

RESOLUTION NO. 2013-06

**A RESOLUTION OF THE SAN BENITO COUNTY WATER DISTRICT
ESTABLISHING A POLICY FOR
INTER-SUBSYSTEM WATER TRANSFERS FOR THE
2013-2014 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 2012 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

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 avoid potential impacts on the lands within high groundwater areas and otherwise supplement the District's water supply.

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 water transferred into the District 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.
4. No Transferred Water shall be considered for repurchase by the District.

5. Inter-subsystem transfers shall be permitted as follows:

| | Group 1 | Group 2 | Group 3 |
|---|--|--|--------------------------|
| | Subsystems 1, 1A, 2, 3, 4, 5 | Subsystems 10, 11 | Subsystem 6, 7, 9 |
| Transfers within the group | Allowed-- with no acre foot per acre limit | Allowed-- with no acre foot per acre limit | Allowed |
| Inbound transfers from any subsystem outside the group | Allowed but subject to a limit* of 1.2 acre foot per acre (2.0 acre foot per acre in high boron areas) | Allowed but subject to a limit* of .9 acre foot per acre in Subsystem 10 and 1.2 acre foot per acre in Subsystem 11. (Both subsystems are subject to a 2.0 acre foot per acre limit in high boron areas) | Allowed |

*** Water transferred from within the subsystem group is not counted toward the acre-foot per acre transfer limit.**

6. Inter-subsystem transfers from subsystems 6, 7, and 9 shall not cause any unreasonable impact on water supply including groundwater levels and storage as determined solely by the District.
7. For the 2013-2014 water contract year, no transfers of water out of the District will be permitted.
8. For the 2013-2014 water contract year, no transfers into the District from outside water sources will be permitted except as provided for under item 5.
9. The following provisions are suspended for water year 2013-2014:
 - 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.

This Resolution, as set forth, is subject to review and reconsideration if the District's CVP allocation changes.

PASSED AND ADOPTED at the Regular Meeting of the Board of Directors of the San Benito County Water District held on the 27th of February, 2013, by the following vote:

AYES: DIRECTORS: Tobias, Tonascia, Bettencourt, Flores & Torquato
NOES: DIRECTORS: None
ABSENT: DIRECTORS: None

/s/ John Tobias
John Tobias
President

ATTEST:

/s/ Sara Singleton
Sara Singleton
Assistant Manager