

## Tualatin Valley Irrigation District

### Policies for Effective, Efficient and Harmonious District Operation

Updated January 13, 2004

#### OFFICE LOCATION AND HOURS:

The District office shall be open from 8:00 A.M. to 4:30 P.M. Monday through Friday of each week, excluding State and National holidays. A telephone answering machine is provided during non-office hours. Telephone (503) 357-3118. FAX (503) 359-9510.

#### OBJECTIVES:

The objectives of the Tualatin Valley Irrigation District are:

- A. To distribute water on a fair and equitable basis to each water user according to his right.
- B. To use the best methods of water management to assure efficient, economic operation and provide the best possible service to water users.
- C. To operate and maintain a system capable of storing and delivering water to users when needed.
- D. To encourage wise use and conservation of our water resources.

#### IRRIGATION SEASON:

Each year the Board of Directors shall determine the date on which water shall be available and likewise will determine the shutoff date. District personnel will begin to accept requests (orders) for water deliveries five days prior to the beginning of irrigation.

#### DISTRIBUTION OF IRRIGATION WATER:

Irrigation water is used primarily in the commercial production of agricultural crops. Irrigation water is not purified and is not to be used for household purposes. Irrigation water will be distributed equitably to all users on the basis of the number of irrigable acres, as classified on the land classification records of the district and in accordance with the district's contract with the Bureau of Reclamation and the laws of the State of Oregon.

#### POLICY REGARDING INTERRUPTIBLE WATER

Interruptible water acres are those assessed acres that are not being used in any one-year.

Contract and permit conditions are such that a maximum of 11,300 acres may be served on the pipeline, 5,700 acres of project water on the gravity system and 2,001.8 acres on the lower river or CWS. Prior to March first of any year all assessed water users will have mapped the acres that they intend to irrigate for that irrigation season. The difference between that number of acres and the total number of acres that can be served will be the interruptible acres that are available. This number will be available by March fifteenth.

Interruptible water charges will be set during the budget process each fall.

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All requests for interruptible water must be made by the landowner. The request shall be for a specific site and will include a legal description and section map showing the exact location to which the water will be applied. Interruptible water is not transferable. Interruptible water can be applied only to grounds inside the district boundaries which are classified as irrigable and for a beneficial use as defined by the Oregon Water Resources Department.

The method of distribution will be as follows: Acres will be allocated by pipeline and river. On the pipeline, requests for interruptible water will be accepted from March 1 through March 10 in lots not to exceed 20 acres of water rights each. A lottery will be conducted for any remaining acres again limited to lots of no more than 20 acres each. Should there be more acres requested in the first round than there are acres available, the amount requested would be diminished by the amount not available. If requests are less than the acres available on either the pipeline or the river, those one-year contracts will be let without further process. Once interruptible water has been awarded and billed the applicant is required to pay, or not be eligible for future requests, unless prior arrangements have been made and authorized by the board.

In the event that an overage occurs on an account that involves more interruptible than assessed acres the interruptible rate will apply.

Board Policy is to charge a minimum \$75.00 maintenance fee for each box with no assessed water attached when the acres served are less than 1.25 acres, in any one-year.

This policy is subject to review and amendment annually.

### SCHEDULE OF ASSESSMENTS AND COLLECTIONS

The final approval of the budget and assessments for the coming year is set at the regularly scheduled November board meeting. Assessments include moneys needed for operation and maintenance expenses and construction expenses. Construction expenses are set by contract with the Bureau of Reclamation. The first of fifty (50) annual payments was made on December 30, 1986, for river deliveries. This construction charge has been established at \$5.35 per acre. The first of fifty (50) annual payments for pipeline deliveries was made on December 30, 1989, and has been established at \$7.92 per acre. For all tracts less than 11.0 acres classified as suburban agriculture, the annual construction payment will be \$100.00 regardless of size or whether signed for river or pipeline service. The Board sets Operation and maintenance charges.

Water users are notified of assessments by November 30th of each year. Payment is due prior to March 1 of the following year. In accordance with ORS 545.496, interest will be charged at the rate of 1.333 percent per month, or fraction of a month, after March 1. Accounts are considered delinquent at April 1 and a notice of intent to lien is sent by certified mail. Accounts not paid by June 1 are subject to foreclosure. A progressive administrative fee is charged based on the cost of filing and removing the notice of lien. If foreclosure is necessary, all costs will also be added to the delinquent assessments.

