homesteading under the public notice for that farm unit. This is normally one farm turnout.
- B. 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 of Commissioners.
- C. On sub-divisions of farm units, (sub-division defined as a farm divided more than once) no additional turnouts will be allowed. The Board of Commissioners may at their discretion give consideration to a farm turnout request where a public notice farm unit is divided in parcels of not less than 50 acres. If approval is given for an additional turnout, the landowner requesting the turnout must pay all costs for a control structure, turnout and measuring device. The District thereafter will maintain the structure.
- D. 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 are not part of District's responsibility.

#### 2. WEIR POOLS

- A. The District will normally accept the responsibility of keeping weir pools clean provided that the landowner does not allow livestock or other destructive farm operations 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 operations of the landowner has contributed to the problem.

#### 3. MEASURING DEVICES

- A. All measuring devices, which are approved by the Board of Commissioners acting through the management will be maintained by the District. All Cipolletti weirs must have weir blades and gages unless, by special determination, the management recommends that the blade should be removed.
- B. Cipolletti, rectangular and parshall flumes are the standard measuring devices acceptable to the District. Unless conditions otherwise determine, the above measuring devices shall be used to avoid supply and administrative problems.
- C. Where abnormal or unusual conditions exist (normally on a temporary basis) the rate of charge of delivery of water (amount) shall be that determined by the ditch rider. Abnormal conditions may include pump unit, pipe installations, etc.

4. **WASTE DITCH**

- A. A waste ditch shall be defined as a shallow surface drain whose primary purpose is to remove surface water from a farm or farms. The landowner shall have the responsibility for maintenance of a waste ditch from his/her farm unit until the point where it enters a main drain. This responsibility is the same whether it is a single or multiple farm waste ditch. On a multiple farm waste ditch, it is the responsibility of all landowners to maintain the entire length of the waste ditch to the point where it enters a main drain maintained by the District.

If the District cleans a multiple user farm waste ditch, each landowner shall be responsible for paying his/her proportionate share, based upon assessed acres, which drain into that ditch. The District will bill each landowner their proportionate share.

- B. Structures must be maintained by landowner or owners where surface wastewater is directed into a drain maintained by the District.
- C. Failure of landowners to maintain the waste ditch or structures shall be basis for the Board of Commissioners to withhold delivery of water until the waste ditch is properly maintained.

5. **OPEN DRAINS (CONSTRUCTED BY USBR OR DISTRICT)**

- A. All wastewater must have pipe inlets provided by landowners installed and maintained to District specifications.
- B. No raw sewage connections will be permitted nor drainage from corrals.
- C. Watering of livestock from drains must be applied for by written request from landowner and must conform to District requirements for maintenance of drains.
- D. The District will maintain all drains unless by special arrangements agreed upon by the Board of Commissioners and landowners.
- E. The right-of-way shall not be encroached upon by the landowner. The District shall have authority to maintain the right-of-way.
- F. 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/her responsibility to remove the fence at his/her expense when maintenance of the drain becomes necessary.
- G. District shall have the responsibility for maintaining the drain.
- H. Weed control shall normally be the responsibility of the District. Weed control may also be performed by the landowner and any claim for expenses involved by the landowner must have prior Board approval.

6. **OPEN DRAINS (PRIVATE CONSTRUCTION)**

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

7. **CLOSED DRAINS (CONSTRUCTED BY USBR OR DISTRICT)**

- A. Maintenance will be performed by the District.

- B. 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.
- C. No sewage or effluent connections may be made into tile drains.
- D. The right-of-way to maintain drains is a permanent right-of-way and maintenance of drains will be conducted to cause the least amount of interference or damage to the landowner which is economically practical.
- E. Where the water flow in closed drains is affected by root growth from trees, shrubs or other plants, it shall be the policy for the District to remove the root growth the first time. A letter will then be sent to the owner having trees or shrubs over the drains, stating that the District will assist the owners in removing these growths. Otherwise, if a return trip is required to again remove the roots, the cost will be allocated to the landowner.

8. **CLOSED DRAINS (PRIVATE CONSTRUCTION)**

- A. No maintenance of closed drains will be performed by the District. The Board may agree to assist on a mutual program on an annual basis only by prior request of the landowner to the Board.

