



Westlands Water District

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

November 20, 2009

This notice contains important information about the following:

- **CVP Water Supply Update and 2010-2011 Contract Allocation**
- **2010-2011 Agricultural Water Allocation Applications Due January 15, 2010**
- **Supplemental Water Update**
- **Assessments and Land-Based Charges**
- **Landowner Responsibilities**
- **Holiday Office Closures and Water Ordering Procedures**

CVP Water Supply Update and 2010-2011 Contract Allocation

The CVP share of storage in San Luis Reservoir is currently about 390,000 acre-feet. Last year at this time it was about 160,000 acre-feet. Bureau of Reclamation studies indicate that the Federal share of the Reservoir will not fill under any of the water year types, although if it is wet it will fall just short of filling. The District expects that approximately 270,000 acre-feet of current year water supply will remain unused at the end of the water year. Of this amount, about 90,000 acre-feet will be stored in the Reservoir under Warren Act Contracts, while the balance will be rescheduled pursuant to Reclamation's guidelines.

Projections for the 2010-11 water year CVP allocation for south-of-Delta Ag Contractors are as follows:

Water Year Hydrology	Ag Allocation
Dry	0 – 10%
Average	10 – 30%
Wet	25 – 40%

2010-2011 Agricultural Water Allocation Applications Due January 15, 2010

Water users will receive their 2010-2011 Agricultural Water Allocation Application packets during the first part of December. Landowners will not receive packets unless they are also water users or have requested them previously. Applications are due at either the Fresno or Five Points Offices by 5 p.m. on or before January 15.

Typically, the landowners' tenant farmers will submit the allocation applications. Landowners may apply for allocations, however, especially if more direct control of the allocation to their land is desired or tenants have not been selected. In these situations, landowners are reminded that the costs associated with water applied for and allocated must be paid, even if the water is not used.

If more than one application is received for the same parcel of land, priority will be given to the landowner in accordance with the District's rules and regulations. If no applicants own the land, priority will be given to the water user who provides evidence of the right to occupy the land and receive the allocation.

Supplemental Water Update

The District's current, timely applications total 155,622 acre-feet. The District has allocated 148,346 acre-feet through the end of October. The remainder of the Supplemental Water acquired will be allocated as follows (amounts approximated):

Allocation Month	Allocation (AF)
November	0
December	7,276

Assessments and Land-Based Charges

The 2009 Repayment Contract Assessments were deferred and not billed in 2009, and will be collected subject to a hearing in 2010. Land-based charges were due June 25, 2009 for the first installment, and September 25, 2009 for the second installment. Unpaid assessments and land-based charges will result in the interruption of water service to the water user until payment is received.

Landowner Responsibilities

As a courtesy each year, the District reminds landowners of their responsibilities as property owners in Westlands. Landowners are ultimately responsible for the payment of all District assessments, land-based charges and water charges attributable to their property. Any private agreement with tenants for use of the land does not relieve landowners of their responsibility for paying these costs. Landowners must enforce leases between lessors and lessees. Landowners should be aware of the following obligations regarding their property:

Assessments: Westlands uses a "benefit valuation" method in establishing assessments. Lands are assessed annually based on the relative benefits that they receive from the District. Assessment statement billings are mailed to District landowners and normally become delinquent in mid-November of each year. If an assessment becomes delinquent, the following actions are taken:

- A 5% penalty is assessed.
- Agricultural water service is discontinued.
- Any remaining water allocation applicable to the water user is not available for transfer, but the cost for such water must still be paid.
- A lien is recorded against each delinquent parcel.
- A \$16 or \$12 recording fee is imposed against each delinquent parcel.
- A publication fee is imposed against each delinquent amount (in the past this amount has varied from \$30 to \$185).
- Interest charges accrue against the delinquent amount at 9% per annum.
- Neither contract water nor any other water will be allocated to any land for which assessments have been delinquent for 30 days or more at the time the water is allocated.

Land-Based Charges: Land-based charges may be imposed by the Board of Directors, after a hearing is held and absent written protest from a majority of affected landowners. The hearing is typically held in February, although additional hearings may be held if new charges are implemented or other circumstances warrant it. Land-based charges anticipated for next year are for costs related to a portion of the District's operations and maintenance activities, District water supply, long-term water, and extraordinary repairs of pipe. Land-based charges are normally due March 25 and September 25, and if they become delinquent the following actions are taken:

- A 10% penalty is assessed and interest charges of 1.5% per month are applied.
- Agricultural water service is discontinued.
- Any remaining water allocation applicable to the water user is not available for transfer, but the cost for such water must still be paid.
- If left unpaid, charges are transferred to the District's assessment roll and become a lien against the land.
- Neither contract water nor any other water will be allocated to any land for which charges have been delinquent for 30 days or more at the time the water is allocated.

Water Charges: Landowners are financially responsible if their tenants do not pay their water bills. Water users have approximately 25 days to pay for water charges billed for the previous month. Bills not paid by the due date are considered delinquent. Landowners are notified of the delinquent account by mail. These bills may include charges for:

- CVP water, District water supply or long-term water allocated to the land, and any other water transferred into the water user's account. Other water may come from a variety of sources with costs substantially higher than CVP water.
- Water delivered to the land.
- Reduction in future year's water supplies for overused water, unless the water user purchases additional water to replace the overused amount.
- Unused water, if the water user does not reschedule it or does not find a buyer for the unused amount.
- Miscellaneous charges for M&I water costs, CVP Improvement Act Restoration Fund Costs, or other service charges.

If water charges become delinquent, the following actions are taken:

- A penalty ranging from 2% to 10% is assessed and interest charges of 1.5% per month are applied.
- Agricultural water service is discontinued.
- Any remaining water allocation applicable to the water user is not available for transfer, but the cost for such water must still be paid.
- If left unpaid, a Certificate to Secure Delinquent Water charges is filed against the water user on all lands owned within Westlands Water District.
- If the account remains unpaid, charges will be transferred to the District's assessment roll in May of each year and a Certificate of Sale will be filed against the land where the water was used if delivered or allocated if unused.
- Neither contract water nor any other water will be allocated to any land for which charges have been delinquent for 30 days or more at the time the water is allocated.

The information listed above summarizes the financial obligations landowners and water users have to the District. If you have any questions regarding this information, please do not hesitate to contact the Customer Accounting Department at (559) 241-6250. We look forward to working with you in the upcoming water year.

Holiday Office Closures & Water Ordering Procedures

District offices will be closed on Thursday, November 26, and Friday, November 27, in observance of Thanksgiving; Thursday, December 24, and Friday, December 25, for the Christmas holiday; and Friday, January 1 for New Year's Day. The affected water ordering deadlines are as follows:

For Water Use On	Place Water Order By
Thursday or Friday – November 26 or 27	Wednesday, November 25, 9:30 a.m.
Saturday, Sunday or Monday – November 28, 29 or 30	Wednesday, November 25, noon
Thursday or Friday – December 24 or 25	Wednesday, December 23, 9:30 a.m.
Saturday, Sunday or Monday – December 26, 27 or 28	Wednesday, December 23, noon
Friday or Saturday – January 1 or 2	Thursday, December 31, 9:30 a.m.
Sunday or Monday – January 3 or 4	Thursday, December 31, noon

The emergency telephone number for after hours and holidays is (559) 224-1523.

No. 289