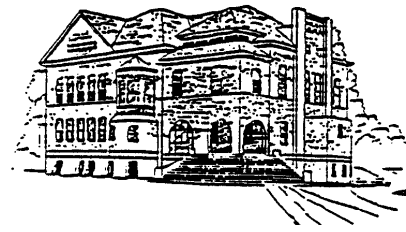


Wells County Water Resource District

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Chairman Longmuir & House Political Subdivisions Committee Members:

Thank you for the opportunity to testify on House Bill 1462.

My name is Larry Skiftun. I am a lifelong farmer in Wells County, a landowner, and also the current Chairman of the Wells County Water Resource District Board of Managers. I submit this written testimony in opposition to House Bill 1462.

Century Code section 28-34-01 is the appeals procedure for several decisions or orders of water resource boards. House Bill 1462 amends this section of code to extend the deadline for appealing decisions or orders from 30 days after the decision to 30 days after the decision has been served on the affected party.

This creates a new obligation for water resource boards to serve affected parties with a decision in order to start the appeals period clock. In some contexts, this might make sense, but House Bill 1462 broadly applies to all decisions or orders where this additional requirement should not be required. This would include orders to establish an assessment project or orders to dismiss an assessment project after the vote of the local assessment district. The appeals period on these orders must expire before the water resource board can contract for a temporary improvement warrant or solicit bids for construction of the project. In some cases, the affected parties (the voting landowners) of these projects can include hundreds of owners of property in the assessment area. House Bill 1462 would not allow deadline of the board's order to expire until all property owners are served with the order. The cost of hiring a process server or a local sheriff to serve a procedural order on hundreds of people is not a good use of limited taxpayer resources. In addition, this would occupy limited resources and time of local sheriff's office and cause unnecessary stress on landowners to be served by a process server or a sheriff with a procedural order of the water resource board.

I encourage a "Do Not Pass" recommendation on House Bill 1462. I request the opportunity to testify in person before the committee and will stand for any questions. Thank you for your consideration of my testimony.

Sincerely,

Larry Skiftun, Board of Managers Chair
Wells County Water Resource District