

**MINUTES** of the Meeting of the Board of Directors of the Root Creek Water District (RCWD) held at 2:00 p.m., Wednesday, July 12, 2006, at the office of the District located at 39639 Avenue 10, Madera California.

**DIRECTORS PRESENT:** Philip R. Pierre – President  
 Richard Bascou – via telephone  
 L. Dave Cobb – via telephone  
 Jeffrey D. Coulthard  
 Rodger B. Jensen

**OTHERS PRESENT:** David E. Holland – Attorney, sitting in for Chris Campbell  
 Deborah Messer - Secretary  
 Jim Provost, Manager- Engineer

**MINUTES**

President Pierre asked if there were any corrections to the Minutes of the special meeting held on June 30, 2005. Upon motion by Director Jensen, seconded by Director Coulthard, the Minutes were approved as submitted.

President Pierre asked if there were any corrections to the Minutes of the special meeting held on February 28, 2006. Upon motion by Director Bascou, seconded by Director Cobb, the Minutes were approved as submitted.

**TREASURER'S REPORT**

On behalf of the Treasurer, the Secretary submitted the Treasurer's Report showing the following:

<u>Wells Fargo Bank – Checking Account</u>	
Balance as of July 1, 2005	\$11,573.54
Assessments received	27,651.81
Other operating income received	125,647.32
<u>Disbursements (Operating expenses)</u>	<u>(126,862.54)</u>
Balance as of June 18, 2004	\$38,010.13
Accounts Payable	\$5,340.77

The Secretary reported that the other operating income received was reimbursement from Castle & Cooke, the developer of the Village of Gateway, for expenses relating to Bureau approval and water acquisition.

The Secretary submitted the following expenses paid between July 1, 2005 and June 30, 2006 and the need for their ratification:

<u>Disbursements</u>	<u>Amount</u>
ACWA	\$1,010.00
Baker Manock & Jensen	105,812.98
Madera Pumps	1,628.70
Michael B. Cuttone, CPA	130.00
Provost & Pritchard	2,764.50
Madera Irrigation District	14,355.05
S & J Ranch	661.31
<u>Madera County Farm Bureau</u>	<u>500.00</u>
Total Disbursements	\$126,862.54

Upon motion by Director Jensen, seconded by Director Coulthard, the Board approved the Treasurer's Report and placed it on file and ratified the expenses paid, totaling \$126,862.54, shown above.

### **Payment of bills**

The Secretary presented the following expenses to be paid:

<u>Accounts Payable</u>	<u>Amount</u>
Baker Manock & Jensen	\$4,662.75
S & J Ranch	678.05
	<u>\$5,340.77</u>

Upon motion by Director Cobb, seconded by Director Bascou, the Board approved the payment of accounts payable totaling \$5,340.77 indicated above.

### **2006-2007 BUDGET**

Mr. Provost presented the proposed 2006-2007 Fiscal Year Budget, which also reflects the 2005-2006 budget and actual. After some discussion and comparison to the current fiscal year expenses, the following modifications were made:

Correct the typographical error on the 2005-2006 Budget Water level measurements from "1,5000" to "1,500."

Increase the 2006.2007 Budget Audit estimate from \$300 to \$1,550.

Decrease the 2006-2007 Budget Contingency estimate from \$2,254 to \$992.

The total 2006-2007 Budget decreased from \$27,664 to \$27,652.

Mr. Provost stated that a special assessment could be levied to raise the sum specified in the annual estimate of operational expenses.

Upon motion by Director Coulthard, seconded by Director Jensen, the Board unanimously approved the 2006-2007 Fiscal Year Budget of \$27,652, as modified above. A copy of the approved budget is attached to and made a part of these Minutes.

### **2006-2007 SPECIAL ASSESSMENTS**

Mr. Provost presented to the Board the proposed 2006-2007 Assessment Book, which lists all lands and each separate parcel thereof within the District. He stated that RCWD must raise \$27,652 to fund its operational expenses as estimated in the 2006-2007 Fiscal Year Budget and that this could be accomplished with a \$3.00 per acre special assessment. Upon motion by Director Bascou, seconded by Director Cobb, the Board unanimously adopted

**Resolution 2006-01**, which is attached to and made a part of these Minutes, to: (1) accept the 2006-2007 Assessment Book; (2) set the 2006-2007 Special Assessment rate at \$3.00 upon each acre of land within the District and levee the assessment; and (3) notify the Clerk of the Board of Supervisors that the District is going to collect its own assessments.

### **TATHAM EASEMENT**

President Pierre reported that the agreement on the Tatham easement has been forward to Madera Irrigation District (MID). MID counsel has been difficult to meet with due to conflicting schedules. The agreement has a few minor language changes that need to be made, however, there is nothing requiring change that would affect Tatham. Counsel is working diligently to complete the agreement, bring it to the Board for ratification, and have it recorded.

