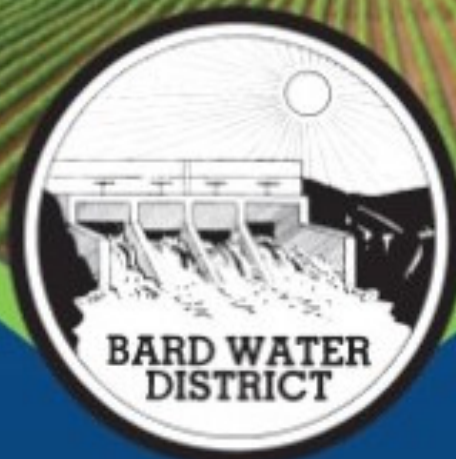
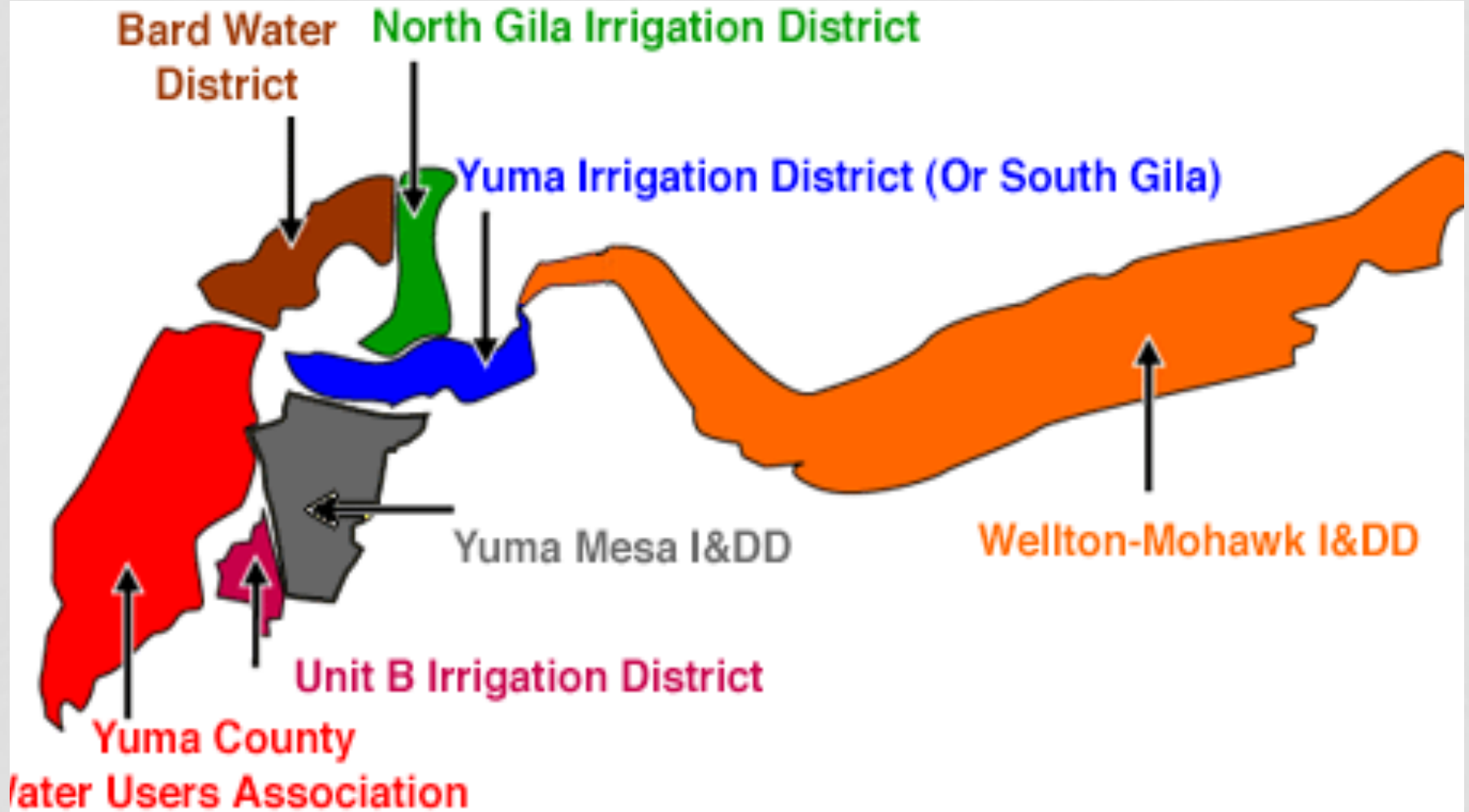


