



Province of Alberta

## IRRIGATION DISTRICTS ACT

# IRRIGATION SEEPAGE CLAIMS EXEMPTION REGULATION

### **Alberta Regulation 80/2000**

With amendments up to and including Alberta Regulation 169/2012

### Office Consolidation

© Published by Alberta Queen's Printer

Alberta Queen's Printer  
5<sup>th</sup> Floor, Park Plaza  
10611 - 98 Avenue  
Edmonton, AB T5K 2P7  
Phone: 780-427-4952  
Fax: 780-452-0668

E-mail: [qp@gov.ab.ca](mailto:qp@gov.ab.ca)  
Shop on-line at [www.qp.alberta.ca](http://www.qp.alberta.ca)

### **Copyright and Permission Statement**

Alberta Queen's Printer holds copyright on behalf of the Government of Alberta in right of Her Majesty the Queen for all Government of Alberta legislation. Alberta Queen's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and Crown copyright is acknowledged in the following format:

© Alberta Queen's Printer, 20\_\_.\*

\*The year of first publication of the legal materials is to be completed.

### **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 80/2000**

**Irrigation Districts Act**

**IRRIGATION SEEPAGE CLAIMS  
EXEMPTION REGULATION**

*Table of Contents*

- 1 Continued exemption
- 2 Seepage control plan
- 3 Draft seepage control plan
- 4 Requirements for subsequent seepage control plans
- 5 Time to appeal
- 6 Repeal
- 7 Expiry

**Continued exemption**

**1(1)** Subject to section 201(1) of the Act, an exemption from the operation of sections 155 to 160 of the Act continues for the following districts:

- (a) Bow River Irrigation District;
- (b) Lethbridge Northern Irrigation District;
- (c) Magrath Irrigation District;
- (d) Raymond Irrigation District;
- (e) St. Mary River Irrigation District;
- (f) Taber Irrigation District;
- (g) United Irrigation District;
- (h) Western Irrigation District.

**(2)** Subject to section 201(1) of the Act, the Minister responsible for the *Water Act* in his capacity as a district pursuant to section 89(6) of the *Water Act* continues to be exempt from the operation of sections 155 to 160 of the Act with respect to

- (a) The Lethbridge Northern Headworks System,

- (b) The Carseland-Bow River Headworks System, and
- (c) The Waterton-St.Mary Headworks System.

**Seepage control plan**

**2** In addition to the requirements set out in section 161(4)(a) and (b) of the Act, an initial seepage control plan and every subsequent seepage control plan must set out

- (a) a list of all the projects and the name of each project to be constructed under the plan in the next 5 years,
  - (b) for each project named pursuant to clause (a),
    - (i) the number of acres affected by seepage damage,
    - (i.1) a description of the investigations completed or to be undertaken in respect of the project,
    - (ii) the types of seepage control measures being considered for installation,
    - (iii) the length of canal or other irrigation works where seepage control measures are proposed,
    - (iv) the total estimated cost of construction of the project, and
    - (v) the year the project will be complete,
- and
- (c) a declaration by the board of the district that
    - (i) the district has accepted the seepage control plan, and
    - (ii) the projects identified in the seepage control plan will be constructed whether or not funding is provided to the district by the Government of Alberta.

AR 80/2000 s2;29/2003

**Draft seepage control plan**

**3** A draft seepage control plan referred to in section 161(2) of the Act must contain the matters described in section 161(4)(a) and (b) of the Act and section 2 of this Regulation.

**Requirements for subsequent seepage control plans**

**4(1)** At least 60 days prior to filing a subsequent seepage control plan with the Irrigation Secretariat in accordance with section

164(1) of the Act, the district must publish notice in a newspaper having general circulation in the district that the plan will be filed with the Irrigation Secretariat.

(2) A notice under subsection (1) must

- (a) briefly describe the contents of the subsequent seepage control plan,
- (b) state the date the subsequent seepage control plan will be filed with the Irrigation Secretariat,
- (c) state that copies of the subsequent seepage control plan are available to the public at the office of the district during regular business hours,
- (d) state that comments about the plan will be received by the district from any person within 30 days of the date of the notice,
- (e) state that any owner of land on which seepage damage may have occurred may appeal the subsequent seepage control plan to the Council by filing a notice of appeal within 30 days of the date specified for filing of the plan with the Irrigation Secretariat if
  - (i) the land on which seepage damage may have occurred is not included in the subsequent seepage control plan, or
  - (ii) in the opinion of the owner, the plan does not contain adequate measures to control the seepage,

and

- (f) state any other particulars as the district sees fit.

#### **Time to appeal**

**5** In the case of a subsequent seepage control plan, a notice of appeal must be submitted to the Council not later than 30 days after the date of filing of the subsequent seepage control plan with the Irrigation Secretariat or not later than 30 days after the date specified in a notice under section 4(2)(b), whichever is later.

AR 80/2000 s5;29/2003

#### **Repeal**

**6** The *Irrigation Seepage Claims Exemption Regulation* (AR 158/85) is repealed.

**Expiry**

**7** 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 80/2000 s7;29/2003;169/2012





Printed on Recycled Paper 