

facilities beyond the quantity necessary to provide all project customers requesting water with the per-acre water duty established for that project.

*Taxpayer identifying number* means either your Social Security Number or your Employer Identification Number.

*Temporarily non-assessable acres (TNA)* means lands that the Secretary of the Interior has determined to be temporarily non-irrigable pursuant to the standards set out in 25 U.S.C. 389a.

*Total assessable acres* means the total acres of land served by one of our irrigation facilities to which we assess operation and maintenance charges. The *Total assessable acres* within the service area of an irrigation facility do not include those acres of land that are designated PNA or TNA, nor those acres of land granted an Annual Assessment Waiver.

*Trust or restricted land or land in trust* or restricted status (see definitions in 25 CFR 151.2).

*Urgency* means a situation that we have determined may adversely impact our irrigation facilities, operation, or other irrigation activities; affect public safety; or damage property or equipment.

*Wastewater* means surface runoff and subsurface drainage from your farm unit from water delivered by us that exceeds irrigation requirements.

*Water* (see *Irrigation water*).

*Water delivery* is an activity that is part of the irrigation service we provide to our customers when water is available.

*Water duty* means the amount of water, in acre-feet per acre, necessary for full-service irrigation. This value is established by decree, compact, or other legal document, or by specialized engineering studies.

*Water user* (see *Customer*).

*We, us, and our* means the United States Government, the Secretary of the Interior, BIA, and all who are authorized to represent us in matters covered under this part.

**§ 171.105 Does this part apply to me?**

This part applies to you if you own or lease land within an irrigation project where we assess fees and collect monies to administer, operate, maintain, and rehabilitate project facilities.

**§ 171.110 How does BIA administer its irrigation facilities?**

(a) We administer our irrigation facilities by enforcing the applicable statutes, regulations, Executive Orders, directives, Indian Affairs Manual, the Irrigation Handbook, and other written policies, procedures, directives, and practices to ensure the safe, reliable, and efficient administration, operation, maintenance, and rehabilitation of our facilities. Such enforcement can include refusal or termination of irrigation services to you. Copies of the above listed items may be obtained from the irrigation project serving you.

(b) We will cooperate and consult with you, as appropriate, on irrigation activities and policies of the particular irrigation facility serving you.

**§ 171.115 Can I and other irrigators establish representative organizations?**

Yes. You and other irrigators may establish a representative organization under applicable law to represent your interests for the particular irrigation facilities serving you.

**§ 171.120 What are the authorities and responsibilities of a representative organization?**

(a) A legally established organization representing you may make rules, policies, and procedures it may find necessary to administer the activities it is authorized to perform.

(b) An organization must not make rules, policies, or procedures that conflict with our regulations or any of our other written policies, procedures, directives, and manuals.

(c) If this organization collects operation and maintenance assessments and construction assessments on your behalf to be paid to us, it must pay us all your past and current operation and maintenance and construction assessment charges before we will provide irrigation service to you.

**§ 171.125 Can I appeal BIA decisions?**

(a) You may appeal our decisions in accordance with procedures set out in 25 CFR part 2, unless otherwise prohibited by law.

(b) If you appeal an irrigation bill, you must pay the bill in accordance