

**BY-LAWS OF THE
CHANDLER HEIGHTS CITRUS IRRIGATION DISTRICT,
MARICOPA COUNTY, STATE OF ARIZONA**

ADOPTED DECEMBER 6, 1949

**Amended By-Laws ARTICLE IV & ARTICLE III September 7, 2011 Board Meeting*

ARTICLE I CORPORATE POWERS

Section 1. All Corporate powers as an irrigation district not expressly reserved to the qualified shall be exercised by its Board of Directors and its duly elected and appointed officers.

ARTICLE II DIRECTORS AND OFFICERS

Section 1. The District shall be governed by a Board of Directors consisting of three persons. The County Treasurer of Maricopa County, State of Arizona, shall be ex-officio District Treasurer.

Section 2. Except as otherwise provided, Robert's Rules of Order shall govern the deliberations of the Board.

Section 3. The Board of Directors shall have power and authority to select officers pro-term when necessary, and such officers pro-term, shall for such time have and exercise all the rights, powers and authority of actual officers.

Section 4. At the First Board meeting in January, a District President shall be elected from among the members of the Board.

Section 5. Between meetings of the Board the President shall, except where there has been a previous designation of duties under the By-Laws or by action of the Board, be the representative, consulting and executive officer of the District and shall have power and authority to take any and all steps that may be necessary for the conduction of the District's business, the administration and the promotion of its best welfare. No officer, Director or employee of the District, except where such duty is expressly imposed or authorized by previous action of the Board or these By-Laws, shall undertake to represent or speak for the District or to make any agreement or understandings or to in any way interfere with the performance of the duties of the President under this section. All proposals, suggestion, requests, correspondence and any and all other matters concerning the District shall except as otherwise provided, between meetings of the Board, be referred to the President for action.

Section 6. In addition to the District President, the officers of the District shall consist of the District Secretary, who shall be ex-officio Secretary of the Board of Directors, District Attorney, and such assistants serving under said Officers as may be detailed from time to time. Except where the State Statutes otherwise provide, all Officers shall be appointed by the Board.

Section 7. The Secretary of the Board shall be responsible for keeping all records and statistics of the District, water statistics, preparing all budgets, estimates, and reports necessary for the transaction of the District business and/or required by the Board;

and shall also be responsible for seeing that all other reports required are filed by the responsible persons for presentation to the proper officers or bodies.

Section 8. Except as otherwise provided, the Secretary of the Board of Directors shall be responsible for keeping the minutes and records of all administrative and executive bodies of the District; and shall also be charged with the responsibility of giving all notices necessary of meetings and elections, and making of other announcements, and shall also provide for the place of meeting and convenience of attendants.

Section 9. The District attorney shall be the advisor of the District Board and District Officers and shall have charge and control of District legal matters and proceedings.

Section 10. Any Officer who shall absent himself from his office and official duties for more than thirty (30) days without permission from the Board shall thereby vacate his office; and any Director who shall fail to attend more than two consecutive meetings of the Board without being excused there from by vote of such Board, shall thereby vacate his office.

ARTICLE III ELECTIONS

Section 1. On the second Tuesday after the first Monday in November of each year, an election shall be held in the District at which there shall be elected one Director at large to serve three (3) years.

Section 2. The polls shall be open at the District Office from 8:00 a.m. until 6:00 p.m.

Section 3. At least two (2) weeks prior to the election, the secretary shall mail a ballot to each owner and the ballot may be mailed back or hand-delivered, and shall be valid so long as it shall be received in the District Office no later than 6:00 p.m. on the second Tuesday after the first Monday in November. The ballot mailed to property owners will contain the names of qualified candidates only. Write in candidates are disqualified as non-compliant with candidate qualification requirements.

Section 4. All property owners in the District shall be automatically registered as electors as long as the assessments, irrigation and domestic water accounts of the property are current as of ten (10) days prior to the election.

Section 5. One vote may be cast by each property owner regardless of the size or quantity of the parcels owned by the property owner.

Section 6. The Directors may adopt such other rules as may be appropriate to conduct elections as the Board may deem to be appropriate from time to time provided, however, such rules shall not be in conflict with the statutes of the State of Arizona, the decisions of Arizona Courts, and the District by-laws.

