



PLEASE RETURN TO:
KENNEWICK IRRIGATION DISTRICT
12 W. KENNEWICK AVE.
KENNEWICK, WA 99336

KENNEWICK IRRIGATION DISTRICT RESOLUTION 2012-29

AMENDMENT OF RESOLUTION 2009-10 REVERSAL OF ALLOCATION AND ASSESSMENT CHARGES FOR A SINGLE PARCEL 1-0788-201-2168-003

WHEREAS, the Board of Directors of the Kennewick Irrigation District (District) met in open public session on September 18, 2012 with a quorum present; and

WHEREAS, Dennis and Ginger Hall, the legal owners of the parcel identified above, requested and were granted a water allotment of 2.5 acres beginning the 2009 assessment year; and

WHEREAS, on January 29, 2009, upon receipt of a notification letter from KID, the Hall's paid the application fee for the new allotment as instructed and in a timely manner sought and were advised by a contractor of the high cost associated with bringing irrigation to their parcel. Finding the cost estimate unmanageable, Dennis Hall immediately submitted a written request dated February 2, 2009 to KID invoking his right to cancel within 3 business days as allowed under State law to rescind the request for the allotment; and

WHEREAS, the Hall's letter requesting the cancellation of the allotment request was not received by the intended official at KID and the allotment was assigned to the parcel with the adoption of Resolution 2009-10 resulting in assessments being charged to the parcel; and

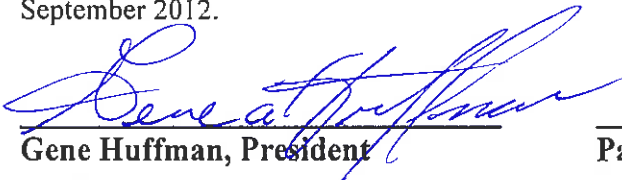
WHEREAS, Dennis and Ginger Hall, having submitted their cancellation request and assuming they were being assessed in error, have not been paying the KID annual assessments and have contacted the KID after receiving notice of foreclosure; and

WHEREAS, the staff at KID has researched the circumstances of the allotment assignment and acknowledge the parcel should not have been included in Resolution 2009-10 or assessed; and

WHEREAS, a credit for all assessments charged to this parcel from the inception of Resolution 2009-10 shall be processed by the KID accounting department and the United States Bureau of Reclamation (USBR) will be notified of the amendment with a corrected map showing the parcel returned to its original non-irrigable status.

NOW, THEREFORE, BE IT RESOLVED the water allotment for parcel 1-0788-201-2168-003 shall be rescinded to the inception date of Resolution 2009-10 and all assessments and charges associated with the assignment of the allotment will be removed.

Resolution No. 2012-29 is hereby adopted by the Board of Directors of Kennewick Irrigation District, Benton County, Washington, at an open public meeting thereof this 18th day of September 2012.


Gene Huffman, President

ABSENT

Kirk Rathbun, Director


Patrick McGuire, Vice President


David McKenzie, Director

Vacant Position, Director