

RESOLUTION NO. 2026-06

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SAN BENITO COUNTY WATER DISTRICT
ESTABLISHING SAN FELIPE DISTRIBUTION SYSTEM WATER CHARGES FOR
AGRICULTURAL, NON-AGRICULTURAL AND WHOLESALE WATER**

WHEREAS, on November 8, 1977, the voters of San Benito County passed Proposition B, which authorized the levy of charges sufficient to repay the United States for the District's share of the cost of construction and cost of operation and maintenance of the Federal Facilities portion of the San Felipe Division of the Central Valley Project; and

WHEREAS, Proposition B also authorized a levy of charges sufficient to repay the costs of construction and cost of operation and maintenance of the District's Distribution Facilities; and

WHEREAS, the Board of Directors has determined charges which together with other revenue sources, are sufficient to repay the United States for the construction and operation and maintenance of the Federal Facilities or for the cost of operation and maintenance and repayment of the District's Distribution Facilities; and

WHEREAS, the District mailed notices to all water service customers (and separately to the parcel owners if different than the water service customer on record for the parcel) upon which the charge is to be imposed (*excepting wholesale rate customers) setting forth the information required in Section 6 of Article XIII D of the California Constitution (Proposition 218) and notifying the owners thereof of a public hearing on February 25, 2026, to consider the charge (*Wholesale charges that do not exceed the cost of providing service are not subject to the Article XIII D of the California Constitution); and

WHEREAS, the notices mailed by the District comply with Government Code section 53759, and provide information on the procedure for written objections to the charge, as well as the procedure for filing written protests against the charge;

WHEREAS, all written objections to the charge were due by February 20, 2026, and the District did not receive any written objections;

WHEREAS, after 45 days from the date said Proposition 218 notice was mailed, and pursuant to said Notice of Public Hearing, the Board conducted a public hearing at 5:00 PM on February 25, 2026, to determine whether or not the charge should be levied in Zone 6, and to consider the amount of any such charge; and

WHEREAS, excepting the wholesale rate to which the protest procedure is not applicable, less than a majority of the owners or lessees of parcels upon which the charge is proposed for imposition filed protests.

BE IT RESOLVED by the Board of Directors of the San Benito County Water District as follows:

1. Rates and Charges: In order to meet said costs, the rates for water delivered through the pressurized San Felipe Distribution System shall be established as follows:

Agricultural		Current Approved Rate	Water Year Commencing March 1, 2026	<u>Proposed Rate</u>		Unit of Measure
				Water Year Commencing March 1, 2027	Water Year Commencing March 1, 2028	
PASS THROUGH COSTS FROM OTHER AGENCIES	Cost of Stored and Acquired Water	\$119.65	\$110.00	\$112.00	\$115.00	per acre foot
	San Luis & Delta Mendota Water Authority (Other)	\$11.97	\$13.00	\$14.00	\$15.00	per acre foot
	Santa Clara Valley Water District	\$55.91	\$57.00	\$59.00	\$61.00	per acre foot
	San Benito County Water District	\$118.47	\$83.00	\$85.00	\$87.00	per acre foot
TOTAL RATE		\$306.00	\$263.00	\$270.00	\$278.00	per acre foot

Agricultural Full Cost (RRA Section 205(a)(3))
Full cost is applicable to certain forms of ownership as determined by federal regulations. Those regulations are dealt with through the United States Bureau of Reclamation land registration process as administered by the District.

		Current Approved Rate	Water Year Commencing March 1, 2026	<u>Proposed Rate</u>		Unit of Measure
				Water Year Commencing March 1, 2027	Water Year Commencing March 1, 2028	
PASS THROUGH COSTS FROM OTHER AGENCIES	Cost of Stored and Acquired Water	\$119.65	\$110.00	\$112.00	\$115.00	per acre foot
	San Luis & Delta Mendota Water Authority (Other)	\$11.97	\$13.00	\$14.00	\$15.00	per acre foot
	Santa Clara Valley Water District	\$55.91	\$57.00	\$59.00	\$61.00	per acre foot
	San Benito County Water District	\$118.47	\$83.00	\$85.00	\$87.00	per acre foot
TOTAL RATE		\$306.00	\$263.00	\$270.00	\$278.00	per acre foot

Agricultural Full Cost (RRA Section 202(3))
Full cost is applicable to certain forms of ownership as determined by federal regulations. Those regulations are dealt with through the United States Bureau of Reclamation land registration process as administered by the District.

