HIDALGO CO. IRRIGATION DISTRICT NO. 6

2019

Water Conservation & Drought Contingency Plan

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Hidalgo Co. Irrigation District No. 6

WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

INTRODUCTION

The holder of an existing permit, certified filing, or certificate of adjudication for the appropriation of surface water in the amount of 10,000 acre-feet a year or more for irrigation uses shall develop, submit, and implement a Water Conservation Plan meeting the requirements of Title 30 Texas Administrative Code, Chapter 288.4. The Water Conservation Plan must be submitted to the Texas Commission on Environmental Quality (TCEQ) and the Texas Water Development Board (TWDB) every five years. Irrigation Districts must also submit a Drought Contingency Plan meeting the requirements of Title 30 Texas Administrative Code, Chapter 288.21 to the TCEQ every five years.

This combined 2019 Water Conservation & Drought Contingency Plan is intended to meet the above mentioned regulatory requirements. HCID#6 is also required to provide a Water Conservation Implementation Report to the TCEQ every five years and a Water Conservation Annual Report to the TWDB every year.

WATER CONSERVATION PLAN

RULE §288.4(a)(3) For a system providing agricultural water to more than one user:

(A) A system inventory for the supplier's:

(i) Structural facilities including the supplier's water storage, conveyance, and delivery structures.

HCID#6 operates 4 pumping stations:

River Station	One 300 HP (15 head); One 350 HP (15 Head) One 400 HP (34 head)
Lake Station	One 150 HP (8 head); Two 450 HP (24 & 26 head)
Pump Station #3	One 200 HP (8 head); Two 300 HP (17 head); One 400 HP (20 head)
Pump Station #4	One 100 HP (6 head); One 150 HP (8 head); One 300 HP (15 head)

HCID#6's reservoir capacity is approximately 1,050 acre feet. There are 119.85 miles of main canals and pipelines of which 31.22 miles are main canal. There are 88.63 miles of laterals of which 75.91 miles are enclosed pipelines and 43.41 miles are lined canals. There is an earth inlet that stretches from the Rio Grande to the river pumping station. It measures approximately 0.61 of a mile long. HCID#6 created this channel in 1927 to access the river that recessed to the South at a posterior date after the first original construction of the river pumping station. All canals except the 0.61 of a mile of open channel from the Rio Grande to the river pumps and the 0.53 of a mile from the river pump to the reservoirs are concrete lined. All deteriorated linings have been relined.

(ii) Management practices, including the supplier's operating rules and regulations, water pricing policy, and a description of practices and/or devices used to account for water deliveries.

HCID#6 charges users for tail water and overwatering in money and water allotment. Canal riders report water waste to HCID#6's management that takes measurements to prevent recurrence. Every year in November, the Board of Directors approves the annual flat rate for land of an acre or more and the water delivery charge per acre feet. The flat rate is $19 per acre. HCID#6 does not assess land of less than one acre. Currently, the irrigation charge for one acre foot of irrigation water is $26. Water is metered to one municipal and two industrial accounts. Water for agriculture is estimated by canal rider by size of delivery orifice, head and length of delivery. Typical formula: 12" valve with good head for four hours equals one acre foot.

(iii) A user profile including square miles of the service area, the number of customers taking delivery of water by the system, the types of crops, the types of irrigation systems, the types of drainage systems, and total acreage under irrigation, both historical and projected.

The total area of HCID#6, which includes subdivisions excluded as residential and business is approximately 18,900 acres. HCID#6 lies in Western Hidalgo County, its Eastern boundary overlapping the Western part of the City of Mission. HCID#6 boundaries extend from Old Military Road to the South and to the Northerly boundary for approximately 12 1/2 miles towards Moorefield.

There are 2,087 irrigation customers on 14,020 acres of irrigable land in HCID#6. HCID#6 projects that approximately 13,920 acres will be irrigable in 10 years. The average number of acres irrigated annually is 5,852 with an average of 11,284 acre feet. Citrus, cotton, grain, melons and vegeatables are irrigated with flood, sprinkler, and drip irrigation systems. Drainage systems in use are surface ditches and some title drains.