**IT IS BOARD POLICY THAT NO WATER WILL BE DELIVERED UNTIL ALL MONEYS, INCLUDING INTEREST, DUE THE DISTRICT ARE PAID.**

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### WATER REQUESTS:

All requests for water to be turned "on," "off," or "changed" are to be made at least twenty-four (24) hours in advance by telephone to the District office where it will be received by a person or a telephone recorder. For members below Farmington Bridge, orders should be made at least forty-eight (48) hours in advance.

The procedure for ordering water is listed on a separate sheet in the back of this booklet. Each delivery is numbered and this number will be stenciled on the meter for river users and on the delivery structure for the pipeline. Please use this number when ordering water.

### WATER DELIVERY:

In a normal year, there will be enough water available to provide 1.5 acre feet for each of the 17,000 irrigable acres in the District that were signed up for Bureau of Reclamation Project Water Service.

The Tualatin Valley Irrigation District system was engineered to provide 6.1 G.P.M. for each acre to be served by a turnout at 55 p.s.i. at the sprinkler, normally located near the high point on the land signed up for water service. Anyone found using water exceeding these rates is subject to regulation within the Tampering and Misuse policy.

The District shall be under no duty, and shall not be held liable for failure to deliver water during the irrigation season when such failure occurs from a deficiency of water or from any other cause beyond the control of the District. When the demand for water exceeds the capacity of the system, the users will be placed on allotment and all interruptible lands shut off from water service.

### OVERAGE CHARGES

**User Entitlement:** Water user entitlement is calculated by totaling the assessed acres either leased or owned and adding any interruptible acres purchased during the Spring Mapping process. Those acres are mapped to a specific box or river meter. District staff reads turn-out box & river meters three times through out the irrigation season then uses those readings to verify usage at the end of the season. If a water user exceeds their entitlement of one acre foot per acre a charge is assessed.

#### **Overage Charges:**

The rate of \$22.08 is charged for overages that are less than half an acre foot over user entitlement.

Delivery of 1.5 acre feet per acre but less than 2 acre feet is charged the rate of \$33.12.

Delivery of 2 acre feet per acre over entitlement the charge is \$44.16.

*Additional penalties apply when delivery exceeds 2 acre feet per acre.*

#### **Interruptible Users:**

Users who irrigate with Interruptible Water Only are charged the current Interruptible rate for overages that are less than half an acre foot over user entitlement. Delivery of 1.5 acre feet per acre but less than 2 acre feet over entitlement is charged 1.5 times the current Interruptible rate. Delivery of 2 acre feet per acre over entitlement is billed at 2 times the current Interruptible rate..

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All costs for the additional water will be paid by the landowners involved. The District shall measure the water delivered to each turnout and keep individual turnout delivery records. The agents of the District shall read all irrigation meters at such times and frequency, as the District deems necessary. Statements of water used beyond one-acre foot per acre will be sent to each water user at the end of the irrigation season. Prior to delivery of water for any irrigation season, all delinquent charges must be paid including any penalties and interest which may have accrued, and the current year's charges.

### INSPECTION BY DISTRICT AGENTS:

The water user within the District shall not refuse, neglect or fail to afford any duly authorized agent or representative of the District free access at all reasonable hours to any parts of the premises supplied with water from the District's system for the purpose of reading meters and observing the manner in which water is used. Authorization of this section is provided for in Article XV of the By-Laws.

### OBSTRUCTION OF PIPELINE EASEMENTS:

No landowner or agent thereof shall plant, construct or erect, or cause to be planted, constructed or erected any tree, dwelling, outbuilding or other structure on or over any pipeline easement of the District. Any person violating this section shall be required to remove such tree, dwelling or other structure at his own cost and within reasonable time to enable the District to perform necessary maintenance or repair.

If, upon reasonable notice to the owner, such obstruction is not removed, the District shall make repairs as is necessary and shall incur no liability to the District for any damages sustained by such encroachments.

### VARIATIONS OF PIPELINE PRESSURE:

The water user may install a District approved booster pump to provide higher pressures. The booster pump must match the District designed delivery quantity and pressure which varies at different locations on the pipeline. The use of oversized sprinkler equipment is not approved. Anyone requesting and/or using higher pressure assumes all liability for any damage caused to the District's pipeline delivery system because of improper use of facilities.

### CROP REPORTING:

Annual crop reports are a part of the contract between the District and the United States Bureau of Reclamation, and will be taken each fall at the close of the irrigation season at a time proscribed by the district office. This report will include acres of each kind of crop on land serviced by water from the District. Refusal to give the necessary annual crop report will be determined a violation. Any beyond normal costs required of the District to obtain the annual crop information may be assessed the violator.

