

**HARLINGEN
IRRIGATION
DISTRICT
CAMERON COUNTY #1**

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**DOCUMENTS FOR WATER
DIVERSIONS AND DELIVERIES**

**ADOPTED AUGUST 11, 1999
AMENDED MAY 19, 2003**

**DOCUMENTS FOR WATER
DIVERSIONS AND DELIVERIES**

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WATER CONSERVATION POLICY

WATER CONSERVATION POLICY

September 1, 1999
Amended May 19.2003

Section I: Declaration of Policy, Purpose and Intent

The Board of Directors of the Harlingen Irrigation District Cameron County #1(District) deems it to be in the best interest of the District to adopt a water conservation policy to be the operational policy of the District. This policy is intended to guide the staff and users in all aspects of the diversion, delivery and application of the waters of the District consistent with the approved regional water plan developed for the Lower Rio Grande Region (Region M). This policy constitutes the District's water conservation plan required under Section 11.1271, Texas Water Code, and associated administrative rules of the Texas Natural Resource Conservation Commission (Title 30, Texas Administrative Code, Chapter 288).

Section II: Authority of the District

The District was established May 13, 1914, by the Cameron County Commissioner's Court as Cameron County Irrigation District Number 1, pursuant to Section 13, Chapter 172, Acts of the Regular Session of the 33rd Legislature of the State of Texas. On May 31, 1919, the District was converted to and renamed Cameron County Water Improvement District Number 1, under existing statutes. In 1945 it was renamed as Cameron County Water Control and Improvement District Number 1. In 1978, under the provisions of Sections 51 and 58 of the Texas Water Code, the District became Harlingen Irrigation District Cameron County Number 1. In 1995, the 74th Texas Legislature established Section 49 of the Texas Water Code and this section now also applies to the operations of the District.

Section III: General Information of the District

The District serves 38,025 acres of irrigated cropland and has an authorized water right for 39,574 acres, 1,750 acres of which are subject to proration in periods of shortage. This water right yields 98,232.5 acre feet maximum allocation of water usable per annum if storage lakes were at conservation

level. The District is the diverter for 22,541 acre feet of domestic/municipal water that is designated for the municipalities served by the District. The District has an additional domestic allocation of 4692 acre feet which is used for supplementing the needs of these municipalities and for the domestic needs of the rural areas within the District. The boundaries of the District consist of 88.3 sq. miles and include the cities of Harlingen, Palm Valley, Rangerville and part of Primera, Combs and Los Indios.

Section IV: Irrigation Service Accounts

A. Service Accounts

The District services 3,309 accounts. The vast acreage of the District is serviced under individual water orders on an as needed basis. The District services annual permits for 30 accounts for orchards and commercial nurseries on drip or micro emitter systems. The District also services annual permits on 500 accounts which include lawn watering, golf courses, parks, school yards and ponds.

B. Types of Irrigation

- a). Furrow irrigation comprises 95% of the irrigation deliveries. The district supplies, at no cost to the customer, special turnout connections and encourages the use of poly pipe, gated pipe or some similar delivery system. Approximately 60% of the District has converted to these practices.
- b). Flood irrigation is the general practice for orchards and pastures.
- c). Drip systems or micro spray emitter systems are in place on a few orchards and commercial nurseries. The District encourages movement to these practices where applicable by assistance in facility modifications and by annual permits.
- d) Overhead Low Energy Precision Applications (LEPA) type systems are being explored for several crop situations and the District is taking an active part in providing assistance on facility modifications for these programs.

C. Crops

The District averages delivery to 34,750 acres planted in various crops. A typical crop mix is as follows:

Crops	Acres		Crops	Acres
Grain Sorghum	10850		Cabbage	400
Food Corn	1000		Onions	600
Feed Corn	500		Green Onions	100
Seed Corn	750		Peppers	50
Cotton	10000		Aloe Vera	200
Sugar Cane	7000		Cucumbers	125
Pastures	1800		Squash	75
Citrus	600		Other Vegetables	300
			Nursery/Trees/Plants	400
			Totals	34750

Section V: Rules and Regulations for Water Delivery

The District has adopted rules and regulations for water deliveries and have modified these on several occasions since the formation of the District. The current rules were adopted after the drought of the 1950's on March 17, 1954. These rules were updated on March 14, 1984, and again on August 11, 1999. These rules and regulations are a separate document and are attached to this document as Rules and Regulations for Water Deliveries.

