

RESOLUTION NO. 21-07

A RESOLUTION OF BONNEVILLE COUNTY, IDAHO, DECLARING THAT A LOCAL DROUGHT EMERGENCY EXISTS IN BONNEVILLE COUNTY, TO BE IN EFFECT UNTIL THE END OF THE 2021 IRRIGATION SEASON OR UNTIL OTHERWISE TERMINATED BY RESOLUTION OF THE BONNEVILLE COUNTY BOARD OF COMMISSIONERS.

WHEREAS, Idaho Code §31-801 grants general powers and duties, subject to the restrictions of law, to the boards of county commissioners in their respective counties; and

WHEREAS, Idaho Code §31-828 grants the board of commissioners authority “to do and perform all other acts . . . which may be necessary to the full discharge of the duties of the chief executive authority of the county government.”; and

WHEREAS, Idaho Code §42-222A authorizes the Director of the Department of Water Resources, following the declaration of a drought emergency for an area designated by the Director and approved by the Governor, to allow temporary changes of point of diversion, place and purpose of use of valid existing water rights, so long as said changes will not injure existing water rights; and

WHEREAS, Idaho Code §46-1011 provides that the Chairman of the Board of County Commissioners may declare a local disaster emergency, which may be continued in excess of seven days with consent of the Board of County Commissioners; and

WHEREAS, Idaho Code §46-1002(3) provides, in part, that a “disaster” includes the imminent threat of widespread or severe damage or loss of property resulting from any natural or manmade cause; and

WHEREAS, Idaho Code §46-1002(4) provides, in part, that an “emergency” includes the imminent threat of a “disaster” or condition threatening property which requires state emergency assistance to supplement local efforts to protect property or to avert or lessen the threat of “disaster.”; and


WHEREAS, the Board finds that the current low water levels pose an imminent threat of disaster to agriculture in Bonneville County, which constitutes an emergency as defined in Idaho Code §46-1002(4);

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BONNEVILLE COUNTY, IDAHO, THAT GOOD CAUSE HAVING BEEN SHOWN, THE BONNEVILLE COUNTY BOARD OF COUNTY COMMISSIONERS HEREBY DECLARES

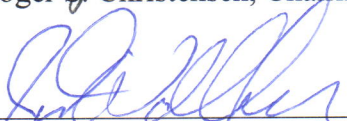
THAT A LOCAL DROUGHT EMERGENCY EXISTS IN BONNEVILLE COUNTY AND THE BOARD OF COUNTY COMMISSIONERS HEREBY CONSENTS TO SAID DECLARATION AND ORDERS AND RATIFIES THE SAME. THE BOARD FURTHER ORDERS THAT THIS DECLARATION OF LOCAL DROUGHT DISASTER EMERGENCY SHALL REMAIN IN EFFECT UNTIL THE END OF THE 2021 IRRIGATION SEASON, OR UNTIL OTHERWISE TERMINATED BY RESOLUTION OF THE BOARD, WHICHEVER OCCURS EARLIER.

This resolution shall be in full force and effect immediately after its passage.

PASSED THIS 13th DAY OF July 2021, BY THE BOARD OF COUNTY COMMISSIONERS OF BONNEVILLE COUNTY, IDAHO.



Roger S. Christensen, Chairman



Jonathan D. Walker, Member



Bryon L. Reed, Member