Section 7. Notwithstanding any of the provisions herein, all elections shall be held in compliance with Arizona Revised Statutes, including, but not limited to, 48-3011, 48-3013, 48-3015, 48-3016, 48-3017, 48-3018, 48-3019, 48-3020, 48-3021, 48-3022 and 48-3023, as may be amended from time to time.

Section 8. The Board of Directors shall appoint an election board from among the electors composed of three (3) election judges. The election board shall meet at the polling place and shall elect one member as a chairman, one member as an inspector, and one member as a clerk.

Section 9. The election board shall be responsible for the fair and proper administration of the election and may make sure rulings from time to time as may be appropriate concerning any disputes involving the election.

To qualify to run for a seat on the CHCID Board of Directors:

9.1 A candidate must be a U.S. Citizen.

9.2 A candidate must own property in the District.

9.3 A candidate must have accounts in good standing with the District.

9.4 A Interested parties may request a nominating petition from the CHCID office.

Section 10.

1. Interested parties must provide evidence of qualifications to CHCID staff in order to obtain a nominating petition. Evidence includes valid ID and proof of citizenship.

2. Interested parties must obtain a minimum of ten valid signatures on candidate nominating petition in order to qualify as a candidate; a valid signature will be stipulated as one signature per household inclusive of all parcels owned in the District.

Section 11. Candidates must submit a nominating petition to the CHCID Office by close of business (5:00 p.m.) thirty (30) calendar days prior to the election.

Section 12. Nominating petitions will be waived for existing members of the Board of Directors running for re-election.

Section 13. If no candidate runs for a vacant seat on the Board, the existing members of the Board will by majority vote appoint a qualified candidate to serve the term.

Section 14. Eligibility to vote: all property owners in the District are eligible to vote; one ballot per household inclusive of all parcels owned in the District.

Section 15. The Election Board will be sworn in by the Secretary of the Board or a Board Member, who is not running for re-election.

Section 16. The ballot will be identified by parcel number(s) only.

Section 17. The completed ballot can be returned to the CHCID office either by U.S. Mail or delivered to CHCID Office.

Section 18. A locked ballot box will be available at the CHCID office during normal business hours (9:00 a.m. thru 5:00 p.m.) from the date the ballots are mailed until 6:00 p.m. on the day of voting.

Section 19. A valid ballot can be submitted at any time prior to 6:00 p.m. on the day of voting.

Section 20. Any ballot received after the 6:00 p.m. deadline will not be counted.

Section 21. The results of the Election will be announced by the current President at the Board Meeting held following the close of voting.

Section 22. If at any time an elected Board Member moves his principal residence out of the District, he/she will relinquish his/her seat on the Board. The remaining members of the Board will appoint a qualified candidate to serve the remaining term. If the two remaining Board Members do not agree on a replacement candidate, the President's decision will prevail.

ARTICLE IV MEETINGS

Section 1. Minutes of the meetings of all bodies, shall ordinarily be prepared in provisional forms and shall be placed in permanent records when approved and thereupon signed by the proper officers.

Section 2. Resolutions which shall have been written out in full, and contracts and other documents need not be entered at length in the minutes unless expressly so required; but the same shall be separately filled in permanent form, and shall be identified and referred to in the minutes.

Section 3. Resolutions when introduced shall be marked "Resolution No.____" as the case may be. The Secretary shall insert the proper number whenever the resolution is acted upon. At the foot of each resolution, the Secretary shall enter the action taken thereon, and the date of such action and such resolution shall be identified by the signature of the presiding officer and the Secretary. Separate files shall be kept for the resolutions and such resolutions shall be numbered consecutively for each year- the first number standing for the resolution number and the second number for the year of consideration.

Section 4. Amendments shall be indicated to all resolutions, motions, minutes and regulations by the Secretary with necessary information as to place, date, and matter.

Section 5. All meetings of the Board and Conferences shall be public, provided, however, that whenever the best interest of the District so requires, such bodies may recess to meet in executive session and at such executive sessions only the members of such bodies and persons designated by them shall remain. On conclusion of executive session the public meeting shall be resumed.