Section VI: System Inventory of the District

A. River Pumps

Six centrifugal pumps divert water from the Rio Grande through a pilot channel 1600 feet from the River.

Harlingen Irrigation River Pumps

PMP #	CERT CFS	PUMP SIZE	IN SIZE	OUT SIZE	ENG HP	HP USED	METER STYLE
1	60	30"	52.5"	39.5"	300	302	PROP
2	75	36"	41.5"	41.5"	300	247	DOPPLER
3	50	30"	41.5"	41.5"	300	181	DOPPLER
4	50	30"	41.5"	39.5"	300	181	PROP
5	110	42"	47.5"	53.5"	500	438	DOPPLER
6	125	54"	59.5"	59.5"	500	419	DOPPLER
Totals	470				2200	1768	

B. Main Canal System

The District main canal system consists of forty miles of earthen canals, mainly constructed in clay soils between 1905 and 1915. This system diverts water from the Rio Grande eleven miles SSW of the City of Harlingen, and carries the water to smaller laterals and pipeline systems throughout the District. These canals are from forty five feet wide near the river down to twenty feet wide on the extreme ends of the system. The canals are generally from six to eight feet deep at normal flow. The main canal system is operated with a series of locks or check gates that regulate the flow and elevation of the water from sixty one feet above sea level at the river to thirty two feet above sea level at the north end of the system.

C. Concrete Canal System

The concrete canal system consists of twenty miles of concrete lined canals, generally elevated above ground level an average of six feet. These canals vary from ten to fifteen feet in width and four to six feet in depth. In general these canals were constructed as laterals in areas of higher than average seepage rates. Most of these canals were constructed in the 1950's and 1960's. These systems are extensions of the main canal system and are fed by gravity or by relift pumps as appropriate.

D. Pipeline System

The pipeline system consists of 155 miles of lines extending out from the main canal systems and the concrete canal systems to provide outlets for every parcel of the District. These pipelines vary in size from 36" down to 12" in diameter and are either concrete rubber gasket or PVC construction. Most of these pipeline systems are charged by relift pumps from the main canal and concrete canal systems. These systems deliver water to the field through 14" alfalfa type valves with a head pressure of from 3 to 20 feet. Typically these pipeline systems serve several hundred acres and generally are looped and connected to other systems to provide for a more efficient and reliable service. The pipeline systems are constructed with bypass systems back to the source systems for conservation purposes as well as for maintaining constant head pressures.

E. Relift Pumps

The District maintains fifty five relift pumps most of which are vertical lift pumps that charge pipeline systems from the main canals, concrete canals or reservoirs. These pumps range from 8" to 30" pumps powered by electric motors ranging from 7½ to 75 horsepower. These pump systems are designed with a by pass to maintain stable pressure on the pipelines and to allow overflow water to return to the main systems. These by passes also are constructed so as to allow for gravity flow into the pipelines when pumping is not necessary.

F. Reservoir System

There are three reservoirs in the District. The main or Rangerville Reservoir is near the diversion point from the Rio Grande and allows the District to store approximately 500 acre feet of water at the highest elevation point of the District, 61 feet above sea level. The other two reservoirs are on the tail end of the District and capture any surplus water from the District system. The Boggus Reservoir has a capacity of 160 acre feet at a level of 32 feet above sea level and supplies water for 1500 acres of land. The McLeod-Hood Reservoir has a capacity of 280 acre feet and supplies water for 2500 acres of land.

G. Drainage System

The District maintains 140 miles of drain ditches that divert flood waters to the Arroyo Colorado or to the drainage district downstream to the East. Fifty miles of this system is under the jurisdiction of Cameron County Drainage District #5, but maintenance of the system is carried out by HID #1, the District.

