

## NORTH MARIN WATER DISTRICT

### REGULATION 30

#### REIMBURSEMENT FOR EXTENSION OF PIPELINES THAT BENEFIT OTHERS

a. Reimbursement Entitlement for Off Tract Pipelines

The Reimbursement Entitlement for pipelines paid for by the Applicant but not within the Applicant's property shall be based upon the benefit to be derived by other potential users of said pipelines as estimated and determined by the District in its sole discretion. Reimbursement Entitlement will be considered only for pipelines and fittings of six-inch diameter and larger. The first one hundred feet of said pipelines and fittings except for the oversized portion are not eligible for Reimbursement Entitlement. In determining the Reimbursement Entitlement any pipeline footage traversing land in other water service zones or paralleling an existing water main shall not be considered eligible for reimbursement unless the District determines that such footage can reasonably be expected to be of benefit to abutting lands. The maximum Reimbursement Entitlement shall not exceed the maximum potential benefit to be derived by other users of the facilities paid for by the Applicant as determined by the District in its sole discretion.

b. Reimbursement Payments

In January of each year following the first full year after completion of the extension, the District will pay to each Applicant having a Reimbursement Entitlement, a portion of the total amount of Reimbursement Fund Charges established by Regulation 1.c. and received by the District from Applicants located within the same service area during the previous calendar year. Said portion shall be determined by multiplying said total amount of Reimbursement Fund Charges received by the quotient obtained by dividing the Applicant's unexpired reimbursement entitlement by the total of all unexpired reimbursement entitlements within the same service area. For the purpose of this Regulation, the Point Reyes and Paradise Ranch Estates Service Areas shall be considered one service area called the West Marin Service Area. Reimbursement Fund Charges received and unexpired Reimbursement Entitlements shall be accounted for separately for the Novato and West Marin Service Areas.

c. Expiration of Reimbursement Entitlement

The Applicant's unexpired Reimbursement Entitlement for a given year shall be determined by subtracting all prior reimbursement payments made to said Applicant from said Applicants' Reimbursement Entitlement. An Applicant's Reimbursement Entitlement shall expire and become invalid upon payment thereof by the District in full without interest, or on December 31 of the tenth year of payment on account thereof pursuant to Regulation 30.b. whichever shall first occur.

d. Acknowledgment of Necessity

Anyone who pays, deposits or agrees to pay all or part of the cost of any extension or improvement of the District's Water Distribution system hereby acknowledges that such extension or improvement is necessary and reasonable and releases the District from any liability based on a claim that a determination made by the District pursuant to Regulation 21 is or was unnecessary or unreasonable.

e. Assignment of Reimbursement Entitlement

The District will not recognize any assignment or attempted assignment of a Reimbursement Entitlement unless the assignment is in a form satisfactory to and approved in writing by the District and is signed and acknowledged by the assignor. The District will furnish forms of assignment on request. Except with the prior written approval of the District, no assignment of a Reimbursement Entitlement shall be effective until the first payment thereon from the reimbursement fund is paid or payable.

f. Liens of Reimbursement Entitlement

The District shall have a lien upon all money payable as a Reimbursement Entitlement for any indebtedness to the District of the holder of said entitlement. The District may exercise said lien without notice by transferring the appropriate amount from Reimbursement Fund Charges paid to the District at the time annual reimbursement payments are made.

g. Non-Applicability

This Regulation 30 shall not apply to extension or construction of recycled water facilities. The District may, however, enter into reimbursement arrangements for recycled water systems it deems reasonable and fair on a case by case basis.