



Province of Alberta

IRRIGATION DISTRICTS ACT

IRRIGATION FORMS REGULATION

Alberta Regulation 81/2000

With amendments up to and including Alberta Regulation 169/2012

Office Consolidation

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 169/2012)

ALBERTA REGULATION 81/2000

Irrigation Districts Act

IRRIGATION FORMS REGULATION

Forms

1 The forms in this Regulation are the forms prescribed under the *Irrigation Districts Act*.

Administrative changes

1.1 The board of a district may make any administrative changes that are necessary to the forms prescribed in the regulations under the *Local Authorities Election Act* to ensure that that Act and the regulations under it can be applied to an election of members of the board as required by section 54 of the *Irrigation Districts Act*.

AR 27/2003 s2

Repeal

2 The *Forms Regulation* (AR 159/85) is repealed.

Expiry

3 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on October 31, 2022.

AR 81/2000 s3;27/2003;169/2012

Form 1

Irrigation Districts Act

(Section 45(2)(b))

Notice of Annual Meeting

TAKE NOTICE that the annual meeting of the irrigators of the (name) Irrigation District will be held at (name and address of location) on the _____ day of (month, year) beginning at (time) o'clock in the (am/pm) to:

(a) present annual reports of:

(i) the chair on behalf of the Board,

- (ii) the manager,
- (iii) the auditor of the district, and
- (iv) the maintenance of irrigation works for the district, and

(b) conduct any other business.

Dated at (city/town), this day of (month, year).

 (name) , Manager

 (name) Irrigation District

AR 81/2000 Form 1;27/2003

Form 2

Irrigation Districts Act

(Section 78(1))

Notice of Petition for the Formation of an Irrigation District

TAKE NOTICE that a petition to form an irrigation district to be known as the (name) Irrigation District will be submitted to the Minister of Agriculture and Rural Development on or after (a date being 21 days or more from the date of this publication).

The application to form an irrigation district is described in the following petition:

The registered owners of land within the meaning of the *Irrigation Districts Act*, representing more than 75% of the area of the proposed district and more than 50% of the total number of registered owners of the land, petition that the parcels listed in the Statement forming part of this petition, be formed into an irrigation district under the *Irrigation Districts Act*, to be known as the (name) Irrigation District with head office located at (mailing address).

The purpose of this petition is to form a new irrigation district consisting of approximately (number) parcels with a proposed irrigated area of approximately (number) acres.

A list of the individual parcels of land to be included in the proposed irrigation district is available for viewing at (name and street address where a copy of the petition can be viewed)

Any person wishing to object to the petition is required to submit a written objection to the Irrigation Council at (address of

Council within 30 days after the date of the publication of this notice.

(name of agent acting on behalf of the petitioners)

AR 81/2000 Form 2;35/2007;68/2008

Form 3

Irrigation Districts Act
(Section 78(1))
**Notice of Petition for the Amalgamation
of Irrigation Districts**

TAKE NOTICE that a petition to amalgamate the (name) Irrigation District and the (name) Irrigation District will be submitted to the Minister of Agriculture and Rural Development on or after (a date being 21 days or more from the date of this publication).

The application to amalgamate the irrigation districts is described in the following petition:

The majority of the Board of Directors of the (name) Irrigation District and a majority of the Board of Directors of the (name) Irrigation District, petition that the above named irrigation districts be amalgamated into one irrigation district to be known as the (name) Irrigation District.

Any person wishing to object to the petition is required to submit a written objection to the Irrigation Council at (address of Council) within 30 days after the date of the publication of this notice.

(name of agent acting on behalf of the petitioners)

AR 81/2000 Form 3;35/2007;68/2008

Form 4

Irrigation Districts Act
(Section 78(1))
**Notice of Petition for the Dissolution
of an Irrigation District**

TAKE NOTICE that a petition to dissolve the (name) Irrigation District will be submitted to the Minister of Agriculture and Rural Development on or after (a date being 21 days or more from the date of this publication).

The application to dissolve the irrigation district is described in the following petition:

The majority of the Board of Directors of the (name) Irrigation District, petition that the above named irrigation district be dissolved.

