

RESOLUTION OF INTENT 21-20

WHEREAS, Montana Code Annotated 85-7-2133, (Sec. 2) states that the county treasurer is the custodian of all funds belonging to the (irrigation) district; and,

WHEREAS, the county treasurer shall pay out the funds upon the order of the board of the commissioners of the irrigation district; and,

WHEREAS, the Montana Water Rights Protection Act, Section 13 (a) (k), designates the Secretary of the Interior as the entity with legal authority and responsibility to operate the Mission Valley Division of the Flathead Indian Irrigation Project; and,

WHEREAS, the Montana Water Rights Protection Act, Section 13 I (1), provides that the irrigation districts may enter into an agreement with the Tribes, (Confederated Salish and Kootenai), to operate and maintain the FIIP; and,

WHEREAS, no Irrigation District or the Tribes have requested or made an agreement to operate the FIIP. Therefore it is no longer necessary, or appropriate, for the County to facilitate billing and collection of irrigation assessments; and,

WHEREAS, MCA 85-7-2155 provides authority for the Board of County Commissioners to sell land when taxes and assessments of the irrigation district are not redeemed within the time; and

WHEREAS, Montana Code Annotated 85-7-2108 requires that any special tax assessment levied for any purpose shall be a lien upon the land; and,

WHEREAS, the MWRPA Sec. 13 (b) extinguishes all liens on properties served by the FIIP; and,

WHEREAS, the County has no process available to collect unpaid irrigation fees or assessments;

WHEREAS, it is the intent of the County, beginning in tax year 2022, that the Lake County Treasurer will cease billing, collecting, and distributing any fees or assessments related to the Flathead Indian Irrigation Project;

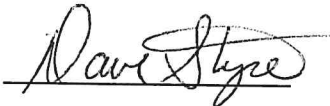
NOW, BE IT RESOLVED that there will be a public hearing on Monday, August 30, 2021, at 1:30 pm, relative to this resolution;

PASSED AND ADOPTED THIS 28th DAY OF JULY, 2021.

BOARD OF LAKE COUNTY COMMISSIONERS




William D. Barron, Chairman



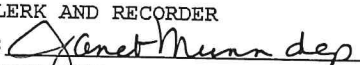
Dave Stipe, Member



Gale Decker, Member

Attest: 

Katie Harding, Clerk & Recorder

590570 RESOLUTION Pages: 1
STATE OF MONTANA LAKE COUNTY
RECORDED: 07/29/2021 2:17 KOI: RESOLUTION
KATIE HARDING CLERK AND RECORDER
FEE: \$0.00 BY: 
TO: LAKE COUNTY COMMISSIONERS , GIVE BACK TO KATIE,