

BOISE PROJECT BOARD OF CONTROL

OPERATING RULES

JANUARY 1, 2016

Rev 2/3/16

1. It will be the policy of the Board of Control to operate only to within one-half mile of the last farm unit. Recognizing that some waterusers might be penalized by limiting deliveries to within one-half mile of the last farm unit, the Board will make every effort economically feasible to make the deliveries as near the last unit as possible. (2-67) Water will be delivered only to the high point of the owner's ground. There may be exceptions in special cases. (2-67)
2. Where an ownership consisting of more than 20 acres and two means of watering the place must be provided, the limit for an additional tap and weir will be ten or more acres. Smaller tracts will rotate where possible.
3. Where a piece of land has been watered successfully a certain way, any changes necessary or structures required to bring the water from a different place must be paid for by the landowner and the structures be of a permanent type.
4. All new structures must be approved at the discretion of the Project Manager. (2-09)
5. The Board adopts the policy of installing pipe furnished by the wateruser to enclose open laterals. Waterusers may be given permission to install pipe to replace open ditches but must then also assume future maintenance costs associated thereto for a minimum of 5 years. (3-06) The Board and their Manager reserve the right to disapprove specific jobs because of lack of justification. No installation shall be made without prior approval from the Project Manager and the Board with a written agreement. (4-46, 12-54, 6-72, 2-00)
6. Waterusers installing unauthorized pipes and siphons in project canals and laterals is prohibited. (5-49) (2-13)
7. No water wheels will be allowed.
8. Subdivision of Land: New divisions of land are to pay in advance for all necessary structures to get water on the land. All subdivisions are to install permanent type structures. No structures will be set for subdivisions of less than 10 acres unless the Board approves. The Board will allow a separate tap for tracts of less than ten acres providing the requirements for such delivery do not add greatly to the project's responsibility and might increase the efficiency in the use of the water. The new wateruser will have the responsibility of any easements required beyond the weir. (2-67) The landowner will be required to sign an agreement with the Board of Control prior to any construction of a structure or pipeline. (2-96) (2-00) (2-14)
9. At the sole discretion of the Board, Community Laterals may only be taken over after they are placed in first class condition, to include an appropriate easement. Further requirements may include (but not limited to) taps, weirs, structures, tiling, maintenance road and/or fencing. (2-67)
10. Waterusers wishing to take advantage of canal bank pasturage will be expected to pay for materials for the construction of suitable cattleguards, except on county road lines. Canals designated in the rule are as follows: Main South Side, Mora, Waldvogel, Deerflat Lowline and the Golden Gate. (5-39) Where new fences are required by subdividing land, only gates which do not require operation will be permitted on ditch road easements except on the original property lines. (5-74)
11. All lands being subdivided along the upper side of the New York Canal should be informed of the projects right to a road easement along the canal whether or not the road does now exist. (3-48)
12. The Board shall continue their policy of taking care of only the projects easements in spraying of noxious weeds. (7-48)



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13. Flumes or inverted siphons across project canals will only be installed where they eliminate a necessary tap. (inverted siphons should generally replace flumes)
14. Private bridges, flumes or siphons are to be maintained by the landowner. Where a bridge, flume or siphon is installed by the landowner, a minimum clearance of one foot above maximum high water must be maintained, while one foot below standard ditch bottom grade must be maintained for siphons.
15. The Board agrees to accept the responsibility of the upkeep of individual flumes over, or siphons under our canals and laterals only where they have been installed to eliminate a tap or weir. (4-46)
16. Private bridges will only be installed upon approval of management. (2-13)
17. Joint costs will be the standard practice where the landowner and the project both have a use for a bridge. (4-46, 2-67)
18. The Board agrees to install the abutments for bridges requested over the larger canals and laterals, in landlocked property. (2-00)
19. No obstruction is to be allowed that will interfere with the free passage of water or to the operating force.
20. It will be the policy to measure a submerged weir without allowing for submergence where it is caused by the wateruser not cleaning his ditch.
21. No allowance is to be made for shortage of water when the ditchrider arrived at the headgate if shortage is caused by trash which could have been removed by the wateruser. Headgates that continually cause problems by clogging with trash should have a protective shield. Exceptional gates that stop off several times a day should be looked after by the Watermaster to see if the trouble can be corrected. (9-42, 2-09)
22. The Board ruled that all unauthorized encroachments on our easements that interfere with Project operations and maintenance be removed by landowner upon request or by Project forces with the cost being charged to the landowner. (5-72)

