

RESOLUTION NO. 2007-07

**A RESOLUTION OF THE SAN BENITO COUNTY WATER DISTRICT
ESTABLISHING A POLICY FOR
INTER-SUBSYSTEM WATER TRANSFERS
FOR THE 2007-2008 WATER CONTRACT YEAR**

WHEREAS, the Water Users' Handbook, Rules and Regulations for delivering and receiving San Felipe Distribution System Water requires the annual review of terms and conditions governing inter-subsystem transfers; and

WHEREAS, the Annual Groundwater Report for the Water Year 2006 presented facts and the basis for findings that certain groundwater sub-basins are experiencing high groundwater levels; and

WHEREAS, inter-subsystem transfers from subsystems experiencing elevated groundwater levels to subsystems which are currently under supplied and/or have available groundwater storage could serve to mitigate the potential impact of elevated groundwater levels; and

WHEREAS, it is anticipated the District will receive an allotment of at least 60% Agricultural water and at least 85% Municipal and Industrial water, which together with other supplies available to the District should provide full allocations to District water users.

NOW, THEREFORE the Board of Directors of the San Benito County Water District hereby resolves that:

Authorization for inter-subsystem transfers shall be subject to the following conditions which were designed to mitigate potential impacts on well users in the groundwater basin from which water is being transferred and to mitigate the potential impacts on lands within high groundwater areas.

1. Any such inter-subsystem transfer shall not cause any unreasonable impact on the water supply, operation, or financial condition of the District.
2. Any administrative costs incurred by the District in order to facilitate the transfer shall be paid by the transferee.
3. All project water transferred between subsystems shall be considered "Transferred Water" (Class 2), which is defined to mean all water over and above that originally allocated to the land by the District, and which is otherwise eligible for transfer.

4. No Transferred Water shall be considered for repurchase by the District.
5. No inter-subsystem transfer shall be permitted into the combined service areas of Subsystems 1, 1A, 2, 3, 4, and 5, or into Subsystem 10 and 11.
6. Inter-Subsystem transfers shall be permitted between Subsystems 1, 1A, 2, 3, 4 and 5.
7. Inter-Subsystem transfers from Subsystems 6, 7 and 9 shall not cause any unreasonable impact on water supply including groundwater storage as determined solely by the District.
8. The following provisions are suspended for water contract year 2007-2008:
 - a. A transferor shall not transfer more than 30% of the project water available to any one parcel of land.
 - b. Out of the total amount of project water authorized for transfer between a subsystem, 25% of such water shall be paid for, deducted from the total allocation, and percolated into the groundwater basin from which the water is being transferred.

PASSED AND ADOPTED at a special meeting of the Board of Directors of the San Benito County Water District held on the 20th of February 2007, by the following vote:

AYES:	DIRECTORS:	Swanson, Bettencourt, Tobias and Flores
NOES:	DIRECTORS:	None
ABSENT:	DIRECTORS:	Perry

/s/Robert M. Swanson
Robert M. Swanson
President

ATTEST: /s/Shelley Giancola
Shelley Giancola
District Secretary