

Regular Meeting of the Board of Directors

9751 Merced Falls Road
October 15, 2018 at 1:00 p.m.

Mission Statement: *The Lake Don Pedro CSD is dedicated to providing our customers with ample quantities of high quality water meeting all standards, in a fiscally responsible manner.*

AGENDA

1. **CALL TO ORDER:** Presiding Officer: Establish Quorum, Pledge of Allegiance:
2. **PUBLIC COMMENT:**
Any person may address the Board at this time on any matter within the jurisdiction of the Board that is NOT ON THE AGENDA. A maximum of three minutes is allowed each person and a maximum of 20 minutes per topic. Any person wishing to address the Board on an item ON THE AGENDA will be given the opportunity at that time. Speakers are encouraged to consult District Management or Directors prior to agenda preparation regarding any District matters, as no action will be taken on non-agenda issues.
3. **PRESENTATION ONLY:**
 - a. Presiding Officer's Report
 - b. General Manager's Report: Peter J. Kampa
 - c. Chief Plant Operator's Report: R. Gilgo
4. **APPROVAL OF CONSENT AGENDA:** The following items may all be approved in one motion or considered separately as determined appropriate by the President
 - a. Read and file the September 2018 Treasurer's Report including summary of claims paid
 - b. Approval of the Minutes of the Regular Meeting of September 16, 2018
5. **DISCUSSION AND ACTION ITEMS**
 - a. Adoption of a Resolution Accepting Dedication of the water system improvements to serve the Dollar General store Located on Las Palmas Way at Hwy 132 - CD DG La Grange, LLC
 - b. Review and direction regarding the existing agreement with Lake Don Pedro Owners Association for the use and maintenance of Gregoris Pond.
 - c. Adoption of a Resolution declaring certain District property as surplus and directing their sale by public bid
 - d. Review and direction regarding the District Standby (Availability) charge and direction regarding the applicability of the charge to all vacant parcels within the district
 - e. Report on the status of completion of the State Water Resources Control Board's evaluation of the Merced Irrigation District's Place of Use boundary for Water Rights License 11395.
6. **ADJOURNMENT:**

Meeting agendas and written materials supporting agenda items, if produced, can be received by the public for free in advance of the meeting by any of the following options:

- A paper copy viewed at the District office, 9751 Merced Falls Rd., La Grange, CA 95329 during business hours or mailed pursuant to a written request and payment of associated mailing fees
- An electronic copy received by email. Note - a form requesting email delivery of agendas and/or meeting materials must be completed a minimum of one week in advance of the meeting
- Viewed on the Board page of the District's website
- A limited number of copies of agenda materials will also be available at the meeting

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LAKE DON PEDRO COMMUNITY SERVICES DISTRICT
Water Audit

Water Distribution System:																			
	Date (m/d/y)	Plant Eff Meter Reading (ccf)	(A) Plant Eff Meter Corrected (ccf)	Central Tank Level (feet)	(B) Central Tank Volume (cu. ft.)	Enebro Tank Level (feet)	(C) Enebro Tank Volume (cu. ft.)	Alamo Tank Level (feet)	(D) Alamo Tank Volume (cu. ft.)	Coronado Tank Level (feet)	(E) Coronado Tank Volume (cu. ft.)	Lazo Tank Level (feet)	(F) Lazo Tank Volume (cu. ft.)	Aroblada Tank Level (feet)	(G) Arbolada Tank Volume (cu. ft.)	Sturtevant Tank Level (feet)	(H) Sturtevant Tank Volume (cu. ft.)	Customer Meters Total Readings (ccf)	(I) Customer Meters Corrected (ccf)
Current	08/30/18	367,917	367,917	21.60	183,489	34.40	29,422.27	10.20	39,254.20	10.70	23,606.16	10.00	5,725.55	15.30	33,754.61	21.00	46,329.85	22,728	22,728
Last:	07/27/18	338,014	338,014	24	204,726	37	31,303.93	9	33,666.37	23	51,404.07	17	9,733.44	22	48,315.42	18	40,593.78	17,963	17,963
Difference:			29,903	-2.50	-21,237.17	-2.20	-1,881.66	1.40	5,587.83	-12.60	-27,797.91	-7.00	-4,007.89	-6.60	-14,560.81	2.60	5,736.08		4,765
Other metered and unmetered uses (J):																			
Item	**Method Measured		Quantity (ccf)																
Fire fighting																			
Other hydrant usage																			
Main flushing																			
Bulk water sales																			
Repaired leaks	2	10 GPM x 3 days	116		Pumped from Lake	Pumped from Wells	Total Pumped	Change in RW Storage	Used at Plant	Loss in RW Transmission									
Water quality testing					69.17	1.17	70.34	-0.57	69.51	1.40									
Tank drainage or overflow																			
Other: Main Breaks																			
18 Leaking Service Lines Replaced	est 5 GPM each		5197.86																
Other:																			
Other:																			
Total (ccf): (G)			5313																
Totals for Zone:																			
Flows into System (A):			29,903.00	(ccf)															
Change in Storage (B+C+D+E+F+G+H)			-583.62	(ccf)															
Flows Out of Zone (I+J):			28,041	(ccf)															
Real and Apparent Treated Water Loss			2,445 CCF =	5.61 AC-FT	for period:		07/27/18 through	08/30/18	System Loss, %		8%								