BARD WATER DISTRICT
PILOT FOLLOWING PROGRAM WITH
METROPOLITAN WATER DISTRICT

BARD WATER DISTRICT
(Est. 1927)



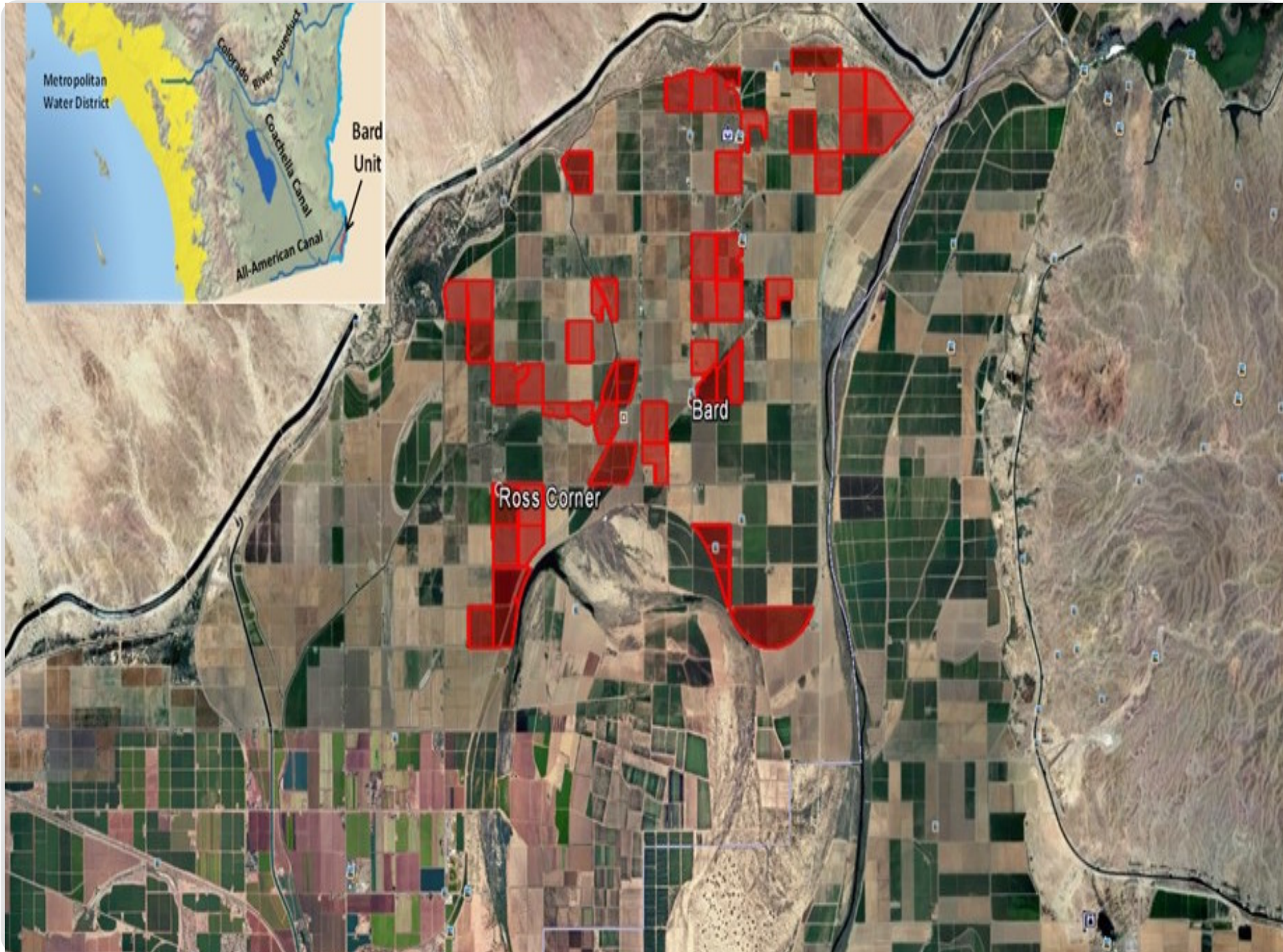
THE DISTRICT



PARTICIPATION & DISCLAIMER

- To keep water in the system, avoid lower level restrictions, increase water shortage, and be part of the solution – conservation.
- District – Help address District needs – replacement of aging infrastructure and system improvements.
- Landowner/Grower – Deal with market woes.

The District's participation in the Pilot Program, or any program in the future is based on an understanding that participation in no way effects the District's water allocation and/or priority. The District and its customers have simply been asked to, and understands the value of, conserving water and keeping it in the system.



PILOT PROGRAM

- Agreement between BWD and MWD and MWD and Grower/Landowner
- No Agreement can be made directly between MWD and the Grower/Landowner without BWD involvement.
- Pilot Program –
 - Seasonal – 4 Month Period in Summer
 - Participation limited to no more than 2,000 total acres.
 - Any parcel fallowed must be at least 10 contiguous acres.
 - Acreage must have been in production in the two years prior to the 1st year of the Pilot Program.
 - Consent required from Landowner if Grower participation.
- Environmental Study (required by CA law)
 - Participants must take appropriate action to mitigate dust and soil erosion during fallowing period.

PILOT PROGRAM

- Payment Per Acre
 - Total Price set per Acre