Section 6. The order of business where not otherwise specified herein for the Board and Conference meeting shall be:

- a.) Call to order/Pledge of Allegiance.
- b.) Call to the Public
- c.) Old Business/Reading of the minutes.
- d.) New Business
- e.) Adjournment

Section 7. The President shall appoint such standing and special committees as may be necessary for the performing and expediting of the District business and such committees shall meet and shall have such duties and powers as may be prescribed by said Board.

Section 8. Committees are established and appointed for the sole purpose of expediting business of the District, and shall not be employed for any other purpose.

Engaging in factional undertakings, impeding the business of the District, exceeding the limits of their jurisdiction, invading the province of other committees, officials or employees, and/or other wrongful conduct shall be cause for discharge of guilty members.

Section 9. Committees shall consider and report upon such matters as may be assigned to them and no others.

Section 10. Committee members shall not act through unauthorized channels. Members shall communicate with their respective chairman regarding matters which they wish to bring up for official consideration; and such chairman shall if deemed advisable, bring such matters to the attention of the Board, in meeting assembled, or to the attention of the President of the Board as the case may require.

Section 11. No committee or member thereof shall give orders or directions to any official or employee. Committees shall report to the meetings of the Board. Committee reports when submitted shall be open to discussion and such action shall be taken thereon as majority of such Board may determine. Reports may be accepted or rejected, and measures and actions recommended may be altered, assigned or changed as the body concerned may see fit.

ARTICLE V SALARIES

Section 1. Directors and officers shall receive such remuneration as may be fixed by State Statutes and or the action of the Board.

ARTICLE VI BUDGET

Section 1. The Board of Directors shall within the time provided by law, prepare and file such statutory statements and estimates as may be prescribed by law. In addition to such statutory estimates as may be required by stature, the District Secretary shall cause to be prepared and the Board shall adopt for the fiscal year an Operating Budget. The estimates shall be fully itemized, showing under separate heads the amounts proposed as required for each department, District office of Official, and each District improvement and the salary of each District Officer, amounts proposed for the maintenance of the District irrigation system and the operation and maintenance of each District utility; and full and complete description of and statement of the contemplated expenditures for the ensuing year, showing the amount proposed to be expended from each separate fund and the total amount of proposed District expense.

Said statement shall also contain a statement of the receipts for the previous year from other sources than taxation, the amounts actually levied and amounts actually collected for District purpose upon the tax rolls of the previous fiscal year, and the amount proposed to be raised by taxation upon the real property of such District for each purpose for said ensuing year.

The total amounts in such estimates proposed for each expenditure shall not exceed by ten (10) percent the aggregate of actual expenditures for the previous year, exclusive of bond interest, bond payments, deficits and emergency liability levies.

Section 2. The Board of Directors may publish such proposed tax estimates and operating budgets and may give such notice or adoption thereof as it may consider advisable.

Section 3. The Secretary shall make monthly reports to the Board of expenditures and balances under the operating budget; and expenditures under such operating budget shall not exceed the same- except by two-thirds vote of the Board, but

unexpended items under the various subdivisions thereof may be transferred from one subdivision to another on order of the Board.

Section 4. The Board may provide the necessary District operating funds by taxation or by assessment or by a combination of both.

ARTICLE VII LAND TRANSFERS

Section 1. The District shall be authorized to accept a surrender and transfer of any lands in the District abandoned because of non-payment of taxes; to sell and/or resell any property acquired by it with or without public sale; to make loans and to issue pledge and/or hypothecate any property which it may own for the re-payment of loans and/or other indebtedness and to buy, sell, lease, handle, dispose of and otherwise deal in real or personal property in the same manner and to the same extent as any private individual or corporation, except where expressly prohibited by statute.

ARTICLE VIII DISTRICT LIEN

Section 1. The District shall have a lien upon any and all lands within the District, and the same shall stand charged with a lien in favor of the District for all water, electricity or other utility or commodity furnished thereto, and for any sums which may be due to the district of any nature whatsoever relating to said lands. Said lien may be enforced by appropriate proceedings in any court of competent jurisdiction.