LAKE DON PEDRO COMMUNITY SERVICES DISTRICT
Water Audit

Water Distribution System:																			
	Date (m/d/y)	Plant Eff Meter Reading (ccf)	(A) Plant Eff Meter Corrected (ccf)	Central Tank Level (feet)	(B) Central Tank Volume (cu. ft.)	Enebro Tank Level (feet)	(C) Enebro Tank Volume (cu. ft.)	Alamo Tank Level (feet)	(D) Alamo Tank Volume (cu. ft.)	Coronado Tank Level (feet)	(E) Coronado Tank Volume (cu. ft.)	Lazo Tank Level (feet)	(F) Lazo Tank Volume (cu. ft.)	Aroblada Tank Level (feet)	(G) Arbolada Tank Volume (cu. ft.)	Sturtevant Tank Level (feet)	(H) Sturtevant Tank Volume (cu. ft.)	Customer Meters Total Readings (ccf)	(I) Customer Meters Corrected (ccf)
Current	09/27/18	390,917	390,917	21.90	186,038	31.80	27,198.50	9.50	36,560.28	25.00	55,154.59	13.00	7,443.22	18.10	39,931.92	22.10	48,756.65	16,894	16,894
Last:	08/30/18	367,917	367,917	21.6	183,489	34.4	29,422.27	10.2	39,254.20	10.7	23,606.16	10	5,725.55	15.3	33,754.61	21	46,329.85	22,728	22,728
Difference:			23,000	0.30	2,548.46	-2.60	-2,223.78	-0.70	-2,693.92	14.30	31,548.42	3.00	1,717.67	2.80	6,177.31	1.10	2,426.80		-5,834
Other metered and unmetered uses (J):																			
Item	**Method Measured		Quantity (ccf)																
Fire fighting																			
Other hydrant usage																			
Main flushing																			
Bulk water sales					Pumped from Lake	Pumped from Wells	Total Pumped	Change in RW Storage	Used at Plant	Loss in Transmission									
Repaired leaks					47.55	7.10	54.65	0.66	53.79	0.20									
Water quality testing																			
Tank drainage or overflow																			
Other: Main Breaks																			
Other:																			
Other:																			
Total (ccf): (G)			0																
Totals for Zone:																			
Flows into System (A):			23,000.00 (ccf)																
Change in Storage (B+C+D+E+F+G+H)			395.01 (ccf)																
Flows Out of Zone (I+J):			16,894 (ccf)																
Real and Apparent Treated Water Loss			5,711 CCF =		13.11 AC-FT		for period:		08/30/18 through		09/27/18		System Loss, %		25%				

From: [Barbara Brenner](#)
To: [Peter Kampa](#)
Subject: Client Alert: Governor Brown Signs Water Rights Fairness Bill (AB 747)
Date: Thursday, September 27, 2018 9:53:14 AM

[Churchwell White - Client Alert](#)



Water Rights

September 27, 2018



Client Alert:
Governor Brown Signs Water Rights Fairness Bill (AB 747)

On September 22, 2018, Governor Brown announced that he signed into law Assembly Bill (“AB”) 747. The law establishes an Administrative Hearings Office within the State Water Resources Control Board (the “Board”). The new office will provide an impartial review process for matters currently brought, heard, and decided by the Board. AB 747 is the California Legislature’s second attempt at establishing a new water rights hearings process. A similar bill was vetoed by Governor Brown in 2017.

Current Approach to the Adjudication of Water Rights

All water within the state is the property of the people of California and existing law provides the state with the authority to protect its water resources. The Board is tasked with setting statewide water policy by balancing uses, regulating pollutants and activities, and supporting the Regional Water Quality

Control Boards activities. The Board's Executive Director may issue complaints to people who violate certain water regulations, subjecting them to civil liability. The Board may also order actors to cease and desist from behavior that violates, or threatens to violate, the state's water laws and regulations.

Actions brought against alleged violators are prosecuted and adjudicated by the Board. Water users can seek review of the Board's decisions in state court. However, state court judges follow a doctrine of granting deference to agency decisions, making those decisions extremely difficult to overcome. As a result, defendants often feel compelled to settle with the agency, rather than to assert a defense.

The Board's adjudicative procedure is in contrast to other administrative actions by state agencies. Most agencies delegate adjudicative review to the state's Office of Administrative Hearings, where an unbiased third-party judge hears and decides the matter. In the interest of fairness to water users, the Legislature sought to implement a similar administrative hearing process within the Board.

New Adjudicative Procedures

Beginning on July 1, 2019, a new Administrative Hearings Office (the "Office"), housed within the Board, will act as independent hearing officer in water rights adjudicative proceedings for a specific subset of orders the Water Board may issue. The Office will be staffed by attorneys who are experts in water law and who have qualifications equivalent to those of administrative law judges. AB 747, thus provides an impartial review process for water users charged with violating state law.

