

**A RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
ORLAND-ARTOIS WATER DISTRICT**

**RESOLUTION NO. 2018-03**

**APPROVING 2 YEAR RENEWABLE PROJECT WATER TRANSFER FROM JACK BABER.**

AS A BASIS AND PREMISE for this resolution, the Board of Directors of ORLAND-ARTOIS WATER DISTRICT finds:

1. OAWD is a public agency of the State of California, which has a Water Service Contract with the United States Department of Interior, Bureau of Reclamation, Contract No. 14-06-200-8382A-LTR1 for diversion of Project Water from the Sacramento River and conveyed by the Tehama-Colusa Canal, and supplied by the Central Valley Project.

2. JACK BABER is a private citizen of the State of California who has a Settlement Contract with the United States Department of Interior, Bureau of Reclamation (USBR), Contract No. 14-06-200-1604A for diversion of Water Rights Water via the Sacramento River, and supplied by the Central Valley Project. Baber's Water Rights Water is conveyed to his lands by the Tehama-Colusa Canal. Under Jack Baber's Sacramento River Water Rights Settlement Contract (SRSC) and section 3405(a)(1)(M) of the CVP Improvement Act ("CVPIA", Title 34 of P.L. 102- 575), Jack Baber is authorized to transfer a portion of Jack Baber Project Water supply to another CVP Contractor within a county, watershed or other area of origin. Article 9 of the OAWD CVP Water Service Contract (CVP Contract) acknowledges the fact that OAWD is within a county, watershed or other area of origin.

3. For 2018, OAWD has not yet received an allocation, but anticipates a partial allocation of the CVP contract supply under its CVP Contract. However, that quantity of water

may not be sufficient to meet all the needs of OAWD's water users, who would then turn to groundwater resources to supplement their supplies of CVP water.

4. A water transfer between Jack Baber and OAWD will serve the goal of promoting agricultural water use efficiency and water transfers from areas of surplus to areas of need.

5. OAWD and Jack Baber have determined that the water transfer provided for in this Agreement is in the best interests of each district and its respective water users.

6. Jack Baber is willing to transfer to OAWD a portion of his CVP Project Water supply on the terms and conditions set forth herein.

7. A transfer of CVP Project Water to OAWD from Jack Baber is exempt from CEQA pursuant to section 15261(a) and 15301 of the CEQA Guidelines. Reclamation, as the lead federal agency for environmental compliance pursuant to the National Environmental Policy Act, will make any necessary findings and determinations regarding the deliveries of water transferred by Jack Baber to OAWD under this Agreement.

**NOW, THEREFORE**, be it **RESOLVED, ADJUDGED** and **ORDAINED** as follows:

1. All of the foregoing Recitals are true and correct.

2. The form of *Agreement Between Jack Baber and Orland-Artois Water District for the Transfer of CVP Water* ("Transfer Agreement"), a draft of which has been presented to the Board today, is hereby approved.

3. The General Manager and the President of the Board are authorized and directed to execute The Transfer Agreement so long as Jack Baber approves it in substantially the same form.

4. The General Manager is authorized and directed to cooperate with Jack Baber in obtaining the approval of the Bureau of Reclamation and any other governmental entities having jurisdiction of the Transfer Agreement, and is authorized and directed to take such further actions as are necessary to carry out the purpose and intent of this Resolution and of the Transfer Agreement.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of Orland-Artois Water District on March 20, 2018 by the following vote:

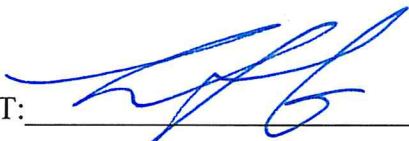
AYES: *Vereschagin, Pieper, Jones, Schonauer*

NOES: *Ø*

ABSENT: *Erickson*

ABSTAIN:

  
\_\_\_\_\_  
President: Mike Vereschagin

ATTEST:   
\_\_\_\_\_  
Secretary: Emil Cavagnolo