		Current Approved Rate	Water Year Commencing March 1, 2026	<u>Proposed Rate</u>		Unit of Measure
				Water Year Commencing March 1, 2027	Water Year Commencing March 1, 2028	
PASS THROUGH COSTS FROM OTHER AGENCIES	Cost of Stored and Acquired Water	\$119.65	\$110.00	\$112.00	\$115.00	per acre foot
	San Luis & Delta Mendota Water Authority (Other)	\$11.97	\$13.00	\$14.00	\$15.00	per acre foot
	Santa Clara Valley Water District	\$55.91	\$57.00	\$59.00	\$61.00	per acre foot
	San Benito County Water District	\$118.47	\$83.00	\$85.00	\$87.00	per acre foot
TOTAL RATE		\$306.00	\$263.00	\$270.00	\$278.00	per acre foot

Non-Agricultural (Municipal & Industrial), including *Small Parcel Service (parcels 10 acres or less in area)

	Current Approved Rate	<u>Proposed Rate</u>			Unit of Measure
		Water Year Commencing March 1, 2026	Water Year Commencing March 1, 2027	Water Year Commencing March 1, 2028	
PASS THROUGH COSTS FROM OTHER AGENCIES					
Cost of Stored and Acquired Water	\$412.36	\$152.00	\$156.00	\$160.00	per acre foot
San Luis & Delta Mendota Water Authority (Other)	\$11.97	\$13.00	\$14.00	\$15.00	per acre foot
Santa Clara Valley Water District	\$55.91	\$57.00	\$59.00	\$61.00	per acre foot
San Benito County Water District	\$142.76	\$195.00	\$199.00	\$203.00	per acre foot
TOTAL RATE	\$623.00	\$417.00	\$428.00	\$439.00	per acre foot

** Small Parcel Municipal & Industrial customers will be billed the actual water amount used (per acre foot) at the water rate shown. There will be no minimum amount to be purchased.*

**All Municipal & Industrial Customers
Non Agricultural (Municipal & Industrial)**

	Current Rate	Water Year Commencing March 1, 2026	<u>Proposed Rate</u> Water Year Commencing March 1, 2027	Water Year Commencing March 1, 2028	Unit of Measure
**Water Supply-Reliability Charge	\$250.00	\$137.00	\$140.00	\$143.00	per acre foot
<i>**Water Supply-Reliability Charge is assessed in addition to the Municipal & Industrial rate shown above.</i>					

<u>Both Contract & Small Parcel Power Charge</u>	Current Approved Rate	<u>Proposed Rate</u>			Unit of Measure
		Water Year Commencing March 1, 2026	Water Year Commencing March 1, 2027	Water Year Commencing March 1, 2028	
Subsystem 2	\$43.10	\$46.00	\$48.00	\$50.00	per acre foot
Subsystem 6H	\$43.10	\$46.00	\$48.00	\$50.00	per acre foot
Subsystem 9L	\$100.73	\$113.00	\$117.00	\$122.00	per acre foot
Subsystem 9H	\$100.73	\$113.00	\$117.00	\$122.00	per acre foot
All other subsystems	\$43.10	\$46.00	\$48.00	\$50.00	per acre foot

Rate Bases: The basis for the power charge is the cost of pumping, transmission and distribution power associated with delivery of water to customers. All these costs are passed through from power providers and include pumping associated with the United States Bureau of Reclamation pumping facilities, District pumping stations for specific subsystems (PG&E), and power costs associated with San Justo Reservoir and the San Felipe Distribution system (PG&E).

Regulatory Overuse Charge

Water used over the allocation(s) will be billed at the applicable agricultural or non-agricultural rate along with the regulatory overuse charge. The regulatory charge is to encourage conservation and discourage overuse, and is based on the current spot market rate for water. The regulatory charge is applied to blue valve water use which exceeds the parcel or account allocation.

2. **Findings:**

The Board of Directors hereby finds and determines that:

- a) Revenues derived from the charge imposed herein do not exceed the funds required to pay for operation and maintenance costs associated with the delivery of San Felipe water and the power costs for pumping, transmission and distribution of San Felipe water to the District's customers, and shall not be used for any other purpose;
- b) The amount of the charge does not exceed the proportional cost of the service attributable to the parcel;
- c) The service for which the charge is imposed (see 1. above) is actually used by or is immediately available to the owner in question;
- d) The charge is not imposed for general governmental services.
- e) The wholesale charge does not exceed the reasonable costs to the District of providing the product and services to the retailer.

3. **Effective Date:** The above rates and charges shall be effective upon the commencement of each water year (commencing March 1st) as set forth in Paragraph #1 above.

4. **Severability Clause:** In the event that any portion or provision of this Resolution shall be determined by a court of law or other tribunal to be invalid or unconstitutional, such findings of invalidity or unconstitutionality shall not affect the validity of the remaining provisions of this Resolution, which shall remain in full force and effect.

5. **Publication:** Within 15 days after its passage, this Resolution shall be published once in a newspaper of general circulation in the County of San Benito, State of California, together with the names of the members of the Board of Directors voting for and against same.

PASSED AND ADOPTED this 25th day of February 2026, by the San Benito County Water District Board of Directors by the following vote:

AYES: DIRECTORS: Wright, Tonascia, Flores, Freeman & Williams

NOES: DIRECTORS: None

ABSENT: DIRECTORS: None

ABSTAIN: DIRECTORS: None

(Signature of presiding Board member
Attested by Board Secretary
Resolution No. 2026-06)

APPROVED

/s/Mark Wright
Mark Wright
President

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