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GLENN-COLUSA IRRIGATION DISTRICT RESOLUTION NO. _____

A RESOLUTION APPROVING DISTRICT LATERAL CATEGORIES AND RELATED ACTIONS UNDER DISTRICT OPERATION AND MAINTENANCE POLICY

WHEREAS, on January 23, 2014, the Glenn-Colusa Irrigation District (District or GCID) adopted the Water Distribution System Operation and Maintenance Policy (O&M Policy), and on April 20, 2017, the District approved amendments to the O&M Policy;

WHEREAS, section 3.4 of the O&M Policy sets forth the procedures for the District to assume Operation and Maintenance (O&M) responsibility for a Private Lateral that serves multiple users, as those terms are defined in the O&M Policy;

WHEREAS, in order to efficiently implement the procedures for the District to assume O&M responsibility for Private Laterals, District staff reviewed all other laterals (including ditches and canals) that service multiple landowners to insure that the District would have a comprehensive approach to resolving questions as to ownership, operations, and maintenance now and into the future:

WHEREAS, the District has classified all canals, laterals, and ditches that service multiple landowners into six categories based upon their particular traits and characteristics, and these six categories of laterals have been identified and designated as follows:

- District Laterals
- Lateral Maintenance Agreements
- Intermittent District Laterals (Checkerboard)
- Private Laterals used by the District for Pass-Through Conveyance
- Private Laterals Serving Multiple Landowners with History of O&M
- Private Laterals Serving Multiple Landowners

WHEREAS, at the May 3, 2018, June 7, 2018, June 21, 2018 and February 21, 2019, District Board of Directors' meetings, District staff provided presentations regarding the six categories of laterals, and made recommendations regarding the procedures for implementing the O&M Policy as to each category; and

WHEREAS, the Board has fully considered staff's recommendations, and desires to proceed with the recommended categorization of lateral types and recommended procedures for implementing the O&M Policy as to each category.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District as follows:

1. The canals, laterals, and ditches that service multiple landowners within the District shall be identified and categorized under the following six categories (including approximate lengths), and staff shall implement the O&M Policy as to each category as set forth below:

- a. **District Laterals:** This category involves laterals in which GCID has undertaken historic O&M responsibility, and records delineate GCID responsibility for such laterals, as referenced in the Franklin Deed, Jacinto Irrigation District consolidation, Williams Irrigation District consolidation, etc. The particular laterals that are classified within this category are listed in Exhibit 1 attached hereto.

For this category, no change in performance is required, and the District will continue its normal O&M practices.

- b. **Lateral Maintenance Agreements:** This category involves laterals in which lateral maintenance petitions were previously submitted by landowners and approved by the GCID Board of Directors in approximately the mid-1920s with an execution of a lateral maintenance agreement (LMA). Such lateral maintenance agreements included terms and conditions as follows: the District will clean and maintain the specified lateral with District forces and equipment; petitioning landowners shall keep the banks free from obstructions; landowners shall grant ingress/egress to the District along the lateral and its banks; cleaning and repairing shall not further burden the District; petitioning landowners indemnify the District for its operation and maintenance activities; at the District's discretion, rotation schedules can be provided for use of water, and the District may assume temporary charge of operation for all or part of the lateral; and the District is the sole judge of the character and extent of work to be performed. The particular laterals that are classified within this category are listed in Exhibit 2 attached hereto.

For this category, staff will continue the O&M along these laterals provided the terms of the LMA is being honored by the landowners. The District will commence the process to secure new easements from landowners as time permits. The process to formalize the District's responsibility will come at no cost to landowners in those cases where landowners are fully complying with their obligations under the applicable Lateral Maintenance Petition agreements.

Where the LMA is not being honored by the landowners, the District will require the landowners bring the lateral up to the standards of the LMA at their cost, and will coordinate with the landowners on other infrastructure improvements and cost repayment alternatives.