HCID#6 does not have any industrial or municipal uses. HCID#6 delivers water to Agua Special Utility District, the Frontera Generation Facility, the US Department of Agriculture (Moorefield), and a number of residential yard irrigators.

(B) Specific, quantified five-year and ten-year targets for water savings including maximum allowable losses for the storage and distribution system. The goals established by a system providing agricultural water to more than one user under this subparagraph are not enforceable.

The specific, quantified water conservation goals for HCID#6 are as follows:

5-Year Goal: Maintain an estimated 80% delivery efficiency

10-Year Goal: Maintain an estimated 80% delivery efficiency

Maximum allowable losses from storage and distribution system: 20%

(C) A description of the practice(s) and/or device(s) which will be utilized to measure and account for the amount of water diverted from the source(s) of supply.

HCID#6 utilizes meters to collect daily readings that administrative personnel files for the record at HCID#6's main office. Meter readings and flow estimates allow the management team to determine how much water to divert from the river. Agua Special Utility District, the Frontera Generation Facility, and the US Department of Agriculture (Moorefield) are metered. All other customers are metered as necessary or upon request. HCID#6 is able to automatically control pumps to allow for more efficient operation and higher accuracy in water flow operations. Cast iron pipes imbedded in canals with screw type gates are used to measure water delivered to customers.

(D) A monitoring and record management program of water deliveries, sales, and losses.

HCID#6 administrative personnel keeps receipts for all water sold to users and records water purchased and its use in HCID#6's computer data file. All water delivery reports submitted by canal riders are recorded electronically by HCID#6 administrative personnel.

(E) A leak-detection, repair, and water loss control program.

The HCID#6 will continue with rehabilitation work of the Main canal and laterals to better control water loss and seepage. Canal riders run a continous operation and they are able to detect broken sections of canals and pipes that need repair. Also, HCID#6 responds to outside notificatons of leakage and immediately repairs breaks to avoid future water loss in that area.

(F) A program to assist customers in the development of on-farm water conservation and pollution prevention plans and/or measures.

Canal lining, rehabilitation of reservoirs, and future reservoir allow for better water conservation and accurate scheduling of water allocations. In turn, water users will be better able to account for all water used and plan for more efficient conservation and use of the water they receive. At this time, the HCID#6 is in compliance with all environmental Federal and State permits and regulations to prevent pollution and contamination of irrigation water.

(G) A requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water

conservation measures in accordance with applicable provisions of this chapter.

HCID#6 will include requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan by resolution, and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with applicable provisions of this chapter.

(H) Official adoption of the water conservation plan and goals, by ordinance, rule, resolution, or tariff, indicating that the plan reflects official policy of the supplier.

The resolution adopting this HCID#6 2019 Water Conservation & Drought Contingency Plan is included in this document.

(I) Any other water conservation practice, method, or technique which the supplier shows to be appropriate for achieving conservation.

In 2012, HCID#6 finished the canal lining of 3.2 miles of main canal. All the work was done by HCID#6 personnel and thanks to the skills and knowledge that they aquired during this process, HCID#6 will be able to undertake the rehabilitaion of miles of canals and laterals during the next five to ten years. HCID#6 is planning the construction of a reservoir that will be located in the North part of HCID#6. This reservoir will allow District personnel to better manage water deliveries while minimizing loss in the area.

In times of shortage, the General Manager will schedule deliveries in order to minimize transportation losses and make the most effective use of HCID#6's delivery facilities.

(J) Documentation of coordination with the regional water planning groups, in order to ensure consistency with appropriate approved regional water plans.

The service area of HCID#6 is located within the Region M Planning Group and HCID#6 will provide a copy of this Plan to the Regional M Planning Group, administered by the Lower Rio Grande Development Council.