9. **NATURAL DRAINS**

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

10. **CATTLE GUARDS AND FENCE REGULATIONS**

- A. Canal No fences will be permitted on rights-of-way . nor gates during irrigation season on O&M
- B. Lateral roads. The District shall not be liable for fences nor gates located on rights-of-way.
- C. Distributaries By special request and approval, temporary gates may be permitted on District rights-
- D. Drains way by the Board by issuance of a permit. No other gate or fence installation has any permitted right.
- E. ‘Johnson’ or other drive thru gates will not be used in place of a cattle guard. All cattle guards will be placed on concrete footing and shall be heavy enough to permit a minimum load of 15 tons to pass. The minimum width shall be 12 feet. A gate shall be provided by each cattle guard to permit heavy truck, equipment or other heavy loads to by-pass the cattle guard. Where possible, the gate should be adjacent to the canal. The District will provide free installation with the landowner providing the cattle guard and materials, per District policy.

11. **O&M ROADS**

- A. Maintenance of roads is the responsibility of the District.
- B. O&M roads are not public roads and any unauthorized persons using the roads are traveling at their own risk.

- C. Each canal, lateral and open drain shall have a right-of-way sufficient to maintain an O&M road. Where convenient and practical, county roads will be used as O&M roads.

12. **WATER RECORDS**

- A. It shall be the duty of the ditch rider to maintain standardized records and record accurate daily records of all water diversions. This will include canals, laterals, farm delivery, water rentals, end spills on laterals and wasteway spills.
- B. The District office shall maintain daily records on the items listed in 12-A.

13. **WATER SERVICE CONTRACTS**

- A. The rates for water service contracts shall be the current O&M charge per acre plus \$2.25 per acre with a minimum of \$50.00. Any class six land being irrigated must have a water service contract.
- B. "Commercial" water service contracts shall cost \$100.00 plus \$4.00 per acre foot of water used.
- C. (1) Lands with water rights  
Those lands having a water right but are still in public land or state ownership shall be assessed according to the area farmed. Any special structures required shall be at the expense of the landowner. Lands carrying water right shall be entitled to their proportionate share of water.
- (2) Lands without water rights  
Lands shall be entitled to surplus water only and surplus water shall be dependent upon availability of water within District water right allotment. All structures required shall be at the expense of the landowner.
- D. The determination of availability of surplus water shall be at the discretion of the Board, management and ditchrider. The Board of Commissioners shall maintain control of all water and its use, distribution priority and allied functions.
- E. When water is pumped from the lateral or canal for commercial use (such as oil wells, etc.), the charge shall be \$500.00 per oil well and, for other purposes, the charge shall be \$1.00 per 1,000 gallons.

14. **PUMP PERMITS**

- A. All return flow (i.e. waste water, sub-surface 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.
- B. 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. The charge for the permit shall be set by the Board.
- C. A permit provides the District a record of pump installations being used each year and the District can review the installation for safety; otherwise, installations improperly constructed could interfere with normal District operation.
- D. 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.



15. **CROSSINGS (BRIDGES, CMP, FLUMES)**

- A. 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.
- B. Access crossings, when permitted by the Board of Commissioners, shall be constructed and maintained by the landowner according to specifications approved by the District. Approval of the District must be obtained before any crossings over the irrigation and drainage system shall be constructed. The District will limit the number of crossings permitted.
- C. On approved drains, drain crossings which initially were constructed by the District, where the drain did not exist on the original unit and now bisect a farm, the District will provide the initial crossing and culvert. Thereafter, the crossing shall be maintained by the landowner.
- D. Flumes for individual farm use used to convey water over ditches or drains which bisect the farm shall be maintained by the landowner. (Water delivered to farm is considered to be farm irrigation water.)
- E. 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.
- F. County Roads – All crossings after initial construction will be maintained by the County insofar as District irrigation and drainage systems are involved.

16. **PAYMENT OF ASSESSMENTS**

- A. 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 the assessments.
- B. No water shall be delivered to any landowner, renter or operator of any land when payments are delinquent.

17. **PAYMENT OF ACCOUNTS RECEIVABLE**

- A. Work done for water users shall be billed on the 25<sup>th</sup> of each month. On past due bills, the account shall be turned over to the District's 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.

18. **O&M ACREAGE PAYOFF**

- A. Any acreage removed from the annual assessment roll will be charged \$1,000.00 per acre. These funds will be maintained by the District in a separate certificate of deposit and the interest earned annually shall be used for the current year's operation and maintenance charge.

19. **UTILITIES ON DISTRICT RIGHT-OF-WAY**

- A. District distributaries within the county road dedication have prior right-of-way. Any utility constructed in District rights-of-way without written consent approved by the Board of Commissioners must assume any and all costs involved when the District performs operation, maintenance or rehabilitation within the District right-of-way.

- B. All utilities crossings of District rights-of-way must have written consent approved by the Board of Commissioners.
- C. For outside contractors, who cross District rights-of-way will have to purchase a \$100.00 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.