ARTICLE IX DISTRICT PERSONNEL

Section 1. The Board of Directors shall establish schedules of wages and salaries for employees of the District and all employment shall conform to such schedules.

Section 2. The Board of Directors shall prescribe the regular and customary number of hours for duties of employees of the District.

Section 3. All employment, except office and administrative positions, shall be made by the Operating Executive by whatever title designated.

Section 4. The Secretary of the Board of Directors and all other employees not otherwise provided for, shall normally and customarily be responsible to the President of the Board. All office employees shall be responsible to the Secretary of the Board of Directors. All professional employees shall be responsible first to the Board of Directors, Provided however, that on special occasions and under special emergencies or proper action of the Board, responsibility to other persons or bodies may be fixed and/or required.

Section 5. In addition to the bond required of the Secretary of the Board of Directors, all employees of the District charged with the handling of monies thereof shall be required to furnish an adequate, good and sufficient surety company bond.

Section 6. The showing of favoritism, gossip, insubordination and any conduct detrimental to the best interest of the District are forbidden.

Section 7. Communications to or from employees shall be through regular channels.

Section 8. All employees and appointed officials shall conduct themselves in a courteous manner in their association with landowners and the general public. No appointive official or employee shall presume to speak for the administration unless authorized to do so.

Section 9. The Board may make special employments of auditors, accountants, engineers and attorneys as may be considered necessary from time to time for the handling of special matters and proceedings.

ARTICLE X GENERAL

Section 1. The District shall render to each landowner the greatest practical service consistent with its nature and restrictions, but not at the general expense of the District and/or other landowners.

Section 2. The amount of revenue to be raised by taxation and/or by water charge and/or utility rates shall be so arranged and made as to distribute the burden incidental to operations and ownership within the District upon an equitable basis.

Section 3. No special service shall be rendered to any landowner or water user, but all landowners and water users shall receive equality of service and treatment.

Section 4. The District Zanjero is authorized and instructed to refuse delivery of water to any land for which provision for the satisfactory disposal of waste water has not been made. Each landowner and/or operator shall be responsible for the waste water from his land; such water shall not be allowed to cross over any State, County or District roadway or to be allowed to run another landowners property in any way that will cause damage to the set-up or crop of the other landowner.

Section 5. Where the crossings of a State, County or District roadway is necessary for the disposal of waste water, the required pipe or structure shall be installed by the District, and the actual material and labor cost only, of such pipe or structure, plus 10 per cent, shall be charged on a pro-rata acreage basis to the landowner or landowners concerned. Such cost shall remain as a charge against said lands, and delivery of irrigation water thereto shall not be made, until same is paid.

Section 6. In all cases where the landowner or water user desires to have work done at his expense by the District an estimate will be prepared and if the construction by District forces is approved the person making application will deposit in advance with the District the amount of the estimated cost. If the work cost less than the amount deposited the difference will be returned by the District. If the work cost more than the estimate the person making the deposit will pay the difference to the District.

Section 7. The District reserved a Right-of-way 20 feet wide along the South side of each twenty acre lot for pipelines, both irrigation and domestic. No fences shall be built, or any trees, shrubs, vines or vegetation be planted on any right-of-way in such a manner as to obstruct the right-of-way. No trees or shrubs shall be planted within six feet of any irrigation pipeline.

Section 8. Persons are prohibited from crossing pipelines belonging to the District with wagons or other vehicles which may cause injury to the pipelines. Should a pipeline be injured from this cause the cost of repairing the same will be charged to the person responsible for such injury.

Section 9. No rubbish, swill, garbage, manure, refuse, or dead animal, or animal matter from any source shall be placed in or allowed to be emptied into any of the pipelines of the District, or placed on the right-of-way. District employees are hereby instructed to see that this rule is strictly enforced. All persons found guilty of violating the above rule will be prosecuted for maintaining a nuisance.

Section 10. The Zanjero will report immediately to the District Secretary any tampering that may have been done to the delivery gates, or any interference with water deliveries, either increasing or decreasing the amount of water passing through delivery gates.

