

**RESOLUTION FOR ADOPTION OF A  
WATER CONSERVATION PLAN**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ADOPTING A WATER  
CONSERVATION PLAN

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BAYVIEW  
IRRIGATION DISTRICT #11.

Section 1, That the water conservation plan attached hereto as Exhibit **A** and made part  
hereof for all purposes be, and the same is hereby, adopted as the official policy of the  
Bayview Irrigation District #11.

Section 2 That the Board of Directors are hereby directed to implement, administrator  
administer, and enforce the water conservation plan.

Section 3 That the resolution shall take effect immediately upon its passage.

Duly passed by the board of directors of the Bayview Irrigation District #11 on this 18 Day of  
March 2026.

ATTEST:

  
\_\_\_\_\_  
Mike Meyn, Board President  
\_\_\_\_\_  
Robert Norman, Secretary/Treasury

## BOARD RESOLUTION

RESOLUTION NO. 2026-001

### A RESOLUTION ADOPTING A DELINQUENT IRRIGATION WATER ASSESSMENT COLLECTION POLICY

WHEREAS, Bayview Irrigation District #11 ("District") is authorized under Chapter 58 of the Texas Water Code to levy and collect irrigation water assessments; and

WHEREAS, Texas Water Code §58.310 provides that assessments not paid when due become delinquent on the first day of the month following the due date; and

WHEREAS, Texas Water Code §58.313 authorizes:

- Interest at the rate of fifteen percent (15%) per year from the date payment is due;
- A penalty of up to fifteen percent (15%) of the past-due assessment once delinquent; and
- An additional fifteen percent (15%) collection or attorney fee if collected by an attorney;

WHEREAS, the Board of Directors finds it necessary to establish a clear, consistent, and legally compliant procedure for the collection of delinquent annual irrigation water assessments;

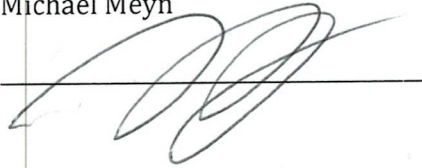
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF BAYVIEW IRRIGATION DISTRICT #11 THAT:

1. Annual irrigation water flat-rate assessments are due no later than January 31 of each year.
2. Any unpaid assessment shall become delinquent on February 1.
3. Upon delinquency:
  - A 15% annual interest rate shall apply; and
  - A 15% penalty shall be added to the unpaid assessment.
4. The District shall implement a structured 30-60-90 day delinquency follow-up process as outlined in the attached SOP.
5. At approximately 90 days delinquent, and upon Board approval, accounts may be referred to the District's collection attorney.
6. Upon referral to the attorney, an additional 15% collection/attorney fee shall be added as authorized by Texas Water Code §58.313(b).
7. The District may pursue all lawful remedies available, including enforcement or foreclosure of the District's statutory lien against the land.

PASSED AND APPROVED on the 18<sup>th</sup> day of February, 2026.

President, Board of Directors

Michael Meyn

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end, positioned above a solid horizontal line.

Secretary, Board of Directors

Robert Norman

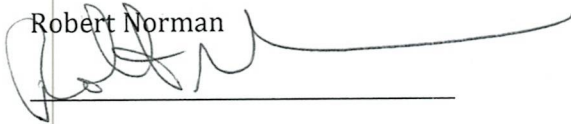
A handwritten signature in black ink, featuring a large, stylized initial 'R' followed by a long, sweeping horizontal line, positioned above a solid horizontal line.

Exhibit A

**BAYVIEW IRRIGATION DISTRICT #11'S  
DROUGHT CONTINGENCY  
AND  
WATER ALLOCATION PLAN**

### **Section I: Declaration of Policy, Purpose, and Intent**

The Board of Directors of the Bayview Irrigation District #11 (Bayview #11) deems it to be in the best interest of the District to adopt an Allocation Plan governing the equitable and efficient allocation of limited water supplies during times of shortage. These Rules and Regulations constitute the District's drought contingency plan required under Section 11.1272, Texas Water Code, *Vernon's Texas Codes Annotated*, and associated administrative rules of the Texas Natural Resource Conservation Commission (Title 30, Texas Administrative Code, Chapter 288).