Specifically, AB 747 requires the Office to hear: (1) complaints that would impose civil liability for the diversion and use of water under Water Code section 1055, related to the unauthorized taking of water; (2) proposed cease and desist

orders for violating, or threatening to violate, requirements for the use of water under a permit, license, certificate, registration or order; and (3) revocations of permits or licenses to appropriate water. The Legislature especially intends the Office to hear water-related cannabis enforcement matters. Hearings must observe state law regarding administrative adjudication.

We will continue to keep you updated on the state's actions regarding water regulation. If you have any questions regarding the new procedures, please contact Barbara A. Brenner at barbara@churchwellwhite.com, Kerry Fuller at kerry@churchwellwhite.com, or Churchwell White LLP at (916) 468-0950.

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LAKE DON PEDRO COMMUNITY SERVICES DISTRICT

OPERATIONS MANAGER REPORT

Board of Directors Meeting
Monday, October 15th 2018

Treatment Operations – The plant has continued to operate well with no problems to report at this time.

Plant Maintenance – Maintenance included daily cleaning and calibrating of all our process analysis equipment, chemical injection pump maintenance and filter pump/motor maintenance.

I have spent a lot of time talking with the engineers and looking over plans to begin the treatment plant effluent meter upgrade project along with finalizing the plant blow off piping and installation of a new water tight vault around the main effluent meter that will be replaced with a new digital meter to better measure plant production and have other useful capabilities once tied into our S.C.A.D.A. system.

Water Distribution System - In the distribution system, staff performed site inspections for all facilities and conducted manual reading of all remote tank/pump site meters and gauges.

In available time, Jose is still working with the office and continuing to replace/reprogram meters and transmitters that have been reading incorrectly and manually reading meters from the list generated by the office staff that have had zero readings for extended periods of time.

The inspection of the Dollar General water main upgrade has been completed and after all the necessary documentation and fees have been received Dollar General will be dedicating the water main running the length Las Palmas will be dedicated back to the district.

Pete and I have had discussions regarding the integrity of the districts water mains following the flooding of last year. That we know of, there are three areas with certain potential for failure that have not yet been addressed by the county road depts. Panchito is of high concern as at this moment there is nothing holding the road in place but the water main as flood waters eroded around the culvert and under the road leaving it suspended and unsupported. Jardincito Ct. does not appear to be as bad but both of these areas will still need our attention at any time of repairs to the roadway or culvert as our mains run in between the two. The third area of concern is Laredo Dr. where one of the two significant breaks and repairs occurred. It has been brought to my attention that the county still has not done any repairs to this area but motorists have started going around the road closures and are driving on top of our backfilled area that contains our water main. This is obviously the area of most concern as this particular main could leave hundreds without water again if failure were to reoccur. In addition to motorists neglecting road closures, winter weather is soon approaching and I am almost certain that if repairs aren't made to the culverts and roadways in these areas before ground saturation and seasonal runoff begins, we can almost guarantee main breaks in these three areas.

As well as the treatment plant project, I have also spent time with the engineers going over and approving plans and specific details with the service line replacement project.

Intake – The leak that was reported in the raw water main running down Barret Entrance Rd. is still awaiting scheduling with PG&E to assist due to the fact that a power pole is in too close of proximity to the water main to excavate the area without having the pole supported and or relocated.

Construction has been underway on the districts floating barge and seems to be making decent progress. After talking with the Jason from F&S houseboats, he says he is hopeful to have the barge completed in 90 days or less.

Education – I had spent a few days a week for almost two weeks taking classes in order to renew my certifications and Jose is currently taking a class to prepare him for his upcoming T2 exam.

Customer Service - In customer service, staffs remaining available time was spent responding to customer service requests and work orders that included meter lock offs and unlocks, meter read requests, meter install or removals, leak identification and underground service alerts.

Randy Gilgo
Water Operations Manager/Chief Operator
Lake Don Pedro C.S.D.

LAKE DON PEDRO COMMUNITY SERVICES DISTRICT

Treasurer's Report

Reporting Period: September 2018

The district ended the month of September 2018 with the following balances in our accounts:

* All bank accounts verified against bank statements

Restricted:		
Investment - LAIF	\$	166,455
Total Restricted:		<u>\$ 166,455</u>
Unrestricted:		
Checking	\$	93,802
Money Market - Working Capital	\$	724,975
Petty Cash	\$	<u>125</u>
Total Unrestricted:		<u>\$ 818,902</u>
Total Restricted & Unrestricted:		<u>\$ 985,357</u>

The district ended September 2018 with the following amounts affecting our financial status:

	Sep-2018	Year to Date
Sales & Business Revenue:	\$ 128,980	\$ 406,300
Total Operating Expenses:	\$ (95,381)	\$ (278,222)
Non-Operating Income/Expense:	\$ (19,092)	\$ (50,042)
Water Drought Income/Expense:	\$ (29,642)	\$ 119,222
Change in Net Assets (P&L):	\$ (15,135)	\$ 197,258
Net Cash Flow:	\$ (84,172)	\$ 21,309

Accounts Receivable:

