

RESOLUTION 2017-06

RESOLUTION RESPECTING WATER SERVICE LIMITATIONS IN ZONE II

WHEREAS, The District has previously limited the number of water taps available in Zone II of the St. Charles Mesa Water District due to the limitations of the water supply system for Zone II; and,

WHEREAS, each parcel of land in Zone II is at least a 40 acre parcel; and,

WHEREAS, the water taps envisioned for Zone II were primarily to be residential taps with the expectation of very few high volume water users in Zone II; and,

WHEREAS, Zone II was primarily designed for limited residential water service; and,

WHEREAS, The District has sold 150, 5/8" x 3/4" water taps in Zone II; and,

WHEREAS, three of those water taps in Zone II are currently being used to supply water to commercial greenhouses; and,

WHEREAS, the actual water consumption by those existing commercial greenhouses has exceeded the projections provided by the applicants for those services and the commercial greenhouses have become high volume water users (that is a user consuming in excess of 100,000 gallons per month), with the largest of the three commercial greenhouses consuming approximately 310,000 gallons of treated water per month; and,

WHEREAS, the District, in reliance on the water consumption projections of the greenhouse applicants did commit to provide water service to the three existing commercial greenhouses and one additional commercial greenhouse (commercial greenhouse #4); and,

WHEREAS, it is estimated that the water consumption of the intended commercial greenhouse, commercial greenhouse #4, will be in the range of 400,000 gallons per month; and,

WHEREAS, due to system limitations and existing commitments for water service in Zone II, District would be unable to maintain adequate service to its Zone II patrons and meet its future obligations to all of those patrons if the District were to attempt to provide water service to any additional high volume water users in Zone II other than the four existing or approved commercial greenhouses; and,

WHEREAS, it is the finding of this Board that it is presently infeasible, impractical and undesirable for the good of the District to extend water service to any additional high volume water users in Zone II at this time, whether such be another commercial greenhouse or any other high volume water user operation.

NOW THEREFORE, BE IT RESOLVED that a moratorium is hereby declared with respect to the District providing water service to any high volume water user in Zone II, exclusive of those four commercial greenhouse commitments already made by the District to the owners of current water taps in Zone II. The District shall not commit to provide water service to any additional high volume water user within Zone II. This moratorium shall remain in effect until further notice from the Board of Directors; and,

BE IT FURTHER RESOLVED that notwithstanding the foregoing, in the event there is an applicant for water service in Zone II which demonstrates all of the following:

- A. The ability and willingness to transfer to the District sufficient acceptable raw water necessary for such service, which water shall have been adjudicated and decreed for use for municipal purposes and deliverable to District diversion points necessary for the District to accept and treat such water, all at no cost to the District; and,
- B. Applicant's demonstrated ability and willingness to pay for the construction of the infrastructure necessary for the District to provide such requested water service (which infrastructure may include water treatment facilities and upgrades to the present distribution system), and the willingness to transfer and assign all such infrastructure to the District in perpetuity, and
- C. The agreement to abide by the District's By-Laws, Policies, Rules and Regulations as they now exist and as they may be amended in the future, the Board will consider and evaluate any such application.

Adopted this 8th day of November, 2017.