### **PROPOSITION 50 GRANT FOR 90% FUNDING OF TURN OUT AND PIPELINE**

President Pierre reported that RCWD did not "make the cut" for the Prop. 50 Grant. Mr. Provost reported that no applicants in the southern San Joaquin Valley received an invitation to step 2 of the Prop. 50 Grant process, as the grantor was looking for projects that encompass a larger area. Mr. Provost is working with Castle & Cooke to finalize plans for construction of the turnout and pipeline. He believes they should be complete in approximately two months. Upon approval of the Village of Gateway project, the turnout and pipeline will be installed. Counsel felt that the capacity should be engineered to allow for future annexation of other properties. The increased capacity could economically be achieved by increasing the pressure classification of the pipe to accommodate pressurization in the future, if needed, to obtain a larger capacity. This would allow flexibility for RCWD.

### **VILLAGE OF GATEWAY**

President Pierre reported that the Environmental Impact Report is in process. It is anticipated that the EIR should be completed in February 2007 followed by final approval from the Board of Supervisors in March.

### **FIRM WATER SUPPLY FOR THE VILLAGE OF GATEWAY**

President Pierre and Mr. Holland, on behalf of District Counsel Campbell, presented a draft agreement between RCWD and Westside Mutual Water Company for a "firm" water supply that will be available during dry years, if necessary for agricultural, municipal and industrial development within the District. He stated that there are a couple of minor inconsistencies that need clarification. Also, Madera County is requiring that the firm water supply be in reserve to call on at any time. He reviewed the pricing, delivery, and other highlights of the agreement, emphasizing that Castle & Cooke will reimburse the District for these costs. The term of the contract is to begin January 1, 2008, if the Village of Gateway project has been approved by June 31, 2007. Otherwise, the commencement date will be January 1, 2009.

Upon motion by Director Bascou, seconded by Director Jensen, the Board hereby authorizes President Pierre to sign a final agreement with Westside Mutual Water Company, on behalf of the District, provided there are no material changes and subject to Castle & Cooke's approval of the agreement.

Upon motion by Director Coulthard and seconded by Director Jensen, the Board further authorizes President Pierre, Manager/Engineer Provost and Attorney Campbell to commence the California Environmental Quality Act ("CEQA") process for the Westside contract, subject to Castle & Cooke's approval and agreement to reimburse the District for such costs.

### **APPROVAL PROCESS FOR WATER DELIVERY INTO DISTRICT**

President Pierre and Mr. Holland reported on the progress for Bureau approval to deliver water into the District. The Bureau is requiring formal documentation to Resolution 2004-03,

"...authorizing President Pierre, General Manager Provost, and General Counsel Campbell to: (1) do all things necessary to commence the environmental review pursuant to the California Environmental Quality Act (CEQA); (2) do all actions and pay all sums specified in the District's budget to complete the environmental analysis of the District's actions under the National Environmental Policy Act (NEPA) with the Bureau of Reclamation as lead agency; and, (3) enter into an agreement with Westside Mutual or other party for additional surface water to be delivered to the District subject to the CEQA and NEPA review and Board approval following such review."

Upon motion by Director Bascou, seconded by Director Cobb, the Board unanimously adopted

**Resolution 2006-02** to formalize Resolution 2004-03 as quoted above and to ratify Amendment No. One to Letter of Agreement (LOA) Number 02-WC-20-2083 dated November 21, 2001 with the Bureau of Reclamation and the Madera Irrigation District.

Upon motion by Director Coulthard, seconded by Director Jensen, the Board also adopted

**Resolution 2006-03** consenting to a Contract for Temporary Water Service under Section 215 of the Reclamation Reform Act of 1982 and authorizing President Pierre and Secretary Messer to sign the contract on behalf of the District.

### **CONFLICT OF INTEREST CODE**

President Pierre and Mr. Holland presented the District with an updated Conflict of Interest Code, amended July 12, 2006. The amendments were to update the District's Code to comply with current law. Secretary Messer mentioned that the amended Code did not designate the positions of Treasurer and Assessor/Tax Collector and that they should be added. Upon motion by Director Bascou, seconded by Director Cobb, the Board adopted

**Resolution 2006-04** (1) approving the Code, as amended, dated July 12, 2006, with the addition of the Treasurer and Assessor/Tax Collector as designated positions, (2) that each Director or each candidate for Director, the General Manager, Secretary, Attorney, Treasurer and Assessor/Tax Collector will complete and file a Statement of Economic Interest, and (3) directing the General Manager to take such action as is necessary to have the Code, as amended, approved by the Madera County Board of Supervisors.

**AB 1234 CONFLICT AND ETHICS TRAINING**

The Board discussed the requirements for Board member and Officer ethics training as required under AB 1234. Director Coulthard stated that he has completed his training as a Director under the Mosquito Abatement District. Baker Manock & Jensen will be conducting training on September 27, 2006. There was some question regarding RCWD Directors being required to complete the training as the District does not provide compensation, salaries, stipends or reimbursement of expenses to its legislative body. No action was taken pending further investigation.


**MEMBERSHIPS**

The Board reviewed the benefits of continuing membership in various water organizations. It reached a consensus that it was beneficial to continue membership in such organizations.

**ADJOURNMENT**

There being no further business to come before the Board, President Pierre adjourned the meeting at 3:39 p.m.