Any person wishing to object to the petition is required to submit a written objection to the Irrigation Council at (address of Council) within 30 days after the date of the publication of this notice.

(name of agent acting on behalf of the petitioners)

AR 81/2000 Form 4;35/2007;68/2008

Form 5

Irrigation Districts Act

(Section 85/86)

Notice of Application to Change the Area of an Irrigation District

TAKE NOTICE that applications have been received by the (name) Irrigation District to change the area of the District.

Applications to add parcels consist of:

Name of Landowner	Number of Irrigation Acres Proposed	Legal Land Description

Applications to remove parcels consist of:

Name of Landowner	Number of Irrigation Acres	Legal Land Description

Any person wishing to complain is required to submit a written complaint to the (name) Irrigation District at (complete address) within 30 days after the date of the publication of this notice.

_____(name)_____, Manager

_____(name)_____, Irrigation District
AR 81/2000 Form 5;27/2003

Form 6

Irrigation Districts Act (Section 56)

Irrigator Eligibility to Vote

I, (name) , of (town/city) , Alberta, do hereby (swear or affirm) as follows:

- 1 I am an irrigator in respect of land recorded on the most recent assessment roll of the (name) Irrigation District.
- 2 I am entitled to vote in Electoral Division No. _____ of the district because I am an irrigator in respect of land in this irrigation district and the majority of my irrigation acres are within this electoral division. (Strike out paragraph 2 where it is a plebiscite or an election where the election of directors is NOT by electoral divisions.)
- 3 I have not voted before at the election or plebiscite being held today.

SWORN (OR AFFIRMED) BEFORE ME)

at the _____ of _____)
in the Province of Alberta the _____) (signature of irrigator)
___ day of _____, A.D. _____.)

_____(signature of officer at the voting station)_____

Form 7

Irrigation Districts Act (Section 56)

Agent of a Body Corporate Eligibility to Vote

I, (name) , of (town/city) , Alberta, do hereby (swear or affirm) as follows:

- 1 I have written authorization appointing me the agent for the (name of corporation) (hereinafter called "the

corporation”) for the purpose of permitting me to vote as the agent of the corporation in the election or plebiscite being held today.

- 2 The corporation is an irrigator in respect of land recorded on the most recent assessment roll in the (name) Irrigation District.
- 3 The corporation is entitled to a vote in Electoral Division No. _____ of the district because it is an irrigator in respect of land in this irrigation district and the majority of its irrigation acres are within this Electoral Division. (Strike out paragraph 3 where it is a plebiscite or an election where the election of directors is NOT by electoral divisions.)
- 4 To the best of my knowledge no one has voted before at the election or plebiscite being held today in the capacity as agent of the corporation.

SWORN (OR AFFIRMED) BEFORE ME)
 at the _____ of _____)
 in the Province of Alberta the _____) (signature of agent)
 ___ day of _____, A.D. _____.)

(signature of officer at the voting station)

Form 8

Irrigation Districts Act

(Section 75(a))

Petition for the Formation of an Irrigation District

To: The Minister of Agriculture and Rural Development

The undersigned registered owners of land within the meaning of the *Irrigation Districts Act*, representing more than 75% of the area of the proposed district and more than 50% of the total number of registered owners of the land, petition that the parcels listed in the Statement forming part of this petition, be formed into an irrigation district under the *Irrigation Districts Act*, to be known as the (name) Irrigation District with head office located at (mailing address).

The purpose of this petition is to form a new irrigation district consisting of approximately (number) parcels with a proposed irrigated area of approximately (number) acres.

Attached to this petition is:

- 1 Evidence that the formation of this new irrigation district is feasible as required under section 77(b) of the Irrigation Districts Act.
- 2 A statement listing the parcels to be included in the district.
- 3 Statutory declarations as required under section 77(f) of the Irrigation Districts Act.

All communications regarding this petition may be sent to (name of agent) at (address) on behalf of all petitioners.

