

RESOLUTION 2018 - \_\_\_\_

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
LAKE DON PEDRO COMMUNITY SERVICES DISTRICT ACCEPTING  
THE PLACE OF USE BOUNDARY FOR MERCED IRRIGATION  
DISTRICT'S WATER RIGHTS LICENSE 11395 BASED ON  
CONCURRENCE OF THE STATE WATER BOARD DIVISION OF  
WATER RIGHTS

**WHEREAS**, the Lake Don Pedro Community Services District (herein referred to as District) is a local government agency formed and operating in accordance with Section §61000 et seq. of the California Government Code; and

**WHEREAS**, in accordance with California Government Code 61100 and within its boundaries established by LAFCO, the District is authorized to supply water for any beneficial uses, in the same manner as a municipal water district, formed pursuant to the Municipal Water District Law of 1911, Division 20 (commencing with Section 71000) of the Water Code; and

**WHEREAS**, the District has entered into agreement with the Merced Irrigation District to purchase water from Lake McClure, which is stored and used in accordance with Water Rights License 11395 issued by the California State Water Resources Control Board (SWRCB); and

**WHEREAS**, for orderly management of the state's water rights, in issuing Water Rights license 11395, the SWRCB has established a delineated boundary area in which water pumped from Lake McClure can be distributed and used within the Lake Don Pedro area; and

**WHEREAS**, the SWRCB issued the District a Notice of Violation dated September 28, 2017 in which it requires that the District clarify discrepancies in the statutory District boundary and Sphere of Influence boundary (LAFCO Boundaries), District water service area and the Place of Use boundary (SWRCB POU boundary); and

**WHEREAS**, the District contracted for the preparation of digital map layers using the boundary data files provided by the Merced Irrigation District (POU boundary), Mariposa County LAFCO (LAFCO boundaries) and District customer water service records (District service area boundary); and

**WHEREAS**, the digital map layers prepared by the District consultant were presented to the SWRCB in response to the Notice of Violation, and on June 13, 2018 the SWRCB issued written concurrence with the digital boundary maps provided by the District; and

**WHEREAS**, the SWRCB approved POU boundary, when compared with the District water service area, reveal 32 parcels provided water service by the District, and which are located outside the POU; and

**WHEREAS**, the properties served water by the District outside the boundaries of the SWRCB POU boundary, must be served water supply from alternate water sources available to the District, which is currently groundwater wells; and

**WHEREAS**, the District has adopted a Compliance Plan to ensure that adequate groundwater supply is available to met the water demand of properties located outside the SWRCB POU boundary; and

**WHEREAS**, the District desires to formally recognize and accept the SWRCB POU boundary as presented to and agreed by the SWRCB.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LAKE DON PEDRO COMMUNITY SERVICES DISTRICT that the Place of Use boundary for SWRCB Water Rights License 11395 as shown in the Place of Use boundary map, attached hereto as Exhibit A, is hereby accepted as true and correct for the purpose of reporting and compliance under agreement with the Merced Irrigation District.

**WHEREFORE**, this Resolution is passed and adopted by the Board of Directors of the Lake Don Pedro Community Services District on June 18, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Danny Johnson, President, Board of Directors

ATTEST:

\_\_\_\_\_  
Syndie Marchesiello, Secretary  
CERTIFICATE OF SECRETARY  
(STATE OF CALIFORNIA)  
(COUNTY OF MARIPOSA)

I, Syndie Marchesiello, the duly appointed and Secretary of the Board of Directors of the Lake Don Pedro Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Lake Don Pedro Community Services District duly called and held at the District office at 9751 Merced Falls Road, La Grange, CA 95239, on June 18, 2018