

42-711. Powers of directors. (a) The board of directors, its agents and employees shall have the right to enter upon any land within the district to make surveys and locate the lines of the canals and the necessary branches and laterals for such canals and to maintain and keep in good repair the irrigation and drainage works within districts.

(b) The board of directors shall have the power to acquire by purchase, condemnation or otherwise, rights of way for ditches and canals and sites for dams, reservoirs and pumping plants and all lands, water rights, easements and other property necessary for the construction, use, maintenance, repair and improvement of dams, reservoirs, canals and electric power lines for the conveyance of electricity and gas to operate pumping plants, and all necessary appurtenances thereto.

(c) The board of directors of Cedar Bluff irrigation district No. 6 shall have the power to receive, hold and dispose of real and personal property acquired from the United States department of interior or bureau of reclamation.

(d) The board of directors shall have the right, subject to the limitations contained in this act, to acquire any existing irrigation works, ditches, canals, reservoirs and dams for the use of the district.

(e) The board of directors shall have full power to do any and all things required by the federal statutes now or hereafter enacted, and any and all rules and regulations thereunder in connection with any contract between the United States and the district for the construction, operation and maintenance of any and all necessary works for the storage and distribution of water therein for beneficial use.

(f) The board of directors shall have the power, subject to limitations contained in this act, to determine a plan or method for raising funds to finance the costs of construction and maintenance, or irrigation and drainage works within the district, and to provide funds for the purchase of existing irrigation or drainage works. Such plan may provide for the issuance of bonds, or for the payment of construction costs or purchase price or both, by creating a fund obtained from water rentals or charges to water users, or for a combination of such methods for raising funds. The term "works" as used in this act shall include canals, irrigation ditches, pipe lines, pumping plants, drainage ditches, rights of way, easements, reservoirs, dams and necessary sites for pumping plants, reservoirs and dams and drainage and other property required for complete operation of a system of irrigation.

(g) The board of directors shall have the power to borrow from the United States, its instrumentalities, departments or agencies, such sums of money as may be necessary for constructing, completing, finishing or operating their works, and to mortgage their corporate property and acquired water rights to secure the payment of any debt contracted by the corporation for such purposes and such authority is declared to be an exception to the cash-basis law.

(h) The board of directors shall be empowered to exercise all rights, authority, express and implied, that may be necessary to do and perform and carry out all of the expressed purposes of this act and all purposes reasonably implied and incidental thereto.

(i) The board of directors shall have the power and authority when it is deemed necessary to protect the interests of the district, or the electors thereof, or to protect the interests of the bondholders or other creditors of the district, if funds are available, to purchase any land offered for sale in tax foreclosure proceedings or subject to sale by issuance of tax deed to purchaser by the county. The board may acquire, own and sell such lands in accordance with best interests of the district. The legal title to all property acquired by district shall vest in the district its corporate name.

History: L. 1941, ch. 262, § 11; L. 1993, ch. 212, § 1; July 1.