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### WEED CONTROL:

It is in the District's interest to control weeds within a reasonable area adjacent to turnout boxes, control valves and air valves. The District, at its discretion, will apply a soil sterilizing agent when and where necessary to an area approximately 30 inches wide immediately next to the above facilities. This work will be done at District expense.

### ADDRESS OF WATER USERS:

Each water user or owner of land within the District shall provide the District with their post office address to which all official communications including additional water charges and notices of meetings may be mailed. In case of change of address, the water user or owner of land should promptly notify the District of such change.

### CERTIFICATE OF SALE:

It is the responsibility of the landowner to notify the District of any sale or division of land, or any change in ownership within 30 days of the date of sale. This information as to tax lot number, section, township and range, and which acres are entitled to receive water. Certificate of Sale forms are available in the office for this purpose, and shall be filed with the District prior to the issuance of clearance to receive water delivery. Eligibility for subsequent delivery of any water to lands involved shall be contingent upon filing of said Certificate.

### RECLAMATION REFORM ACT OF 1982:

The Tualatin Valley Irrigation District is subject to the discretionary provisions of the Reclamation Reform Act of 1982 (RRA).

The RRA requires that all persons, organizations, religious organizations and Government Agencies which own and/or lease irrigable or irrigation land and which are subject to the discretionary provisions must certify or verify their land holdings annually. Tualatin Valley Irrigation District is subject to the discretionary provisions. The only exceptions are those who **own and/or lease** acreage totaling 240 acres or less. If your ownership or leasing arrangements change in some way you must notify the District, either verbally or in writing, within 15 days of the change and submit new certification forms within 30 days of that change. If your holdings do not change, you are required only to verify annually in writing in a form approved by the Secretary of the Interior that your most recently submitted certification form remains valid.

Leases are not required to be on file in the irrigation district office. The RRA requires that all leases must be written, for a period not to exceed ten (10) years except with written approval of the Bureau of Reclamation in regard to perennial crops, but in no case to exceed twenty-five (25) years. Further, the lease must be for a specified period of time, what payments are to be made and that the lessee will have use and possession of the land and assume the economic risk in the operation and management of the leased land. All landholders must make their leases available for inspection upon request. Failure to have a written lease constitutes noncompliance with the Reclamation Reform Act and subjects the non-compliant to Federal charges.

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All certification or verification forms must to be on file in the District office prior to delivery of water. Failure to comply will jeopardize the continued delivery of irrigation water and could subject the District to compensation charges. Those charges will be assessed to the landholder refusing or neglecting to comply with the Reclamation Reform Act of 1982.

# CERTIFICATE OF SALE

For Lands Lying Within the Boundaries of the Tualatin Valley Irrigation District

I/We \_\_\_\_\_  
Name and Mailing Address of Vendor (Seller)

And \_\_\_\_\_ Phone #: \_\_\_\_\_  
Name and Mailing Address of Vendee (Buyer)

We hereby Certify that we are the VENDOR and VENDEE respectively, of the following described

Real Property situated in \_\_\_\_\_ County & State.

Tax Lot \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Containing \_\_\_\_\_ Acres of irrigable land served by: Turn-out # \_\_\_\_\_

RiverMile# \_\_\_\_\_

WE FURTHER CERTIFY THAT:

1. This sale is evidenced by: (Please circle one)

Warranty Deed

Contract in Escrow

Secured Contract

2. As of the date of Sale, Vendee shall be the party responsible for payment of the Annual Irrigation Assessment and/or charges related to water delivery.

THIS AGREEMENT MADE AND ENTERED INTO THIS \_\_\_\_\_ DAY OF

MONTH \_\_\_\_\_, YEAR \_\_\_\_\_.

\_\_\_\_\_  
Signature of Vendor

\_\_\_\_\_  
Signatures:

\_\_\_\_\_  
Signature of Vendee

\_\_\_\_\_  
Signatures:

**PLEASE NOTE: Any person, Entity or Religious Organization that owns and or leases more than 240 acres in the Western United States or any Entity which benefits more than 25 people will need to contact the office to complete the Reclamation Reform Act forms. Please call: (503) 357-3118**

A Certificate of Sale is required to be filed with TVID for each sale of land within 30 days of the date of sale. Eligibility for subsequent delivery of any water to lands involved shall be contingent upon filing of said Certificate.

Tualatin Valley Irrigation District  
2330 Elm Street  
Forest Grove, OR 97116  
Voice (503) 357-3118

# Water Order Form

Fax# (503) 359-9510

Name of Grower	Date On	Date Off	Diversion	GPM or CFS	Acres	Crop

Meter Number	Reading	Date

Please fill in all the boxes and remember to order water 48 hours in advance.