Amendment: Upon written request by the Board, the landowner must initiate sufficient action within seven (7) days to eliminate any unauthorized encroachment on Project rights-of-way that interfere with Project operation and maintenance. After seven (7) days and no satisfactory action has been taken, Project forces will at their first opportunity start clearing the area. (6-72) (2-15)

In order to protect the integrity of all Project facilities the Board will exercise the right to protect rights of way from encroachments, to the fullest extent permitted by law, including the right to occupy the full width of the land necessary to clean, maintain, and repair the ditch or canals or drains with equipment commonly used by the Project and other irrigation delivery entities. This includes maintaining the right to place debris from the canal, ditch, or drain on the banks. The Board will not authorize any encroachments which interfere with the Board's use and enjoyment of its right-of-way. (3-03-10) (2-15)

23. No wateruser shall be allowed to use water out of a government constructed drain without permission from the Project Manager and the Board.
24. In cases where waterusers are allowed to run their wastewater into our canals or laterals it is recommended that they be required to construct pickup ditches above such canals or laterals with adequate spill pipes or boxes where designated by the Project Manager, and where possible excavate a settling basin above such spillways. If any silt is carried into the canals or laterals the contributing wateruser shall be required to clean it out or pay for the Project expense of such cleaning. (6-46)
25. Responsibility of drainage of lands near the upper end of Lake Lowell are the particular districts' and not the Board of Controls'. (12-48)
26. The Board directs that the operation of the Isham Drain be taken over by the Project. (5-54)
27. The Project will only clean government and district drains that have a defined maintenance easement.

28. The Board will not accept any sewage effluent wastewater, or any other type of water discharge, into any active canal, lateral or drain of the project irrigation system. (11-75) (2-13)
29. Boise Project Board of Control will object to additional and/or polluted runoffs caused by change in land use; and will deny all applications for which the applicant does not submit an acceptable plan capable of regulating both the quantity and quality of runoff. In addition some organization or governmental entity must be responsible for the operation and maintenance in perpetuity. That when water quality standards are finally fixed, the Boise Project Board of Control will do everything within its power to regulate earlier established flows not only as to acceptable quality but volume as well. That in the setting of water quality standards, issuing permits, and supervising water clean-up action, the Environmental Protection Agency does recognize and establish guidelines and control over all individuals, corporations, organizations and entities responsible for discharge into the distribution and drainage system of the Project. (see resolution in Minutes dated 4-74) (2-00) (2-14 sentence deleted)
30. Policy adopted relative to the delivery of and charge for irrigation water to subdivision rotations. (see resolution in Minutes dated 05-74, and see "Policy" brochure) (2-00)
31. In any agreement made concerning the acceptance and handling of flood waters in the project system, the Board reserves the right of control and use regardless of the amount or intended use. (1-77)
32. The use of drainage, runoff, excess, seepage and similar waters from drainage ditches not maintained by the Project, may be used by the owners of the property through which such water flows, with no objection from the Board. However, the Board does not convey, nor shall such permission ever be construed as conveying any rights whatsoever in the water to the user. The Project does not agree nor guarantee to maintain the conditions giving rise to such drainage waters; pointing out that the Project at all times has a superior and paramount right of use of such waters, and that any users so using such water does acknowledge and agree to said rights of the Project along with the administrative authority of the pertinent irrigation districts. (4-77)
33. If a wateruser is caught stealing water, the watermaster should be notified immediately, and he in turn will notify the Project Manager. If the theft continues the Board will prosecute after the violator has been put on notice. The letter of the law will then be followed to deal with the violator. (5-77)
34. It shall be the policy of the Board that weirs or meters be installed for measurement of water for sprinkling systems operating from our canals and laterals. (7-49) All weirs will be physically measured rather than using fixed attached measurements. The attached measuring devices need to be periodically checked for accuracy. (2-08)
35. Approval was given for use of flow meters on sprinkler pump systems to obtain water measurement. (11-72)
36. The Board is obligated to deliver the best possible quality irrigation water attainable to its users but long term established operation and maintenance practices on the Project do not require delivery of clear water for sprinkler application. (6-76)
37. No deliveries or charges of water to any lands not having a water right will be made as this would be in violation of the Districts' contracts. No waterspreading allowed. (1-48, 5-48) (2-13)
38. Deleted. (2-13)
39. Deleted. (11-02)
40. Deleted. (2-00)
41. Deleted. (2-00)
42. No pumping directly from any Project canal or lateral shall be permitted at any time. No pumps or intake lines shall be permitted without prior approval of the Project. All water deliveries by the Project are on a 24 hour flow basis. Any pumping installation must be capable of accepting delivery on a 24 hour basis and an appropriate measuring device installed to permit accurate measurement of all water delivery. All pumps and pump intake lines installed which are not in compliance with the foregoing

