

PETITION FOR EXCLUSION OF LANDS FROM SETTLERS IRRIGATION DISTRICT

NAME OF PETITIONER(S) _____

TO THE BOARD OF DIRECTORS OF SETTLERS IRRIGATION DISTRICT:

The undersigned respectfully petition that the land hereinafter described be excluded from the District.

The land owned by the undersigned is situated in Ada County and is described as follows:

(Attach copy of deed demonstrating ownership).

The reasons for exclusion of such land from the District are as follows: (check where applicable):

1. () The lands so described are too high to be watered from water owned or controlled by Settlers Irrigation District without pumping by the owners of the land.
2. () Petitioner(s) have installed a good and sufficient water system independent of the water system of Settlers Irrigation District for the irrigation of the lands because of the District not owning a sufficient water right to furnish an adequate water supply therefor.
3. () Prior to acquisition of the land by the Petitioner(s), and without my/our knowledge or consent, the ditch or other transmission facility extending from the District to the lands has been rendered permanently incapable of carrying water to the lands for which the exclusion from the District is sought are less than than five (5) acres in size.
4. () The lands, in their present condition, are not agricultural lands and Settlers Irrigation District has not:
 - (i) adopted a resolution to construct a distribution system for the lands pursuant to Section 43-333, Idaho Code; or
 - (ii) called an election on the question of constructing a distribution system for the lands under the provisions of Section 43-329, Idaho Code; or
 - (iii) independently or in cooperation with a city or county established a local improvement district to construct a distribution system for the lands; or
 - (iv) constructed a distribution system for the lands.

The Petitioner(s) understand that land excluded from the district pursuant to proceedings on this petition shall not thereafter be entitled to receive water from the water rights or from the irrigation works and system of the District and shall be deemed to have fully relinquished all such water rights and benefits to the District.

Petitioner(s) certify that if reason one or two above is the basis for the exclusion of the lands from the Settlers Irrigation District, the lands are not benefited by the water rights, or by the irrigation in, or drainage by the District, or by groundwater subject to recapture and use by the District and the exclusion of lands will be for the best interest (1) of the petitioner(s) and (2) of the lands in the District.

