

# FREQUENTLY ASKED QUESTIONS

## South Water Users Improvement District 3 (SWUID No. 3)

### 1. WHAT IS THE SOUTH WATER USERS IMPROVEMENT DISTRICT NO. 3 (SWUID No. 3)?

SWUID No. 3 is a potential new improvement district within North San Joaquin Water Conservation District (NSJWCD).

### 2. WHY IS SWUID No. 3 BEING FORMED?

Landowners who want to receive surface water from the South System (pipeline, Bear Creek and Pixley Slough) are trying to form SWUID No. 3 and raise funds for repairs and improvements to the South System. A modern pump station and repairs to the pipeline will allow NSJWCD to deliver non-pressurized surface water via the pipeline, Bear Creek and Pixley Slough.

### 3. HOW DOES THE FORMATION OF SWUID No. 3 DIFFER FROM IMPROVEMENT DISTRICT NO. 1 OR IMPROVEMENT DISTRICT NO. 2?

The process of forming SWUID No. 3 is virtually identical to the process that was used to form Improvement District No. 1 – Tracy Lakes. Landowners in Improvement District No. 1 VOLUNTARILY signed a petition and agreed to assess themselves to raise funds for construction of a water delivery system. Improvement District No. 2 was more complex. It involved a larger area (almost 19,000 acres) and proposed to raise funds through the sale of 20-year bonds repaid by mandatory assessments and state and federal grants. Improvement District No. 2 also required an election, which failed, 49%/51%. As a result of the failed election, there is NO mandatory assessment, grants were lost and bonds never sold. For now, Improvement District No. 2 remains in place but has no financing. The formation of SWUID No. 3 requires landowners to VOLUNTARILY sign a petition and agree to VOLUNTARILY assess themselves \$50/acre/year for 10 years secured with a lien on their property. A 10-year bank loan will be used to finance the construction and repairs in SWUID No. 3.

### 4. WILL SWUID No. 3 IMPOSE A MANDATORY ASSESSMENT ON ALL LANDOWNERS IN NSJWCD OR IN IMPROVEMENT DISTRICT NO. 2?

No. SWUID No. 3 is strictly a VOLUNTARY assessment. Landowners must VOLUNTARILY choose to assess themselves by signing the petition.

### 5. WHAT DOES A LANDOWNER GET FOR VOLUNTARILY JOINING SWUID No. 3?

- A modern, new pump station and repairs which will allow NSJWCD to deliver non-pressurized surface water at a lower cost.
- First priority to surface water available to the South System.
- Any “credits” associated with using surface water that become available because of the Sustainable Groundwater Management Act (SGMA) – which could help these landowners avoid future state-mandated pumping limits.

**6. IF A LANDOWNER DOES NOT JOIN SWUID No. 3, CAN THEY STILL GET SURFACE WATER FOR IRRIGATION?**

Possibly. If there is additional surface water available on the South System that is not needed by the landowners in SWUID No. 3, other landowners could purchase the extra from the NSJWCD. However, the cost per acre-foot will be higher to account for the fact that the landowner has not previously paid an assessment to cover the capital cost of the pump station and delivery facilities.

**7. WHAT WILL IT COST TO JOIN SWUID No. 3?**

Landowners that join SWUID No. 3 are agreeing to pay:

- An acreage assessment of \$50/ac every year for ten years (\$500 total). The assessment will be a lien on the real property.
- A per-acre-foot water charge for all water that they receive from the NSJWCD. Water rates are set annually by NSJWCD. The water rate for 2018 is \$50/acft.
- All necessary on-farm facilities to connect to and take water from the NSJWCD South System pipeline, Bear Creek or Pixley Slough, including a NSJWCD-approved water meter.

**8. WHAT HAPPENS IN YEARS WHEN NSJWCD DOES NOT RECEIVE ANY WATER?**

Lands enrolled in SWUID No. 3 will still have to pay the annual \$50 per acre assessment even when NSJWCD has no water available for delivery.

**9. COULD THE ASSESSMENT FOR SWUID No. 3 CHANGE?**

Yes, but only by a majority vote (one acre, one vote) of landowners in SWUID No. 3. Landowners in SWUID No. 3 may want additional improvements or repairs to the South System and are willing to pay for them. If they approve an increased assessment for this purpose by majority vote (one acre, one vote) they could raise or extend the assessment.

**10. CAN A LANDOWNER DECIDE TO JOIN SWUID No. 3 LATER?**

Yes, if there is room. The acreage in SWUID No. 3 is being limited to 4,000 acres. If there is still room within this limit later, lands can join provided they agree to the terms and conditions of membership and agree to back-pay any prior assessments.

**11. HOW CAN I JOIN SWUID No. 3?**

To join SWUID No. 3, landowners must sign and complete Exhibit A of the Petition for Formation (available online at: <http://www.nsjgroundwater.org> ). Once there are at least 2,500 acres that have signed on to the Petition, the Petition can be presented to the NSJWCD Board of Directors, which will follow the process in the Water Code to form SWUID No. 3 and establish the initial assessment of \$50/acre.

**12. I HAVE ANOTHER QUESTION. WHERE CAN I GET AN ANSWER?**

NSJWCD will respond to questions emailed to: [nsjwcd@outlook.com](mailto:nsjwcd@outlook.com)