

ANALYSIS OF HB 1889

*House Agriculture & Ecology Committee
1997*

February 24,

BACKGROUND:

There are two different methods by which land may be added to the boundaries of an irrigation district. Under the first method, five or more property owners of land that is susceptible of irrigation by a district that comprises 200,000 or more acres, must file a petition with the district asking for its inclusion. The board of directors must hold a hearing on the petition, and publish notice of the hearing. Unless 50% of the holders of title to the lands object in writing to the inclusion of the land within the district, or the board of directors finds that the land is not susceptible of irrigation, the board enters an order adding the land to the district. The order must be filed with the county assessor.

Under the second method of adding land within the boundaries of an irrigation district, there is no minimum acreage requirement for the size of the district, but the land must be adjacent to the district. Holders of title to property representing one-half or more of the land adjacent to the boundaries of the district, which are contiguous, and when taken together constitute one tract of land may file a petition to the irrigation district asking for its inclusion within the district. The board of directors must hold a hearing on the petition, and publish notice of the hearing. The board may adjust the boundaries of the land to be included within the district. If the board finds that it is in the best interest of the district to add the land, it adopts a resolution approving the inclusion of the property within the district. The resolution is then submitted to the voters for their approval.

SUMMARY:

Under the method for including land within an irrigation district that comprises at least 200,000 acres, the minimum acreage requirement for the size of the district is deleted. The provision under the alternative method of adding property to an irrigation district, which authorizes adjacent property owners to submit a petition to the irrigation district requesting inclusion of the land within the district, is repealed. Any five or more property owners, therefore, of property susceptible of irrigation may file a petition to the irrigation district asking for inclusion of the property within the district.