Billing Time Frame	Utility Billing	Availability Billing	A/R Other	A/R Accrue	A/R Water IRWMP	A/R Water USDA
Current	\$ 37,954	\$ -	\$ -	\$ 113,463	\$ -	\$ -
> 30 Days	\$ 694	\$ -	\$ 96	\$ -	\$ -	\$ 86,520
> 60 Days	\$ 17,837	\$ 186,360	\$ 14	\$ -	\$ -	\$ -
> 90 Days	\$ 174	\$ -	\$ -	\$ -	\$ -	\$ -
> 120 Days	\$ 6,991	\$ -	\$ 5,329	\$ -	\$ -	\$ -
Credits	\$ (15,014)					
Total	\$ 48,636	\$ 186,360	\$ 5,439	\$ 113,463	\$ -	\$ 86,520
Total Combined	\$ 348,459		\$ 5,439			\$ 86,520
G/L Balance	\$ 348,459		\$ 5,439			\$ 86,520
Difference	\$ -		\$ -			\$ -

* Amount of availability payments received: \$0

* Amount of availability payments outstanding: \$186,360

Accounts Payables:

Payable Time Frame	A/P Trade	A/P Accruals	A/P Water Accrual
Current	\$ 51,301	\$ -	\$ 7,362
> 30 Days	\$ -	\$ -	\$ 10,582
> 60 Days	\$ -	\$ -	\$ 9,223
> 90 Days	\$ -	\$ -	\$ -
Credits	\$ -	\$ -	\$ -
Total	\$ 51,301	\$ -	\$ 27,167
G/L Balance	\$ 51,301	\$ -	\$ 27,167
Difference	\$0	\$0	\$0

*AP Trade balance of \$51,301 includes the following invoices:

- Njirich & Son's invoices for \$29,641.72

“ I certify that the District investments have been made in accordance with the Investment Policy. I further certify that the District has adequate revenue to cover its operating expenses for the next six months, in accordance with California Government Code Sections 53646 (b) (2) and (3) respectively”.

Name	Title	Date
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Statement of Revenues and Expenses (P&L)
September 2018 & Year-To-Date Versus 6/30/19 Approved Final Budget

