

**NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT**

**RESOLUTION NO. 2014-09**

**APPROVING AGREEMENT FOR PURCHASE OF WATER FROM THE NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT BY THE CITY OF LODI**

WHEREAS, the North San Joaquin Water Conservation District (“District”) holds appropriate water right Permit 10477 to appropriate water from the Mokelumne River;

WHEREAS, part of the authorized place of use under Permit 10477 includes the City of Lodi and one of the authorized purposes of use under Permit 10477 is domestic and industrial use; and

WHEREAS, the City of Lodi has the ability to take delivery of water from the District’s Permit 10477 from the Woodbridge Irrigation District intake near Lodi Lake for use in the City’s water treatment plant; and

WHEREAS, the City and District both support the use of surface water by the City of Lodi, in lieu of groundwater, to help reduce overall demand for groundwater in the City and District and aid in the recovery of groundwater levels, and

WHEREAS, the District currently is not using all of the water available under Permit 10477 and desires to encourage the use of more water under Permit 10477 within its District boundaries, and

WHEREAS, the transfer of water from Permit 10477 from the District to the City will be cost neutral to the City, which will save an equivalent amount on reduced groundwater pumping, and will be financially beneficial to the District to fund additional infrastructure to utilize the other water available under Permit 10477; and

WHEREAS, the District’s Board of Directors has reviewed the proposed agreement with the City at the Board’s regular meeting held on September 29, 2014, and approves of its terms, and

WHEREAS, the proposed transfer is contingent on obtaining the necessary change approvals from the State Water Resources Control Board for delivery of water through the Woodbridge Irrigation District intake; and

WHEREAS, the District completed California Environmental Quality Act review of the potential transfer of water to the City of Lodi in its Initial Study and Mitigated Negative Declaration certified on March 10, 2014, and filed the Notice of Determination with the State Clearinghouse on March 11, 2014, State Clearinghouse Number 2014022009.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Directors of the North San Joaquin Water Conservation District as follows:

1. The Board hereby approves the form of the AGREEMENT FOR PURCHASE OF WATER FROM THE NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT BY THE CITY OF LODI attached hereto as Exhibit A.

2. The Board has determined that entering into this agreement with City of Lodi is in the best interests of the District.

3. The President of the Board is hereby authorized to sign and deliver, after consultation with the District's General Counsel, the agreement in the form presented to this meeting, with such non-substantive changes, insertions and deletions as may be recommended by the General Counsel; the President's signing of the agreement being conclusive evidence of such approval.

4. The President and any other officers, employees and agents of the District shall be, and each of them hereby is, authorized to give or take all approvals, consents, directions, instructions, notices, orders, requests, indemnifications and other actions permitted or required by any of the documents authorized by this Resolution, and to take any such action that such authorized representative, with the advice of District's General Counsel, may deem necessary or desirable to further the purposes of this Resolution.

5. All actions heretofore taken by the officers, employees and agents of the District in connection with the matters authorized by this Resolution are hereby ratified, approved and confirmed.

6. This Resolution shall take effect from and after its adoption.

Moved by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, that the foregoing resolution be adopted.

Upon roll call the following vote was had:

Ayes:	_____	Directors:
Noes:	_____	Directors:
Absent:	_____	Directors:
Abstain:	_____	Directors:

The President declared the resolution adopted.

I, Thomas Flinn, Secretary of the Board of Directors of the NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT, do hereby CERTIFY that the foregoing is a full, true and correct copy of a resolution duly adopted at an adjourned regular meeting of said Board of Directors held the 29th day of September 2014.

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