Section VII: Water Conservation Goals

The District system operates at an efficiency level of 85%. The District diverts approximately .64 of an acre foot of water for every acre irrigated. Eighty percent (80%) of the District is capable of irrigating at a rate in excess of one acre per hour per field outlet or turnout. District goals over the next ten years are to increase the efficiency level to 90+%, decrease the water duty to .50 of an acre foot per acre and provide acre per hour water delivery per field outlet throughout the District. The District proposes to accomplish these goals by several actions.

Section VIII: Physical Water Conservation Practices

- a) The District meters all the water diverted at the Rio Grande. Four of the river pumps are metered by electronic doppler devices and two by impeller devices. All meters are certified by the Rio Grande Watermaster. The District is instigating a meter monitoring program that will allow the District to fine tune the accuracy of diversions at the River level and give management better tools in the ordering of water from the Watermaster.
- b) A system metering program is being designed that will allow the District to determine areas of loss and or inefficient usage of water. This will provide the tools to upgrade delivery systems within the District and to identify inefficient water use.
- c) The District proposes to move towards measurement of water usage at every outlet; however it is essential that maximum efficiencies to the customer be maintained.

d) The District is designing a drainage monitoring system that will provide documentation of water losses. This will provide the tools to determine utilization of our irrigation water on various conditions and crops. It will allow us to help our customers to refine their irrigation practices.

Section IX: Monitoring and Records of Program

The District has developed a GIS mapping system that is coupled with the data processing of water sales, crops, water users, land owners and assessments. This tool consolidates many of the practices of Section V and the systems of Section III, allowing the District to determine the efficiencies of particular parts of the system, specific crop mixes and number of irrigations to be expected from each crop, characteristics of individual users and peculiarities of specific situations throughout the District. This tool allows the district to visualize on a daily basis areas of needed improvement as well as areas of peak efficiency. This tool also aids the District in advising customers of potential areas of concern or comfort before expensive crop planning is done.

Section X: Leak Detection and Repair Policy

The District system is a low-head system, generally less than 15 feet. Leak detection is a duty of the canal riders and maintenance personnel. Drains are monitored for unusual flows. The system is designed to isolate sections with shutoff gates to enable the larger parts of the system to continue to function. District policy is to repair leaks within 24 hours of detection, and in most cases leaks are repaired within eight hours of reporting.

Section XI: On Farm Assistance Program

The District works with customers to provide the best and latest in technology for water conservation and pollution abatement measures. The District cooperates with the Texas State Board of Soil and Water Conservation Districts and USDA Natural Resource Conservation Service by providing technical assistance and support for water conservation and non-point source pollution abatement programs. The District encourages customers to utilize these programs by providing much of the installation of pipelines and catch basins at no cost. The District has designed outlet devices that encourage customers in the use of poly-pipe and gated pipe where applicable. The District supplies these outlets and installs them at no cost to the customer. The District sponsors workshops and seminars to

expose our customers to the newest technologies and to encourage the use of these where applicable.

Section XII: Wholesale Water Requirement Policies

Currently the District only has delivery contracts with wholesale water suppliers. These delivery contracts are for the diversion and transport of water that is already designated for the wholesale supplier. In the Rio Grande Watermaster system, this water is accounted for separately from agricultural water. Though this water is designated for the wholesale customer and the customer knows at the beginning of the year how much water is available, the District notifies the customer on a monthly basis as to the account balance or percentage of use of the total account.

The District currently delivers approximately 17,000 acre feet of Rio Grande Water annually to the Harlingen Water Works Services (HWWS) under existing water supply and delivery contracts. This water is delivered from the District's irrigation canal and pipeline system and is metered at the delivery point to the HWWS. The amount of water measured at the Rio Grande is reported monthly to the Rio Grande Watermaster and is based upon the amount of water delivered plus transportation losses. These deliveries are charged against the applicable municipal priority water allocation by the Rio Grande Watermaster.

