

**RESOLUTION NO. 2013-03**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE SAN BENITO COUNTY WATER DISTRICT  
AMENDING RESOLUTION NO. 2012-14  
ESTABLISHING AN INTERIM POLICY FOR  
RESCHEDULING OF UNUSED/CONSERVED WATER**

**RECITALS:**

A. Under Article IV C. 2. of the Regulations for the Allocation of Agricultural Water, which is found in Appendix C of the Water User's Handbook, water users who have paid for but are unable to use allocated water may either 1) release the water to the District for resale by the District or 2) transfer the water to another user within the same subsystem with the District's consent.

**NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Benito County Water District** that Resolution No. 2012-14 establishing an interim policy authorizing the rescheduling of unused/conserved water from the 2012-2013 water year to the 2013-2014 water year, and specifically Paragraphs 1, 2, and 8 therein, be amended as follows:

1. Individual agricultural and M&I contract water users (water users) may reschedule unused/conserved water remaining in their 2012-2013 water year accounts as of February 28, 2013, into water year 2013-2014 up to a maximum of 15% of the amount of water purchased in 2012/2013 under tier 1. Water over the maximum 15% may be rescheduled into water year 2013/2014, but shall be under tier 2. The minimum quantity of water that may be rescheduled is one (1) acre foot.
2. Water users wishing to reschedule water shall complete a declaration and deliver the declaration to the District by February 1, 2013, indicating, among other things, the maximum quantity they intend to reschedule. Water remaining in a user's account as of March 1, 2013, in excess of the maximum set forth in the declaration shall be lost to users and revert to the District.
8. Rescheduling and storage by the District of District water supplies for allocation to and use by all water users shall have capacity and loss priority over individual accounts including any stored water in San Justo

Reservoir. Should there be storage limitations, losses of customer water shall follow the same loss criteria established by USBR, except that water under tier 2 shall be the first water lost under all circumstances.

Except as specifically amended as set forth above, the remaining terms in Resolution 2012-14 shall remain in full force and effect.

The foregoing Resolution was passed and adopted at a regular meeting of the Board of Directors of the San Benito County Water District held on January 30, 2013, by the following vote:

AYES: DIRECTORS: Tobias, Bettencourt and Flores

NOES: DIRECTORS: None

ABSENT: DIRECTORS: Tonascia and Torquato

/s/John Tobias

John Tobias

President

ATTEST:

/s/Sara Singleton

Sara Singleton

Assistant Manager