Respectfully submitted,

  
Deborah C. Messer, Secretary

Approved:

  
Philip R. Pierre, President

**ROOT CREEK WATER DISTRICT  
TREASURER'S REPORT**

2006 Investment Report  
for  
Period Ending June 30, 2006

DATE: July 12, 2006  
TO: Board of Directors  
FROM: James M. Burkhart, Treasurer

In accordance with Government Code Section 53646 and the Root Creek Water District Investment Policy, the following shall constitute the quarterly report of investments on behalf of the Root Creek Water District:

1. As of the date of the report, the remaining District funds are deposited in Federal Deposit Insurance Corporation (FDIC) insured accounts at Wells Fargo Bank. Therefore, as provided by Government Code Section 53646 (e), attached is the most recent statement received by the District.
2. The portfolio of the District is in compliance with the District's Statement of Investment Policy.
3. It is expected the District will be able to meet its expenditure requirements for the next six months based on current account balances and projected revenue from benefit assessments.

**ROOT CREEK WATER DISTRICT  
TREASURER'S REPORT  
June 30, 2006**

**OPERATING FUNDS:**

Beginning Checking Account Balance as of July 1, 2005 \$ 11,573.54

**ASSESSMENTS RECEIVED:**

Dole Food Company 27,651.81

**OTHER OPERATING INCOME:**

Castle & Cooke, Inc. 125,647.32

**TOTAL FUNDS AVAILABLE** \$ 164,872.67

**DISBURSEMENTS:**

ACWA \$ 1,010.00

Baker Manock & Jensen 105,812.98

Bureau Approval 33,347.42

Water acquisition 63,921.69

General 6,034.46

Late charges 2,509.41

Madera Pumps 1,628.70

Michael B. Cuttone, CPA 130.00

Provost & Pritchard 2,764.50

Madera Irrigation District 14,355.05

S & J Ranch 661.31

Madera County Farm Bureau 500.00

**TOTAL DISBURSEMENTS** \$ 126,862.54

**ENDING CHECKING ACCOUNT BALANCE as of June 30, 2006** \$ 38,010.13

**ACCOUNTS RECEIVABLE -**

**TOTAL ACCOUNTS RECEIVABLE** \$ 0.00

**ACCOUNTS PAYABLE -**

Baker Manock & Jensen \$ 4,662.72

S & J Ranch 678.05

**TOTAL ACCOUNTS PAYABLE** \$ 5,340.77

**ROOT CREEK WATER DISTRICT  
WORKING TRIAL BALANCE  
AS OF 06/30/2006**

<u>ACCT #</u>	<u>DESCRIPTION</u>					<u>ENDING 06/30/05</u>	<u>ENDING 6/30/2006</u>
<b><u>ASSETS</u></b>							
100-00	CASH	11,573.54	1	27,651.81	4	(44,814.02)	38,010.13
					2	(582.14)	
					3	69,088.00	
					6	(60,423.52)	
					7	(2,783.31)	
					8	(130.00)	
					9	(14,355.05)	
					10	(2,764.50)	
					11	(1,010.00)	
100-01	DEPOSITS ACCOUNT	0.00					0.00
110-00	ACCOUNTS RECEIVABLE	0.00					0.00
110-01	Castle & Cooke - Bureau Approval	27,674.12	12	83.32	2	(27,674.12)	83.32
110-02	Castle & Cooke - Water Acquisition	28,885.20	12	4,579.40	2	(28,885.20)	4,579.40
111-01	A / R ASSESSMENT - PRIOR YEAR	0.00					0.00
111-02	A / R ASSESSMENT - CURR YEAR	0.00			1	(27,651.81)	(27,651.81)
111-03	A / R AB-303 GRANT	0.00					0.00
111-04	A / R PROP. 13 GRANT	0.00					0.00
112-00	INTEREST RECEIVABLE	0.00					0.00
120-00	PREPAID EXPENSES	2,500.00					2,500.00
120-01	PREPAID TAXES	0.00					0.00
<b>TOTAL ASSETS</b>		<b>70,632.86</b>					<b>17,521.04</b>
<b><u>LIABILITIES</u></b>							
310-00	ACCOUNTS PAYABLE	(44,814.02)	4	44,814.02	6	(4,662.72)	(5,340.77)
					13	(678.05)	
311-01	ACCRUED EXPENSES	(582.14)	5	582.14			0.00
312-01	INTEREST PAYABLE	0.00					0.00
320-00	NOTES PAYABLE	0.00					0.00
320-01	NOTES PAYABLE - S & J RANCH	0.00					0.00
321-01	ACCRUED INTEREST	0.00					0.00
<b>TOTAL LIABILITIES</b>		<b>(45,396.16)</b>					<b>(5,340.77)</b>
<b><u>CAPITAL</u></b>							
400-00	CAPITAL	(25,236.70)					(25,236.70)
450-00	WITHDRAWALS	0.00					0.00
500-00	CURRENT EARNINGS	0.00					13,056.43
600-00	PRIOR EARNINGS	0.00					0.00
<b>TOTAL CAPITAL</b>		<b>(25,236.70)</b>					<b>(12,180.27)</b>
<b>TOTAL LIABILITIES AND CAPITAL</b>		<b>(70,632.86)</b>					<b>(17,521.04)</b>