- c. **Intermittent District Laterals (Checkerboard):** This category involves lateral systems with intermittent GCID rights-of-way and private landowner rights-of-way in which the District has an easement/right-of-way for a section, then no easement and the lateral is presumed private, and then another section with a District easement. Historically, GCID may have operated and conducted

maintenance along the entire extent of the lateral. Since 2014, GCID has decreased its O&M activities to minimal maintenance, and may continue to operate and control water conveyance on these systems. The particular laterals that are classified within this category are listed in Exhibit 3 attached hereto.

For this category, staff will continue gathering signatures to petition the Board, attempt to secure easement agreements only, and require no payment from landowners to formalize the District's responsibility.

- d. **Private Laterals used by the District for Pass-Through Conveyance:** This category involves laterals in which GCID possesses no records or documentation for any O&M of the lateral system. GCID, however, has historically performed varying degrees of O&M for the system. GCID passes water through these laterals to supplement irrigation flow to other GCID laterals for the purpose of augmenting irrigation service to other lands. The particular laterals that are classified within this category are listed in Exhibit 4 attached hereto.

For this category, staff will continue gathering signatures to petition the Board, attempt to secure easement agreements only, and require no payment from landowners to formalize the District's responsibility.

- e. **Private Laterals Serving Multiple Landowners with History of O&M:** This category involves laterals in which GCID possesses no formal record of O&M responsibility, but may have operated or performed some maintenance. Since 2014, the District has decreased its O&M activities to minimal maintenance, and may continue to operate and control water conveyance on these laterals. The particular laterals that are classified within this category are listed in Exhibit 5 attached hereto.

For this category, staff will adhere to the process set forth in the District's O&M Policy and continue gathering signatures to petition the Board. Upon Board approval of a petition, District staff will prepare a cost allocation estimate to landowners served by the lateral [in the amount of \$20 per acre, which will expire on December 31, 2020]. Landowners will need to convey easement agreements and pay the infrastructure standardization cost. Upon final resolution by the Board, District staff will record easements and use the funds contributed by landowners and the District's funds to perform operations, maintenance, replacement, etc. on these facilities based on the normal O&M evaluations and practices of the District.

- f. **Private Laterals Serving Multiple Landowners:** This category involves laterals in which GCID possesses no record or documentation for any operation and maintenance (O&M) of the lateral system, GCID has conducted no O&M work on the laterals, irrigation orders are conveyed by GCID personnel at the lateral headgate, and the landowners retain all responsibility for O&M. The particular laterals that are classified within this category are listed in Exhibit 6 attached hereto.

For this category, staff will adhere to the O&M Policy process in place and allow landowners to elect to petition the GCID Board of Directors for District assumption of O&M responsibility. The District will not actively seek ownership, easements, or maintenance for these historically private systems. If a petition is submitted and approved by the District, then District staff will prepare infrastructure standardization cost estimates associated with each lateral, and seek unanimous action by landowners to sign easement agreements and pay for infrastructure standardization. Upon final resolution by the Board, District staff will record easements and use the funds contributed by landowners and the District's funds to perform operations, maintenance, replacement, etc. on these facilities based on the normal O&M evaluations and practices of the District .

2. The foregoing categorization of laterals and respective procedures for implementing the District's O&M Policy shall be subject to change if additional information is provided to the Board that supports and warrants a change. In addition, a particular lateral (or portion thereof) that has been classified in accordance with the above categories may be reclassified to a different category where information is subsequently provided that supports reclassification. A formal petition is not required in order to process such a reclassification.
3. The District Board of Directors will, as necessary, individually consider further recommended actions to be taken for particular laterals, including but not limited to approval of landowner petitions, easement agreements, rights-of-way and grant deeds, the costs of facilities and improvements needed to bring the laterals up to district standards, and related promissory notes.