In the future, water supply and delivery contracts entered into for the furnishing of Rio Grande water to municipal suppliers, or any extension of existing contracts, shall contain provisions that the customer shall develop and implement a water conservation plan or water conservation measures using the applicable elements contained in Title 30, Texas Administrative Code, Chapter 288, and in the event after treatment, such water is resold to another supplier, then such contract shall also contain provisions dealing with water conservation requirements in accordance with Title 30, Texas Administrative Code, Chapter 288.

Section XIII: Record of Adoption of Policies, Rules and Plans

The District has adopted various parts of the policies, rules and plans described here beginning at the inception of the District in 1914. For the purposes of the requirements enumerated in Section I of this document, the

District, at a regular scheduled Board of Directors meeting on August 11, 1999, adopted this document as a whole.

Section XIV: Additional Conservation Planning

The District has entered into a five year agreement with the US Department of Agriculture for the services of a USDA agriculture engineer on a half time basis to work on District conservation projects. The engineer will help the District in whole system planning and movement to volumetric pricing of our irrigation water. The agreement calls for the engineer to work the other half of his time for USDA with growers and landowners on “on farm” conservation projects. The District expects this project to bind together the users needs with the District’s improvements of their facilities to maximize the conservation efforts for the future.

Section XV: Documentation of Coordination with Regional Planning

The District has been involved as a partner in the planning activities preceding the regional planning efforts and management of the District serves on an advisory committee to the regional committee. In addition, the Board of Directors of the District, on August 11, 1999, instructed the management to forward a copy of this document to the applicable Regional Planning Group (Region M). An amended copy was forwarded to the Regional Planning Group (Region M) on May 19, 2003.

**DROUGHT
CONTINGENCY**

AND

**WATER ALLOCATION
POLICY**

Drought Contingency & Water Allocation Policy

September 1, 1999
Amended May 19, 2003

Section I: Declaration of Policy, Purpose, and Intent

The Board of Directors of the **Harlingen Irrigation District Cameron County #1 (District)** deems it to be in the best interest of the District to adopt Policy governing the equitable and efficient allocation of limited water supplies during times of shortage. This policy constitutes the District's drought contingency plan required under Section 11.1272, Texas Water Code, *Vernon's Texas Codes Annotated*, and associated administrative rules of the Texas Natural Resource Conservation Commission (Title 30, Texas Administrative Code, Chapter 288).

Section II: User Involvement

The District is a political subdivision of the State of Texas, governed by a Board of Directors, under the direction of the provisions of Section 49 & 58 of the Texas Water Code, *Vernon's Texas Codes Annotated*. The Board members must be landowners of the District and are elected by the residents of the District. The Board structured the policy for review and comment by the water users of the District. Opportunity for comment by users of water from the District was provided by means of draft copies being made available at the District office over a 30 day period followed by a posted agenda item in a regular scheduled Board meeting providing for public discussion and participation. After this time of public comment the Board adopted the policy.

Section III: User Education

The District will periodically provide water users with information about the Plan, including information about the conditions under which water allocation is to be initiated or terminated and the district's policies and procedures for water allocation. This information will be provided by means of available copies of the plan at all times at the District office as well as posting of a copy of the plan on the public bulletin board at the District office. When the Board

determines that drought conditions warrant the implementation of the drought contingency plan, all landowners and water users for which the District has current addresses will be mailed a notice.

Section IV: Authorization

The general manager is hereby authorized and directed to implement the applicable provisions of this Plan upon determination by the Board that such implementation is necessary to ensure the equitable and efficient allocation of limited water supplies during times of shortage.

Section V: Application

The provisions of this Plan shall apply to all persons utilizing water provided by the District. The term "**person**" as used in the Plan includes individuals, corporations, partnerships, associations, and all other legal entities.

Section VI: Initiation of Water Allocation

The general manager shall monitor water supply conditions on a daily basis and shall make recommendations to the Board regarding initiation of water allocation. Upon approval of the Board, water allocation will become effective when:

- (a) The storage balance in the district's irrigation water rights account has declined to a one irrigation per acre level;

and

- (b) The Board determines that there is not sufficient water to complete the traditional crop year.