### **Section II: User Involvement**

Users of water from Bayview #11 are provided an opportunity to interject their views about the Allocation Plan by means of meeting with the Board of Director's during the District's regular scheduled monthly meetings at the district office, or by requested one-on-one meetings with the large users. Each year in September, the Board of Directors review the total useable water in Bayview #11's account. The Board sets the allocation on a per-acre basis. All irrigation users and landowners are sent notice of any changes in the coming year's water allocation.

### **Section III: User Education**

Information about the Plan is available and on our website, including information about the conditions under which water allocation is to be initiated or terminated and the District's policies and procedures for water allocation. The district office provides, upon request by the irrigation users, a report of their balance remaining for that years allocation. This allows each farmer to manage the watering on each crop.

#### **Section IV: Authorization**

The Board of Directors shall authorize the implementation of the applicable provisions of the Plan upon determination by the Board, that such implementation is necessary to ensure the equitable and efficient allocation of limited water supplies during times of shortage.

#### **Section V: Application**

The provisions of the Plan shall apply to all persons utilizing water provided by Bayview #11. The term "person" as used in the Plan includes individuals, corporations, partnerships, associations and all other legal entities.

#### **Section VI: Initiation of Water Allocation**

The Board of Directors shall monitor water supply conditions on a monthly basis and shall make recommendations regarding initiation of water allocation. Upon approval of the Board, water allocation will become effective when the District's useable balance of water in the combined storage system of Falcon and Amistad reservoirs is equal to or less than 2 1/2 acre-feet per acre, of the total acres under flat rate assessment.

#### **Section VII: Termination of Water Allocation**

The Bayview #11 water Allocation Plan will remain in effect until the conditions defined in Section IV of the Plan no longer exist and the Board deems that the need to allocate water no longer exists.

#### **Section VIII: Notice**

Notice of the initiation or termination of water allocation will be given by notice posted on the District's public bulletin board and by website.

### **Section IX: Water Allocation**

- a) Upon initiation of water allocation, each irrigation user shall be allocated, on an acre-foot basis, water for each flat rate acre on which all taxes, fees, and charges have been paid. The water allotment in each allocation account will be expressed in acre-feet of water
- b) As additional water supplies become available to the District, in an amount reasonably sufficient for allocation to the District's irrigation users, the additional water made available to the District will be equally distributed. Distribution will be on a pro rata basis, to each flat rate acre on which all taxes, fees, and charges have been paid. Notice will be given on the same basis as Section VIII.
- c) The amount of water charged against a user's water allocation will be metered per irrigation. Metered water deliveries will be charged based on actual measured use. It shall be a violation of the Plan for a water user to use water in excess of the amount of water contained in the users irrigation account.
- d) All unused allocations on December 31 of each year will be reallocated on January 1 of the following year.

### **Section X: Transfers of Allotments**

- a) A water allocation in an active irrigation account may be transferred within the boundaries of the District, from one irrigation user account to another. The transfer of water can only be made by the landowner or landowner's agent who is authorized, in writing, to act on behalf of the landowner in the transfer of all or a part of the water allocation from the described land of the landowner covered by the irrigation account.
- b) Water from the District may not be transferred by a landowner for use outside the District. Water from outside the District may be transferred by a landowner for use within the District. The District will divert and deliver the water on the same basis as District water is delivered, except that a 35 percent conveyance loss will be charged against the amount of water transferred for use in the District as the water is delivered. The Landowner will pay District # 6's pumping charges for the water delivered, plus 15 percent of the water delivered for Bayview # 11 losses in it's system.