Statement

Listed below and on attached sheets (if necessary) are names, addresses and signatures of the registered owners and a legal land description of all land to be included in the proposed (name) Irrigation District. *(This description is the same as that shown on the certificate of title at the Land Titles Office.)*

Legal Land Description	Proposed Number of Irrigation Acres	Name (printed) of Registered Owner	Signature of Registered Owner

AR 81/2000 Form 8;35/2007;68/2008

Form 9

Irrigation Districts Act (Section 75(c))

Petition for the Amalgamation of Irrigation Districts

To: The Minister of Agriculture and Rural Development

The undersigned, being a majority of the Board of Directors of the (name) Irrigation District and a majority of the Board of Directors of the (name) Irrigation District, petition that the above named irrigation districts be amalgamated into one irrigation district to be known as the (name) Irrigation District.

Attached to this petition is:

1 Evidence that amalgamation is feasible as required under section 77(b) of the *Irrigation Districts Act*.

2 The results of the question submitted to the electors of each irrigation district pursuant to section 76(3) of the *Irrigation Districts Act*.

3 Statutory declarations as required under section 77(f) of the *Irrigation Districts Act*.

Signatures of the majority of the Board of Directors and seal of the <u>(name)</u> Irrigation District

Signatures of the majority of the Board of Directors and seal of the <u>(name)</u> Irrigation District

All communications regarding this petition may be sent to (name of agent) at (address) on behalf of all petitioners.

AR 81/2000 Form 9;35/2007;68/2008

Form 10

Irrigation Districts Act
 (Section 75(b))
Petition for the Dissolution
of an Irrigation District

To: The Minister of Agriculture and Rural Development

The undersigned, being a majority of the Board of Directors of the (name) Irrigation District, petition that the above named irrigation district be dissolved.

Attached to this petition is:

1 Evidence that the dissolution of this irrigation district is feasible as required under section 77(b) of the *Irrigation Districts Act*.

2 The results of the question submitted to the electors in accordance with section 76(3) of the *Irrigation Districts Act*.

- 3 Statutory declarations as required under section 77(f) of the Irrigation Districts Act.

Signatures of the majority of the Board of Directors and seal of the <u> (name) </u> Irrigation District

All communications regarding this petition may be sent to (name of agent) at (address) on behalf of all petitioners.

AR 81/2000 Form 10;35/2007;68/2008

Form 11

Irrigation Districts Act

(Section 77(f))

Statutory Declaration

Formation of an Irrigation District

I, (name) , of (address) , do solemnly declare that:

- 1 I have personal knowledge of the matters in the attached petition except where stated to be on information and belief.
- 2 The persons shown as owners in the attached petition are the registered owners of the land set out opposite their names, and the land descriptions set out opposite their names are correct.
- 3 In those cases where the registered owners have purported to sign the said petition, the signatures on the petition are the bonafide signatures of the registered owners and each of the registered owners is of the full age of 18 years.
- 4 In those cases where another person has signed the petition on behalf of a registered owner, that person has been duly authorized to do so by that registered owner.
- 5 The registered owners whose names appear on the petition are owners of more than 75% of the land, and make up more than 50% of the total number of registered owners of land to be included in the proposed irrigation district.
- 6 The factual matters and information set out in the accompanying petition and the evidence of the feasibility of

the formation of the irrigation district are, to the best of my knowledge, information and belief, true.

And I make this solemn declaration conscientiously believing it to be true, and knowing it to be of the same force and effect as if made under oath.

(Severally) Declared before me at the
(city/town/village) of (name of city/
 town/village) in the Province of Alberta, (signature of person
 making the declaration)
 this (day) day of (month, year)

(signature of) A Commissioner for Oaths (name [printed] of
 person making the
 declaration)
 in and for the Province of Alberta

(expiry date)

Form 12

Irrigation Districts Act

(Section 77(f))

Statutory Declaration Amalgamation of Irrigation Districts Dissolution of an Irrigation District

I, (name), of (address), do solemnly declare that:

- 1 I have personal knowledge of the matters in the attached petition except where stated to be on information and belief.
- 2 The persons shown as members of the Boards of Directors of the respective irrigation districts in the attached petition are the members of the Boards of Directors of the respective irrigation districts.
- 3 The signatures on the petition are the bonafide signatures of the Board members.
- 4 The Board members whose signatures appear on the petition make up the majority of Board members for the respective irrigation districts.
- 5 The factual matters and information set out in the accompanying petition, the results of the question submitted to the electors and the evidence of the feasibility of the proposed (amalgamation/dissolution) are, to the best of my knowledge, information and belief, true.