Section VII: Termination of Water Allocation

The district's water allocation policies will remain in effect until the conditions defined in Section IV of the Plan no longer exist and the Board deems that the need to allocate water no longer exists.

Section VIII: Notice

Notice of the initiation or termination of water allocation will be given by notice posted on the District's public bulletin board and by mail to each landowner and water user who has a valid mailing address on file at the District office.

Section IX: Water Allocation

- (a) Water Allocation Irrigation Accounts shall be the same parcels of land as identified by ownership for flat rate assessment purposes as shown in the records of the District. The acreage within each flat rate account will be allocated water in accordance with these Policies. Upon institution of the Water Allocation Program, as water is allocated to the District's irrigation account by the Rio Grande Watermaster, in an amount reasonably sufficient for allocation to eligible District users, the additional water allocated to the District will be equally distributed on a pro-rata flat rate acreage basis to those irrigation accounts eligible for water allocation. Eligible District users are those irrigation users having an account balance of less than one irrigation for each flat rate acre or less than .7 acre-foot for each flat rate acre and having no outstanding balances due the District. There will be no allocations to individual accounts exceeding the one irrigation per acre level.
- (b) The amount of water allocated to an irrigation account shall be referred to as the District water user's "Water Allotment" and the amount of water which will be charged to water allotments established for each irrigation account will be based upon the assumption that each acre irrigated requires the District to divert .7 acre foot of water measured at the Rio Grande. The amount of water charged per irrigation to each acre irrigated within an irrigation account will be .7 acre foot per acre irrigated. It shall be a violation of District policy for a District water user to use water in an account greater than is contained in the District water user's water allotment. It is the intention of the District to insure that water users take every precaution to not use more than their water allocation. It will be considered a violation of these policies if the user obviously uses more than the allocated .7 acre foot per acre irrigated.

(c) **Meter Alternative:**

The District intends to ultimately account for water use on a volumetric basis; however metering devices at every turnout will not occur for some time. Individuals are encouraged to use meters supplied and maintained by the District for a fee. The metering device must be accessible to District personnel for monitoring and documentation of readings. Monetary charges for irrigation per acre will be the same as non-metered accounts; however, documented water savings will be credited to the user's water account. This savings will be calculated by using the water meter reading plus the 15% delivery loss factor for the District. It is the responsibility of the irrigator to be sure the meter is free of debris and operating freely. If the meter is found to be disabled or inoperable for any reason, the District may charge the account as unmetered water. Any decision by the management is appealable to the Board of Directors.

Section X: Transfers of Allotments

- (a) All or part of a water allotment may be transferred within the boundaries of the District from one irrigation account to another; however no water may be transferred prior to the placement of a water order in anticipation of the use of the transferred water. The transfer of all or a portion of a water allotment from one irrigation account to another account, shall constitute irrigation use for purposes of use as provided for in these Policies. The transfer of water may be made only by the landowner or the landowner's agent.
- (b) No water contained in a water allotment account may be transferred to land located outside the District boundaries except in special situations where traditionally these lands are irrigated as out of District lands and the water is diverted through the regular District diversion system.
- (c) Water from outside the District may be transferred by a landowner for use within the District. The District will divert and deliver the water on the same basis as District water is delivered, except that a 15 percent conveyance loss will be charged against the amount of water transferred for use in the District as the water is delivered.

Section XI: Penalties

Any person who willfully opens, closes, changes or interferes with any headgate or uses water in violation of Section 11.083, Texas Water Code, may be assessed an administrative penalty up to \$5,000 a day under Section 11.0842 of the Texas Water Code. Additionally, if the violator is also taking, diverting, or appropriating state water, the violator may be assessed a civil penalty in court of up to \$5,000 a day. These penalties are provided by the laws of the State and may be enforced by complaints filed in the appropriate court jurisdiction in Cameron County, all in accordance with Section 11.083; and in addition, the District may pursue a civil remedy in the way of damages and/or injunction against the violation of any of the foregoing Policies.

