

RESOLUTION OF THE BOARD OF DIRECTORS
OF DEVIL'S DEN WATER DISTRICT

RESOLUTION NO. 88- 2

RESOLUTION APPROVING EXECUTION OF DOCUMENTS AND
APPOINTING REPRESENTATIVES TO A JOINT POWERS AGENCY

WHEREAS, the Board of Directors ("Board") of the Devil's Den Water District ("District") is presently concerned that long term agricultural use of the property within the District is not financially feasible, given the high cost of water distributed by Devil's Den; and

WHEREAS, the Board feels it is in the best interest of the District, and to the benefit of both minority and majority landowners within the District, to explore the feasibility of transferring all or part of the District's contractual water entitlement to an interested party; and

WHEREAS, the Castaic Lake Water Agency ("Castaic") has expressed its interest in cooperating with the District to explore the feasibility of such a transfer; and

WHEREAS, an environmental review and negotiations with the State of California must take place in order to determine the feasibility of any transfer of the District's contractual water entitlement; and

WHEREAS, the Board feels it is in the best interest of the District to cooperate with Castaic in this process and wishes to form a Joint Powers Agency in order to do so;

NOW, THEREFORE, BE IT RESOLVED, AND IT IS RESOLVED by the Board of Directors of Devil's Den Water District, as follows:

1. Environmental Compliance. The Board has reviewed the documents at issue and the requirements of the California Environmental Quality Act (Public Resources Code <<21000, et seq.) and the State CEQA Guidelines, and has determined that execution of the attached Memorandum of Understanding and Joint Powers Agreement is exempt from CEQA pursuant to Section 15061(b)(2) and 15262 of the State CEQA Guidelines, because they authorize a feasibility study for possible future action, or alternatively, pursuant to Section 15061(b)(1) of the State CEQA Guidelines in that it is not a project. The Secretary of the District is hereby authorized and directed pursuant to State CEQA Guidelines Sections 15061(a) and 15062 to file the Notice of Exemption which is attached to this Resolution as Exhibit "A" with the Clerks of Kern, Kings, Los Angeles, Ventura and Sacramento Counties.

2. Memorandum of Understanding. The President and Secretary are authorized and directed to enter into the Memorandum of Understanding with Castaic, which is attached to this Resolution as Exhibit "B" and incorporated herein by this reference, by which the District, for valuable consideration, agrees to cooperate with Castaic in ascertaining the feasibility of transferring its contractual water entitlement, and to refrain from making such a transfer to a third party.

3. Joint Powers Agreement. The President and Secretary are authorized and directed to enter into the Joint Powers Agreement with Castaic, which Agreement is attached to this Resolution as Exhibit "C" and incorporated herein by this reference, which forms the Devil's Den-Castaic Lake Authority for the purpose of undertaking the environmental review and State negotiations necessary to ascertain the feasibility of a transfer of the District's contractual water entitlement.

4. Appointment. As its representatives on the Board of Directors of the Devil's Den-Castaic Lake Authority, District appoints the following individuals:

Robert Lundquist
Donald R. Franson, Jr.
James Sorenson

The third such individual serving as a joint representative of Castaic and the District.

PASSED AND ADOPTED by the Board of Directors of Devil's Den Water District at a special meeting thereof held on this 23rd day of March, 1988, by the following vote:

Ayes: Veaco, Ayerza & Lundquist
Noes: _____
Absent: _____
Abstentions: Stevens & Hull

DEVIL'S DEN WATER DISTRICT

By Robert Lundquist
ROBERT LUNDQUIST, President

ATTEST:

Donald R. Franson, Jr.
DONALD R. FRANSON, JR.,
Secretary