

*Please return to:*

*Executive Assistant  
Kennewick Irrigation District  
12 West Kennewick Avenue  
Kennewick, WA 99336*

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## **KENNEWICK IRRIGATION DISTRICT RESOLUTION 2016-06**

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### **Approving Klamath Cottages Voluntary Mitigation Agreement**

A **RESOLUTION** of the Board of Directors of Kennewick Irrigation District (KID), Benton County, Washington, for the purpose of approving a development agreement with Desert Basin Ventures, LLC, an Washington Corporation (hereinafter “Developer”),

**WHEREAS**, the Board of Directors of KID (the Board) met in regular session on January 5, 2016, with a quorum present, and

**WHEREAS**, the Property is proposed for subdivision into a development known as “Klamath Cottages” consisting 3.17 acres, of which 3.17 acres is classified as irrigable, which are proposed to be subdivided into 18 lots and legally described as follows;

**Parcel Number: 133994020031005**

THE HIGHLANDS, PLAT A, THE SOUTH 332 FEET OF THE NORTH 482 FEET OF TRACT 31, LESS THE EAST 255.9 FEET THEREOF. EASEMENT, IRRIGATION LINE 11-2-73. Public Utility Easement 2015-010970 04/23/2015 MJS PUD EASEMENT, AF#2015-011778, 4/30/2015. Mjs

hereinafter referred to as the “Property.”

**WHEREAS**, the Property is being developed into a residential subdivision within the City of Kennewick boundaries; and

**WHEREAS**, the Property is owned by the Developer and has an allotment of irrigation water from KID; and

**WHEREAS**, RCW 58.17.310 requires that irrigation water rights-of-way be provided for each parcel of land, and also requires that, if the subdivision lies within land within an irrigation district classified as irrigable, completed irrigation water distribution facilities for such land may be required by the irrigation district by resolution as a condition for approval of the short plat or final plat by the legislative authority of the city, town, or county; and

**WHEREAS**, KID Resolution 86-15A requires completed irrigation facilities as a condition for approval of the short plat or final plat; and

**WHEREAS**, KID Policy 4.19 “Standard Specifications” specifies what comprises completed irrigation facilities; and

**WHEREAS**, the Developer has made irrigation improvements on the Property, but has not completed the construction of a pump station, and appurtenant facilities to provide pressurized irrigation water to the subdivision as a completed irrigation facility; and

**WHEREAS**, the Developer and KID mutually agree that it is in each of their best interest for the Developer to contribute funds towards KID’s planned regional system in lieu of constructing a pump station and appurtenant facilities to service the Property; and

**WHEREAS**, the Developer desires to contribute funds equal to the mutually agreed cost of completed irrigation facilities, which is \$3,534.06 towards the planned regional system in lieu of construction of a pump station and appurtenant facilities; and

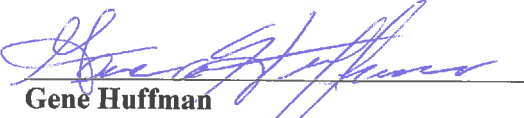
**WHEREAS**, the parties desire to set forth their agreements on how said Voluntary Mitigation Agreement will be constructed, operated, maintained, replaced, and bettered for their mutual benefit and for the benefit of their heirs, assigns and successors;

**NOW, THEREFORE, BE IT RESOLVED** that the attached “Klamath Cottages Voluntary Mitigation Agreement” is approved.

**RESOLUTION 2016-06 IS HEREBY ADOPTED** by the Board of Directors of Kennewick Irrigation District, Benton County, Washington, at a regular open public meeting thereof this 5<sup>th</sup> day of January, 2016.

  
Kirk Rathbun

  
Patrick McGuire

  
Gene Huffman

  
David McKenzie

  
Dean Dennis