

TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT

Resolution No. 05-20

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT
AMENDING THE DISTRICT'S RULES AND REGULATIONS
FOR THE SALE, USE AND DISTRIBUTION OF WATER

WHEREAS, by Resolution No. 25-16, the District amended and restated its rules and regulations for the sale, use and distribution of water (**Rules and Regulations**) pursuant to California Water Code section 31024; and

WHEREAS, by Resolution No. 04-20, the District amended the Rules and Regulations to adopt a form of Supplemental Water Purchase and Banking Agreement for greenhouse customers in the Cummings Basin; and

WHEREAS, the Board desires to amend the Rules and Regulations to reinforce the District's role as a wholesaler of water, not a retailer, by clarifying that the District will not provide M&I water service to any non-public entity or person for use within the service area of any public purveyor;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT as follows:

1. Each of the matters set forth above is true and correct and the Board so finds and determines.

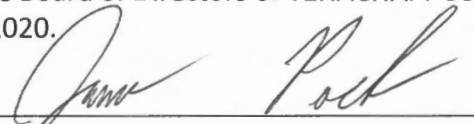
2. Section 1 of Part D of the Rules and Regulations is hereby amended to read as follows:

Section 1. District Service Policy: Domestic Use. It is the current policy of District to act as a wholesaler of water and not as a retailer, i.e., to transmit such water and not to distribute the same. It shall be consistent with this policy to provide agricultural water service to users who connect at their own expense to the District's transmission facilities from time to time. Except for sales to "Exchangees" pursuant to the Amendment to Judgment in the Tehachapi Basin case,¹ the District will provide M&I water service only to: (a) entities or persons constituting recognized public purveyors, including public agencies, public utilities under the jurisdiction of the Public Utilities Commission, and mutual water companies and improvement districts, whether of this District or other public entities, established to furnish water service to the

¹ *Tehachapi-Cummings County Water District v. City of Tehachapi, etc, et al.*, Kern County Superior Court Case No. 92710.

public; (b) existing M&I customer connections for industrial and other non-domestic uses; and (c) for agricultural direct use but for ultimate M&I use under an approved exchange agreement. Except for existing M&I customers of the District, the District will not provide M&I water service to any non-public entity or person for use within the service area of any public purveyor. Transmission facilities additional to those now provided for may be provided by the District from time to time in the discretion of the Board, and it shall be in the discretion of the Board to determine whether and to what extent any particular proposed facility is a transmission facility.

PASSED, APPROVED AND ADOPTED by the Board of Directors of TEHACHAPI-CUMMINGS COUNTY WATER DISTRICT this 20th day of May 2020.



James Pack, President

ATTEST:



Catherine Adams, Secretary

