

HIDALGO COUNTY WATER IMPROVEMENT DISTRICT NUMBER 3 WATER ALLOCATION PROGRAM

The Board of Directors of Hidalgo County Water Improvement District Number 3 ("District") deems it in the best interest of the District to adopt rules and regulations dealing with the allocation of irrigation water in the event of a shortage in water supply from the Rio Grande. Accordingly, the following Rules and Regulations shall apply in periods of water supply shortage from the Rio Grande.

1. Activation of Water Allocation Program: Water Allocation to irrigation users in the District will go into effect when the District's total irrigation water account storage balance in the Rio Grande Watermaster records amounts to 1,000 acre feet for operation and lawn water accounts and a maximum of 3 irrigations for each flat rate acre in which all flat rate is paid and current, and for each net irrigable acre as shown by District records with respect to land in the IBWC Floodway.

The determination of the 3-irrigation level which activates the water allocation program will vary from year to year as acreage irrigated with the District changes. The calculation of the 3-irrigation level will be calculated by taking the flat rate and net floodway acreage multiplied by 2.0 acre feet. The 2.0 acre feet amount is derived from an historical assumption utilized by the District approximating the average water used by an irrigator per irrigation per acre. This assumption assumes that 6 inches of water per acre is applied and that there are 2 inches of water per acre lost in transporting water from the Rio Grande to the acre irrigated. Thus, the calculation: 6 inches + 2 inches of water loss (25% loss) = 8 inches x 3 irrigations = 24 inches of water, or 2.0 acre feet measured at the Rio Grande. In other words, each acre foot available for irrigation would result in 1.5 acres of water available for irrigation.

2. Water Allocation: As water is allocated to the District's irrigation account by the Rio Grande Watermaster in an amount reasonably sufficient for allocation to District irrigation users, the additional water allocated to the District will be equally distributed to those irrigation accounts having a balance of less than 3 irrigations (or 2.0 acre feet equivalent) based upon flat rate or net floodway acreage.

The irrigation accounts shall be composed of the same parcels of land as identified by ownership for flat rate assessment purposes as carried in the records of the District.

3. Transfers: A water allotment may be transferred within the boundaries of the District from one irrigation account to another. The transfer of water may be made only by the landowner or landowner's agent who is authorized in writing to act on behalf of the landowner in the transfer of the water allotment from described land of the landowner covered by the irrigation account. The landowner's agent may be the tenant and the tenant's contract with the landowner may serve as the required authorization in writing.

A water allotment may not be transferred to land by a landowner outside the District boundaries.

4. Non-Use: Acreage in an irrigation account that has not been irrigated for any reason within the last two (2) calendar years, or the water has not been transferred to an account for beneficial use, will be considered inactive and will not be allocated water. Any landowner whose land has not been irrigated within the last two (2) consecutive years may, upon application to the District expressing a desire to irrigate the land, receive future allocations; however, irrigation water allocated shall be applied upon the acreage to which it is allocated, and such water allotment cannot be transferred until there have been two (2) consecutive years of use.
5. Amount of Water Charged to Water Allotment: The amount of water charged against a user's water allotment will be eight (8") inches per irrigation unless water is metered. Metered water is charged based on actual use. In order to maintain a parity in charging use against a water allotment between metered and non-metered deliveries, a loss factor will be applied to metered water. For parity purposes, therefore, the same percentage of loss will be applied to metered water as is the assumption for non-metered water, i.e., 25 percent of amount diverted at the Rio Grande. Thus, in charging use in a non-metered situation, the 8 inches criteria will be used for each irrigation of an acre and in charging use in a metered situation, the actual metered amount multiplied by a meter factor of 1.33 will be charged. It shall be a violation of these Rules and Regulations for a water user to use water that exceeds the amount of water contained in the users irrigation account. Since the District's Water Allocation Software utilizes the units of acres, and the assumption is 6" applied per irrigated acre, then 1.0 acre irrigated equals 0.5 acre feet, and 1 acre foot equals 2 acres irrigated, so the metered amount times 2 acres irrigated per acre foot to convert to equivalent acres irrigated in the District's Water Allocation Software.
6. Contract Water: Users may bring contract water into the District if they need more than the allotment. Contract water will be converted to acres of irrigation by multiplying the volume of contract water by the ratio of 12 inches per acre foot divided by 8 inches required per acre, including loss, or 1.5. In other words, Contract water amount in acre feet multiplied by 1.5 equals acres of irrigation in the District's Water Allocation Software.
7. Termination of Water Allocation: The water allocation program will remain in effect until
 - (a) the District's total irrigation account storage balance as shown by the Rio Grande Watermaster's records exceeds 3 irrigations per acre as referred to in paragraph 1 above, plus 1,000 acre feet for operation and lawn water, and
 - (b) the District's Board of Directors
8. District Lands not included in Water Allocation Program: Properties that had not previously been within the District Boundary and did not contribute water rights to the District at the time of annexation, shall not be allocated water.
9. Effective Date of Program: The effective date of this Program shall be July 26, 2022, following the adoption by the Board of Directors.