

**EXHIBIT C**

**RESOLUTION R-11-09: ADOPTION OF THE URBAN WATER MANAGEMENT PLAN**

**ANTELOPE VALLEY-EAST KERN WATER AGENCY**

**RESOLUTION NO. R-11-09  
TO ADOPT THE 2010 URBAN WATER MANAGEMENT PLAN**

The Board of Directors of the Antelope Valley-East Kern Water Agency ("AVEK") do hereby resolve as follows:

**I.  
RECITALS**

**WHEREAS**, the Antelope Valley-East Kern Water Agency was formed in 1959 by an act of the State Legislature. AVEK's powers, duties, authorities and other matters are set forth in its enabling act, which is codified at California Water Code, Uncodified Acts, Act 9095 (the "AVEK Enabling Act"); and

**WHEREAS**, AVEK's Jurisdictional boundaries cover portions of three counties, Los Angeles, Ventura County and Kern County, and is more particularly described in Appendix E in the 2010 Urban Water Management Plan ("AVEK's Jurisdictional Boundaries"); and

**WHEREAS**, AVEK was formed for the purpose of providing water received from the State Water Project ("SWP") as a supplemental source of water to retail water purveyors and other water interests within AVEK's Jurisdictional Boundaries on a wholesale basis; and

**WHEREAS**, in order to effectuate the above-referenced purpose, AVEK, among other things, entered into a contract with the Department of Water Resources ("DWR"), which operates the SWP, in order for AVEK to receive water from the SWP ("SWP Water"); and

**WHEREAS**, AVEK has entered into contracts with various retail purveyors and other water interests in AVEK's Jurisdictional Boundaries that govern AVEK's delivery of SWP Water to those purveyors and other water interests (the "AVEK's Water Supply Contracts"). Article 19 in those contracts provide that "substantial uniformity" in those contracts is "desirable" and that AVEK will "attempt to maintain such uniformity" between such contracts; and

**WHEREAS**, AVEK does not provide SWP Water directly to any person or entity for domestic or municipal purposes; and

**WHEREAS**, AVEK does not own or operate any facilities that can produce reclaimed water from any area in AVEK's Jurisdictional Boundaries, and neither does AVEK possess any contractual right or matured water right to produce such waters; and

**WHEREAS**, the Urban Water Management Planning Act, California Water Code Section 10610 *et seq.* ("UWMP Act"), mandates that every supplier providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre feet of water annually, prepare an Urban Water Management Plan; and

**WHEREAS**, the UWMP Act further provides that such plans shall be periodically reviewed and normally updated by the supplier once every five years no later than December 31<sup>st</sup> of each calendar year ending in zero and five; and

**WHEREAS**, State Law has extended the deadline for the 2010 UWMP to July 1, 2011; and

**WHEREAS**, AVEK has reviewed and updated its UWMP based on the impacts of the State Water Project reliability presented in the Department of Water Resources' 2009 State Water Project Reliability Report; and

**WHEREAS**, AVEK has circulated drafts of its proposed 2010 Urban Water Management Plan ("2010 UWMP") to the public for review and comment; and

**WHEREAS**, AVEK's Board of Directors ("AVEK Board") held a duly noticed public hearing on its proposed 2010 UWMP on June 20, 2011; and

**WHEREAS**, the AVEK Board received no written or verbal comment from the public or others concerning its proposed 2010 UWMP; and

**WHEREAS**, AVEK retained technical and legal consultants to provide expert assistance concerning its 2010 UWMP; and

**WHEREAS**, AVEK has adopted Ordinance No. O-07-2 that adopts a water shortage contingency plan.

**II.  
FINDINGS**

**THEREFORE**, AVEK finds as follows:

1. AVEK's 2010 UWMP complies with all applicable laws and regulations, including but not limited to the UWMP Act, the AVEK Enabling Act, and the Guidebook to Assist Urban Water Suppliers to Prepare a 2010 Urban Water Management Plan issued by the DWR and dated March 2011.
2. AVEK's 2010 UWMP is consistent with the intent and terms of the AVEK's Water Supply Agreements.
3. The AVEK Board's adoption of the 2010 UWMP is supported by substantial evidence, which evidence is contained in the administrative record received by the AVEK Board for this matter.
4. Each of the recitals contained in this Resolution is approved as a finding of fact.

**III.**

**ADOPTION OF 2010 UWMP**

**THEREFORE**, be it resolved and ordained by the AVEK Board as follows:

1. The 2010 UWMP is approved and adopted. The President of the AVEK Board authorized and directed to file the 2010 UWMP with the entities specified in the UWMP Act by the dates specified therein.

ADOPTED this 20<sup>th</sup> day of June, 2011, by the following vote:

**AYES:**

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**NOES:**

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**ABSENT:**


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**ABSTAIN:**

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ATTEST:

  
 \_\_\_\_\_  
 Agency Secretary

  
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 George M. Lane  
 President of the Board of Directors  
 Antelope Valley-East Kern Water Agency