Section 11. Zanjeros will report to the District Secretary any installation of obstructions in or about the pipelines of the District, reporting the place or person making installation and what authority he claims to have.

Section 12. Gates, valves and outlets of any nature on District pipelines shall be installed by or under the supervision of the District and the installation thereof shall be at the expense of the landowner or landowners served thereby in accordance with Sec. 6, of this Article. All requests for the installation of valves and outlets shall be in writing and be approved by the Board of Directors before installation.

Section 13. All irrigation water shall be delivered by the District to the South boundary of each twenty acre tract as laid out and designated in the official plat of the District filed in the office of the County Recorder, Maricopa County, State of Arizona,

ARTICLE XIII WATER DISTRIBUTION

Section 1. All land within the District shall be upon equal priority as to the right to water delivery.

Section 2. Water shall be delivered to qualified water users not delinquent or in arrears in the order in which demand shall be received thereof, or hereafter specified in the By-Laws of the District.

Section 3. All land owned by any landowner or water user within the District, for the purpose hereof, be regarded as one unit.

Section 4. No water user or other person shall open or otherwise interfere with any gate, pump or other irrigation instrument or convenience without authority.

Section 5. Where two or more persons receive water out of the same pipeline, it shall be the duty of the user upon the termination of the time for which water has been assigned to him, to close all valves to insure delivery of water to the next succeeding water user in due and proper time.

Section 6. Water users who fail to close valves after completing an irrigation will be subject to a fine for leaving said valves open. Also, any water user that fails to use a water softener, such as Rosestone, at times when ammonia gas is injected in their irrigation water shall be subject to a fine. The amount of fines shall be fixed by the Board of Directors.

Section 7. The District shall not be responsible for any interruption of service due to lack of power, breaks in pipelines, or any other accidental cause.

Section 8. Uneconomical and/or impractical and/or wasteful water runs shall not be made. Runs which may be economically and practically at one time, but which are wasteful, uneconomical or impractical other times may be deferred until the same can be made in an economical and practical manner.

Section 9. No irrigation water shall be delivered until payment therefore shall be made in advance; and whenever the amount of water paid for shall have been delivered, service shall be discontinued until further payment. No water shall be delivered to any water user unless such water user shall have placed his acreage in good condition to prevent the wastage of water.

Section 10. Stock water deliveries shall not be made to any point of delivery where domestic water is available.

Section 11. Special runs shall be made at such times and in such manner as to prevent inconveniences and loss to the District.

Section 12. The employees of the District shall have free access at all times to lands irrigated from the pipeline system for the purpose of examining the pipeline and valves, the flow of water, crops grown and to make other surveys.

Section 13. Water must be used continuously by the water user throughout the period of the run, both day and night. Water users wasting water on roads and vacant land, or land previously irrigated, either willfully, carelessly, or on account of defective valves, or who shall flood certain portions of the land to an unreasonable depth or amount in order to properly irrigate other portions will be refused the use of water until such conditions are remedied.

Section 14. Whenever the District Zanjero shall find it necessary to make repairs upon, or improvements, to any part of the irrigation system he may temporarily suspend the delivery of water, after having previously given notice to users, when possible, but shall as speedily as possible, under all circumstances, resume the delivery of water.

Section 15. All complaints as to service, lack of water or other unsatisfactory matters or conditions shall be made to the District Secretary in writing or if made to any other employees or official other than the President shall be lodged forthwith with said Secretary. The Secretary shall hear and dispose such complaints reporting in writing the nature of the complaint and his action thereon to the President who will bring the matter to the attention of the next meeting of the Directors. An appeal may be taken from the action and/or decision of the Secretary of Board of Directors. The decision of the Board of Directors shall be final.

Section 16. The District will not be liable for any damage of any kind or nature resulting directly or indirectly from any private ditch or the water flowing wherein, or by reason of lack of capacity therein, or for negligent, wasteful or other use handling the water, but it's responsibility shall absolutely cease when the water leaves the pipeline of the District, nor will the District be liable for shortage of water, either temporary or permanent, or for failure to deliver such water.

Section 17. Every water user shall be responsible to the District for all damage caused by his willful neglect or careless acts, and upon his failure to repair such damages, after notification by the Zanjero, such repairs shall be made at his expense by the District.