	Sep-18	September vs Budget %	2018-2019 YTD	YTD vs Budget %	2018-2019 Approved Final Budget	Remaining Budget
Revenue						
01-0-3010-301	Meter Reconnection Fee	-	#DIV/0!	200	#DIV/0!	- (200)
01-0-3010-302	Donated Capital - Meters Curre	-	0.00%	10,000	66.67%	15,000 5,000
01-0-4010-400	Water Sales Residential	33,263	10.53%	114,593	36.27%	315,917 201,324
01-0-4010-402	Water Availability Revenue	15,530	8.31%	46,376	24.80%	186,971 140,595
01-0-4010-403	Water Service Charges	79,726	8.38%	239,056	25.13%	951,430 712,374
01-0-4020-410	Interest Income - LAIF	-	0.00%	786	33.85%	2,322 1,536
01-0-4020-413	Int Inc Penalties - Customer	2,157	7.48%	6,744	23.38%	28,847 22,103
01-0-4020-414	Transfer Fee Income	150	1.95%	1,600	20.83%	7,680 6,080
01-0-4020-415	Other Income	1,771	31.99%	2,811	50.78%	5,536 2,725
01-0-4020-416	Meter Set Fee	-	0.00%	1,500	83.33%	1,800 300
01-0-4020-417	Interest Income Guaranty Fed	-	#DIV/0!	-	#DIV/0!	- -
01-0-4020-901	Hydrant Rental	166	86.46%	553	288.02%	192 (361)
01-0-4020-902	Hydrant Consumption	145	302.25%	668	1391.54%	48 (620)
01-0-4020-999	Avail Fee Income	-	0.00%	1,755	109.21%	1,607 (148)
01-0-4040-100	Lease Fee	2,700	6.25%	8,100	18.75%	43,200 35,100
01-0-4050-575	Office Fire Reimbursement	-	0.00%	-	0.00%	32,000 32,000
TBD	Connection/Capacity Fees	-	-	-	-	-
TBD	Transfer From Reserve	-	-	-	-	-
TOTAL REVENUE	135,608	8.52%	434,741	27.30%	1,592,550	1,157,809
Expenses						
01-1-5010-100	Regular Pay - Plant	6,536	4.19%	21,763	13.94%	156,093 134,330
01-1-5010-101	Overtime Pay	1,309	7.42%	4,625	26.23%	17,634 13,009
01-1-5010-102	Sick Pay	329	5.94%	995	17.96%	5,543 4,548
01-1-5010-104	Vacation Pay	516	6.88%	1,662	22.16%	7,498 5,836
01-1-5010-105	Holiday Pay	372	5.66%	372	5.66%	6,568 6,196
01-1-5010-200	PERS	727	7.52%	2,179	22.54%	9,665 7,486
01-1-5010-201	FICA/Medicare	757	5.67%	2,344	17.53%	13,367 11,023
01-1-5010-202	SUI	-	0.00%	-	0.00%	1,810 1,810
01-1-5010-203	Health Insurance	3,699	6.77%	11,098	20.31%	54,646 43,548
01-1-5010-204	Workers Compensation	571	9.43%	1,713	28.29%	6,054 4,341
01-1-5010-206	Dental Insurance	240	7.01%	721	21.04%	3,428 2,707
01-1-5010-207	Vision Care	-	#DIV/0!	-	#DIV/0!	- -
01-1-5010-546	Travel, Meetings & Mileage	-	0.00%	-	0.00%	3,000 3,000
01-1-5020-501	Lease Of Equipment	-	0.00%	-	0.00%	643 643
01-1-5020-510	Repair & Maintenance - Plant	-	0.00%	10	0.05%	18,000 17,990
01-1-5020-511	Repair & Maintenance - Vehicle	4,526	38.89%	5,252	45.14%	11,637 6,385
01-1-5020-512	Repair & Maintenance - Distribution	16,007	27.15%	26,690	45.28%	58,950 32,260
01-1-5020-515	R&M Transmission - Intake	-	0.00%	-	0.00%	10,000 10,000
01-1-5020-520	Small Tools & Equipment	60	2.04%	455	15.56%	2,923 2,468
01-1-5020-522	Gas, Oil & Lubricant - Plant	1,202	10.05%	3,810	31.86%	11,956 8,146
01-1-5020-524	Health & Safety	-	0.00%	1,143	19.06%	6,000 4,857
01-1-5020-529	Telephone - T & D	559	7.21%	1,674	21.59%	7,751 6,077
01-1-5020-544	Water Testing Fees	-	0.00%	2,370	12.47%	18,999 16,629
01-1-5020-545	Water System Fees	176	1.69%	176	1.69%	10,437 10,261
01-1-5020-548	Water Testing Materials	612	16.05%	612	16.05%	3,811 3,199
01-1-5021-521	Water Treatment Chemicals	712	1.78%	8,692	21.73%	40,000 31,308
01-1-5021-524	P G & E Power - Office	231	8.96%	866	33.56%	2,581 1,715
01-1-5021-525	P G & E Power - Intake	8,448	12.99%	24,435	37.56%	65,049 40,614
01-1-5021-526	P G & E Power - Well	22	0.75%	68	2.28%	3,000 2,932
01-1-5021-527	P G & E Power - Water Treatment	2,981	9.01%	10,119	30.58%	33,088 22,969
01-1-5021-528	P G & E Power - Distribution	3,603	11.31%	12,979	40.73%	31,868 18,889
01-1-5021-529	P G & E Power - Well 2	30	1.01%	1,794	59.79%	3,000 1,206
01-1-5021-530	P G & E Power - Medina	178	5.92%	757	25.23%	3,000 2,243
01-1-5021-532	P G & E Power - Well 5/6	178	5.92%	757	25.23%	3,000 2,243
01-1-5021-561	Purchased Water Actual-mid-p	7,362	9.62%	27,167	35.49%	76,546 49,379
01-1-5023-533	Outside Services	253	0.90%	758	2.69%	28,203 27,445
01-1-5023-535	Fire Protection/Weed Control	-	#DIV/0!	-	#DIV/0!	- -
01-1-5023-537	Pest Control	32	0.55%	64	1.10%	5,836 5,772
01-1-5023-538	Engineering Services	-	0.00%	963	9.63%	10,000 9,038
01-1-5023-539	Employee Education	-	0.00%	166	4.14%	4,000 3,834

