

EAST COLUMBIA BASIN IRRIGATION DISTRICT

RESOLUTION 2021-14

**Establishing an Assessment Security Account
for Common Deliveries Deposits**

WHEREAS, the East Columbia Basin Irrigation District (District) is contractually obligated to the United States Bureau of Reclamation to collect assessments prior to delivery of water through a delivery point; and

WHEREAS, the subdivision of land has created "common deliveries" for multiple parcels served from one delivery point location; and

WHEREAS, an unpaid assessment by any parcel in a "common delivery" renders the delivery point to be designated "not clear" to receive water delivery under District policies; and

WHEREAS, a delivery point being declared "not clear" restricts delivery to all parcels, including those that have paid, which creates an inability for paid lands to beneficially use their allotment of Columbia Basin Project water supplies; and

WHEREAS, the District desires to create a policy that allows a landowner to deposit security in the amount of the unpaid or delinquent assessments of the other accounts associated with the landowner's common delivery into a District assessment security account in order to "clear" the delivery point for water delivery to the paid lands; and

WHEREAS, the deposit in the assessment security account shall become a credit to the designated land that deposited security for the delinquent assessment following the District's receipt of the delinquent assessment through payment or foreclosure; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Directors of the East Columbia Basin Irrigation District that landowners in a common delivery may clear their water delivery by providing the District with security in the amount of a minimum of the current year's unpaid or delinquent assessments due on the other accounts included in the common delivery;

BE IT FURTHER RESOLVED that any delinquent account included in the common delivery will continue to be unauthorized to receive Project water

BE IT FURTHER RESOLVED if the full amount unpaid or delinquent is paid into the Assessment Security Account the account's allotment will be available in the base quantity of the common delivery;

BE IT FURTHER RESOLVED if the full amount unpaid or delinquent is not paid in full the delinquent account's allotment is not available to any lands;

BE IT FURTHER RESOLVED that the Assessment Security Account is established to hold the security deposits provided by landowners to clear their water delivery under a common delivery;

BE IT FURTHER RESOLVED that upon receipt of payment of the delinquent assessments for which a security deposit was made, the District shall apply the assessment security as a credit against the account of the land that deposited the security;

BE IT FURTHER RESOLVED that interest earned by the Assessment Security Account is to be retained in that account.

BE IT FURTHER RESOLVED that Resolution 2021-06 is superseded by this Resolution.

DULY ADOPTED in Open Meeting this 7th day of July, 2021.

BOARD OF DIRECTORS:



Dani Auck

Benjamin S. Jackson

Kevin Lyle

Ken W. Esborn

Keith Baker

ATTEST:

[Signature]

Secretary