ROOT CREEK WATER DISTRICT  
 WORKING TRIAL BALANCE  
 AS OF 06/30/2006

<u>ACCT #</u>	<u>DESCRIPTION</u>	<u>ENDING 06/30/05</u>		<u>ENDING 6/30/2006</u>
<b><u>REVENUE</u></b>				
610-01	ASSESSMENTS - PRIOR YEAR	0.00		0.00
620-01	ASSESSMENTS - CURR YEAR	0.00		0.00
630-01	OTHER OPERATING INCOME	0.00	12 (4,662.72)	(4,662.72)
630-02	OTHER INCOME	0.00	3 (69,088.00)	(69,088.00)
630-03	OTHER INCOME - AB-303 GRANT	0.00		0.00
630-04	OTHER INCOME - PROP. 13 GRANT	0.00		0.00
640-01	INVESTMENT INCOME	0.00		0.00
TOTAL REVENUES		<u>0.00</u>		<u>(73,750.72)</u>
<b><u>EXPENSES</u></b>				
711-01	LEGAL	0.00	6 65,086.24	65,086.24
711-02	LOBBYIST	0.00		0.00
711-05	ACCOUNTING	0.00	8 130.00	130.00
712-01	CONSULTANT - ENGINEER	0.00	10 2,764.50	2,764.50
712-03	CONSULT - ENG - AB-303 STUDY	0.00		0.00
712-04	CONSULT - ENG - PROP. 13 STUDY	0.00		0.00
712-05	CONSULTANT - SPECIAL	0.00	9 14,355.05	14,355.05
713-00	DUES & SUBSCRIPTIONS	0.00	11 1,010.00	1,010.00
714-00	ADMINISTRATIVE COSTS	0.00	13 678.05	678.05
715-00	MISCELLANEOUS	0.00	7 2,783.31	2,783.31
716-00	INTEREST	0.00		0.00
717-00	MID - CONVEYANCE FOR SALE OF WATER	0.00		0.00
TOTAL EXPENSES		<u>0.00</u>		<u>86,807.15</u>
NET (INCOME) / LOSS		<u>0.00</u>		<u>13,056.43</u>



