

**MOHAVE VALLEY IRRIGATION AND DRAINAGE DISTRICT  
COUNTY OF MOHAVE, STATE OF ARIZONA**

**RESOLUTION NUMBER 2018-04**

**RESOLUTION OF THE BOARD OF DIRECTORS CONCERNING USE OF  
DISTRICT CONTRACTED WATER OUTSIDE OF DISTRICT BOUNDARIES**

**WHEREAS**, Mohave Valley Irrigation and Drainage District, Mohave County, Arizona (District) is an irrigation district organized under Title 48, Chap. 19 of the Arizona Revised Statutes (A.R.S.); and

**WHEREAS**, District holds certain contracts with the United States Bureau of Reclamation for the diversion and use of Colorado River water within the District; and

**WHEREAS**, the District has in place District Resolution No. 90-1, as corrected and reaffirmed on April 1, 2008, which Resolution provides that water held by the District under its water delivery contract with the United States dated November 4, 1968 (Contract No. 14-06-W-204) (“1968 Contract”) cannot be transferred outside of the District’s external boundaries; and

**WHEREAS**, the District has, for many years, contemplated the creation of a Rotational Land Fallowing Program within the District, recognizing that such a program would involve considerable detail in implementation, including revision of at least one of the District’s existing Colorado River Contracts, approvals by federal and state authorities, and approval by the District’s Board of Directors; and

**WHEREAS**, that upon much discussion and consideration, including the views of Mohave County, other local cities and towns, and the Mohave County Water Authority, the District’s Board of Directors believes that such a Rotational Land Fallowing Program would, if properly structured and implemented, provide significant benefits to the agricultural lands within the District while avoiding adverse impacts to all other lands within the District; and

**NOW, THEREFORE, BE IT RESOLVED** that the District may undertake to develop a Rotational Land Fallowing Program designed to make water available outside District boundaries for a defined program period, but not in perpetuity.

**BE IT FURTHER RESOLVED** that Colorado River water held by the District under the 1968 Contract or other water delivery contracts between the District and the United States may only be transferred outside of the District’s external

boundaries under a Rotational Land Fallowing Program approved by the District, the State of Arizona and the United States Department of the Interior.

**BE IT FURTHER RESOLVED** that the District will agree to amend existing water subcontracts with the District for agricultural irrigation purposes and to issue new water subcontracts for those purposes to allow the use of water available under those subcontracts outside of the District’s external boundaries under a Rotational Land Fallowing Program when such program is finally approved.

**BE IT FURTHER RESOLVED** that this Resolution supersedes and replaces District Resolution 90-1.

**DATED:** \_\_\_\_\_

**MOHAVE VALLEY IRRIGATION AND  
DRAINAGE DISTRICT  
Mohave County, Arizona**

Directors Voting in Favor:

\_\_\_\_\_  
Charles B. Sherrill

\_\_\_\_\_  
Perry Muscelli

\_\_\_\_\_  
John Kai

\_\_\_\_\_  
Clay Vanderslice

\_\_\_\_\_  
Vince Vasquez

Directors Voting against:

\_\_\_\_\_  
Charles B. Sherrill

---

Perry Muscelli

---

John Kai

---

Clay Vanderslice

---

Vince Vasquez

**Attest:**

Date: \_\_\_\_\_