

## **DELTA LAKE IRRIGATION DISTRICT POLICY FOR LAND EXCLUSION**

All discussions pertaining to "exclusion of property" should be in person at the Delta Lake Irrigation District office.

After reading and understanding all circumstances listed in this guideline sheet, the owner of the property proposed for exclusion shall complete an application form for property exclusion, providing all required information.

1. All ad valorem and flat rate taxes must be paid in full for each property/properties being filed prior to exclusion. This includes taxes assessed during the year exclusion is approved (if approved). No property will be placed on the agenda until all taxes are current and the \$500.00 filing fee is paid.
2. Owner shall provide the District a copy of Owner's property deed. A valid and complete legal description is necessary on each property for which exclusion is being requested. The property requested to be excluded must be a separate tract on County Appraisal Rolls; otherwise, re-subdividing will be necessary.
3. The property needs to be listed as an item on the agenda of a Regular Board Meeting. A request to be placed on the agenda should be addressed to the General Manager.
4. The agenda item shall first be for the purpose of calling a hearing on the request for exclusion. If the Board votes to call a hearing, a date and time will be determined, and a notice of such hearing shall be published in a newspaper published in Hidalgo or Willacy County. On the hearing date, the Board of Directors will consider excluding the subject property.
5. Before the request for exclusion is considered by the Board, a flat fee of \$ **500.00**, will be paid by the owner requesting exclusion. The fee is intended to cover the District's legal fees and administrative costs, and the cost of publishing any notice in a newspaper in connection with the exclusion. The fee is also fixed as a flat fee so that all persons seeking exclusion will be treated alike. To the extent possible, all request for exclusions will be kept and included in a single hearing to be done all at one time in August before the tax rolls are set.
6. The exclusions of property contemplated by these guidelines are governed by Section 51.759, et seq. and Section 58.731 of the Texas Water Code, and other pertinent statutes.
7. Notification: A date will be set for notification by the District's attorney of all parties entitled to be given notice of any exclusion of land, such as Appraisal Districts and the Texas Commission on Environmental Quality.

8. The owner's request for exclusion, with required documentation and payment of any unpaid charges and taxes shall be presented to the Delta Lake Irrigation District a minimum of thirty days prior to the meeting at which such request for exclusion shall be first placed on the agenda.

9. A verbal approval by one Board member or by any District employee shall not be relied upon as any guarantee of a valid exclusion. Exclusions are not scheduled on any particular timetable, but are handled as the Board directs and when the District's attorney has completed the required preparation. No landowner may assume that exclusion is approved at the time all criteria is completed. Exclusion occurs only after calling a hearing, publishing notice in a newspaper, and then conducting the hearing, with the Board then voting for exclusion. Once land is excluded, the District's legal counsel will notify the Appraisal District of your exclusion.

10. If the land at the time of exclusion has a water allocation the landowner must either surrender their water allotment to the District or the landowner may sell the land's water allotment prior to exclusion of their land.

11. After a properly approved exclusion has been completed, the property owner shall have no rights to irrigation water or any right in any allocation of water now or in the future, for the excluded properties.

12. All decisions made by the Board regarding exclusions will be based on preventing and avoiding any harm or disadvantage to the District.

13. An owner petitioning for exclusion may be subject to excluding any and all land that he/she owns within the District boundaries.

14. Owners requesting to exclude only land subject to improvements will not be considered for exclusion.

15. Taxes assessed during the year exclusion is approved must be paid no later than December 31 of that year. If paid late, property will continue to be assessed yearly until all taxes are paid in a timely manner.

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# Delta Lake Irrigation District Landowner

Date:

Delta Lake Irrigation District  
10370 Charles Green Rd.  
Edcouch, TX 78538

**RE: Land Exclusion/Inclusion**

Dear Sir or Madam:

I (We), \_\_\_\_\_, own Lot(s) \_\_\_\_\_,  
Block \_\_\_\_\_, \_\_\_\_\_ Subdivision. I am requesting to  
(exclude) (include) my property(ies) from your District. My property account number(s)  
is (are) DL\_\_\_\_-\_\_\_\_-\_\_\_\_-\_\_\_\_-\_\_\_\_, DL\_\_\_\_-\_\_\_\_-\_\_\_\_-\_\_\_\_-\_\_\_\_, DL\_\_\_\_-\_\_\_\_-  
\_\_\_\_-\_\_\_\_-\_\_\_\_.

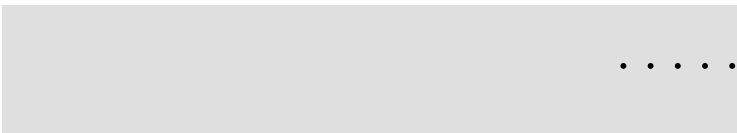
I acknowledge that I have received a copy of the Property Exclusion Guidelines.

Thank you,

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Phone # \_\_\_\_\_



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