



Province of Alberta

## IRRIGATION DISTRICTS ACT

# IRRIGATION PLEBISCITE REGULATION

### **Alberta Regulation 79/2000**

With amendments up to and including Alberta Regulation 169/2012

### Office Consolidation

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(Consolidated up to 169/2012)

**ALBERTA REGULATION 79/2000**

**Irrigation Districts Act**

**IRRIGATION PLEBISCITE REGULATION**

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Schedule

**Public notice**

**1(1)** A public notice under sections 7(2), 11(2) and 12(5) of the Act must be in the form set out in the Schedule to this Regulation.

**(2)** If a plebiscite is held under section 7, 11 or 12 of the Act, the board of a district must, at least once in each of the 2 weeks preceding the week during which the plebiscite is to be held, publish in a newspaper of general circulation in the district a public notice in the form set out in the Schedule to this Regulation.

AR 79/2000 s1;30/2003

**Public information respecting commercial activities**

**2** Where a board of a district intends to hold a plebiscite under section 7 of the Act, before the board holds a meeting with the public as required under section 7(1)(a) of the Act, the board must make the following information available to the public:

- (a) the total amount to be invested by the district in the commercial activity and the form of the investment;
- (b) the proposed operating budget for the district for the next fiscal year showing the effect of the proposed investment;

- (c) a minimum 5 year projection of the profits or losses that may be incurred by the district due to the commercial activity;
- (d) a minimum 5 year projection of the effects the investment may have on the future irrigation rates of the district.

**Public information respecting transfer of allocation of water**

**3(1)** Before a board of a district holds a meeting with the public as required under section 11(1)(a) of the Act, the board must make the following information available to the public:

- (a) the total gross volume of water required for crop use including data on
  - (i) the average net depth of water required per acre,
  - (ii) the total area to be irrigated,
  - (iii) the area of each type of crop,
  - (iv) the level of risk of a water shortage (deficit and frequency),
  - (v) the volume of water lost from canals and reservoirs, and
  - (vi) the return flow volume;
- (b) the volume of water allocated under the district's water licences that is required for uses other than irrigation;
- (c) the total volume of water required based on adding the volumes under clauses (a) and (b);
- (d) the volume of water allocated to the district under all of the district's existing water licences;
- (e) the volume of water proposed for transfer;
- (f) the proposed recipient of the volume of water proposed for transfer.

**(2)** The volumes of water specified in subsection (1) may be reported in acre feet or in cubic metres.

**(3)** If a board of a district intends to make a request to the Minister to waive the requirement for a plebiscite under section 11(6) of the Act, it must reveal its intention to make such a request both at the meeting with the public and in the information that is made available to the public.

AR 79/2000 s3;30/2003

**Public information respecting expansion limit**

**4(1)** Before a board of a district holds a meeting with the public as required under section 12(4)(a) of the Act, the board must make the following information available to the public:

- (a) the volume of water allocated to the district under all of the district's existing water licences;
- (b) the volume of water lost from canals and reservoirs;
- (c) the return flow volume;
- (d) the volume of water allocated under the district's water licences that is required for uses other than irrigation;
- (e) the remaining volume of water available for crop use;
- (f) the gross volume of water required per acre at the farm turnout for crops, including data on
  - (i) the average net depth of water required per acre,
  - (ii) the percentage of each crop type, and
  - (iii) the level of risk of a water shortage (deficit and frequency);
- (g) the total acres that could be irrigated based on the calculations made under clause (f);
- (h) the present expansion limit;
  - (i) the number of acres on the current assessment roll;
  - (j) the proposed expansion limit;
- (k) a description of the areas in the district where additional irrigation will be allowed if the district will not allow additional irrigation in all areas of the district.

**(2)** The volumes of water specified in subsection (1) may be reported in acre feet or in cubic metres.

**(3)** If a board of a district intends to make a request to the Minister to waive the requirement for a plebiscite under section 12(9) of the Act, it must reveal its intention to make such a request both at the meeting with the public and in the information that is made available to the public.

AR 79/2000 s4;30/2003

### **Ballot**

**5(1)** A ballot must,

- (a) for a plebiscite under section 7 of the Act, state
  - (i) the amount of the proposed investment, and
  - (ii) the name of the commercial activity;
- (b) for a plebiscite under section 11 of the Act,
  - (i) state the current volume of water allocated under all water licences,
  - (ii) set out the volume of water calculated to be needed by the irrigation district to meet the needs of the irrigators and other users in the district,
  - (iii) set out the volume of water proposed to be transferred, and
  - (iv) state the name of the proposed recipient of the transfer;
- (c) for a plebiscite under section 12 of the Act,
  - (i) set out the present expansion limit,
  - (ii) state the estimated number of acres that could be irrigated with the water allocated under the present district water licences issued under the *Water Act*, and
  - (iii) set out the proposed expansion limit.

**(2)** A ballot used in a plebiscite under section 7, 11 or 12 of the Act shall be in the form set out in the Schedule to this Regulation.