rules will be removed and confiscated, provided, however that the landowner shall be given 5 days notice of the intention of the Project to remove and confiscate. Each pump should be equipped with an adequate switching device to protect the pump during periods when actual delivery is insufficient to meet the pumping capacity. (5-87) (3-10)

43. Delete. (3-97)

44. The base delivery was increased from 3.00 acre feet per acre to 3.50 acre feet per acre with a corresponding adjustment in the toll charge to place more dependence on the base charge and less on the excess. (9-68) The base delivery was increased from 3.50 acre feet per acre to 3.75 acre feet per acre to begin with the 1988 irrigation season. (9-87)

45. Toll charges must be paid before September 1 in order to receive the 3.75 acre feet allowance credit for the current delivery year. (12-48) If the toll charges are not paid by the landowner to the District by September 1, the unpaid lands may not be included in combination sheets for purposes of calculating excess charges. (2-16)

District instruction and contracts with the Bureau calls for no delivery of water to accounts not paid by the landowner and cleared for delivery by the District. (12-48) (2-16)

All assessments due to the districts must be paid before September 1st of each year in order to receive Anderson Ranch carryover water for that land in the next irrigation season. (9-01) Anderson carryover shall be calculated based on lands fully paid up as of September 1. To cure a delinquency in the account after September 1, so that the landowner can use Anderson Ranch carryover water in a succeeding water year, the landowner is charged all shrinkage in percentages set out in Rule 55 and, in addition, the landowner must pay a reinstatement charge equal to the excess water charge for each year that Anderson Ranch carryover water is carried forward. (2-16)

Deleted sentence. (2-13)

46. Excess charges shall be re-examined and set annually at the same time as setting of the toll charges.
47. Water to any serial number cannot be delivered in excess of 3.75 acre feet per acre per season, without the landowner's signature authorizing such delivery. All serials under any one landowner will be figured together at the end of the irrigation season; taking into account the serial numbers that have a credit as well as those in excess of 3.75 acre feet. Water use on leased lands will be calculated independently unless written authorization has been received by the Boise Project Board of Control. Such authorization must be signed by the lessee and lessor. All authorization of water transfers will have to be completed by the end of the irrigation season. Forms will be made for the waterusers. (5-85)
48. Deleted. (2-00)
49. Government rights lands receiving water through the Settlers Irrigation District's system will pay the same assessment as all other project lands per acre. Each year the Settlers are to be reimbursed by an amount equal to the current assessment per acre of the other lands in the district, multiplied by total government rights acres. (6-63)
50. The Board of Control will deliver Pioneer Irrigation District water to Pioneer District lands through the project system under individual special contracts. Contracts to set forth delivery, allowance credit and charges. (7-59)
51. Penitentiary Canal shall be assessed as set forth in the special contract. (3-49)
52. Permanent transfer of foreign water is not to be allowed. Transfers of this sort shall be on a year to year basis. (5-46)
53. To further identify temporary water transfers; the water right stays with the land; both the renter and owner must sign and agree to all terms before such transfer becomes binding. All transfers are to be examined for approval or denial by the irrigation districts. (5-77) Counsel advises that the courts have determined that there shall be no uses of water outside an irrigation district, unless all water demands