	Sep-18	September vs Budget %	2018-2019 YTD	YTD vs Budget %	2018-2019 Approved Final Budget	Remaining Budget
01-1-5024-540	-	0.00%	150	17.40%	862	712
01-1-5024-542	-	0.00%	628	101.66%	618	(10)
01-1-5024-543	-	0.00%	105	13.13%	800	695
01-1-5032-583	20,054	10.03%	61,499	30.75%	199,967	138,468
01-2-6010-100	7,270	8.35%	21,252	24.41%	87,058	65,806
01-2-6010-101	91	3.67%	603	24.47%	2,466	1,863
01-2-6010-102	304	5.10%	3,315	55.54%	5,969	2,654
01-2-6010-104	490	6.90%	2,540	35.78%	7,099	4,559
01-2-6010-105	322	7.22%	322	7.22%	4,459	4,137
01-2-6010-200	1,109	17.15%	2,182	33.76%	6,464	4,282
01-2-6010-201	625	7.45%	1,897	22.63%	8,382	6,485
01-2-6010-202	-	0.00%	-	0.00%	1,580	1,580
01-2-6010-203	1,936	8.11%	5,808	24.33%	23,873	18,065
01-2-6010-204	56	9.35%	169	28.05%	604	435
01-2-6010-206	159	8.83%	478	26.49%	1,804	1,326
01-2-6010-207	-	0.00%	-	0.00%	252	252
01-2-6010-546	-	0.00%	39	3.24%	1,200	1,161
01-2-6020-512	66	9.65%	66	9.65%	684	618
01-2-6020-515	173	10.35%	173	10.35%	1,667	1,494
01-2-6020-529	301	7.91%	907	23.84%	3,802	2,895
01-2-6020-530	267	11.12%	916	38.06%	2,406	1,490
01-2-6020-531	948	10.49%	2,675	29.59%	9,042	6,367
01-2-6023-531	3,813	8.55%	7,680	17.23%	44,572	36,892
01-2-6023-533	8,738	6.42%	30,343	22.31%	136,017	105,674
01-2-6023-534	-	#DIV/0!	-	#DIV/0!	-	-
01-2-6023-535	140	9.26%	420	27.78%	1,512	1,092
01-2-6023-536	1,860	18.09%	1,860	18.09%	10,283	8,423
01-2-6023-537	-	0.00%	-	0.00%	12,350	12,350
01-2-6023-539	-	0.00%	-	0.00%	1,500	1,500
01-2-6024-540	35	0.54%	105	1.62%	6,495	6,390
01-2-6024-542	-	0.00%	630	20.07%	3,137	2,507
01-2-6024-547	-	0.00%	-	0.00%	101	101
01-2-6024-999	-	0.00%	1,788	87.84%	2,035	248
01-3-6025-100	900	16.23%	1,400	25.25%	5,544	4,144
01-3-6025-201	69	16.24%	107	25.26%	424	317
01-3-6025-546	-	0.00%	-	0.00%	2,000	2,000
01-9-6030-546	-	0.00%	-	0.00%	95	95
01-9-6030-569	574	9.29%	1,697	27.49%	6,172	4,475
01-9-6030-572	2,907	6.87%	8,721	20.62%	42,289	33,568
01-9-6030-576	21	1.05%	58	2.89%	2,000	1,942
01-9-6030-577	2,252	8.14%	6,755	24.42%	27,655	20,900
01-9-6030-580	-	0.00%	-	0.00%	148,142	148,142
01-9-6031-580	3,375	7.55%	10,119	22.64%	44,692	34,573
01-9-6032-583	17	7.84%	53	24.07%	219	166
01-9-6035-575	-	#DIV/0!	-	#DIV/0!	-	-
TOTAL EXPENSES	121,100	7.46%	356,706	21.97%	1,623,876	1,267,170

	Sep-18	September vs Budget %	2018-2019 YTD	YTD vs Budget %	2018-2019 Approved Final Budget	Remaining Budget
CAPITAL IMPROVEMENT PROJECTS (IN PROGRESS)						
01-1-5020-535	Water Supply Emergency 2014	-	#DIV/0!	-	#DIV/0!	-
01-9-6030-584	Well 2*	-	#DIV/0!	-	#DIV/0!	-
01-9-6030-585	Medina Well*	-	#DIV/0!	-	#DIV/0!	-
01-9-6030-586	Well 3/4	-	#DIV/0!	-	#DIV/0!	-
01-9-6030-587	Well 5*	-	#DIV/0!	-	#DIV/0!	-
01-9-6030-588	Well 6	-	#DIV/0!	-	#DIV/0!	-
01-0-1090-315	Intake Booster #2 Installation	-	#DIV/0!	-	#DIV/0!	-
01-0-1090-314	CIP-Barge Renovation	-	0.00%	1,988	2.48%	80,000
TBD	Springbrook Update	-	0.00%	-	0.00%	30,000
01-0-1090-305	Ranchito Well #1 Renovation	-	0.00%	1,313	8.75%	15,000
01-9-6030-591	IRWMP Service Lines	29,642	3.12%	29,642	3.12%	950,000
01-9-6030-592	IRWMP Administrative Expenses	-	0.00%	722	6.39%	11,307
01-9-6030-593	IRWMP Water Use Efficiency	-	0.00%	30,764	36.90%	83,369
TOTAL CIP IN PROGRESS		29,642	2.53%	64,427	5.51%	1,169,676
CARRYOVER PROJECT (GRANT) REVENUE						
01-0-4020-418	Well 2 Grant Revenue	-	#DIV/0!	21,630	#DIV/0!	-
01-0-4020-419	Medina Well Grant Revenue	-	#DIV/0!	21,630	#DIV/0!	-
01-0-4020-420	Well 3 & 4 Grant Revenue	-	#DIV/0!	21,630	#DIV/0!	-
01-0-4020-421	Well 5 Grant Revenue	-	#DIV/0!	21,630	#DIV/0!	-
01-0-4020-428	USDA Grant	-	#DIV/0!		#DIV/0!	-
TBD	DWR Grant	-				86,520
01-0-4020-425	IRWMP Service Line Replacement	-	0.00%	69,666	8.22%	847,287
01-0-4020-427	IRWMP Regional Water Use Efficiency	-	0.00%	33,486	31.22%	107,260
01-0-4020-426	IRWMP Grant Administration***	-	0.00%	2,530	21.08%	12,000
TOTAL CARRYOVER PROJECT REVENUE		-	0.00%	192,202	18.25%	1,053,067
NEW CAPITAL PURCHASES / IMPROVEMENTS						
TBD	2018 SCADA Update Project***	-	0.00%		0.00%	55,000
TBD	Replacement Truck (2003 Chevy)	-	0.00%		0.00%	32,000
TBD	Replacement Truck (2005 Chevy)	-	#DIV/0!		#DIV/0!	-
TBD	Tablets for System Maintenance	-	#DIV/0!		#DIV/0!	-
TBD	Effluent Meter Replacement (Plant)	-	#DIV/0!		#DIV/0!	-
TBD	Replacement Flocculator Gear Drives	-	0.00%		0.00%	12,000
01-0-1090-316	Horniga Water Line Replacement	-	0.00%		0.00%	46,463
TBD	Portable Generator	-	0.00%		0.00%	6,000
TOTAL NEW CAPITAL PURCHASES/IMPROVEMENTS		-	0.00%	-	0.00%	151,463
PROJECT PLANNING, DESIGN AND STUDIES						
TBD	CIP Development	-				20,000
TBD	Connection Fee Study	-				10,000
01-9-6030-594	Grant Application Services	-	0.00%	11,853	62.38%	19,000
01-9-6030-595	District Map Digitizing and Updates	-	0.00%		0.00%	5,000
TBD	Planning Study re Lake McClure	-				-
TOTAL PLANNING, DESIGN AND STUDIES		-	0.00%	11,853	21.95%	54,000

