

MINUTES of the Regular Meeting of the Board of Directors of the Root Creek Water District held at 2:05 p.m., Monday, April 14, 1997 at the office of the District, located at 39639 Avenue 10, Madera, California.

DIRECTORS PRESENT: Rodger B. Jensen, President
 Benton H. Coulthard, Vice President
 Philip R. Pierre
 Dave Cobb
 Al Bates, Secretary

OTHERS PRESENT: Jim Provost, Manager - Engineer
 Chris Campbell, Attorney
 Deborah Messer, Assistant Secretary

NEW OFFICER APPOINTMENT

Director Jensen recommended that Deborah Messer be appointed as Assistant Secretary to the Board. He stated that this job would facilitate the writing of minutes and consolidation of record keeping. Upon motion of Director Pierre, seconded by Director Coulthard, Deborah Messer was nominated as Assistant Secretary and unanimously elected.

MINUTES

President Jensen asked if there were any corrections to the March 10 meeting minutes which had been mailed. Since there were no corrections, President Jensen declared the minutes approved as mailed.

BANK ACCOUNT

Director Jensen recommended that the District open a bank account from which to pay its fiscal liabilities. Upon motion by Director Cobb, seconded by Director Pierre, it was unanimously voted that an account would be opened at Wells Fargo Bank, Madera, California, appointing Directors Jensen, Coulthard, Pierre, Cobb and Bates as authorized signers and requiring two (2) signatures on all checks. All Directors were asked to meet with Assistant Secretary Messer after the meeting to provide information and signatures necessary to complete the opening of the account.

DISTRICT LEGISLATION

The Board heard a report from President Jensen and Attorney Campbell as to the efforts made to gain support for the District's energy legislation. President Jensen recommended abandoning the legislation efforts due to lack of support and the expense involved. Attorney Campbell agreed with the recommendation to back out gracefully. Director Bates moved and Director Coulthard seconded that the District defer proposed legislative efforts. After lengthy discussion, and upon motion by Director Coulthard, seconded by Director Bates, it was unanimously voted to abandon the proposed legislative efforts. It was further voted to instruct Attorney Campbell to inform Senator Costa and The Gualco Group to withdraw all lobbying efforts at this time. Attorney Campbell was also instructed to inform Bob Stanfield of the Board's action and prepare a letter of appreciation for President Jensen's signature.

FISCAL AFFAIRS

Mr. Provost and Attorney Campbell reported to the Board fiscal considerations which required addressing to lend more credibility to the District. Water code provisions were discussed and Attorney Campbell recommended going with an Alternative Special Assessment. The special assessment of \$3.00 per acre would raise \$28,500. Anticipated expenses, however, are \$50,000. Attorney Campbell reported that, since the voters approved ballot Measure 218 in the last election, the District would normally have to have an election to approved the assessment. He went on to report that, if all landowners signed a petition authorizing an assessment, then an election would not be required. The possibility of S & J Ranch taking a note for the excess expenses and then the District catching up with the following year's assessment was discussed.

Upon motion by Director Cobb, seconded by Director Pierre, Attorney Campbell was instructed to prepare a petition for a Special Assessment. It was further agreed that the Board members would circulate the petition by personally contacting other property owners and explaining the assessment.

GROUNDWATER MANAGEMENT PLAN (Public Hearing @ 3:30 p.m.)

President Jensen opened the public hearing for a groundwater management plan began at 3:30 p.m. The hearing was attended by Willard Pittman. The Board discussed adopting a resolution to proceed with a groundwater management plan. Mr. Provost stated that the District would have two (2) years to do the plan. It would require a notice in the paper, a public hearing, and the cost would run approximately \$7500. After hearing all public testimony, the President closed the public hearing.

Upon motion by Director Bates, seconded by Director Cobb, the Board voted to adopt a Resolution of Intention No. 97-1 (which is attached to and made a part of these minutes) to draft a groundwater management plan.

Upon motion by Director Pierre, seconded by Director Bates, the Board voted to hire Provost & Pritchard to prepare the plan at a maximum cost of \$7500.

President Jensen adjourned the public hearing at 3:48 p.m.

OTHER BUSINESS

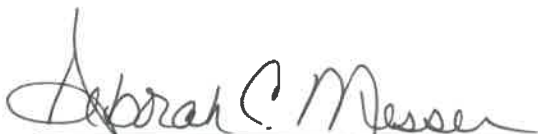
President Jensen mentioned that Root Creek Water District is now a member of ACWA and that ACWA will be having a conference in Lake Tahoe on May 7 through 9, 1997. Those interested in attending can inquire for additional information.

The Board agreed to cancel the next regularly scheduled Board meeting due to a lack of agenda. The next meeting will be held on June 9, 1997.


ADJOURNMENT

There being no further business to come before the Board, President Jensen adjourned the meeting at 4:08 p.m.

Respectfully submitted,


Deborah C. Messer, Asst. Secretary

Approved:


Rodger B. Jensen, President

RESOLUTION NO. 97-1

RESOLUTION OF INTENTION
OF ROOT CREEK WATER DISTRICT
TO DRAFT A GROUNDWATER MANAGEMENT PLAN

WHEREAS, Part 2.75 of Division 6 of the California Water Code permits the adoption and implementation of groundwater management plans to encourage authorized local agencies to manage groundwater resources within their service areas; and

WHEREAS, the Root Creek Water District (the "District") is an authorized local agency and may therefore adopt and implement such a groundwater management plan; and

WHEREAS, a public hearing was held on April 14, 1997 to discuss the adoption and implementation of a groundwater management plan; and

WHEREAS, the Board believes the groundwater can best be managed, as in the past, by the owners of lands overlying the groundwater basin; and

WHEREAS, the Board believes the adoption of a groundwater management plan will be in the best interests of the District's landowners and water users and can help meet the projected long-term water needs of the District;

BE IT RESOLVED, that it is the intention of the District to draft a groundwater management plan in accordance with Part 2.75 of Division 6 of the California Water Code, and the District's consultant is hereby authorized and directed to prepare such a plan;

RESOLVED, that this resolution shall be deemed a resolution of intention in accordance with California Water Code Section 10753.2;

RESOLVED, that the Director will consult with and solicit involvement from other agencies impacted by the action of the District in carrying out a groundwater management plan;

RESOLVED, that the District's proposed groundwater management plan shall be completed no later than two years from the date of adoption of this resolution;

RESOLVED, that after such a plan has been prepared, the District will conduct a second public hearing in accordance with the California Water Code Section 10753.5, et seq. to determine whether to adopt the plan;


RESOLVED, that the officers of the District are authorized and directed to publish this resolution of intention to draft a groundwater management plan in accordance with the provisions of California Water Code Section 10753.3 and to provide interested persons with a copy of this resolution upon written request;

RESOLVED, that the Board hereby authorizes each of the officers of the District to execute all documents and take any other action necessary or advisable to carry out the purposes of this resolution.

CERTIFICATE OF SECRETARY

The undersigned certifies that he/she is the Secretary of the Root Creek Water District and that the foregoing resolution was adopted by the Board of Directors in said District at a meeting thereof, duly and regularly held on April 14, 1997 following public hearing at which meeting a quorum of the Board of Directors was at all times present and acting.

IN WITNESS WHEREOF, I have set my hand this 14th day of April, 1997.



Al Bates, Secretary
Root Creek Water District