Section XII: Protection of Public Water Supplies

Water is delivered to municipal suppliers in accordance with existing contracts and the District's water conservation plan and drought contingency plan. Activation of the District's drought contingency provisions, have no affect on the ability of the District to fulfill obligations to the municipal suppliers. Shortages of irrigation deliveries do not affect the District's ability to deliver municipal water, however the District will notify the municipal suppliers with at least sixty (60) days notice in advance of any such possibilities, otherwise, as soon as possible. A copy of this notice will be sent to the Rio Grande Watermaster and the Texas Water Development Board. Following such notice, the District will monitor available water supply and irrigation deliveries in coordination with the Rio Grande Watermaster, Texas Water Development Board, and municipal suppliers during the shortage period.

Section XIII: Documentation of Coordination with Regional Planning

The District has been involved as a partner in the planning activities preceding the regional planning efforts and management of the District serves on an advisory committee to the regional committee. In addition, the Board of Directors of the District, on August 11, 1999, instructed the management to forward a copy of this document to the applicable Regional Planning Group (Region M). An amended policy was forwarded to this group May 19, 2003.

Section XIV: Severability

It is hereby declared to be the intention of the Board of Directors of the District that the sections, paragraphs, sentences, clauses, and phrases of this Plan are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the Board without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

Section XV: Authority

The foregoing policies are adopted pursuant to and in accordance with applicable sections of the Texas Water Code, *Vernon's Texas Codes Annotated*, which govern the actions of the District.

Section XVI: Effective Date of Plan

The effective date of this Policy shall be September 1, 1999, and ignorance of the Policies of the District is not a defense for a prosecution for enforcement of the violation of these Policies. This policy was amended by the Board of Directors on May 19, 2003.

**RULES AND
REGULATIONS
FOR
WATER DELIVERIES**

**RULES AND REGULATIONS
GOVERNING IRRIGATION WATER SERVICE
HARLINGEN IRRIGATION DISTRICT
CAMERON COUNTY NUMBER ONE
Harlingen, Texas**

In order to insure efficient and equitable water service to all persons served by the district: It is ordered by the Board of Directors of Harlingen Irrigation District Cameron County Number One that the following rules and regulations be and they are hereby adopted:

GENERAL RULES AND REGULATIONS

1. No water for irrigation purposes shall be delivered except to bonafide holders of water tickets issued at the District office authorizing the canal rider to deliver water.
2. (a) A person purchasing a water ticket should indicate on the ticket the date water is wanted. If such date does not conflict with previous applications, the canal rider will arrange to have water ready at the field gate on the date indicated. In cases when the date indicated on water ticket conflicts with previous applications, it will be the duty of the canal rider to contact the applicant and arrange a mutually satisfactory date.

(b) If the user making application for water does not know the exact date he will be ready to take water, the water ticket should be marked "Will Call," in which case it will be the duty of the ticket holder to contact his canal rider and arrange for a mutually satisfactory date for water delivery. It shall be the duty of clerks and of the applicants to see that the "Date-Wanted" is filled in on the ticket. The ticket should have the telephone number so that the canal rider may know where to contact the ticket holder should it be necessary.

(c) When any water user is not ready to take delivery on the date indicated on the water ticket, or agreed upon with the canal rider, he shall lose his priority and shall not be entitled to water delivery until deliveries are completed on other outstanding water tickets on the same canal or until otherwise arranged with the canal rider.

(d) When a water user does not take delivery of water authorized by the water ticket upon the second offer of delivery by the canal rider the water ticket will be marked "CREDIT" by the canal rider, the water ticket will be considered canceled, and a water credit receipt will be issued by the canal rider. The water user may re-order water in like amount or request the purchase price of ticket be processed for a refund check.

(e) Any water ticket for which water has not been delivered may be refunded. It is the responsibility of the customer to acquire a credit receipt from the District office. This must be done within two weeks of the scheduled time of acceptance of delivery for which a part or all of the water ticket was not used. The District office will process a refund check upon request.