within that district are satisfied first, and only then such non-required water may be transferred elsewhere. (4-77) All transfers will originate in the parent irrigation district under their names with copies of those meeting district approval being transmitted to the Boise Office (Board of Control) for review and comment. The Watermaster's field offices will receive their instruction on transfers from the Boise Office only after examination and concurrence with the District. (5-78)

54. Water transfers will be revised to show the amount of Anderson carryover included in the transfer. The Anderson carryover water transferred cannot be carried over by the transferee. (10-87)
55. 100% Anderson carryover will be allowed the first year after Anderson Dam Reservoir fills. The balance of the carryover will be shrunk 20% per year for the next 2 years thereafter and then completely eliminated.

Anderson carryover will continue to be canceled during any year in which the Reservoir fills. Carryover will automatically reset at 100% the first year after each fill occurs.

In no case shall Anderson Carryover extend beyond the 3 year limits of this policy. (2-14 sentence deleted)

56. That any water delivered as supplemental water by the Boise Project shall be subject to the same transmission loss as Project waters. That any such waters shall only be delivered to the lands to which they are appurtenant as disclosed on the Department of Water Resources records and subject to canal system capacity and that the costs for delivery of such water shall be charged as excess water at such time as the wateruser has exhausted his normal Project allotment for that year. (5-87)

All foreign water delivered by the Project as supplemental water will be reduced by 50% for carriage loss and be charged at the excess rate. (9-88)

57. Procedure for permanent water transfers/inclusions. (5-95)

Applications will originate with the appropriate District.

Upon request, the Project Manager/Assistant Project Manager will provide verification of delivery and drainage accessibility.

Approval endorsements are always granted by the District.

58. The Board approved the agreement which had been executed by the Canyon County Commissioners for road right-of-way easements and operation in the Lake Lowell area. The agreement established the responsibility of maintenance and operation of roads on Project lands. (1-69)
59. The Board of Control goes on record as opposing the granting of any lease by the State of Idaho for dredging on the Boise River above Boise River Diversion Dam. (12-46)
60. Delete. (3-97)
61. Where the lessee has made improvements to the property or where his property joins the leased land he should be given some preference on the lease. (12-47)
62. The rental rates on new additions and new houses rented to employees and belonging to the project are to be set to pay out the cost in twenty-five years. (8-54)
63. Approval was given to locate an employee's trailer house on project property at the head of the Rawson with a rental charge made to reimburse cost of domestic well and sewage disposal system. (1-70)
64. Any sales of gravel or other fill material from project owned sites will be examined and approved by the Board on an individual basis.
65. The Bureau of Reclamation advised the Board that the Project had the right to install "No Trespassing" signs - signs were then authorized by the Board. (10-72)
66. Water sports groups and others shall be denied the use of the Lower Embankment area in the future which necessitates closing the road, because of the many complaints of the waterusers in that area. (6-52)