DROUGHT CONTINGENCY PLAN

RULE §288.21(a) A drought contingency plan for an irrigation use, where applicable, must include the following minimum elements:

(1) Minimum requirements. Drought contingency plans for irrigation water suppliers must include policies and procedures for the equitable and efficient allocation of water on a pro rata basis during times of shortage in accordance with Texas Water Code, §11.039. Such plans shall include the following elements as a minimum:

(A) Preparation of the plan shall include provisions to actively inform and to affirmatively provide opportunity for users of water from the irrigation system to provide input into the preparation of the plan and to remain informed of the plan. Such acts may include, but are not limited to, having a public meeting at a time and location convenient to the water users and providing written notice to the water users concerning the proposed plan and meeting.

Opportunity for users of water from HCID#6 was provided by means of having copies of the proposed draft of this plan available at the HCID#6 office. The Plan will continue to be available to customers at HCID#6 office and by email.

HCID#6 will periodically provide water users with information about the Plan, including information and/or notification about the conditions under which water allocation is to be initiated or terminated and HCID#6's policies and procedures for water allocation. This information will be provided by means of posting water allocation Rules and Regulations on HCID#6's public bulletin board and providing copies of the Rules and Regulations to each individual water user.

(B) The drought contingency plan must document coordination with the regional water planning groups to ensure consistency with the appropriate approved regional water plans.

The service area of HCID#6 is located within the Region M Water Planning Group and HCID#6 will provide a copy of this Plan to the Region M Planning Group, administered by the Lower Rio Grande Development Council.

(C) The drought contingency plan must include water supply criteria and other considerations for determining when to initiate or terminate water allocation procedures, accompanied by an explanation of the rationale or basis for such triggering criteria.

The General Manager shall monitor water supply conditions on a daily basis and shall make recommendations to the Board of Directors regarding irrigation and water allocation. Upon approval of the Board, water allocation will become effective when the water allocated to HCID#6 for irrigation by the Rio Grande Watermaster amounts to 2½ acre foot per compliant acre or less, it will be allocated on a pro rata per acre basis to the compliant acreage. Transfers of allotments within (but not outside) HCID#6, with the consent of the allotee, will be permitted.

Notice of the initiation of water allocation will be given by posting on HCID#6's public bulletin board and by mailing to each water user.

HCID#6's water allocation policies will remain in effect until the above stated conditions of the Plan no longer exist and the Board deems that the need to allocate water no longer exists.

(D) The drought contingency plan must include specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The entity preparing the plan shall establish the targets. The

goals established by the entity under this subparagraph are not enforceable.

During periods of water shortage and drought, HCID#6 will coordinate with the Rio Grande Watermaster to identify the specific, quantified targets for per acre allocations of water.

(E) The drought contingency plan must include methods for determining the allocation of irrigation supplies to individual users.

The amount of water charged against a user's water allocation will depend on the amount of water allocated to HCID#6 per irrigation, or one allocation unit, unless water deliveries to the land are metered. Metered water deliveries will be charged based on actual measured use. In order to maintain parity in charging use against a water allocation between non-metered and metered deliveries, a loss factor of 25% to 30% of the water delivered in a metered situation will be added to the measured use and will be charged against the users' water allocation. Any metered use, with the loss factor applied, that is less than six (6) inches per acre shall be credited back to the allocation unit and will be available to the user. It shall be a violation of the Rules and Regulations for a water user to use water in excess of the amount of water contained in the users irrigation account.

Acreage in an irrigation account that has not been irrigated for any reason within the last two (2) consecutive years 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 HCID#6 expressing intent to irrigate the land, receive future allocations. However, irrigation water allocated shall be applied only upon the acreage to which it was allocated and such water allotment cannot be transferred until there have been two (2) consecutive years of use.

(F) The drought contingency plan must include a description of the information to be monitored by the water supplier and the procedures to be followed for the initiation or termination of water allocation policies.

The Rio Grande Watermaster of TCEQ is responsible for allocating, monitoring, and controlling the use of surface water in the Rio Grande Basin from Fort Quitman to the mouth of the Rio Grande. HCID#6 will coordinate with the Rio Grande Watermaster on when to initiate or terminate the water allocation policies stated above.

(G) The drought contingency plan must include procedures for use accounting during the implementation of water allocation policies.

Water use accounting for HCID#6 will remain the same when allocation policies are implemented. HCID#6 administrative personnel keeps receipts for all water sold to users and records water purchased and its use in HCID#6's computer data file.