And I make this solemn declaration conscientiously believing it to be true, and knowing it to be of the same force and effect as if made under oath.

(Severally) Declared before me at the
(city/town/village) of (name of city/
town/village) in the Province of Alberta, (signature of person
 this (day) day of (month, year) making the declaration)

(signature of) A Commissioner for Oaths (name [printed] of
 in and for the Province of Alberta person making the
declaration)

(expiry date)

Form 13

Irrigation Districts Act

(Section 84)

Application to Add a Parcel to an Irrigation District

To the _____ Irrigation District: Date: _____

We, _____, the owners, hereby apply for the parcel of land described below to be added to the (name) Irrigation District for the purpose of irrigating approximately (number) acres as shown on the attached drawing.

Legal land description (exactly as shown on current certificate of title):

We are aware that before adding the parcel to the irrigation district and adding the parcel and its irrigation acres to the assessment roll, all the requirements of the *Irrigation Districts Act* respecting land classification, assessment and capital charges must be met.

(signatures of over 50% of registered owners)

(owners' names [printed]) (signatures of witnesses)

Attach a drawing of the proposed parcel to be added to the District showing:

- the area proposed to be irrigated, and
- the proposed point of delivery.

(For irrigation district use only)

This application was approved by the Board of Directors of the
 (name) Irrigation District on (month, day, year)

 (authorized signature for
 the Irrigation District) (seal of Irrigation District)
 (Name and Title [printed])

Form 14

Irrigation Districts Act (Section 84)

Application to Remove a Parcel from an Irrigation District

To the _____ Irrigation District: Date: _____

We, _____, the owners, hereby apply to remove the parcel of
 land described below from the (name) Irrigation District. This
 parcel has (number) irrigation acres shown on the current
 assessment roll of the irrigation district.

Legal land description (exactly as shown on current certificate of
 title):

We are aware that, if this parcel is removed from the district, its
 irrigation acres must also be deleted from the assessment roll, in
 accordance with Parts 4 and 5 the *Irrigation Districts Act*.

 (signatures of over 50% of registered owners)

 (owners' names [printed]) (signatures of witnesses)

(For irrigation district use only)

This application was approved by the Board of Directors of the
 (name) Irrigation District on (month, day, year)

 (authorized signature for
 the Irrigation District) (seal of Irrigation District)
 (Name and Title [printed])

FORM 15**Irrigation Districts Act**
(Section 88)**Notice to Irrigation Secretariat:
Change of Area of an Irrigation District**

On behalf of the (name) Irrigation District, I hereby request that the Irrigation Secretariat forward a certified copy of this notice to the Registrar of Land Titles for the purposes of registration under section 22 of the *Land Titles Act* and arrange for notice to be published in The Alberta Gazette.

The following parcels of land should be ADDED to the irrigation district and the appropriate notation added to the certificate of title:

LINC Number	Short Legal Description	Title Number

The following parcels of land should be REMOVED from the irrigation district and the notation removed from the certificate of title:

LINC Number	Short Legal Description	Title Number

To confirm that the procedures under Part 4 of the *Irrigation Districts Act* have been followed, the following documentation, where required by the Act or regulations, has been provided to the Irrigation Secretariat. The area of the (name) Irrigation District should be changed accordingly.

- 1 An approved application to add or remove a parcel to/from the Irrigation District, including all attachments for each parcel.
- 2 Proof that the application was advertised in a newspaper of general circulation in the district.
- 3 Current certificates of title for the respective lands.
- 4 In the case of additions, the land classification report.

- 5 A summary of the acres to be added to, acres to be deleted from and acres presently on the assessment roll.
- 6 If the parcel to be added is served from irrigation works not owned by the irrigation district, confirmation that the owner of the works agrees to allow the parcel to be served from his or her works.
- 7 A copy of the written notice of the district's decision provided to the applicant and complainants.
- 8 If the parcel is being removed pursuant to section 98(2) of the Act, confirmation that the parcel no longer contains any irrigation acres.

