

**RULES**  
**SHELL CANAL COMPANY**

**Enacted through Shell Canal Company By-Laws**  
**Approved by the BOARD, motion made and voted on October 3, 2022**

**SECTION IV**

**Board of Directors**

Section 19: Said Board shall enact whatever rules are deemed advisable for the water by the water users of the Shell Canal Company.

**SECTION 1.0. PURPOSE AND DEFINITIONS FOR SHELL CANAL COMPANY**

- 1.1 PURPOSE:** These Rules and Policies further outline the internal operations of the Shell Canal Company in keeping with the purpose stated in the By-Laws.
- 1.2 DEFINITIONS:**
- Head Gate: Any of a variety of controls or devices for regulating or controlling water flow.
- Measuring Device: Flow meter, engineered division box, v-notch or rectangular weir or partial flume.
- Adjudicated Permit: Water from the Shell Reservoir that can be used on any lands.
- Adelaide Additional Water: Water that belongs to an individual that can be sold and can be used on any lands.

**SECTION 2.0 RULES FOR MANAGEMENT OF THE SHELL CANAL COMPANY**

- 2.1 RULES:** The Rules of the Company are the principles governing conduct, action and procedures set forth and administered directly by the Board.
- 2.2 PURPOSE:**
- 2.2.1** The rules of the Company are the current specific items that have been adopted to enable the Board and canal personnel to employ a standard method or procedure for handling the daily affairs of the Company fairly and justly among all members. The rules allow the Company to be prudent, expedient and uniform in the handling of all Company matters.
- 2.3 MEASURING DEVICE:**
- 2.3.1** All users must have a steel head gate and a measuring device approved by the Shell Canal Company.

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## **2.4 HEADGATES / STRUCTURES:**

- 2.4.1 All additions, deletions, changes of headgates, diversions, structures or devices, shall be approved by the Shell Canal Company Board. The board shall handle each request on an individual basis. Any additions, deletions or changes shall be to lands that are adjacent to the canal. Motion was made and voted on October 3, 2022.

## **2.5 LOCKS:**

- 2.5.1 Any member with a lock on a gate, head gate or any other hindrance to the duties performed by the Ditch Rider will furnish a key to the Ditch Rider so that he has total access.

## **2.6 DITCH MAINTAINENCE:**

- 2.6.1 Fencing or structures that cross any ditch that may impede the burning of weeds on the ditch must be removed by March 1 or that year to enable maintenance. Any damage to fencing or structures during maintenance that has not been removed is not the responsibility of the canal company or the Ditch Rider.

## **2.7 REPAIRS:**

- 2.7.1 Repairs to any portion of the canal shall be at the discretion of the Board.
- 2.7.2 If at any time a situation arises that requires an immediate response from the Board, at least two members on the Board, shall take whatever steps necessary to remedy the situation. If two board members are not available, one board member and the Ditch Rider can agree on the steps to be taken.
- 2.7.3 Placing or removing boards in a canal check or canal dump is to be done only by the ditch rider or at the Ditch Rider instructions.

## **2.8 CHANGE OF LAND OWNERSHIP AND WATER RIGHTS TRANSFER:**

- 2.8.1 When a change in land ownership occurs, where the land involved has adjudicated water rights, and both parcels involved in the change have adjudicated water rights, it is the responsibility of the parties involved "(NOT the CANAL COMPANY)" to have the appropriate property surveyed to determine the correct amount of adjudicated water for each parcel.

## **2.9 WATER RIGHTS ADJUDICATED AFTER 1998**

- 2.9.1 No person or persons with a water right adjudicated after 1998 will be allowed any of Shell Canals' stored water from either **ADELAIDE RESERVOIR OR SHELL RESERVOIR**. (Reason: later water rights did not

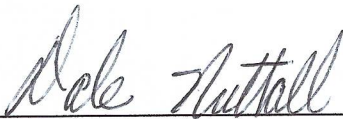
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share in the expenses of re-building or renovating storage reservoirs.)  
Motion was made and voted on April 15, 2014.

### SECTION 3.0 RULES

#### 3.1 DUES, FEES AND ASSESSMENTS:

- 3.1.1 Any member owing assessments to the Shell Canal Company shall not be allowed to take water from the ditch until payment is made in full or arrangements acceptable to the Shell Canal Company are agreed to.
- 3.1.2 In the current year, water will be shut off if in arrears more than thirty (30) days. Upon receipt of payment, member may take water from the ditch.
- 3.1.3 Land owners who fall into the minimum assessment category will continue to be assessed a minimum charge of \$100.00 and remain commensurate with other fees. Motion was made and voted on May 7, 2013.
- 3.1.4 New owners of land which transferred after April 15, 2014, which have an adjudicated water right will be charged a \$250.00 documentation fee. (Reason: update records, lists, county assessors' records). Motion made and voted on April 15, 2014.



Dale Nuttall, President



Sam Donahue, Vice President



Marian West, Secretary Treasurer



Holton Harter, Board Member



Ken Remple, Board Member



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