(H) The drought contingency plan must include policies and procedures, if any, for the transfer of water allocations among individual users within the water supply system or to users outside the water supply system.

A water allocation in an active irrigation account may be transferred within the boundaries of HCID#6 from one irrigation account to another. The transfer can only be made by the landowner's agent who is authorized in writing to act on the behalf of the landowner in the transfer of all or part of the water allocation from the described land of the landowner covered by the irrigation account as long as all assessments have been paid for all accounts.

A water allocation may not be transferred to land outside of HCID#6's boundaries.

Water from outside HCID#6 may not be transferred by a landowner for use within HCID#6.

(I) The drought contingency plan must include procedures for the enforcement of water allocation policies, including specification of penalties for violations of such policies and for wasteful or excessive use of water.

TWC 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) by suit brought for that purpose in a court of competent jurisdiction. The state may seek those penalties regardless of whether a watermaster has been appointed for the water division, river basin, or segment of a river basin where the unlawful use is alleged to have occurred.**

TWC 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.**

(2) Wholesale water customers. Any irrigation water supplier that receives all or a portion of its water supply from another water supplier shall consult with that supplier and shall include in the drought contingency plan, appropriate provisions for responding to reductions in that water supply.

HCID#6 does not receive any water from another water supplier.

(3) Protection of public water supplies. Any irrigation water supplier that also provides or delivers water to a public water supplier(s) shall consult with that public water supplier(s) and shall include in the plan, mutually agreeable and appropriate provisions to ensure an uninterrupted supply of water necessary for essential uses relating to public health and safety. Nothing in this provision shall be construed as requiring the irrigation water supplier to transfer irrigation water supplies to non-irrigation use on a compulsory basis or without just compensation.

The Rio Grande Watermaster Program manages water rights in the Middle and Lower Rio Grande, served by the Falcon-Amistad system. Water below Amistad is allocated on an account basis, much like having a bank account with a constantly changing balance. Priority is given to all municipal accounts so, at the beginning of each year, each municipal account's storage balance is set to the authorized water-right amount.

SEVERABILITY

It is hereby declared to be the intention of the Board of Directors of Hidalgo County Irrigation District No. 6 that the sections, paragraphs, sentences, clauses, and phrases 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 of Directors without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

RESOLUTION FOR ADOPTION OF A WATER CONSERVATION & DROUGHT CONTINGENCY PLAN

RESOLUTION NO. 19-023

A RESOLUTION OF THE BOARD OF DIRECTORS OF HIDALGO COUNTY IRRIGATION DISTRICT NO. 6 ADOPTING A WATER CONSERVATION & DROUGHT CONTINGENCY PLAN.

WHEREAS, Hidalgo County Irrigation District No.6 Board recognizes that the amount of water available to the Hidalgo County Irrigation District No. 6 and its water customers is limited and subject to depletion during periods of extended drought;

WHEREAS, Hidalgo County Irrigation District No.6 Board recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes;

WHEREAS, the Water Code and the regulations of the Texas Commission on Environmental Quality (the "Commission") and the Texas Water Development Board (the "TWC Board") require that HCID#6 adopt water conservation and drought contingency plans;

WHEREAS, as authorized under law, and in the best interests of the customers of the Hidalgo County Irrigation District No. 6, the Board deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

WHEREAS, the provisions of this Plan shall apply to all persons, individuals, corporations, partnerships, associations, and legal entities utilizing water provided by Hidalgo County Irrigation District No. 6;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 6:

SECTION 1. That the Water Conservation and Drought Contingency Plan attached hereto and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the Hidalgo County Irrigation District No. 6.

SECTION 2. That the Interim General Manager and or General Manager is hereby directed to implement, administer, and enforce the Water Conservation & Drought Contingency Plan.

SECTION 3. That this resolution shall take effect immediately upon its passage.

DULY PASSED BY THE BOARD OF DIRECTORS OF THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 6, ON THIS 27 day of MARCH, 2019.

Board of Directors _____

ATTESTED TO:

Board of Directors _____