Exhibit 1: District Laterals

Laterals	Lateral Length (Miles)	Laterals	Lateral Length (Miles)
10-1	0.31	64-1	17.70

10-2	1.74	64-2	6.83
10-3	1.87	DF-1	0.80
11-4	2.90	ESC	16.38
12-3	6.79	Hunter Creek	13.19
12-4	6.50	Logan Creek	0.60
13-1	0.89	Lurline Creek	0.35
13-2	2.52	LW-1	1.09
13-3	10.06	SC 1a	2.08
14-1	0.47	SC 1a-1	1.13
15-1	5.33	SC-1	2.03
15-2	0.61	SC-3	0.18
16-1	2.79	SC-3	0.54
16-4	19.41	Western Canal	7.10
17-1	4.29	Williams Cross-Tie	0.65
21-2	11.88	Zumwalt Ditch	0.48
22-1	3.75	<i>Total</i>	185.26
31-1	1.77		
32-1	1.09		
32-2	1.44		
33-2	0.89		
34-1a	1.42		
34-2	0.30		
36-2	1.65		
36-3	0.94		
37-1	1.41		
37-2	0.84		
38-1	1.13		
38-2	0.59		
39-3	0.47		
49-1	1.55		
49-2	2.26		
50-1	2.37		
56-1	9.39		
58-1	1.63		
58-2	0.29		
58-2a	0.16		
59-0	0.44		

Exhibit 2: Lateral Maintenance Agreements

Laterals	Lateral Length (Miles)
19-1	11.48

19-2	0.26
21-1	7.87
21-2a	0.16
21-2c	2.34
21-4	4.94
25-1	10.77
26-2c	1.21
35-1	10.84
35-2	1.22
36-1	0.4
40-1	0.72
41-1	20.31
41-2	9.55
42-1	3.09
43-1	13.99
45-1	9.67
45-2	5.79
47-1	4.04
48-1	13.11
51-1	9.87
59-1	6.41
Willow Creek	7.04
<i>Total</i>	155.08

Exhibit 3: Intermittent District Laterals (Checkerboard)

Laterals	Lateral Length (Miles)
22-1	1.11

26-2	2.62
31-1	0.26
41-2c	1.91
48-1	1.50
HC-1	1.26
HC-2	1.44
SC-1	0.80
<i>Total</i>	10.90

Exhibit 4: Private Laterals used by the District for Pass-Through Conveyance

Laterals	Lateral Length (Miles)
21-1c	0.74
30-1	0.91
36-2	0.54
Willow Creek 3	0.18
54-1	2.13
<i>Total</i>	2.37

Exhibit 5: Private Laterals Serving Multiple Landowners with History of O&M

Laterals	Lateral Length (Miles)
25-1a	1.49
25-1b	1.58
26-2b	1.59

38-1	0.25
43-1i	0.13
43-1i-1	0.65
45-1b-1b	0.78
45-1g	0.67
51-1a	0.36
51-1b	1.86
56-1a-1	0.60
ESC-3	0.89
ESC-4	0.75
Hunter Creek 1b	0.47
Willow Creek 2a	0.54
<i>Total</i>	12.61

Exhibit 6: Private Laterals Serving Multiple Landowners

Laterals	Lateral Length (Miles)	Laterals	Lateral Length (Miles)
12-4-3R	0.44	ESC-3-09L	0.72
12-4-3R	1.36	ESC-4-01R	0.33
19-1g-11R	0.26	HC-04L / LC-02R	0.94
21-2	1.05	MC-192L	1.20
21-2h	0.43	MC-192L-1	1.05

21-2i	0.52	MC-58L	0.21
21-2j	0.25	MC-74L	0.57
25-1	1.42	SC-1	0.70
25-1a-1	0.39	WC-3-12L	0.88
32-1a	0.78	WC-3a	0.28
41-1k-1	0.61	<i>Total</i>	26.83
43-1	0.44		
43-1a-1	0.62		
43-1b-1-02L	0.22		
43-1h	0.24		
45-1a	0.23		
45-1b-1-12R	0.47		
45-1b-1a	0.22		
45-1b-2	0.72		
45-1d	0.15		
45-1d-1	0.61		
45-1h	0.24		
45-2d	0.25		
48-1b	0.14		
48-1c	1.02		
49-2	0.83		
49-2a-3L	1.40		
50-1	0.13		
51-1-19L	1.07		
51-1c-1	0.28		
55-1	0.52		
56-1c-2	0.21		
58-1b	0.19		
58-3	0.04		
E-1	0.32		
EA-1	0.93		
ESC-2	0.95		