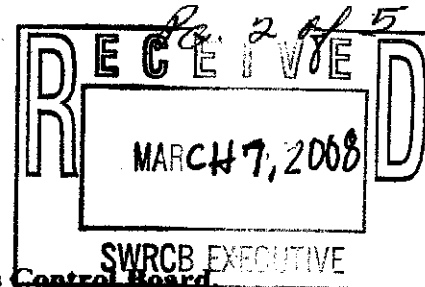


3/18/08 Bd. Mtg. Item 9  
 NSJWCD - Extension of Time  
 Deadline: 3/13/08 by 5 p.m.



These Comments are being sent to: **The State Water Resources Control Board, Sacramento, Calif.** From Kenneth & Marion Bond, who are residents in the North San Joaquin Water Conservation District? We are located northeast of the Mokelumne River in the area annexed into the District in 2005.

According to the Lodi News Sentinel accounting of your decision, which was published on Monday March 3<sup>rd</sup>, you ruled in favor of the District for three basic reasons:

- The District annexed 100,000 acres for additional irrigation & groundwater re-charge.

Answer: Water does not run up-hill, this annexation took in countless private wells providing residential water to family farms and residences that have no other source of water, particularly surface water, and most certainly will not have potable water piped to their property by this District. Are we to be taxed for the water from our private wells that we put in, maintain and pay electric bills to operate? While any water development by the District goes south to supply the large affluent commercial endeavors?

- North San Joaquin assessed \$1.00 per acre for groundwater re-charge, generating about \$45,000 annually.

Answer: This assessment has been collected since 1990. It appears on our property tax bill as Ground Water Investigation Zone 2. It was originally established for a 5-year period then re-established for another 5 years. The last notice of re-newal of the assessment was June 30, 2000 and was conducted by a ballot process which required the approval of property owners - - per Proposition 218 which was added to the State Constitution by California voters in 1996. The tabulation of votes was based on one vote for each one dollar of assessment, so again, small acreage owners votes were a voice in the wilderness. Incidentally the current assessment which was re-established is for 15 years with an annual increase of no more than 2%. The question remaining is has the District been accountable to the tax payers and have they shown due diligence in completing the projects to retain their Mokelumne River water rights? Again the family farm or residential property owners face defeat in being heard.

- \* The District voted in May to assess a ground-water charge on property owners who use wells. That would generate \$820,000 each year.

Answer: The notice received by residents in the targeted district began, Dear Well Owner: and was dated March 14, 2007 - - I am faxing a copy of the notice we received so you may evaluate the contents. The \$50.00 per acre surface water charge mentioned must have been collected from surface water users already being serviced by the District. It was not mentioned in the notice that the only way we could oppose the intended charge was by written protest. It was apparent the District intended to adopt the proposal at the April 30, 2007 public hearing - - obviously the residents in the district targeted were not prepared for the hasty action. The meeting was well

attended by property owners verbally protesting the action, finally the District agreed to give the property owners another week to turn in written protests, which was not time enough to acquire the amount needed to defeat the proposal. On May 14<sup>th</sup> the resolution setting ground-water charges for 2007-2008 were adopted by the District.

All was quiet on the western front until a news article appeared in the Lodi News Sentinel stating that the San Joaquin Water Conservation District had appealed to a Superior Court judge to validate the manner in which the District notified and adopted the ground-water charges. A court summons was received by approximately 6,000 property owners in the targeted district, which began with You Are Being Sued! According to the news article Mr. Ed Steffani said the purpose of the court filing is to avoid a situation where the water District is sued after spending money collected from the groundwater assessment.

The court case is being conducted as I write this, with the attorney's for the S.J. Water Conservation District and the Howard Jarvis Taxpayer's Association attorney's representing their members living in the district.

COMMENTS: In summation, the entire State of California is in need of a more substantial supply of water. The natural resources in our state are being used and abused daily. Every country on this earth has the capacity to provide food and water to a specified population, the possibility of expanding can be and is utilized to a certain extent and then it becomes over-extended if the population expands beyond the natural resources. If our people in power do not show the wisdom and far-sightedness to control the growth and building beyond our natural resources, then we may become an endangered species.

Now on a more personal note, as small family farm owners (3acres) who are well into our senior years, actually grow and raise most of the food we need, the surplus goes to our family and friends. I believe we have the right to the water from our individual residential well without being assessed. The area we live in was established in 1912 as a small farm tract and consists of two, five and ten acre parcels. The family farm has been a way of life for many years, even though in more recent years many have had to work elsewhere to support the life style. We are natural conservationists of natural resources because we rely heavily on them. It is important for individuals and countries to be self sustaining, it is the strength of our State and our Country.

Thank you for your consideration in reading these comments, please allow your Board Members to read our comments and we would welcome a reply if time permits.

Sincerely, from two native Californians,  
Kenneth E. & Marion Bond

No. 4 of 5

## DIRECTORS

John Ferreira  
Thomas Hoffman  
Joe Mehrten  
Matthys Van Gaalen  
Fred Weybret

# NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT

221 W. Pine St., Lodi, CA 95240

GENERAL MANAGER  
Edward M. Steffani

LEGAL COUNSEL  
Karna Harrigfeld

March 14, 2007

BOND, KENNETH E & MARION J TR  
25126 N JACKTONE RD  
ACAMPO CA 95220

Dear Well Owner,

The North San Joaquin Water Conservation District proposes a charge for pumping groundwater. This is necessary to fund groundwater recharge and irrigation supply projects and to prevent the State from taking our water rights.

As you well know, our groundwater basin is severely overdrafted. We pump approximately 200,000 acre-feet more than is naturally replaced every year in the eastern San Joaquin County basin. A house in the City uses about 0.5 acre-feet per year while an acre of orchard uses 2.8 acre-feet per year. Not only is it necessary that more surface water be recharged and used in place of groundwater, it is mandatory that we show the State that we are serious about correcting the overdraft. If we don't convince the State of our good intentions, we will lose our right to take surface water from the Mokelumne River and will have our well pumping restricted.

The proposed agriculture charge would be the same as that imposed by our neighbor, Stockton East Water District (SEWD). The proposed rural residential rate of \$21.40 would be less than SEWD's \$32.50. Charges would be as follows:

- \$ 4.28 per acre-foot for agriculture
- \$ 21.40 per acre-foot for non agriculture

The estimated charge for your property is based upon the above rate and assumes the following:

- Irrigated pasture and golf courses, 4.0 acre-feet annually (AFA) for a charge of \$17.12 per acre
- Orchard and row crop use of 2.8 (AFA) for a charge of \$11.98 per acre
- Vineyard use of 1.5 (AFA) for a charge of \$6.42 per acre
- Single family rural residential use of 1 (AFA) for a charge of \$21.40

All other uses will be estimated, with the understanding that the District will revise the charges to reflect any actual use measured by the property owner, with a water meter or with PG&E electric meter reading.

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The District has made these estimates using information provided by the County Assessor. Should you have any questions, please write the District Manager, P. O. Box 428, Clements, CA 95227.

Should these charges be imposed, the District would eliminate the current \$50 per acre surface water charge. This will encourage people to use more surface water and less groundwater.

Some of you already have access to surface water. Planned improvements would make it available to more people.

The District's Board of Directors will consider adopting these charges at a public hearing scheduled for 5:00 P. M., Monday, April 30, 2007 in Crete Hall, Hutchins Street Square, 125 South Hutchins Street, Lodi, California.

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