ROOT CREEK WATER DISTRICT  
WELLS FARGO BANK

DATE	CK NO	ACCT NO	PAYOR / PAYEE	INV NO	AMT	FOR	(CK)/DEP	BALANCE
07/01/2005-06/30/2006			BEGINNING BALANCE					11,573.54
07/12/05	Dep 876	711-01	Castle & Cooke, Inc.	53105	26,672.05	BMJ - Bureau Approval		11,573.54
07/12/05	Dep 876	711-01	Castle & Cooke, Inc.	53105	27,953.30	BMJ - Water Acquisition		11,573.54
07/12/05	Dep 876	711-01	Castle & Cooke, Inc.	53105	1,933.97	BMJ - Late charges	56,559.32	68,132.86
07/12/05	1167		VOID		VOID			68,132.86
07/12/05	1168	714-00	S & J Ranch	35517	(582.14)	Administrative services thru 06/30/2004		68,132.86
07/12/05	1168	715-00	S & J Ranch	35517	(9.03)	Postage	(591.17)	67,541.69
07/12/05	1169	711-01	Baker Manock & Jensen	12023-0004	(17,747.70)	BMJ - Bureau Approval		67,541.69
07/12/05	1169	711-01	Baker Manock & Jensen	12023-0005	(25,363.90)	BMJ - Water Acquisition		67,541.69
07/12/05	1169	711-01	Baker Manock & Jensen	12023-0001	231.55	BMJ - General		67,541.69
07/12/05	1169	711-01	Baker Manock & Jensen		(1,933.97)	BMJ - Late charges	(44,814.02)	22,727.67
07/18/05	1170	712-01	Provost & Pritchard	11231	(1,423.00)	Services thru 06/30/2005	(1,423.00)	21,304.67
07/20/05	1171	711-01	Baker Manock & Jensen	12023-0004	(907.10)	BMJ - Bureau Approval		21,304.67
07/20/05	1171	711-01	Baker Manock & Jensen	12023-0005	(5,432.00)	BMJ - Water Acquisition		21,304.67
07/20/05	1171	711-01	Baker Manock & Jensen		(575.44)	BMJ - Late charges		21,304.67
07/20/05	1171	711-01	Baker Manock & Jensen	12023-0001	(1,865.06)	BMJ - General	(8,779.60)	12,525.07
09/01/05	1172	712-01	Provost & Pritchard	11581	(1,213.50)	Services thru 07/31/2005	(1,213.50)	11,311.57
09/12/05	1173		VOID		VOID			11,311.57
09/12/05	1174	711-01	Baker Manock & Jensen	12023-0001	(2,302.25)	BMJ - General	(2,302.25)	9,009.32
09/19/05	Dep 877	711-01	Castle & Cooke California, Inc.	63005	1,179.60	BMJ - Bureau Approval		9,009.32
09/19/05	Dep 877	711-01	Castle & Cooke California, Inc.	63005	5,734.94	BMJ - Water Acquisition	6,914.54	15,923.86
09/19/05	1175	711-01	Baker Manock & Jensen	12023-0004	(1,179.60)	BMJ - Bureau Approval		15,923.86
09/19/05	1175	711-01	Baker Manock & Jensen	12023-0005	(5,734.94)	BMJ - Water Acquisition	(6,914.54)	9,009.32
09/27/05	Dep 878	111-02	Dole Food Company		27,651.81	2005/2006 Assessment	27,651.81	36,661.13
10/17/05	Dep 879	711-01	Castle & Cooke California, Inc.	83105	1,282.00	BMJ - Bureau Approval		36,661.13
10/17/05	Dep 879	711-01	Castle & Cooke California, Inc.	83105	11,941.42	BMJ - Water Acquisition	13,223.42	49,884.55
10/17/05	1176		VOID		VOID			49,884.55
10/17/05	1177	711-01	Baker Manock & Jensen	12023-0004	(1,108.40)	BMJ - Bureau Approval		49,884.55
10/17/05	1177	711-01	Baker Manock & Jensen	12023-0005	(5,200.48)	BMJ - Water Acquisition		49,884.55
10/17/05	1177	711-01	Baker Manock & Jensen	12023-0001	(599.40)	BMJ - General	(6,908.28)	42,976.27
11/11/05	1178	715-00	Madera Pumps, Inc.	45733	(872.20)	Sound 20 wells	(872.20)	42,104.07
11/14/05	Dep 880	711-01	Castle & Cooke California, Inc.	93005	510.00	BMJ - Bureau Approval		42,104.07
11/14/05	Dep 880	711-01	Castle & Cooke California, Inc.	93005	1,075.00	BMJ - Water Acquisition	1,585.00	43,689.07
11/14/05	1179	711-01	Baker Manock & Jensen	12023-0004	(510.00)	BMJ - Bureau Approval		43,689.07
11/14/05	1179	711-01	Baker Manock & Jensen	12023-0005	(1,075.00)	BMJ - Water Acquisition	(1,585.00)	42,104.07
12/01/05	1180	713-00	ACWA		(1,010.00)	2006 Agency Dues	(1,010.00)	41,094.07
12/01/05	1181	711-01	Baker Manock & Jensen	12023-0001	(133.10)	Services thru 10/31/2005 - General	(133.10)	40,960.97
12/12/05	Dep 881	711-01	Castle & Cooke California, Inc.	103105	3,745.00	BMJ - Bureau Approval		40,960.97
12/12/05	Dep 881	711-01	Castle & Cooke California, Inc.	103105	2,647.80	BMJ - Water Acquisition	6,392.80	47,353.77
12/15/05	1182	711-01	Baker Manock & Jensen	12023-0004	(3,745.00)	BMJ - Bureau Approval		47,353.77
12/15/05	1182	711-01	Baker Manock & Jensen	12023-0005	(2,647.80)	BMJ - Water Acquisition	(6,392.80)	40,960.97
12/15/05	1183	711-05	Michael B Cuttone CPA	1139	(130.00)	Preparation of State Controller's Report	(130.00)	40,830.97
01/05/06	1184	711-01	Baker Manock & Jensen	12023-0001	(178.20)	Services thru 10/31/2005 - General	(178.20)	40,652.77
01/24/06	Dep 882	711-01	Castle & Cooke California, Inc.	113005	1,912.60	BMJ - Bureau Approval		40,652.77
01/24/06	Dep 882	711-01	Castle & Cooke California, Inc.	113005	2,658.40	BMJ - Water Acquisition	4,571.00	45,223.77
01/24/06	1185	711-01	Baker Manock & Jensen	12023-0004	(1,912.60)	BMJ - Bureau Approval		45,223.77
01/24/06	1185	711-01	Baker Manock & Jensen	12023-0005	(2,658.40)	BMJ - Water Acquisition		45,223.77
01/24/06	1185	711-01	Baker Manock & Jensen	12023-0001	(256.90)	BMJ - General	(4,827.90)	40,395.87

