

# GROENLAND WATER USERS ASSOCIATION (GWUA)

## Special rules relating to Sub-Group 1

These rules relate to the users of water from the EIKENHOF DAM and the reticulation of the water available from this source to members situated on the various pipelines. The dam is situated on the Palmiet River. The extraction of 38 million cubic metres is registered with the Department of Water Affairs (DWA) in terms of permit No: B191/2/740/1 dated 30 September 1999. This sub-group was previously referred to as the "Groenland Irrigation Board"

### **1 PURPOSE**

- 1.1 The Main purpose of this Sub-Group is to make raw water available, and to distribute it amongst its members through its distribution system.

### **2 DISTRIBUTION SYSTEM**

- 2.1 The Distribution System comprises a series of pumps and/or closed pipelines laid over the various properties over which GWUA has the necessary servitudes. Currently these servitudes are registered in the name of "Groenland Irrigation Board" (GIB), which organisation has been disbanded, and the rights attributable to such servitudes have been ceded to GWUA. The costs related to changing all current servitudes registered in the name of GIB to the name of GWUA are not justified but any future registrations will be in the name of GWUA

### **3 MEMBERSHIP**

- 3.1 Membership is determined by the official list known as the List of Rateable Areas. (LRA).
- 3.2 Membership of the Sub-Group does not give any member any right to any proportion of the assets of the Sub-Group, but only gives members rights of membership in terms of the rules and regulations laid down by the Standing Committee from time to time.
- 3.3 A member of the Sub-Group is bound by the rules of the Sub-Group applicable at that time and as amended from time to time.
- 3.4 Members of the Sub-Group must ensure that their membership details are kept up to date.
- 3.5 Members are split between "PUMPED WATER" and "NON-PUMPED WATER" members, and then each group is split again between "Agricultural", and "Industrial and Domestic". Each group is then split again into Summer water entitlements and Winter water entitlements, and any member may have entitlements to both Summer and Winter water.

- 3.6 Only in the event of GWUA, or the Sub-Group being dissolved for any reason, will the net asset value of reserves and assets attributed to that group, after settling all creditors related to that group, either be transferred to another organization handling the affairs of such Sub-Group, failing which, should there be no need for any such new organization, then the net reserves could be refunded to members of the Sub-Group in proportion to their contributions towards such reserves over the last five years. Any such distribution will be subject to approval by the Management Committee of GWUA

#### **4 VOTERS LIST**

- 4.1 The Voters List is an integrated list of members with all their details including a description of the property, title deed details, size of property, and its summer and winter water entitlements.
- 4.2 Management must update the register and at least once a year and submit such list to the DWA.
- 4.3 The LRA / Voters list is at all times available at the GWUA's offices.

#### **5 VOTING RIGHTS**

- 5.1 The number of votes attributable to a quota holder is ONE vote per 6,000m<sup>3</sup> or part thereof of each quota, subject to a maximum of TEN votes per registered quota holder.
- 5.2 If a quota is not registered in the name of a natural person, then such body must nominate an authorised person whose name will then appear on the voters' list, and vote on behalf of the registered quota holder.

#### **6 STANDING COMMITTEE**

- 6.1 Any paid up member of the Sub-Group may be nominated and elected to be on the Standing Committee, and nomination forms must be handed in at least 48 hours before an Annual Meeting of the Sub-Group to be held just before June each year, and members of the committee will not be remunerated.
- 6.2 The Standing Committee shall comprise no less than 5 members, shall be elected for terms of 3 years, renewable, and shall choose their own Chairman and Vice-Chairman. The quorum for any meeting of the Standing Committee shall be more than 50% of the number of members on the committee. The members of the Standing Committee are automatically the representatives of the Sub-Group on the GWUA Management Committee.
- 6.3 The Standing Committee will have power to make such financial decisions as laid down and agreed to in the proposals to the Management Committee of GWUA, but can amend and make its own operational rules applicable to the working of the Sub-Group which fall within the powers given them by GWUA.

