

1975 Bill 10

Fourth Session, 17th Legislature, 24 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 10

THE IRRIGATION AMENDMENT ACT, 1975

THE MINISTER OF AGRICULTURE

First Reading

Second Reading

Third Reading

BILL 10

1975

THE IRRIGATION AMENDMENT ACT, 1975

(Assented to _____, 1975)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. *The Irrigation Act is hereby amended.*

2. *Section 4 is amended*

(a) *by striking out subsection (1) and by substituting the following:*

4. (1) There shall be an Irrigation Council consisting of not less than seven members appointed during pleasure by the Lieutenant Governor in Council.

(b) *as to subsection (3), by striking out the word "Three" and substituting the words "A majority of the".*

3. *Section 14 is amended by striking out subsection (1) and by substituting the following:*

14. (1) Notwithstanding any other provision of this Act,

(a) where the board of a district is the owner or purchaser of lands not included in the district, the lands may at any time be included in the district by order of the Council, if the board requests it to do so and the consent of the purchaser from the board, if any, has been first obtained, and

(b) where the Crown in right of Alberta is the owner of lands not included in the district, the lands may at any time be included in the district by order of the Council on the application of the board, if the consent of the Crown and the purchaser, if any, has first been obtained.

Explanatory Notes

1. This Bill will amend chapter 192 of the Revised Statutes of Alberta 1970.

2. Section 4, subsections (1) and (3) presently read:

4. (1) There shall be an Irrigation Council consisting of five members appointed during pleasure by the Lieutenant Governor in Council

(a) one of whom shall be a professional agrologist employed in the Department of Agriculture, and

(b) one of whom shall be a professional engineer employed in the Water Resources Division.

(3) Three members of the Council constitute a quorum of the Council for the purpose of exercising its powers and performing its duties.

3. Section 14, subsection (1) presently reads:

14. (1) Notwithstanding any other provisions of this Act

(a) Where the board of a district is the owner or purchaser of lands not included in the district, the lands may at any time be included in the district by order of the Local Authorities Board on the application of the Council, if the board requests it to do so and the consent of the purchaser from the board, if any, has been first obtained, and

(b) where the Crown in right of Alberta is the owner of lands not included in the district, the lands may at any time be included in the district by order of the Local Authorities Board on the application of the Council, if the consent of the Crown and the purchaser, if any, has first been obtained.

4. Section 50, subsection (1) is amended

- (a) by striking out the words “that part of the water user’s parcel” and by substituting the words “those parts of the water user’s parcel or parcels”, and*
- (b) by striking out the words “that part of the parcel” and by substituting the words “those parts of the parcel or parcels”.*

5. This Act comes into force on the day upon which it is assented to.

4. Section 50 (1) presently reads:

50. (1) The board may enter into an agreement with a water user for the supply of water for irrigation purposes to that part of the water user's parcel classified in the assessment roll as "other acres" either in addition to or in lieu of supplying water to that part of the parcel classified as "to be irrigated".

The amendment is intended to make it clear that the water user can enter into a terminable water agreement in respect of more than one parcel.