

RESOLUTION NO. 2024-48

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SAN BENITO COUNTY WATER DISTRICT
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 given San Luis Reservoir will have a 50% chance of filling by March 1, 2025, the District is implementing an interim policy authorizing the rescheduling of unused/conserved water from the 2024-2025 water year to the 2025-2026 water year under the following terms and conditions:

1. Individual agricultural contract water users (water users) may reschedule unused/conserved water remaining in their 2024-2025 water year accounts as of February 28, 2025, into water year 2025-2026 up to a maximum of 50% of the amount of water contracted for in 2024/2025, provided that at least 50% of the contracted water was used in the 2024-2025 water year. The minimum quantity of water that may be rescheduled is one (1) acre foot.
2. Agricultural Water Customer water will be held in San Luis Reservoir. Water rescheduled into the 2025-2026 water year will require a per acre foot rescheduling fee, payable to the United States Bureau of Reclamation.
3. All water rescheduled in San Luis Reservoir will be subject to San Luis Reservoir spillage losses. Such that, if San Luis Reservoir fills, rescheduled water may be lost, and all rescheduled fees will be forfeited.
4. Agricultural customer water held in San Luis Reservoir will be the first water lost by the District.
5. Rescheduled agricultural water will not require prepayment to the District. Rescheduled water will be billed and used during the 2025-2026 water year.

6. Water users wishing to reschedule water shall complete a declaration and deliver the declaration to the District by February 1, 2025, indicating, among other things, the maximum quantity they intend to reschedule. Water remaining in a user's account as of March 1, 2025, in excess of the maximum set forth in the declaration, or in excess of 50% of the amount of water used in the 2024/2025 water year shall be lost to users and revert to the District.
7. A user of water on a small parcel (water users not under contract, but on a utility service basis) shall not be allowed to reschedule unused water.
8. Rescheduled water shall be the first water used for water year 2025-2026.
9. Rescheduled water loss criteria, if any, shall be established by the Bureau of Reclamation (USBR) in its rescheduled water policy. Any loss of rescheduled water shall first apply to individual customer accounts.
10. Capacity limitations, if any, on the quantity of water users can reschedule shall be ratably allocated.
11. Rescheduled water will be held in San Luis Reservoir.
12. Rescheduled water may be transferred within the District subject to the District's water transfer policy.
13. All rescheduled water must be used by February 28, 2026. Unused rescheduled water shall revert to the District as of March 1, 2026.
14. Administrative fees and charges for rescheduling water shall be as follows:
 - a. Rescheduling Administrative Fee: \$5.00 per AF – or a minimum charge of \$100.00 whichever is greater. The minimum charge is due with the filing of the Rescheduling Declaration referred to in 2. above. Additional administrative fees, if applicable, shall be billed by the District in its March billing cycle. The administrative fee is in addition to the USBR fee.
 - b. USBR Rescheduling Charge: As determined by USBR and shall be billed by the District in its March billing cycle
 - c. District power charges shall be paid according to the District's water rates and fees for the year in which the water is used.
 - d. Any regulatory fees and administrative fees and charges associated with rescheduling shall be billed by the District in its March billing cycle.
15. This Resolution shall be effective only for the 2025-2026 water year unless further extended by resolution of the Board.

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 December 18, 2024, by the following vote:

AYES: DIRECTORS: Williams, Flores, Freeman & Tonascia

NOES: DIRECTORS: None

ABSENT: DIRECTORS: Wright

ABSTAIN: DIRECTORS: None

(Signature of presiding Board member
Attested by Board Secretary
Resolution #2024-48)

/s/Doug Williams
Doug Williams
Vice President

ATTEST:

/s/Barbara L. Mauro
Barbara L. Mauro
Board Secretary