ROOT CREEK WATER DISTRICT  
WELLS FARGO BANK

DATE	CK NO	ACCT NO	PAYOR / PAYEE	INV NO	AMT	FOR	(CK)/DEP	BALANCE
02/02/06	1186	715-00	Madera County Farm Bureau	11	(500.00)	2006 Water Conference Sponsor	(500.00)	39,895.87
02/28/06	1187	711-01	Baker Manock & Jensen	12023-0001	(128.30)	BMJ - General	(128.30)	39,767.57
02/28/06	Dep 883	711-01	Castle & Cooke California, Inc.	123105_R	338.46	BMJ - Bureau Approval		39,767.57
02/28/06	Dep 883	711-01	Castle & Cooke California, Inc.	123105_R	2,091.20	BMJ - Water Acquisition	2,429.66	42,197.23
02/28/06	1188	711-01	Baker Manock & Jensen	12023-0004	(338.46)	BMJ - Bureau Approval		42,197.23
02/28/06	1188	711-01	Baker Manock & Jensen	12023-0005	(2,091.20)	BMJ - Water Acquisition	(2,429.66)	39,767.57
02/28/06	1189	715-00	Madera Pumps, Inc.	45952	(756.50)	Sound wells	(756.50)	39,011.07
03/09/06	Dep 884	711-01	Castle & Cooke California, Inc.	13106	2,882.00	BMJ - Bureau Approval		39,011.07
03/09/06	Dep 884	711-01	Castle & Cooke California, Inc.	13106	3,298.70	BMJ - Water Acquisition	6,180.70	45,191.77
03/22/06	1190	711-01	Baker Manock & Jensen	12023-0004	(2,882.00)	BMJ - Bureau Approval		45,191.77
03/22/06	1190	711-01	Baker Manock & Jensen	12023-0005	(3,298.70)	BMJ - Water Acquisition	(6,180.70)	39,011.07
03/22/06	1191	715-00	S & J Ranch	37265	(70.14)	Postage	(70.14)	38,940.93
03/22/06	1192	712-01	Provost & Pritchard	14075	(128.00)	Services thru 02/28/2006	(128.00)	38,812.93
03/22/06	1193	711-01	Baker Manock & Jensen	12023-0001	(802.80)	BMJ - General	(802.80)	38,010.13
04/10/06	Dep 885	711-01	Castle & Cooke California, Inc.	32306	579.72	BMJ - Bureau Approval		38,010.13
04/10/06	Dep 885	711-01	Castle & Cooke California, Inc.	32306	5,479.57	BMJ - Water Acquisition		38,010.13
04/10/06	Dep 885	712-01	Castle & Cooke California, Inc.	32306	14,355.05	MID Engineering services cost share	20,414.34	58,424.47
04/10/06	1194	711-01	Baker Manock & Jensen	12023-0004	(579.72)	BMJ - Bureau Approval		58,424.47
04/10/06	1194	711-01	Baker Manock & Jensen	12023-0005	(5,479.57)	BMJ - Water Acquisition	(6,059.29)	52,365.18
04/10/06	1195	712-01	Madera Irrigation District	RCWD301	(14,355.05)	MID Engineering services cost share	(14,355.05)	38,010.13
05/23/06	Dep 886	711-01	Castle & Cooke California, Inc.	5012006	1,379.62	BMJ - Bureau Approval		38,010.13
05/23/06	Dep 886	711-01	Castle & Cooke California, Inc.	5012006	3,185.55	BMJ - Water Acquisition	4,565.17	42,575.30
05/24/06	1196	711-01	Baker Manock & Jensen	12023-0004	(1,379.62)	BMJ - Bureau Approval		42,575.30
05/24/06	1196	711-01	Baker Manock & Jensen	12023-0005	(3,185.55)	BMJ - Water Acquisition	(4,565.17)	38,010.13
06/09/06	Dep 887	711-01	Castle & Cooke California, Inc.	5102006	1,057.22	BMJ - Bureau Approval		38,010.13
06/09/06	Dep 887	711-01	Castle & Cooke California, Inc.	5102006	1,754.15	BMJ - Water Acquisition	2,811.37	40,821.50
06/09/06	1197	711-01	Baker Manock & Jensen	12023-0004	(1,057.22)	BMJ - Bureau Approval		40,821.50
06/09/06	1197	711-01	Baker Manock & Jensen	12023-0005	(1,754.15)	BMJ - Water Acquisition	(2,811.37)	38,010.13

# Root Creek Water District

2006-2007 Fiscal Year Budget

	<u>05-06</u> <u>Budget</u>	<u>05/06</u> <u>Actual</u>	<u>06-07</u> <u>Budget</u>
<b><u>Board Meetings</u></b>			
Manager – Engineer	\$ 1,200	\$ 1,028	\$ 1,200
Legal	<u>10,000</u>	<u>6,034</u>	<u>10,000</u>
<b>Subtotal</b>	<b>\$ 11,200</b>	<b>\$ 7,062</b>	<b>\$11,200</b>
<b><u>District Management</u></b>			
Manager – Engineer Miscellaneous (GW Mapping)	\$ 1,000	\$ 1,737	\$ 1,000
Water level measurements	1,500	1,629	1,500
ACWA Membership	810	1,010	810
RMC Membership	2,400	0	2,400
Other Memberships	200	0	200
Audit	<u>300</u>	<u>130</u>	<u>1,550</u>
<b>Subtotal</b>	<b>\$ 6,210</b>	<b>\$ 4,506</b>	<b>\$ 7,460</b>
<b><u>Clerical and Expenses</u></b>			
Clerical	\$ 2,800	\$ 748	\$ 2,800
Advertising and Bank Charges	<u>200</u>	<u>500</u>	<u>200</u>
<b>Subtotal</b>	<b>\$ 3,000</b>	<b>\$ 1,248</b>	<b>\$ 3,000</b>
<b><u>Bureau of Reclamation</u></b>			
Environmental Review	\$ 5,000	\$ 0	\$ 5,000
<b><u>Contingency</u></b>			
	\$ 2,254	\$ 0	\$ 992
<b>Total Budget</b>	<b><u>\$27,664</u></b>	<b><u>\$12,816</u></b>	<b><u>\$27,652</u></b>

