



# Westlands Water District

3130 N. Fresno Street, P.O. Box 6056, Fresno, California 93703-6056, (559) 224-1523, FAX (559) 241-6277

June 18, 2009

*This notice contains important information about the following:*

- **June 16 Board Report**
  - **Lawsuit Filed Against NOAA/NMFS Anadromous Fish Biological Opinion**
  - **2009-2010 Water Rates and Charges**
  - **2009 Canal Integration Program Suspended**
- **Supplemental Water Supply Update**
- **Land Based Charges**
- **Customer Service Website Statistics**

## **June 16 Board Report**

### **Lawsuit Filed Against NOAA/NMFS Anadromous Fish Biological Opinion**

General Manager Tom Birmingham reported that the District and the San Luis & Delta-Mendota Water Authority filed a lawsuit this week, principally against the United States Department of Commerce, the National Oceanic and Atmospheric Administration, and the National Marine Fisheries Service, over the new Biological Opinion issued by NMFS. Among other points, the suit argues that the NMFS should have complied with NEPA, ESA and other requirements of law. Mr. Birmingham noted that a hearing in this matter will take place before Judge Wanger on June 19. He added that Judge Wanger had recently granted a preliminary injunction against the Fish and Wildlife Service in a similar lawsuit regarding the Delta Smelt.

### **Water Rates and Charges**

The Board of Directors revised the 2009-2010 Water Rates and Charges, retroactive to March 1, 2009. The changes to the rates and charges were prompted by the increase in the CVP water supply allocation for south-of-Delta agricultural contractors to 10 percent. The greater water supply allowed the Board to also revisit budget measures it implemented earlier this year when the District was faced with a zero percent CVP allocation. In summary, the Board reversed its decision to collect some administrative costs through a land based charge and reinstated some District reserves, both of which revert to collection through the O&M water rate. As a result, the District's CVP Contract Cost of Service rate increased to \$129.95 (from \$100.56) and the proposed Administrative Costs Land Based Charge (\$20.64) was eliminated. The new rates will be implemented on the June water billing statements. The revised rates are available on the District's website at <http://www.westlandswater.org>, under the Water & Power/Water Rates tabs, or by calling Customer Accounting at (559) 241-6250.

### **2009 Canal Integration Program Suspended**

The Board of Directors suspended the 2009 Canal Integration Program after receiving an update from staff on the mitigation elements of the program and the water's cost.

Due to water quality and subsidence concerns expressed by state water contractors, 25 to 30 percent of all water pumped into the canal would be lost as a mitigation component. In addition, the cost to water users would range from \$465 to \$635 per acre-foot, after factoring in well pumping costs, the mitigation component, conveyance and other administrative costs.

### **Supplemental Water Supply Update**

Water users have requested 155,522 acre-feet of Supplemental Water. The District has firm commitments to acquire 140,729 acre-feet and is working to secure additional supply from a variety of sources. Of this amount, approximately 46,866 acre-feet are from sources south-of-Delta, with the balance (93,863 acre-feet) from the north. The timing for the delivery of north-of-Delta water is subject to conditions in the Delta, but pumping and availability of the water should begin in July. For the south-of-Delta supplies, the timing and amounts of expected allocations are shown in the table below.

<b>Allocation Month</b>	<b>AF Amount</b>
April - Actual	7,633
May - Actual	7,950
June - Actual	11,863
July - Estimated	2,686
August - Estimated	5,088
September - Estimated	5,471
October - Estimated	6,175

### **Land Based Charges**

Land-Based Charges statements were mailed to landowners at the beginning of the month. The first installments for payment of the 2009-2010 Land-Based Charges are due June 25, 2009, and the second installments will be due September 25, 2009. A 10 percent penalty will be added to unpaid charges on the day following the payment due date. As noted above in the Water Rates and Charges item, the Board of Directors eliminated the charge for Administrative Costs, so the billing statements do not include this item. Please contact Deborah Tuggle at (559) 241-6212 for additional information about Land-Based Charges.

### **Customer Service Website Statistics**

There are a total of 654 active users, which represents about 87% of all Water User accounts, using features such as water ordering, water order status, water exhaustion projection, month-end allocation, account water history, satellite imagery, interactive forms, accounts receivable history, water buy and sell offers, and penalty history. These users represent 466,008 acres, which is 82% of the District's 568,661 irrigable acres. The website is at <http://www.westlandswater.org>. Water users may contact their Accounting Technician at (559) 241-6250 to set up a secure login or for assistance in using the various features of the customer section.