***Amounts from these accounts were not added properly on the approved budget. Differences on the totals of the approved budget and the budget on this form are from these accounts

LDPCSD Financials**Asset :**

Cash and investments
Restricted cash
Accts Receivable net of res
Water Drought Receivable
Inventory
Prpd expense & deposits
Deferred Outflow of Resources

**Statement of Net Assets (Balance Sheet)
for the month ending September 2018**

\$ 985,357
\$ -
\$ 219,690
\$ 86,520
\$ 69,931
\$ 52,181
\$ 54,459
Total current assets \$ 1,468,138

Property, plant & equipment
less depreciation
C I P

\$ 11,452,244
\$ (7,085,522)
\$ 462,701
Net P P & E \$ 4,829,423

Other L T Assets

Total Assets \$ 6,297,561

Liabilites:

Accounts payable
Interest payable
Water Accrual
Accrued Payroll
A/P Accrued Payables
L T debt, current

\$ 51,302
\$ 1,685
\$ 27,167
\$ 55,508
\$ 2,250
\$ 81,475
Total current liab \$ 219,387

L T debt

Post Retirement Benefit
Net Pension Liability
Deferred Inflow of Resources
Muni Loan
less current above

\$ 1,049,179
\$ 179,978
\$ 69,728
\$ 778,326
\$ (81,475)
Total Liabilites \$ 2,215,123

Net assets

\$ 4,082,438
Total liab & net ass't \$ 6,297,561

<u>Vendor</u>	<u>Check Amount</u>
0000303 Kennedy/Jenks Consultants	13,840.00
000032 BOBCAT CENTRAL INC.	4,526.19
000065 KKI CORPORATION	978.75
000067 GENERAL PLUMBING SUPPLY CO., I	87.81
000076 USPS	458.71
000094 USA BlueBook	725.93
000105 PACIFIC GAS & ELECTRIC	17,391.30
000106 BINKLEY ASSOCIATES, INC	1,312.50
000118 D & D PEST CONTROL *	32.00
0001226 McCoy Passenger Tire Co	698.69
000157 CITY NATIONAL BANK	59,503.04
000165 ACWA/JPIA	7,887.14
0002321 STREAMLINE	200.00
000263 Brenntag	772.03
000289 Tuolumne County Auditors Offic	1,787.50
0003221 KAMPA COMMUNITY SOLUTIONS LLC	6,250.00
0003360 Backyard Spa & Pool Essentials	226.92
000383 BUSINESS CARD	2,032.81
000550 LUIS'S HOUSEKEEPING / YARDS	140.00
00071 Mother Lode Answering Service	285.00
0007349 Recology Mariposa	252.65
000746 Mariposa Co. Resource Conservation Distr	31,013.76
0028330 Core & Main LP	500.19
004779 California CAD Solutions	9,940.00
019970 NJIRICH & SON'S INC	14,548.88
702 Warmerdam CPA Group	2,488.00
UB*10618 MR/MRS EDWARD GEORGE	113.00
UB*10619 MR/MRS LARRY JAMES	180.20
UB*10620 MR/MRS MICHAEL HARDING	325.00
UB*10621 BRYON & VICKY BARRETT	66.29
UB*10622 JOSE CASTRO	123.94
UB*10623 WENJIE JIN	2.54
UB*10624 JACK HOLZWARTH	125.00

Report Total: 178,815.77

Regular Meeting Minutes of the Board of Directors

9751 Merced Falls Road
September 17, 2018 at 1:00 p.m.

1. **CALL TO ORDER:** Presiding Officer: Establish Quorum, Pledge of Allegiance:
The Board of Directors of the Lake Don Pedro Community Services District held a regular meeting at 9751 Merced Falls Rd., La Grange, CA 95329.
President: Johnson called the meeting to order at 1:03 p.m.
Directors present: Hankemeier, Warren, Ross, Sperry
Director absent: Johnson
Also present: GM P. Kampa
Also present: Staff S. Marchesiello

