

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

**KENNEWICK IRRIGATION DISTRICT
RESOLUTION 2013 -08**

**WATER ALLOCATION REQUESTS
TO BE ADDED TO THE RED MOUNTAIN SOUTH LID #192**

WHEREAS, the Board of Directors (the "Board") of the Kennewick Irrigation District (the "District") met in open public session on August 6, 2013 with a quorum present; and

WHEREAS, by Resolution No. 2009-26, adopted by the Board on September 25, 2009, the District formed Local Improvement District No.192, Red Mountain South (the "LID") for the purpose of financing the construction of a pressured irrigation system for the delivery of irrigation water to individual properties within the LID (the "LID Improvements") and an available 1,785 acres were estimated to be irrigated by the LID Improvements; and

WHEREAS, the District has subsequently received written petitions from owners of property outside the boundaries of the LID to receive an aggregate 112.11 acres of irrigation allocation from the LID Improvements (the individual allocation requests are listed on Attachment A), and to be included within the boundaries of the LID for the purpose of paying their equitable proportion of the costs of the LID Improvements upon the basis of benefits resulting from the LID Improvements (referred to as the "Additional Properties"); and

WHEREAS, the District has also received written requests from owners of property within the LID boundaries withdrawing prior requests to receive an aggregate 46.04 acres of irrigation allocation (individual allocations are listed on Attachment B, and therefore not benefit from the LID Improvements (referred to as the "Withdrawing Properties"); and

WHEREAS, the District owns property within the boundaries of the LID and following a study, the Board determines that up to 66.07 of the acres of irrigation allocated to such property may be reassigned to other properties within the LID and such reassignment will not negatively impact the District's ratepayers; and

WHEREAS, pursuant to RCW 87.03.490, the boundaries of the LID may be enlarged to include other lands which can be served or will be benefited by the proposed improvement upon petition of the owners thereof provided, that at such time the lands so included shall pay their equitable proportion upon the basis of benefits of the improvement theretofore made by the LID and shall be liable for the indebtedness of the LID in the same proportion and same manner and subject to assessment as if the lands had been incorporated in the LID at the beginning of its organization; and

WHEREAS, the owners of the Additional Properties have requested that their parcels be added to the LID for an irrigation allocation and are willing to assume the obligations including but not limited to the design, materials, construction and any other costs of providing delivery of the water allocation to their property from the District's designated service point and subjecting their property to assessments pursuant to Chapter

87.03 RCW and/or the water service contract between the District and the United States Bureau of Reclamation (USBR); and


WHEREAS, the District has confirmed that including the Additional Properties within the boundaries of the LID and reallocating to the Additional Properties both the acres previously allocated to the Withdrawing Properties and a portion of the acres allocated to the District's property, will not cause the assessed acreage of the District to exceed the District's total maximum irrigated acreage of 20,201 acres or cause than 1,785 acres to be irrigated by the LID Improvements; and

WHEREAS, upon reallocating the acres from the Withdrawing Properties to the Additional Properties, the Withdrawing Properties shall receive no benefit from the LID Improvements and shall therefore no longer be subject to assessment for the purpose of paying the costs of the LID Improvements; and

NOW, THEREFORE, BE IT RESOLVED the following decisions are made:

1. The-District will reassign 66.07 acres previously assigned to the District owned property.
2. The District will reassign acres previously assigned to the Withdrawing Properties and the Withdrawing Properties will not receive a benefit from the LID Improvements and will not be subject to assessment for the purpose of paying the costs of the LID Improvements. This decision is based on written requests from the property owners of the Withdrawing Properties;
3. The District will grant allocation requests described in Attachment A. This decision is based on written-petitions from property owners of the Additional Properties. The Additional Properties shall be included within the boundaries of the LID and the property owners of the Additional Properties shall pay their equitable proportion of the costs of the LID Improvements as provided by Resolution 2009-26.

Resolution No. 2013-08 is hereby adopted by the Board of Directors of Kennewick Irrigation District, Benton County, Washington, at an open public meeting this 6th day of August 2013.


Gene Huffman, President


Patrick McGuire, Vice President


Kirk Rathbun, Director


Penny Hermanson, Director


David McKenzie, Director

Approved As to Form:


Brian Hler, District Legal Counsel

***ATTACHMENT "A"**
ADDING PROPERTIES TO THE RED MOUNTAIN SOUTH LID #192
GRANTING WATER ALLOCATION

| Last Name | First Name | Parcel | Parcel Size | Currently Irrigated Acre(s) | Additional Acres | New Allotment |
|------------------|-------------------|-----------------|--------------------|------------------------------------|-------------------------|----------------------|
| Almeida | Darva | 116974013196003 | 5.02 | 0 | 5.00 | 5.00 |
| Hobson | Sam | 116974013196002 | 5.0 | 0 | 4.00 | 4.00 |
| Stanton | Gerald | 115972000001000 | 80.00 | 0 | 14.00 | 14.00 |
| Shaw | Richard | 105971000007000 | 20.00 | 0 | 20.00 | 20.00 |
| Shaw | Richard | 10571000010000 | 20.00 | 0 | 20.00 | 20.00 |
| Corrliiss | | 150973000001001 | 17.23 | 0 | 14.00 | 14.00 |
| Corrliiss | | 105973000002000 | 29.47 | 0 | 23.00 | 23.00 |
| Pearson | Larry | 105971011481001 | 1.0 | 0 | 1.0 | 1.0 |
| Pearson | Larry | 105971011481002 | 1.0 | 0 | .85 | .85 |
| Corrliiss | | 105973000006000 | 16.85 | 0 | 10.26 | 10.26 |
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| | | | | | | 112.11 |

***ATTACHMENT "B"**
REMOVAL OF PROPERTIES AND OR ALLOCATION FROM THE
RED MOUNTAIN SOUTH LID #192

| Last Name | First Name | Parcel | Parcel Size | Current Irrigated Acre(s) | Allocation Reduction | New Allotment |
|------------------|-------------------|-----------------|--------------------|----------------------------------|-----------------------------|----------------------|
| Sizemore | Michael | 116971012723001 | 10.2 | 10.00 | 10.0 | 0 |
| Rockwell | Brown | 117971000005001 | 20.84 | 20.84 | 20.84 | 0 |
| Edwards | Ed | 109974000008000 | 10.00 | 5.00 | 5.0 | 0 |
| Sizemore | Tom | 116971012723000 | 10.2 | 10.2 | 10.2 | 0 |
| | | | | | | |
| KID | | 4005 (A,B,C,D) | 84.20 | 79.10 | 8.06 | 71.04 |
| KID | | 4007 (A,B,C,D) | 80.22 | 79.09 | 7.95 | 71.14 |
| KID | | 4009 (A,B,C,D) | 83.83 | 80.00 | 8.03 | 71.97 |
| KID | | 4011 (A-I) | 174.35 | 160.00 | 21.31 | 138.69 |
| KID | | 4012 (A,B) | 43.60 | 41.36 | 1.69 | 39.67 |
| KID | | 4017 (A,B,E) | 161.49 | 158.59 | 12.64 | 145.95 |
| KID | | 4018 (A,B,C,D) | 79.36 | 78.80 | 6.39 | 72.41 |
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| | | | | | 112.11 | |