(f) A water ticket does not constitute a contract between the District and the water user. The water ticket does not guarantee water delivery in any particular time frame. Water will be delivered as timely as possible within the capabilities of the District and the particular system.

3. Each canal rider is expressly authorized to allocate water to the users in the area holding water tickets, or to so rotate the delivery of taking of water, as to assure fair and equitable service among the users in points of time and amount; and his decisions shall constitute the condition and measure of the right of users to water. The canal rider, if and when he deems it necessary to meet the demands of water users in his area, may require night irrigation, and in any case in which the water user fails or refuses to comply with this requirement, communicated to him, he may be refused delivery of water until other ticket holders have completed their irrigation, or until the condition bringing about such requirement has been alleviated.
4. The only person authorized to open a head gate or check gate, or take or deliver water from a District canal or pipe-line is the canal rider in charge of water deliveries in the area. The Canal rider may delegate this authority to a bonafide holder of a water ticket as a matter of convenience to the ticket holder, in respect of water delivery authorized by a water ticket. If a ticket holder is asked by the canal rider to await his turn, he is not entitled to receive the water until given permission by the canal rider.

5. In order to conserve water, time and expense, all irrigation water users are urged to keep their field laterals free of weeds and grass or other impediments to the free flow of water and in condition for conveying water. In cases where field laterals are not reasonably free of weeds, grass or other impediments and not in good condition for delivering water without waste, it shall be the duty of the canal rider to call the attention of the user to such condition, and if it is not remedied, to withhold and refuse delivery of water until the condition is remedied.
6. Canal riders shall see that water is not held in canals higher than is reasonably safe to prevent breakage or overflow. If water at the appropriate height is not sufficient to water lands served by the canals it shall be the duty of the canal rider to request inspection thereof by the engineering department to determine whether a high land adjustment or other correction should be made in the canal operation.
7. No person shall open, close, change or interfere with, any head gate, check gate, or change the flow through pipeline delivery systems of the District, except a duly authorized canal rider. The opening and closing of field gates will be the responsibility of the customer but only as authorized as to time and amount by the canal rider. Scheduled closings of field gates must be coordinated with the canal rider. In specific instances the canal rider may authorize exceptions to the aforementioned rule for the convenience of the customer and the District. In addition the customers, as they open and close field gates, should attempt to utilize the bypass gates to keep head levels stable for the benefit of all users.
8. Strip watering is purchased for the entire field acreage. The canal rider will determine how many acres of any given field was actually irrigated and a credit will be issued for the unused part of the ticket acreage. This credit may be applied to the purchase of other water ticket or a request for a refund check can be made at the District office. No strip irrigation will be authorized for less than four (4) normal width rows (approximately 13 feet). Wet ground in un-watered strips will be considered irrigated.
9. Any water user will be expected to be fully prepared for carrying out prompt and continuous irrigation in a workmanlike manner by having field ditches clean and in good repair and by having sufficient laborers to make good use of water.

(a) Any water user wasting water on roads, low lands or on land previously irrigated, through carelessness or on account of defective ditches or borders, or land not properly prepared for irrigation or by failure to provide adequate labor, will be refused water service until conditions causing wasted water are remedied.

(b) A water user deliberately permitting water to flow into road, low land, land not covered by water ticket or on a part of land previously irrigated will be required to pay for such water in an amount determined by the canal rider.

(c) No water will be sold to a person who has not paid for excess water charged to him as set above.

(d) In the event of a “consistent waster” the District may require water to be metered through a meter furnished by the District at a rental cost to the customer. Such water will be priced at the regular price of water for the considered water duty of the District at the time, with a sur charge for additional water used. Current information on these charges will be available at the District office.

10. No water may be pumped by individuals from wells, reservoirs; resacas, drainage ditches or any other source into the District’s distribution system except upon specific authorizations.

(a) No water may be pumped into the District distribution system - or transmitted through the system, if the District has water for delivery.

