

IN THE SENATE

SENATE BILL NO. 1222

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

1 RELATING TO GROUND WATER DISTRICTS; AMENDING SECTION 42-5245, IDAHO CODE,
2 TO REVISE PROVISIONS REGARDING THE CONTENT OF PETITIONS FOR ANNEXATION
3 INTO A DISTRICT; AND AMENDING SECTION 42-5248, IDAHO CODE, TO REVISE
4 PROVISIONS REGARDING ASSESSMENTS AGAINST ANNEXED LANDS.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 42-5245, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 42-5245. PETITION FOR ANNEXATION OF LAND. Any ground water user, as
10 defined in section 42-5201(8), Idaho Code, as well as any user of ground
11 water for domestic or stock use as defined by sections 42-111 and 42-1401A,
12 Idaho Code, may file with the board a petition in writing praying that the
13 land and/or facilities listed under the ground water user's ground water
14 right(s) may be annexed into the district. The petition shall contain a
15 legal description of the lands and any other information the district may
16 require, and the petitioner shall state under oath that petitioner holds the
17 title to said lands. If the ground water user is a nonirrigator, the petition
18 shall state if the ground water user is seeking to join the district solely
19 to participate in the district's mitigation plans ~~or~~ and other mitigation
20 activities.

21 SECTION 2. That Section 42-5248, Idaho Code, be, and the same is hereby
22 amended to read as follows:

23 42-5248. ASSESSMENTS AGAINST ANNEXED LANDS. (1) The board of direc-
24 tors may require, as a condition to the granting of an annexation petition,
25 that the petitioners shall severally pay to the district such respective
26 sums, as nearly as the same can be estimated, as said petitioners, or their
27 grantors, would have been required to pay such district, had such lands been
28 included in such district at the time it was originally formed, together with
29 a proportionate share of the expenses of the district accrued since forma-
30 tion.

31 (2) If the petition of a nonirrigator seeks only to participate in a
32 the district's mitigation plans and other mitigation activities, the board
33 may require a proportionate sum of the mitigation expenses accrued since the
34 district was originally formed to be paid as a condition to the granting of an
35 annexation petition.