

Important Information About Burley Irrigation District Rights-of-Way

We are the Burley Irrigation District, your local irrigation entity. We divert water from rivers, reservoirs, and other sources and deliver water to our users through a distribution system of canals, laterals coulees and ditches.

In Idaho there are thousands of miles of canals and ditches and thousands of irrigation structures. Many canals and ditches cross private lands or are bordered by residential and commercial developments. This can prove confusing for many landowners who are unsure what rights they and we have. So we have developed this brochure to help you understand rights, responsibilities and policies regarding our canals and ditches.

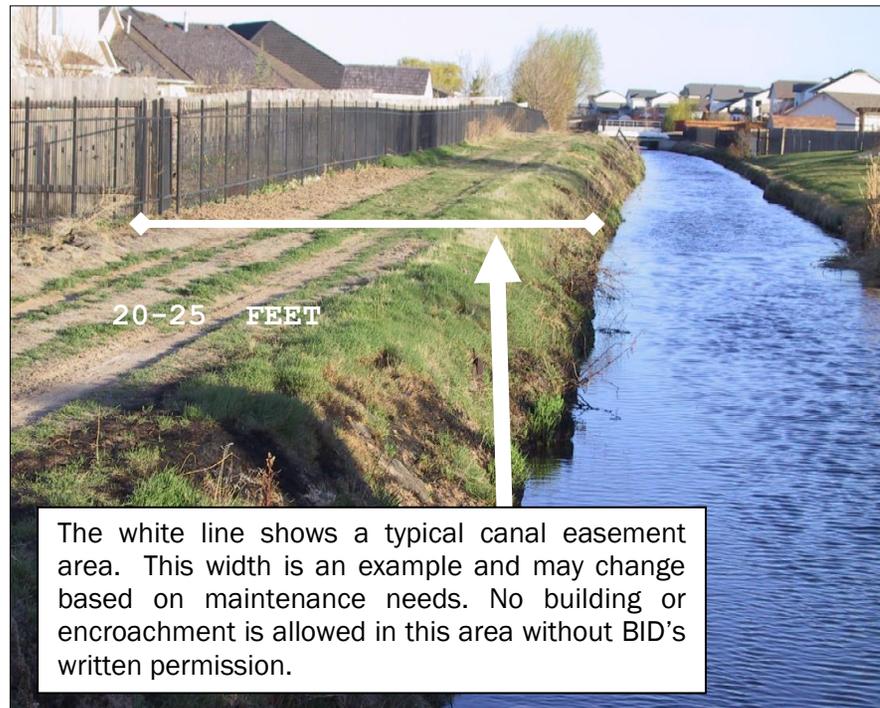
EASEMENTS

We have the responsibility to deliver irrigation water, to operate and maintain canals coulees and ditches, to minimize the risk of ditch bank failure or blockage, which could result in damage to adjacent landowners.

To operate and maintain our system efficiently, we need access to the property.

Easements are permissions for the use of the land to convey water and to access for operation and maintenance along the banks of our canals and lateral ditches. We need access so we can monitor and adjust water flows. We also need access so we can remove sediment and debris from the ditches; control weed growth by mowing, spraying or burning; refurbish ditches and to perform other maintenance activities.

Generally, easements include the area on both sides of the canal or ditch. The easement also gives us the right to deposit material on the ditch banks that has been removed during cleaning and maintenance. We also have the right to take out obstructions on the easement and to prohibit activities, which unreasonably interfere with maintenance.



If your land is crossed by a canal or lateral, you may use the easement area so long as it does not interfere with our access, operation, maintenance and repair activities.

It is important to understand that easement areas are not public property, and are only for the benefit of the irrigation entity. They are not open to public use. Under Idaho law, unauthorized third party use of company easements amounts to trespassing.

WORKING WITH YOUR IRRIGATION ENTITY

Please contact us if you have questions about who owns a canal or lateral ditch that crosses your land. We can tell you whether it is part of our delivery system. We can also give you details as to what we must do to access, operate, maintain and repair the facility and our policies regarding encroachment and modifications that might affect the ditch.



246 E 100 S
Burley, ID 83318

Call Us at: 208-678-2511
www.burleyirrigation.org

ENCROACHMENTS

Encroachments are such things as buildings, sprinkler pipe, farm implements, haystacks, fences, landscaping and other structures or activities on an easement.

We do not allow construction or other activities on easements if such activities will interfere with our access, operation, maintenance and repair activities.

You must first contact us if you plan any construction, landscaping or activity within or affecting any of the canals, laterals or easements.

We will look at your project and determine if what you want to do will interfere with our access, operation, maintenance and repair activities.

We may also be able to advise you how your proposed construction or activity can go forward without interfering with our activities.

RELOCATING AND/OR PIPING CANALS AND LATERALS

Idaho law requires a landowner to obtain our written permission before relocating or piping one of our canals or lateral ditches.

It is important to understand that we have the same easement width on a pipeline as we do on a canal or ditch.

To get permission, first provide us with a copy of your plans for review. We then will advise you whether or not you can proceed as proposed or with modifications to your plan.

If we approve your plans, we also provide you written permission to proceed in the form of an agreement or other appropriate written authorization.

Generally, canals and lateral ditches may only be relocated or piped during the non-irrigation season, after water is out of the delivery system. A survey may be required to describe the location of a relocated pipeline or ditch, and a new and proper easement to be executed by the landowner.

Above all, we appreciate your cooperation in working with us to protect our irrigation facilities.

Here is how you can contact us if you have questions or need more information.



***What You
Need To
Know About
Easements
and
Rights-of -Way
On Burley
Irrigation
District Canals
And Ditches***



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