(b) In the event individuals wish to use District facilities for transporting water and are authorized to do so, such individuals shall agree to repair any damage they may cause to the system and leave the part of the system so used in good condition.

11. Only the following persons shall be entitled to receive water from canals, pipelines or other works of the District for any purpose:

a) Any person who has paid the District for water and all due assessments or charges pertinent to the account, and holds a water ticket of the District

authorizing water to be delivered for irrigating the land on which it is to be used; and has been authorized by the District's canal rider having charge of water deliveries on the canal or pipe line serving this land, to take water therefrom, within the amount and time and by the means authorized by the canal rider;

b) Any person who holds an annual permit for water to be used through a drip or low volume water system, currently paid up to date including all due assessments or charges pertinent to the account, and has been authorized by the District's canal rider having charge of water deliveries on the canal or pipe line serving this land, to take water therefrom, within the amount and time and by the means authorized by the canal rider;

c) Any person who holds a current temporary permit for water to be used for construction projects or similar temporary projects and has been authorized by the District's canal rider having charge of water deliveries on the canal or pipe line serving this facility, to take water therefrom, within the amount and time and by the means authorized by the canal rider;

d) Any person who holds an annual permit for water to be used on his property, for limited domestic purposes only, not for production of commercial crops. This permit includes a signed agreement to pay a yearly sum for the use of water and all district taxes and any assessments on property, as well as an acknowledgment that canal water is untreated and not potable and shall be available only when water is in the canal in the normal course of the conduct of the affairs of the District. The agreement also includes an affidavit by the subscriber that property where canal water is to be used has an alternate treated water supply or that there are no domestic facilities located at the diversion site and that canal water is not used for any prohibited purpose. Prohibited purposes for human consumption are as outlined by *Title 40 Code of Federal Regulations Part 141*. (Human consumption includes drinking, bathing, showering, cooking, dishwashing, and maintaining oral hygiene.)

12. Each canal rider is expressly authorized to have charge of all water deliveries and make sure all rules and regulations of the District are followed in use of any water from the District.
13. Attention of all persons concerned is called to Subchapter C, Section 11.081, 11.082 and 11.083 of the Texas Water Code.

ADDENDUM

SUBCHAPTER C. UNLAWFUL USE, DIVERSION, WASTE, ETC.

Sec. 11.081. Unlawful Use of State Water.

No person may wilfully take, divert, or appropriate any state water for any purpose without first complying with all applicable requirements of this chapter.

Amended by Acts 1977, 65th Leg., p. 2207, ch. 870, Sec. 1, eff. Sept. 1, 1977.

Amended by Acts 1997, 75th Leg., ch. 1072, Sec. 3, eff. Sept. 1, 1997.

Sec. 11.082. Unlawful Use: Civil Penalty.

(a) A person who wilfully takes, diverts, or appropriates state water without complying with the applicable requirements of this chapter is also liable to a civil penalty of not more than \$5,000 for each day he continues the taking, diversion, or appropriation.

(b) The state may recover the penalties prescribed in Subsection (a) of this section by suit brought for that purpose in a court of competent jurisdiction.

(c) An action to collect the penalty provided in this section must be brought within two years from the date of the alleged violation.

Amended by Acts 1977, 65th Leg., p. 2207, ch. 870, Sec. 1, eff. Sept. 1, 1977; Acts 1981, 67th Leg., p. 3150, ch. 828, Sec. 1, eff. June 17, 1981.

Amended by Acts 1997, 75th Leg., ch. 1010, Sec. 3.01, eff. Sept. 1, 1997.

Sec. 11.083. Other Unlawful Taking.

(a) No person may wilfully open, close, change, or interfere with any headgate or water box without lawful authority.

(b) No person may wilfully use water or conduct water through his ditch or upon his land unless he is entitled to do so.

Amended by Acts 1977, 65th Leg., p. 2207, ch. 870, Sec. 1, eff. Sept. 1, 1977.

Amended by Acts 1997, 75th Leg., ch. 1072, Sec. 4, eff. Sept. 1, 1997.