

IN THE SENATE

SENATE BILL NO. 1338

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

1 RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-109, IDAHO CODE, TO
2 PROVIDE FOR THE MODIFICATION OF BOUNDARIES OF DIVISIONS OF IRRIGATION
3 DISTRICTS AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMER-
4 GENCY AND PROVIDING AN EFFECTIVE DATE.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 43-109, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 43-109. DIVISIONS OF DISTRICT FOR ELECTION OF DIRECTORS. (1) Such
10 board shall also make an order dividing the district into not less than three
11 (3) nor more than seven (7) divisions of as nearly equal size as practicable,
12 which shall be numbered first, second, third, etc., and one (1) director, who
13 shall be an elector and resident in the division, shall be elected from each
14 division of the district at large, except that in districts of three thousand
15 (3,000) acres or less the directors may be elected from qualified electors,
16 holding title or evidence of title to land in the district and residing in
17 the county in which some portion of the district is located. The number of
18 divisions into which said district shall be divided shall be specified in the
19 petition for the organization of the district, and if not otherwise speci-
20 fied shall be three (3).

21 (2) The board of directors of the district may, after approval of a res-
22 olution by two-thirds (2/3) of the board, petition the board of county com-
23 missioners to modify the boundaries of divisions of the district previously
24 ordered by the board of the county commissioners. The petition shall pro-
25 vide a reason for modifying the division boundaries and a map showing the new
26 proposed boundaries. The divisions shall be of as nearly equal size as pos-
27 sible. No bond or examination by the department of water resources shall be
28 required. The board of county commissioners shall hold a hearing on the pe-
29 tition pursuant to the procedures of section 43-106, Idaho Code. The board
30 of county commissioners shall make an order revising the division boundaries
31 as requested by the petition, unless the board of county commissioners finds
32 there is good cause to deny the petition or to modify the division boundaries
33 in a different way.

34 SECTION 2. An emergency existing therefor, which emergency is hereby
35 declared to exist, this act shall be in full force and effect on and after
36 July 1, 2024.