 - Participants agreed to give a portion of the Total Price per Acre to BWD
 - Payment to BWD and Payment to Participant per Acre
- Half Upfront, Half After Participation
 - If compliance with the Pilot Program.
- Other Considerations
 - Assessment payments to BWD to continue throughout program.
 - BWD compensated for out-of-pocket expenses.
 - Fallowed Acres not included in Consolidated Water Acreage
- Gates Locked for Fallowing Period



CHANGES BETWEEN 1ST AND 2ND YEAR

- Definition of “growing” and permitted activities made clearer.
 - No harvesting activities.
 - Cover crop permitted so long as no profit from same – no harvesting of cover crop.
 - Ground work permitted so long as no application of water.
- Options for Fallowing Period
 - March 15 to July 15 -OR-
 - April 15 to August 15
- Participation in 2016 and 2017

REALITIES & FUTURE PARTICIPATION

REALITIES –

- Pilot Program
- Differences of Opinion but Resolved
- Uncertainty of “Success”
 - Water saved will be calculated with the help of BOR
- Participation – Voluntary, Decided Each Year
- Excess Use Within the System
 - Excess Use Permitted
 - Pondering Issue in 1st Year

FUTURE PARTICIPATION –

- Program Availability/ Necessity
- Interest in Participation
- Actual Savings
- The Market
- Different Actors

Water conservation created by Program will be published in BOR’s annual reports for 2016 and 2017.

QUESTIONS?

Contact Us

Meghan C. Scott, Esq.

msscott@gksvlaw.com

928-276-4349

Ron Derma, General Manager

Bard Water District

bardwater@outlook.com

Metropolitan Water District

mwdh20.com