(authorized signature for _____ (seal of Irrigation District)
the Irrigation District)
 (Name and Title [printed])

(For Irrigation Secretariat use only)

I certify that the procedures required under Part 4 of the *Irrigation Districts Act* have been completed and the area of the (name) Irrigation District should be changed according to the above list.

(authorized signature for _____ (name - printed)
the Irrigation Secretariat) (title)
(DRR number) (date)

AR 81/2000 Form 15;251/2001;27/2003

Form 16
Irrigation Districts Act
 (Section 109)

**List of Complaints Regarding
 Assessment**

Complaints to be heard on the _____ day of (month, year), by the Board of Directors of the (name) Irrigation District sitting as an Assessment Review Board.

Complainant	Description of Parcel	Complaint
_____	_____	_____
_____	_____	_____
_____	_____	_____

Form 17A
Irrigation Districts Act
 (Section 138/139)

**Application for Confirmation
 of Enforcement**

COURT FILE NUMBER _____ Clerk's Stamp:

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

APPLICANT The _____ Irrigation District

RESPONDENT(S)

DOCUMENT

ORIGINATING APPLICATION —
CONFIRMATION OF (year)
ENFORCEMENT RETURN

ADDRESS FOR SERVICE AND
 CONTACT INFORMATION OF
 PARTY FILING THIS DOCUMENT

NOTICE TO THE RESPONDENT(S)

This application is made against you. You are a respondent. You have the right to state your side of this matter before the Court.

Date _____

Time _____

Where _____

Before Presiding Justice in Chambers

On the date of the hearing, the Court may hear the Applicant and any objecting parties, or set a date for a formal hearing.

Go to the end of this document to see what you can do and when you must do it.

Basis for this claim:

1. The Respondent(s) appear(s) by the records of the Applicant and the South Alberta Land Registration District to have an interest in the following described parcels of land:

*(describe land as on abstracts of title on record at
 the Land Titles Office and the assessment roll)*

2. The parcels or land are shown in the Applicant's (year) Enforcement Return by reason of the fact that the amounts shown in the billing notice as payable to the Applicant in the amount of \$_____ in respect to the said parcels of land have not been paid in accordance with section 137(2) of the *Irrigation Districts Act*.

Remedy sought:

3. An Order confirming the (year) Enforcement Return of the Applicant.
4. _____

Affidavit or other evidence to be used in support of this application:

5. _____

Applicable Acts and regulations:

6. *Irrigation Districts Act* (sections 138 and 139).

If you do not pay the above-noted amount seven (7) days prior to the date set for the Court hearing, further costs will be assessed and registered against the said lands.

WARNING

If you do not come to Court either in person or by your lawyer, the Court may give the applicant what it wants in your absence, including confirmation of the Enforcement Return insofar as it relates to the above-described parcels of land, and the Court may fix costs of this application. You will be bound by any order that the Court makes.

If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of this form. If you intend to rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the applicant.

Form 17B
Irrigation Districts Act
 (Section 137)

Enforcement Return

The enforcement return may be in any form but must contain the matters specified in section 137(3) of the Act. The bottom of the first page of the enforcement return must contain the following notation:

This enforcement return is hereby confirmed this ____ day of _____, (year) ____ in the amount of \$ _____. Costs are fixed at \$ _____. _____ (Signature) Judge of the Court of Queen’s Bench of Alberta
--

Form 18A

Irrigation Districts Act
 (Section 23)

Notice to Land Titles Office
Registration of an Irrigable Unit

Pursuant to section 23(1) of the *Irrigation Districts Act*, the registered owner(s) and the _____ Irrigation District have agreed to designate as an irrigable unit the land listed below.

Attached is a certified copy of a resolution by the Board of Directors of the _____ Irrigation District designating an irrigable unit on those lands.

LINC Number	Short Legal Description	Title Number

I certify that the requirements of the *Irrigation Districts Act* have been met and that the registered owner(s) of this land have consented in writing to the designation of these lands as an irrigable unit.