**RESOLUTION NO. 2006-01**

**ROOT CREEK WATER DISTRICT  
2006-07 SPECIAL ASSESSMENT**

**WHEREAS**, this Board of Directors has received a petition, signed by each of the landholders of the District, to adopt a special assessment to fund the District's operational expenses; and

**WHEREAS**, this Board of Directors has estimated the District's operational expenses, to be incurred for the general benefit of all of the lands in the District, to be approximately \$27,652.00 per year; and

**WHEREAS**, the Assessor of said District has listed in the 2006-07 Special Assessment Book, all lands and each separate parcel thereof within the District, the name of head holder of title to each separate parcel of land within the District, and if unknown, that fact is stated, a description of each separate parcel of land within the District sufficient to identify it; and

**WHEREAS**, the total of said lands within the District is 9,218.56 acres.

**NOW, THEREFORE, BE IT, AND IT IS HEREBY, RESOLVED**, as follows:

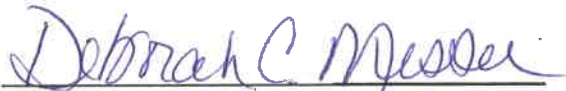
1. The special assessments set forth in the Root Creek Water District 2006-07 Special Assessment Book are equal, fair and just and represent the landholders acreage; and
2. The rate of special assessment of \$3.00 upon each acre of the land within Root Creek Water District, which rate is sufficient to raise the sum specified in the annual estimate of operational expenses, and the same is hereby, fixed, ordered, and levied; and
3. The minimum assessment on any one parcel shall be rounded up to \$3.00 if the actual calculations is greater than \$1.50 and rounded to \$0.00 if the actual calculation is less than \$1.50; and
4. This Board hereby assesses the lands within Root Creek Water District which have escaped assessment in prior years in the amounts set forth in the 2006-07 Special Assessment Book.

**ADOPTED, SIGNED AND APPROVED** this 12th day of July, 2006.



Phillip R. Pierre, President  
Root Creek Water District

**ATTEST**



Deborah Messer, Secretary  
Root Creek Water District

**CERTIFICATE OF SECRETARY**

I hereby certify that I am the Assistant Secretary of Root Creek Water District and that the foregoing Resolution was duly adopted by the Board of Directors of said District at the Special Meeting duly held in Madera, California on Wednesday, July 12, 2006 at which meeting a quorum of said Board of Directors was at all times present and acting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of said District this 12th day of July, 2006.

(DISTRICT  
SEAL)



Deborah Messer, Secretary



ROOT CREEK WATER DISTRICT  
RESOLUTION NO. 2006-0 2

WHEREAS, the Root Creek Water District (“RCWD”) entered into that certain Agreement Concerning Agricultural, Municipal and Industrial Water Use Within Root Creek Water District (the “Water Agreement”) with Madera Irrigation District (“MID”), Chowchilla Water District, and the Friant Water Users Authority on December 30, 1999; and

WHEREAS, RCWD has approved the March 12, 2002 Agreement Between Madera Irrigation District and Root Creek Water District for the Conveyance and Sale of Water with MID to implement the Water Agreement.

WHEREAS, RCWD plans to construct a pipeline to provide surface water from Lateral 6.2 to RCWD and additional facilities to distribute water with RCWD.

WHEREAS, environmental review is required prior to implementing these proposed actions.

WHEREAS, RCWD intends to enter into further contracts to acquire surface water for direct and in lieu recharge, including, but not limited to, contracts for temporary water service pursuant to Section 215 of the Reclamation Reform Act.

NOW, THEREFORE, BE IT RESOLVED that:

1. President Philip R. Pierre, General Manager, Jim Provost and General Counsel, Chris Campbell remain authorized to do all things necessary to commence the environmental review pursuant to California Environmental Quality Act (“CEQA”) of all proposed actions necessary to acquire and bring surface water to RCWD, as provided in RCWD Resolution 2004-03.
2. President Philip R. Pierre, General Manager, Jim Provost and General

Counsel, Chris Campbell remain authorized to do all actions and pay all sums specified in the adopted RCWD budget to complete the environmental analysis of proposed RCWD actions under the National Environmental Policy Act ("NEPA") with the Bureau of Reclamation as lead agency, also as provided in RCWD Resolution 2004-03.

3. That certain "Amendment No. One to Letter of Agreement (LOA) Number 02-WC-20-2083 Dated November 21, 2001," (such amendment being dated August 13, 2004) with the Bureau of Reclamation and the Madera Irrigation District is hereby ratified.

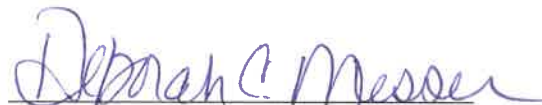
ADOPTED this 12th day of July, 2006.