#### **7 QUOTAS**

- 7.1 The water available from the Department of Water Affairs on an annual basis from the Eikenhof Dam and which may be pumped through the reticulation system, has currently been fully allocated to all the holders / users by way of quotas.
- 7.2 The quotas are allocated to individual properties, and are registered to a Title Deed.
- 7.3 The Standing Committee will ensure that quotas are available to the properties concerned throughout the year.
- 7.4 Members who are property owners can decide amongst themselves the temporary transfer of water quotas for periods up to a year within a financial year ending June if such a transfer is physically possible within the reticulation system, and request the staff in writing to honour such transfer. Any pumping charges will be charged to the effective user of the water, but adjustments in respect of levies covering fixed costs in respect of such transfers are to be settled between property owners and are not the responsibility of the staff.
- 7.5 Due to the topography of the valley, the distribution system of GWUA was designed as a low pressure pumping scheme. The Management Committee guarantees the quantity of water at the take-off point, but not at any specific pressure. Members should preferably ensure that the water flows freely into a dam. Direct irrigation from the scheme is not recommended, as it has a negative effect on the distribution system and influences the flow rate.
- 7.6 At present Summer Water quotas are available for 12 months of the year, and-Winter Water quotas are available for 9 months of the year (i.e. July, Aug, Sept, Oct, Nov, Dec, Apr, May & Jun).
- 7.7 For the 3 months July, August and June of the following year, the water tariff is three times the normal tariff for that financial year. These high tariffs are solely as per ESKOM's Ruraflex winter tariffs.
- 7.8 As unexpected interruptions may occur, members must at all times make provision for the storage of an adequate supply of water on the farm. The management of each farm must ensure that their employees involved in water activities (the so-called water men) are familiar with the rules and regulations of Sub-Group 1.

## **8 ADMINISTRATION**

Administration will be done by the management and staff of GWUA

- 8.1 The management must enforce all decisions approved by the Management Committee of GWUA.
- 8.2 The management may handle all day to day purchases and expenses within the limits of the approved budget.
- 8.3 Capital purchases must be approved by the Chairman or Vice-Chairman.
- 8.4 The management must, in the undertaking of its activities, follow official resolutions, rules and regulations as have been laid down in the official minutes of the Standing Committee of Sub-Group 1.

- 8.5 The costs of administering, maintaining and managing the reticulation system shall be charged to the quota owners in proportion to their type and size of quota, on a monthly basis for the months for which quota owners are guaranteed water flow.
- 8.6 The costs of pumping water will be charged to the users of water, based on the volume of water used each month. It is noted here that electricity charges vary per month throughout the year and any premium during a month will be incorporated in the charge for that month.
- 8.7 GWUA invoices levy charges and water usage monthly, and any tariffs may be increased by the Standing Committee with effect from 1<sup>st</sup> of July each year.
- 8.8 Terms of payment on all accounts are strictly thirty days from date of Invoice.
- 8.9 Interest at prime plus 2% will be charged on overdue accounts. In the event of accounts being more than two months overdue, the water supply will be suspended. Should a request be made to reinstate the water supply, the Management Committee requires an additional deposit equal to two months of the total yearly charges and this will only be reinstated after full settlement of the outstanding account.
- 8.10 The rule of a deposit equal to two months of the total yearly charges applies to all new members.

## **9 PENALTIES**

- 9.1 Should any take-off point (including locks), be damaged in an attempt by a member to obtain access to water, a minimum fine of R2 000-00 will be levied. Only officials of the Association may adjust the flow, and any unauthorised turning of valves will be penalised with a similar fine of R2 000-00.
- 9.2 Members should familiarise themselves with the pipelines on their property. Servitudes have been registered for this purpose and each farm has a copy thereof. The owner of the farm is responsible for any damage to the Association's pipes, especially during deep-ploughing or excavation in the servitudes. Should the take-off points, manholes, route markers, etc. be damaged, a minimum charge of R8 000-00 will apply. No buildings are allowed in the servitude and only crops with shallow root-system are permissible at the owner's own risk.
- 9.3 Water supplied by GWUA should be used for agricultural purposes only as it is not suitable for human consumption or domestic use. The Association supplies raw water to members in accordance with the scheduled water allocation for the property. Valves are turned on and off free of charge on Thursdays. Instructions/requests are accepted up to 12:00 noon on a Thursday. Requests may be made by phone, fax, sms or email. A service levy of R200-00 is payable for this service on any other day during office hours and R400-00 for any services after hours.