Please register this irrigable unit endorsement on the above titles.

(authorized signature for the Irrigation District)

(Seal of the
Irrigation District)

(name - printed)
(title)

AR 81/2000 Form 18A;27/2003

Form 18B

Irrigation Districts Act
(Section 23)

Notice to Land Titles Office
Removal of an Irrigable Unit Endorsement

Pursuant to section 23(7) of the *Irrigation Districts Act*, the registered owner(s) and the _____ Irrigation District have agreed to remove the irrigable unit designation from the land listed below.

Attached is a certified copy of a resolution by the Board of Directors of the _____ Irrigation District rescinding the resolution that designated these lands as an irrigable unit.

LINC Number	Short Legal Description	Title Number

I certify that the requirements of the *Irrigation Districts Act* have been met and that the registered owner(s) of this land have consented to rescind the irrigable unit designated on these lands.

Please remove the irrigable unit endorsements from the above titles.

(authorized signature for the Irrigation District)

(Seal of the
Irrigation District)

(name - printed)
(title)

AR 81/2000 Form 18B;27/2003

Form 19A**Irrigation Districts Act**
(Section 24)**Notice to Land Titles Office**
Registration of a Remote
Delivery Agreement

Pursuant to section 24 of the *Irrigation Districts Act*, the registered owner(s) and the _____ Irrigation District have entered into a remote delivery agreement on the following land.

LINC Number	Short Legal Description	Title Number

I certify that the requirements of the *Irrigation Districts Act* have been met and that the owner(s) of this land and the _____ Irrigation District have agreed to serve this land for irrigation purposes under the conditions of a remote delivery agreement.

Please register the remote delivery agreement on the above title(s).

(authorized signature for the Irrigation District)

(Seal of the
Irrigation District)

(name - printed)
(title)

AR 81/2000 Form 19A;27/2003

Form 19B**Irrigation Districts Act**
(Section 24)**Notice to Land Titles Office**
Cancellation of a Remote Delivery
Agreement Endorsement

Pursuant to section 24 of the *Irrigation Districts Act*, the _____ Irrigation District has cancelled the remote delivery agreement on the following land.

LINC Number	Short Legal Description	Title Number

--	--	--

I certify that the requirements of the *Irrigation Districts Act* have been met and that the _____ Irrigation District has cancelled the remote delivery agreement on the above land in accordance with section 24 of the Act.

Please remove the remote delivery agreement endorsement on the above title(s).

(authorized signature for the Irrigation District)

(Seal of the
Irrigation District)

(name - printed)
(title)

AR 81/2000 Form 19B;27/2003

Form 20A

Irrigation Districts Act
(Section 20)

Notice to Land Titles Office
Registration of a Use of Irrigation
Works Agreement

Pursuant to section 20 of the *Irrigation Districts Act*, the registered owner(s) of land and the _____ Irrigation District have entered into a use of irrigation works agreement on the following land.

LINC Number	Short Legal Description	Title Number

I certify that the requirements of the *Irrigation Districts Act* have been met and that the owner(s) of this land and the _____ Irrigation District have entered into a use of irrigation works agreement on this land.

Please register a use of irrigation works agreement endorsement on the above title(s).

(authorized signature for the Irrigation District)

(Seal of the
Irrigation District)

(name - printed)
(title)

AR 81/2000 Form 20A;27/2003

Form 20B**Irrigation Districts Act**
(Section 20)**Notice to Land Titles Office
Cancellation of a Use of
Irrigation Works Agreement**

Pursuant to section 20 of the *Irrigation Districts Act*, this will certify that the use of irrigation works agreement on the following land is no longer in effect.

LINC Number	Short Legal Description	Title Number

I certify that:

- a) the landowner(s) have consented to cancel the use of irrigation works agreement on this land, or
- b) the agreement has expired and has not been renewed.

Please remove the use of irrigation works agreement endorsement from the above title(s).

(authorized signature for the Irrigation District)

(Seal of the
Irrigation District)

(name - printed)
(title)

AR 81/2000 Form 20B;27/2003



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