### **Section XI Penalties**

Any person who willfully opens, closes, changes or interferes with any headgate or uses water in violation of section 11.083 of the Texas Water Code may be assessed an administrative penalty up to \$ 5,000 a day under section 11.083 of the Texas Water Code. Additionally, if the violator is also taking, diverting, or appropriation of state water, the violator may be assessed a civil penalty in court of up to \$ 5,000 a day. The violator may be sued for injunctive relief and civil damages in court by someone who is aggrieved by these violations.

### **Section XII: Severability**

It is hereby declared to be the intention of the Board of Directors of Bayview Irrigation District #11 that the sections, paragraphs, sentences, clauses, and phrases of this Plan are severable. If any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the Board without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

### **Section XIII: Authority**

The foregoing Allocation Plan is adopted pursuant to and in accordance with Sections 11.039, 11.083, 11.1272; Section 49.004; and Section 58.127-130 of the Texas Water Code, *Vernon's Texas Codes Annotated*

### **Section XIV: Effective Date of Plan**

The effective date of the Allocation Plan is August 24, 2024.

Revised 2024

## **BOARD OF DIRECTORS BAYVIEW IRRIGATION DISTRICT #11**

## **Texas Water Code - WATER § 58.309. Lien Against Crops**

Current as of January 01, 2024 | Updated by [Findlaw Staff](#)

(a) The district shall have a first lien, superior to all other liens, against all crops grown on a tract of land in the district to secure the payment of an assessment imposed against the tract under [Section 58.305\(a\)](#), interest, and collection or attorney's fees.

(b) If the crops against which the district has a lien under this section are cultivated on a basis other than annual replanting, the owner of the crops shall record with the county clerk of the county where the land on which the crops are cultivated is located a legally sufficient description of the land, including a metes and bounds description or a plat reference.

## **Texas Water Code - WATER § 58.310. List of Delinquent Assessments**

Current as of January 01, 2024 | Updated by [Findlaw Staff](#)

Assessments imposed under [Section 58.305\(a\)](#) not paid when due shall become delinquent on the first day of the month following the date payment is due, and the board shall keep posted in a public place in the district a correct list of all persons who are delinquent in paying assessments. If a person who owes an assessment has executed a note and contract as provided in [Section 58.302](#), the person may not be placed on the delinquent list until after the maturity of the note and contract.

## **Texas Water Code - WATER § 58.311. Water Service Discontinued**

Current as of January 01, 2024 | Updated by [Findlaw Staff](#)

(a) If a landowner fails or refuses to pay a water assessment or a person fails to pay a charge, fee, rental, or deposit imposed under this chapter or Chapter 49 when due, the landowner's or person's water supply shall be cut off, and no water may be furnished to the land until all back assessments or other amounts owed to the district are fully paid. The discontinuance of water service is binding on all persons who own or acquire an interest in land for which assessments or other amounts owed to the district are due.

(b) A landowner or person whose water service has been discontinued under Subsection (a) may request that the board reconsider the discontinuance related to a charge, fee, rental, deposit, or penalty, and may not request that the board reconsider a discontinuance related to an assessment. If the board declines to reconsider the discontinuance, the landowner or person may file a petition under [Section 11.041](#). That petition filed with the commission is the sole remedy available to a landowner or person described by this subsection.

## **Texas Water Code - WATER § 58.313. Interest and Collection Fees**

Current as of January 01, 2024 | Updated by [Findlaw Staff](#)

(a) All assessments imposed under [Section 58.305\(a\)](#) shall bear interest from the date payment is due at the rate of 15 percent a year. Assessments not paid by the first day of the month following the date payment is due are delinquent, and a penalty of up to 15 percent of the amount of the past-due assessment shall be added to the amount due.

(b) If suit is filed to foreclose a lien on crops or if a delinquent assessment is collected by an attorney before or after suit, an additional amount of 15 percent on the unpaid assessment, penalty, and interest shall be added as collection or attorney's fees.