

TUMALO IRRIGATION DISTRICT

C. DISTRICT RIGHTS

1. Right-of-Way: The District claims an easement for purposes of water transmission and maintenance in connection with all District waterways to include pipelines to the greatest extent provided by law. Identification of waterways, including piped section, shall be as represented by the map at the irrigation district office.
2. Access to Land: District employees shall have free access at all times to land irrigated from the delivery system for the purpose of examining the waterways, measurement and flow of water therein, and water use.
3. Maintenance: The District may remove all willows, brush and trees from the interior of all slopes of waterways without consultation with landowners. Debris may be left upon the easement, but as reasonably possible. Unless the continued safe delivery of water in the system is threatened, it is the policy of the District to attempt to inform the landowner of major maintenance outside of the interior slopes of waterways.
4. Fences: An interior fence across a waterway must have an unlocked and easily wire or rigid gate, provided by the landowner, leaving an opening not less than 16 feet wide (for equipment access), centered on the waterway. A fence along or upon a District right-of-way must be located not less than 10 feet from the nearest wet edge or beyond any roadway along the waterway.
5. Bridges and Pipes: Bridges and pipes over or under water ways are allowed only under written permit on record with the District. Permits may be issued by management upon approval of appropriate location and construction to maintain flow, minimize hazard of washouts, and involve the minimum burden to the District operation and maintenance of the waterway. It is the responsibility of the water user to systematically remove debris obstructed by addition of pipe or bridge.
6. Roads: Roads along District rights-of-way and roads used regular by the District in connection with operation and maintenance shall be maintained by the District and by the landowner in proportion to estimated frequency of use. They may not be obstructed by a locked gate except upon District approval.

At fenced property boundaries, road crossings shall, at the District's option, have a cattle guard installed and maintained by the District and the landowner in proportion to estimated frequency of use. They may not be obstructed by a locked gate except upon District approval.

7. Infraction: Except in the event of an emergency, or as provided in (3) above, the District shall give the landowner written notice of infractions of these rules and regulations and a reasonable time, not exceeding 30 days, within which to correct the infractions.

The landowner may make written request to the Board for an extension or for a variance, to be decided at the Board's next regular meeting.

If the infraction is not corrected within 30 days, the District may cease delivery of water to the property until the condition is corrected, may remove the condition at the expense of the user, and may take appropriate legal action.

8. Vegetation Management: The District may use approved chemicals along its waterways. Application shall be conducted according to applicable laws, rules, regulations, and instructions.
9. No Delivery: The District may refuse to deliver water to a user who refuses to comply with these rules and regulations.