Section 18. When for any reason the Zanjero is unable to deliver a full head of water from any well, he shall notify the water user and continue the delivery of water until otherwise instructed.

Section 19. When orders are not filled, the original order should be turned into the District office plainly marked on its face why it was not filled, and must also bear the date and signature of the Zanjero.

Section 20. Where order is for a larger quantity of water than the private ditch or line will carry, the Zanjero will turn in all water that the ditch or line will carry charging the user with the amount ordered. If user continues to order in excess of what his ditch or line will carry he must expect to pay for the amount ordered.

Section 21. Absolutely no water will be delivered to any person unless an order for the same is first written by the landowner or water user on Request List for same at the District's office.

Section 22. No Zanjero or employees will receive money or checks from any water user to be transmitted to the office or collection agent of the District.

Section 23. Zanjero will call at District office twice each day without failure, morning and evening, and at other times requested.

ARTICLE XIV WATER AND DISTRICT ASSESSMENT

Section 1. The Board of Directors may establish a District Irrigation Year beginning and ending at such times as it may deem advisable. The Board shall be authorized to prescribe conditions not inconsistent with the statutes and these By-Laws as it may deem necessary or advisable for the efficient, equitable and orderly delivery of irrigation water. Such conditions and requirements shall be posted on the District Bulletin Board for a period of 10 days before their effective date; and no water shall be furnished to any land unless such conditions and requirements are observed and complied with. Provided, however, that the Board of Directors may, by their acting, grant water service notwithstanding such default in case of bona fide transfer of land during such period, and in case of any legal disability existing at the time mentioned and in other good and sufficient cases where the waiver of requirements shall not be to the detriment of the District and/or any other water users or landowners and shall not disrupt or interfere with any current irrigation plan and/or financial budget. Application for relief shall be filed in writing with the Board of Directors stating the reason therefore, and the action of the Board of Directors upon such application shall be final.

Section 2. Charges, tolls, assessments and interest and penalties shall be in accordance with the statutes of the State of Arizona relating thereto. Provided, however, that those By-Laws shall constitute and shall be held and taken to the full and complete notice of the intention of said Board to name any such toll, charge and/or assessment annually.

Section 3. The Board may apportion irrigation water upon an acreage basis at the beginning of each irrigation year of from time to time thereafter as circumstances may require. No water user shall be furnished any water over and above his apportionment until all other water users have first received their proper amount.

Section 4. Water users may provide the necessary conveyances for the utilization of waste water flowing from their own premises and used upon their own land, as may be accomplished without detriment to the District. Irrigation waste water flowing off any landowners premises upon roads or right-of-ways or into District ditches or laterals shall not be subject to use by any water user.

Section 5. Water shall be furnished, in the apportionment the Board shall take into consideration the available supply per District acre. The Water apportionment for respective water users for any given period shall not be increased for the next ensuing period because of failure of such landowner to consume the amount apportioned for the

previous period, but all appointments shall be deemed terminated at the end of the appointment period.

ARTICLE XV WATER BUYS

Section 1. For the purpose of distribution and account all the land owned by a landowner shall be considered on "buy".

Section 2. Water purchased for one "buy" shall not be used upon another, without the permission of the Board.

Section 3. No transfer of water shall be permitted to, or from lands which by reason of delinquency are not qualified to receive deliveries of water.

Section 4. Deliveries to one "buy" shall not be charged against another.

Section 5. No delivery shall be made to any "buy" while any part thereof shall be delinquent.

Section 6. No "buy" shall be established or changed while any part thereof is delinquent.

ARTICLE XVI WATER PAYMENTS

Section 1. Water shall be paid for in advance of delivery, and no water shall be delivered to any landowner while delinquent in water payments.

Section 2. No water shall be delivered to any landowner while such landowner is indebted to the District from any cause unless and until such indebtedness has first been adjusted.

Section 3. Deposits and payments for the purchase of water not used shall, at the end of the apportionment period, be credited upon purchase in the next apportionment period, or refunded.

Section 4. The Board of Directors may prescribe as a condition for water service that no water shall be furnished to any lands on which there are delinquent taxes of District assessments.