<u>Vote</u>	<u>Yes</u>	<u>No</u>
Philip R. Pierre, President	<u>✓</u>	_____
Richard L. Bascou	<u>✓</u>	_____
Dave Cobb	<u>✓</u>	_____
Jeffrey D. Coulthard	<u>✓</u>	_____
Rodger B. Jensen	<u>✓</u>	_____

**Certificate of Secretary**

The undersigned hereby certifies that she is the Secretary of the Root Creek Water District and that the foregoing resolution was duly adopted by the Board of Directors at a meeting thereof, duly and regularly held on July 12, 2006.

IN WITNESS WHEREOF, I have set my hand this 12th day of July 2006.

  
Deborah Messer, Secretary



ROOT CREEK WATER DISTRICT

Name of District

RESOLUTION NO. 2006-03

**A RESOLUTION APPROVING CONTRACT FOR TEMPORARY WATER SERVICE  
BETWEEN THE UNITED STATES AND  
ROOT CREEK WATER DISTRICT**

Name of District

**WHEREAS**, the United States has constructed and is operating the Central Valley Project (CVP) for the purpose, among others, of furnishing water for irrigation, municipal, domestic, mitigation, and restoration of fish and wildlife, and other beneficial uses; and

**WHEREAS**, temporary supplies of water resulting from an unusually large water supply, not otherwise storable for CVP purposes, or from infrequent and otherwise unmanaged floodflows of short duration may be made available by Reclamation pursuant to Section 215 of the Reclamation Reform Act of 1982 (Public Law 97-293), and this temporary supply of water is exempt from the ownership limitation provisions of Federal Reclamation law; and

**WHEREAS**, the ROOT CREEK WATER DISTRICT is in need of a temporary supply of water and and is willing to obtain such a supply from the facilities of the CVP by executing a contract with the United States; and

Name of District

**WHEREAS**, said contract will remain in effect for the 2007 water year.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors of the ROOT CREEK WATER DISTRICT hereby consents to the above-mentioned Contract for Temporary Water Service, and authorizes its President and Secretary to sign the contract on behalf of the ROOT CREEK WATER DISTRICT.

Name of District

Name of District

**ALL THE FOREGOING** being on motion of JEFFREY COULTHARD, seconded by

Board Member Name and Title

ROOGER JENSEN and authorized by the following vote:  
Board Member Name and Title

AYES: 5  
NOES: 0  
ABSENT: 6  
ABSTAINING: 0

**I HEREBY CERTIFY** that the foregoing is the resolution of the ROOT CREEK WATER DISTRICT as duly passed and adopted by the Board of Directors on the 12th day of July, 2006.

Name of District

**WITNESS** my hand and seal of said Board of Directors this 12th day of July, 2006.

Phillip R. Pierre  
Print Name, President of the Board of Directors

[Signature]  
Signature, President of the Board of Directors

ATTEST:  
[Signature]  
Secretary of the Board of Directors

(Seal)



ROOT CREEK WATER DISTRICT  
RESOLUTION NO. 2006-0 4

WHEREAS, the Root Creek Water District (“RCWD”) is required by the Political Reform Act of 1974 (Gov. Code §87300 *et seq.*) to adopt and periodically update a conflict of interest code (the “Code”);

WHEREAS, the purposes of this Code are (i) to ensure that the assets and income of Root Creek Water District (“District”) designated employees, which may be materially affected by the designated employee’s official actions, are disclosed and (ii) to provide that the District’s designated employees should be disqualified from District actions that could materially affect their assets or income;

WHEREAS, the Code provides that designated employees, which are listed by job title in Exhibit “A” to the Code, must also file a statement of economic interest (FPPC Form 700) at the time and in the manner prescribed in the Code, disclosing the (i) business positions, (ii) direct or indirect interests in real property within the District’s jurisdiction, (iii) direct or indirect investments in business entities, and (iv) income of each designated employee and each designated employee’s spouse or domestic partner; and

WHEREAS, the County of Madera has required that the District designate the Madera County Clerk as the filing officer under the District Code.

NOW, THEREFORE, BE IT RESOLVED that:

1. The RCWD Board of Directors hereby adopts the Code, as amended, dated July 12, 2006;
2. That each RCWD Director or each candidate for RCWD Director, and the District’s General Manager, Secretary, Attorney, Engineer, Treasurer, and Assessor/Tax

Collector shall complete and file with the filing officer a statement of economic interest; and

3. The District's General Manager is hereby directed to take such action as may be necessary to have the Code, as amended hereby, approved by the Madera County Board of Supervisors.

ADOPTED this 12th day of July, 2006.

<u>Vote</u>	<u>Yes</u>	<u>No</u>
Philip R. Pierre, President	<u>✓</u>	_____
Richard L. Bascou	<u>✓</u>	_____
Dave Cobb	<u>✓</u>	_____
Jeffrey D. Coulthard	<u>✓</u>	_____
Rodger B. Jensen	<u>✓</u>	_____

#### **Certificate of Secretary**

The undersigned hereby certifies that she is the Secretary of the Root Creek Water District and that the foregoing resolution was duly adopted by the Board of Directors at a meeting thereof, duly and regularly held on July 12, 2006.

IN WITNESS WHEREOF, I have set my hand this 12th day of July 2006.

  
Deborah Messer, Secretary