20. **SUBDIVISIONS**

- A. The term “subdivision” as used in this section means the sale or transfer of less than all of a farm unit so that divided portions of a farm unit are owned by more than one person. The term “farm unit” means those farm units as described in Public Notice for Reclamation Homestead Entry as issued by the Bureau of Reclamation of the United States.
- B. Subdivider shall be required to complete the Water Plan Approval Form for Subdivisions, which may be obtained at the District Office. Subdivider shall select one of two options presented on the Shoshone Irrigation District’s Water Plan Approval Form for Subdivisions pursuant to WS §18-5-306(xi) and the Park County Planning and Zoning Rules and Regulations, and then follow more specific requirements outlined on the District’s Water Plan Approval Form. This form shall be completed by the subdivider and approved by the District Manager prior to the completion of the application with Park County Planning and Zoning Office.
- C. Minimum annual assessment - The minimum annual assessment for current expense of the District for landowners holding less than 30 irrigable acres shall be their regular O&M assessment, together with an additional \$25.00. Payment of such minimum charge shall entitle the landowner to base allotment of water set by the Board of Commissioners.
- D. 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-way 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 costs associated will be the responsibility of the subdivider.
- E. 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. 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.
- F. The District shall show upon its assessment roll, the name of the owner of each lot, tract and farm unit as appears on 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, meetings, excess water usage and other matters relating to the operation of the District.

- G. Distribution within the subdivision, beyond the original 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. The District shall not become involved in the internal affairs of the association.
- H. 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.
- I. 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.
- J. 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.
- K. It shall be the policy of the Shoshone 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 of Commissioners shall require detachment or transfer of water rights by the landowner where change of use of the water rights for irrigation, livestock or domestic use is anticipated.

21. **RIGHTS-OF-WAY**

- A. All rights-of-way for maintenance of canals, laterals, distributaries, and drains of all types shall be operative under conditions solely defined by the Board of Commissioners and by written permission only. Encroachment shall not be permitted and, if unauthorized encroachment occurs, the Board shall re-establish the right-of-way at the expense of the landowner.

## 22. STOCK WATER

- A. Use of canals, laterals, distributaries or drains as a source of stock water after the water is turned out of the system shall be permitted only until the system is de-watered for the season. This policy does not affect the normal running water in open drains but is set forth to prohibit diverting water into a system which would not normally run water during the off irrigation season. All stock watering during the irrigation season from the District irrigation and drainage system will be delivered at a minimum of ½ cfs and will be charged to the water user.

## 23. DIVERSION OF WATER ON IRRIGABLE LANDS

- A. 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:
1. District canal capacity ownership
  2. Appropriated water rights
  3. Storage rights
  4. Distribution losses
  5. Relationship of total irrigable area owned by landowner as it bears to the total irrigable acreage of the system.
  6. Safe operating practices
- B. Grouping of irrigation heads will be permitted under the following conditions:
1. Lands must be under same ownership unless a rotation is mutually agreed upon by the District and landowners.
  2. 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.
- C. Landowners who do not practice rotation of water but draw continuous head can demand only 80% of water delivered under normal rotation practices.
- D. Beneficial Use shall be the basis, the measure and limit of the right to use water at all times and the Board of Commissioners shall maintain control of all appropriated and permit water, return flows, its use, distribution, priority and allied functions.

## 24. COST SHARING WITH LANDOWNERS

- A. 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 of Commissioners shall review each proposal on a case-by-case basis. The approval of the Board shall consider the benefits to the District and Landowner. If the proposal is approved by the Board of Commissioners, the Board shall set the minimum contribution by the landowner, based on the portioning 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.

Approved and adopted this 14<sup>th</sup> day of January, 2009.



SHOSHONE IRRIGATION DISTRICT

By: Bill Cox  
Bill Cox, President

ATTEST:

Lora L. Nordland  
Lora L. Nordland, Secretary/Treasurer

STATE OF WYOMING )  
                                  ) ss  
COUNTY OF PARK )

On this 14<sup>th</sup> day of January, 2009, before me personally appeared Bill Cox, to me personally known, who, being by me duly sworn, did say that he is the President of the Shoshone Irrigation District, a Public Corporation organized and existing under and by virtue of the laws of the State of Wyoming, and having its principal place of business in the County of Park, and that the seal affixed to the above and foregoing Board Policies, Rules and Regulations of said Irrigation District is the corporate seal of said public corporation, and that said Board Policies, Rules and Regulations were signed and sealed on behalf of said public corporation by authority of its Board of Commissioners and said Bill Cox acknowledged that such Board Policies, Rules and Regulations of the Shoshone Irrigation District are the free act and deed of said public corporation.

Given under my hand and notary seal this 14<sup>th</sup> day of January, 2009.



Lora L. Nordland  
Notary Public

My Commission Expires  
12/13/2012