ARTICLE XVII COMMODITY RATES AND TOLLS

Section 1. The Board of Directors shall have power to fix the price to be charged per unit for irrigation and domestic water and electrical energy. Such rates and tolls shall be fixed as often as the Board may deem necessary.

Section 2. Except by two-thirds vote of the District Board no capital or maintenance or fiscal items shall be incorporated in price charged for irrigation water.

Section 3. The rates to be charged for commodity service and any tax and/or District assessment levied and/or made shall be so fixed and arranged as to equitably distribute the District financial burdens.

ARTICLE XVIII ZANJEROS

Section 1. Zanjeros shall be responsible for pipelines within the District. He shall carefully observe and protect same, and report whenever cleaning and/or repairs are necessary and he shall be responsible for the protection of such pipelines in case of emergencies and/or floods.

Section 2. The Zanjero shall as often as is required by the Board of Directors, prepare and submit in a written form a report showing among other things;

- a.) Total number of acres
- b.) Total acreage cultivated
- c.) Total acreage uncultivated

Section 3. Zanjero shall refer to the District Secretary on all conflicting matters and disputes arising with water users and shall in no case, except where specially authorized, exercise or attempt to exercise the executive or administrative duties of the Secretary.

Section 4. Zanjero shall be responsible for all water and for any water loss that may occur by reason of his fault or neglect. He shall see that pipelines are kept in efficient condition, that all gates and similar works are in good operating condition and it shall be his duty, as far as practical, to maintain water service on a proper basis and system satisfactory to the water users. Discourteous or arbitrary action on his part shall be cause for dismissal.

Section 5. Zanjero shall have the right at times of heavy demand to deliver irrigation water with regard to date of last irrigation and crop in order that no property shall suffer because of prolonged period without water as might occur by systematically following the request list for irrigations.

ARTICLE XIX DISTRICT LIABILITIES

Section 1. Except by vote of the landowners and/or action of the Board of Directors, no person shall have any authority to expend any District moneys, or to incur or impose any liability upon the District.

ARTICLE XX PROPERTY RECORDS

Section 1. All District property shall be properly listed and cared for and the Board of Directors shall formulate necessary rules for the accomplishment of the purpose of this Article.

ARTICLE XXII ROUTINE RULES & REGULATIONS

Section 1. The Board of Directors shall be empowered to adopt regulations in the form and nature of rules regarding routine matters and matters not covered by these By-Laws for the government of the District not inconsistent with law and/or District By-Laws and such rules when so adopted shall be binding upon all persons concerned.

ARTICLE XXIII DISTRICT

Section 1. All official forms used in the District shall be conveniently numbered, assembled and filed in a suitable binder, No form shall be used in District business affairs until the same shall have been first approved by the Secretary.

ARTICLE XXIV AUDITS

Section 1. An annual audit shall be made of the District books at such time as the Board may direct.

ARTICLE XXV AMENDMENTS

Section 1. These By-Laws become effective when approved by a majority vote of the Board of Directors of the District.

Section 2. The District By-Laws may be amended by a majority vote of the Board at any regular or special meeting.

Section 3. By-Laws when approved by the Board of Directors and all amendments and supplements thereto shall be binding upon all landowners, water users and electors of the District; and the formulation, adoption and application of the same shall be deemed a sufficient consideration for the waiver of any and all claims of such persons by virtue of any state statute with reference to their lands, the fixing of the maximum amount of water to be delivered thereto, and the manner of water rotation. Provided, however, that no By-Laws shall be adopted that shall deprive any person of any vested right or which shall not under similar conditions give to each and every person entitled thereto, equal rights and privileges.

ARTICLE XXVI MISCELLANEOUS

Section 1. The District Board shall establish office hours and pay schedules for the employees of the District. All employees shall during such hours, be found at their place of employment except in case of emergencies and except where special duties assigned to such personnel necessitates absence there from.

Section 2. Communications between Officers, Directors and employees of the District, personal and written, shall be through recognized channels to the end that confusion and conflict may be avoided.

Section 3. Whenever practical all claims shall before payment be approved by the District Board of Directors.