67. Water skiing is to be prohibited on all canals of the Project. (8-54)
68. The Board of Control does assume the maintenance of the diversion pipeline and ditch for the McKay property out of the Ten Mile Drain. (5-49)
69. Delete. (3-97)
70. Bounty of seventy-five cents be paid for each pocket gopher tail delivered at our Watermaster's offices. Gopher payments will be limited to 25 tails per week per claimant at 75 cents each. (6-87) Bounty increased to \$1.00 per tail effective 1-1-02. (11-01)
71. For payment of claims over the allotted 25 tails per week per person, a claim form must be signed by the trapper, landowner or renter and the camp clerk or watermaster. The form will be submitted to the Board of Control Boise Office for payment. (3-2-88)
72. The Board of Control concurred that three or four day Project inspections made annually would be desirable to keep abreast of project operation and future needs. (10-62) The Board agreed a two day inspection tour would be adequate.
73. Use of Project forces and/or equipment shall be restricted to our own facilities. Outside work for a landowner may be authorized by the Project Manager, but only in those cases in which private irrigation directly impacts Project facilities, with the landowner bearing the full cost.
74. The Board's policy will be in purchases of major equipment and vehicles that of requiring competitive bidding governed by appropriate specifications. Successful bidder will be determined by the Board after thorough examination of all bids. The Board reserves the right to refuse to accept any or all bids. Low bidder will receive first consideration if the bid is found to be in proper order. (4-59) Exceptions to open bidding are purchases less than \$25,000, and participation in GSA or similar bidding, a practice known as "piggybacking". (3-06)
75. Insurance on project buildings and valuable contents was approved and ordered. (9-67) All agents wishing to bid on Project insurance will have to acquire all the necessary information by June 15th of that year, or they will not be allowed to bid. All quotes must be submitted by August 1st of that year and a list of underwriters used by the agents for the quotes will have to be provided to the Board. (10-88)
76. The Board of Control shall have the services of an attorney available at all times. (8-48)
77. The Project Manager is given the authority to allocate the number of permanent and/or temporary employees based on need and budgetary discretion.
78. The Project Manager or Secretary-Treasurer is authorized to sign forms required by the State Retirement Office, documents relative to employment, and reports to State Insurance Fund. (8-72)
79. The Board approved an increase in the compensation of its directors from \$25.00/day to \$35.00/day and the meal allowance to \$5.00/day. (1-83, 6-85) The Board approved an increase in compensation of its directors to \$50.00/day. (1-90) The Board approved an increase in compensation of its directors to \$100.00/day. (12-93) The Board approved an increase in compensation of its directors to \$200.00/day and the meal allowance to \$10.00/day. (12-12) (2-13)
80. Each District Office, Directors and Attorneys of the District are to receive a copy of the minutes of the proceedings of the Board of Control. (11-72, 11-85)
81. Disclosure Rule: The following information shall be made available to the District's Landowners upon request:

Minutes of the Board; any matter contained in the Annual Report of the Project, but not the data used to assemble such; and any matters to be delivered to the U.S. Bureau of Reclamation, in the same form as submitted.

All other requests for information should be referred to the individual districts for disposition. (2-78)

82. Any wateruser within the Project receiving his water through a rotation, may refuse at any time to have such water delivered to the rotation by filing a notice with the office of the Board of Control and with the rotation manager, directing that such water not be delivered to the rotation and in such event the allotment of such wateruser shall not be diminished by any other rotation delivery. In the event that any wateruser on the rotation desires to transfer for any year all or any part of his entitlement, the request for transfer must be accompanied by a certification of the rotation manager setting forth the amount of water used by such wateruser desiring to transfer up to the date of request of transfer. (10-88)
83. All Board of Director's meetings will be conducted under the Robert's Rules of Order where the Chairman is allowed to vote in case of a tie. (1-91)
84. With prior 24 hour minimum notice, water may be pumped into a canal with an approved measuring device and taken back out of the canal at a lower diversion point. The farmer will be charged a minimum of 25% or the actual loss factor, which ever is greater. (4-24-90) No pumping for credit will be allowed, unless authorized by the Manager. (2-00) (5-15)
85. Employee health insurance is to be bid on a yearly basis. (1-96)
86. Rents for Project houses will be reviewed on a yearly basis. (1-96)
87. The Board of Control acknowledges that the Ditchrider's Handbook is a part of these Operating Rules.