### **Eligibility to vote**

**6(1)** Where a district holds a plebiscite under section 7 of the Act and more than one irrigator is the owner of a parcel, only one irrigator may vote on behalf of that parcel and all the irrigation

acres in the parcel must be attributed to the irrigator who casts the ballot.

(2) Where a district holds a plebiscite under section 7 of the Act and one or more irrigators is the owner of one or more parcels, the irrigators entitled to vote may vote on behalf of any parcel or parcels.

**Duty of irrigator and officer**

7 Where a district holds a plebiscite under section 7 of the Act,

- (a) the irrigator must specify which parcels the irrigator is voting on behalf of, and
- (b) the officer must
  - (i) calculate the total number of irrigation acres for all the parcels, and
  - (ii) mark the total number of irrigation acres on the ballot before the ballot is cast.

**Expiry**

8 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 79/2000 s8;30/2003;169/2012

**Schedule**

**Form 1 A**

**Irrigation Districts Act**  
(Section 7)

**Notice of Public Meeting**

          (name)           Irrigation District

**Proposed Investment in a Commercial Activity**

TAKE NOTICE that a public meeting 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 discuss the proposed investment by the           (name)           Irrigation District in a commercial activity known as the           (name of commercial activity)          .



Additional information regarding the proposed investment is available to the public at the offices of the district.

The plebiscite will take place on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between the hours of (start time) and (closing time).

Voting stations will be located at:

\_\_\_\_\_

DATED at the \_\_\_\_\_ of \_\_\_\_\_ in the Province of Alberta, this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

### Form 2 A

#### Irrigation Districts Act

(Section 11)

#### Notice of Public Meeting

(Name) Irrigation District

#### Water Licence Transfer

TAKE NOTICE that a public meeting 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 discuss the proposed transfer of (volume) of water from the water licences issued to the (name) Irrigation District to the (name of the potential recipient of the transfer).

Additional information regarding this proposed transfer is available to the public at the offices of the district.

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

(name), Manager

(name) Irrigation District

### Form 2 B

#### Irrigation Districts Act

(Section 11)

#### Sample Ballot

The (name) Irrigation District presently has (a) water licence(s) that allocate a total of (volume) of water to the district. The Board of Directors has determined that (volume) of water is

sufficient for the district's needs. The Board of Directors is seeking the approval of the irrigators to apply to transfer     (volume)     of the water allocated in those/those licence(s) to     (name of proposed recipient)    .

Do you approve:

- Yes, I am in favor of this proposed transfer.
- No, I am against this proposed transfer.

### Form 2 C

#### Irrigation Districts Act (Section 11)

#### Notice of Plebiscite

    (Name)     Irrigation District

Province of Alberta

TAKE NOTICE that a plebiscite will be held for the purpose of seeking approval of the irrigators to apply to transfer     (volume)     of the water allocated in the irrigation district's water licence to     (name of proposed recipient)    .

Additional information regarding the proposed transfer is available to the public at the offices of the district.

The plebiscite will take place on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between the hours of     (start time)     and     (closing time)    .

Voting stations will be located at:

\_\_\_\_\_

\_\_\_\_\_

DATED at the \_\_\_\_\_ of \_\_\_\_\_ in the Province of Alberta, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**Form 3 A****Irrigation Districts Act**  
(Section 12)**Notice of Public Meeting****(Name)       Irrigation District****Change to the Expansion Limit**

TAKE NOTICE that a public meeting 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 discuss a proposed change to the expansion limit of the       (name)       Irrigation District from the existing limit of       (number)       acres to       (number)       acres.

Additional information regarding this proposed change is available to the public at the offices of the district.

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

      (name)      , Manager

      (name)       Irrigation District

**Form 3 B****Irrigation Districts Act**  
(Section 12)**Sample Ballot**

The       (name)       Irrigation District presently has an expansion limit of       (number)       acres. The Board of Directors has determined that       (number)       acres could be served with its existing water licence(s). The Board of Directors is seeking the approval of the irrigators to change the expansion limit to       (number)       acres.

Do you approve:

- Yes, I am in favor of changing the expansion limit to       (number)       acres.
- No, I am against changing the expansion limit.

**Form 3 C**

**Irrigation District Act**  
(Section 12)

**Notice of Plebiscite**

**(name) Irrigation District**

**Province of Alberta**

TAKE NOTICE that a plebiscite will be held for the purpose of seeking approval of the irrigators to change the expansion limit of the (name) Irrigation District from the existing limit of (number) acres to (number) acres.

Additional information regarding the proposed change is available to the public at the offices of the district.

The plebiscite will take place on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between the hours of (start time) and (closing time).

Voting stations will be located at:

\_\_\_\_\_  
\_\_\_\_\_

DATED at the \_\_\_\_\_ of \_\_\_\_\_ in the Province of Alberta, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

AR 79/2000 Sched.;30/2003









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