2. **PUBLIC COMMENT:**
The board received one public comment

3. **PRESENTATION ONLY:**
 - a. Presiding Officer's Report
None given at this time

 - b. General Manager's Report: Peter J. Kampa
Presented by GM P. Kampa

 - c. Chief Plant Operator's Report: R. Gilgo
Presented by GM P. Kampa

4. **APPROVAL OF CONSENT AGENDA:** The following items may all be approved in one motion or considered separately as determined appropriate by the President
 - a. Read and file the July and August 2018 Treasurer's Reports
 - b. Approval of the Minutes of the Regular Meeting of July 16, 2018
 - c. Approval of the Minutes of the Special Meeting of September 6, 2018

Motion: To approve the consent calendar

Votes: Carried 5-0

First: Hankemeier Second: Ross

Ayes: Hankemeier, Ross, Johnson, Warren, and Sperry

Nays:

5. DISCUSSION AND ACTION ITEMS

- a. Adoption of a Resolution approving agreement with APN # 071-210-07-00 (McDonough/ Clark) to once again have District water service available to the property

Motion: To approve the resolution approving the agreement with APN #071-210-07-000 (McDonough/Clark) to once again have District water service available to the property

Votes: Carried 3-1-1

First: Johnson Second: Hankemeier

Ayes: Johnson, Hankemeier, Ross, and Sperry

Nays: Ross

Abstain: Warren

- b. Adoption of a resolution approving agreement with John Blomberg, CPA for the completion of the annual audit for the fiscal years ending June 30, 2018 and June 30, 2019

Motion: To approve the resolution approving agreement with John Blomberg, CPA for the completion of the annual audit for the fiscal years ending June 30, 2018 and June 30, 2019

Votes: Carried 4-1

First: Warren Second: Ross

Ayes: Warren, Ross, Johnson, and Sperry

Nays: Hankemeier

- c. Adoption of a resolution approving agreement with an engineering firm 071-210-07-00 for professional consulting services as District Engineer

Motion: To approve the resolution giving GM Pete Kampa authorization to interview and select the engineering firm that best aligns with the district and sign the agreement

Votes: Carried 5-0

First: Johnson Second: Warren

Ayes: Johnson, Warren, Ross, Hankemeier, and Sperry

Nays:

- d. Approval to proceed with bidding of the Water Service Line Replacement Project, funded by the Department of Water Resources, IRWMP and Bond Law grant programs

Motion: To approve GM Pete Kampa to proceed with bidding of the water service line replacement project, funded by the Department of Water Resources, IRWMP and Bond Law grant programs

Votes: Carried 5-0

First: Hankemeier Second: Warren

Ayes: Hankemeier, Warren, Ross, Johnson, and Sperry

Nays:

6. ADJOURNMENT: 2:48 p.m.

Respectfully submitted by,

S. Marchesiello
Board Secretary

Lake Don Pedro Community Services District

Regular Meeting of October 15, 2018

AGENDA SUPPORTING DATA

5. DISCUSSION AND ACTION ITEMS

- a. Adoption of a Resolution Accepting Dedication of the water system improvements to serve the Dollar General store Located on Las Palmas Way at Hwy 132 - CD DG La Grange, LLC

Recommended Action

Staff recommends the following motion:

No staff recommendation is provided due to the fact that the Dollar General store has not provided the necessary documentation and bonds for acceptance of the infrastructure.

Background

This item is on the agenda for consideration by the Board, to formally accept into our maintained water system certain water mains, hydrants and services constructed by the Dollar General store to serve their building. The District entered into a Plan Check and Inspection agreement with the Dollar General dated August 18, 2017. The agreement required the construction of the infrastructure and its dedication to the District following completion and inspection.

The agreement required the following for acceptance of the system by the District:

- (a) The Project is finally inspected, tested and approved by the District as provided in Paragraph 6, above;
- (b) An engineer's certification that the Project is constructed in substantial conformance with the plans and specifications submitted to the District;
- (c) All real property, easements required to provide service through the Project, rights-of-way, permits, licenses, and other approvals to be obtained and delivered to the District have been so obtained and delivered to the District;
- (d) The record drawings (reproducible as-builts), specifications, accounting, operation manuals and instructions, CAD disk and warranties have been provided to the District;
- (e) Applicant has paid the District all applicable fees and charges of the District, all_ in accordance with the rules and regulations for the District;
- (f) A detailed accounting of amounts expended for improvements; and
- (g) A list of assessor parcel numbers and service addresses to be served by the Project.

Items d and f have not yet been accomplished as of the date of this report, therefore staff cannot recommend acceptance. The property owner is responsible for all maintenance and repair cost to the system, and any damage or liability caused by the system until accepted by the CSD. Also, we cannot accept the facilities until a maintenance bond is delivered, coving repairs or

replacement of defective work for a period of one year from acceptance of the facilities by the District. We have been, and will continue to actively pursue completion of the dedication, as it is in the best interest of the owner. They were notified and reminded of the requirements for dedication to the District several times over the past six months.

Lake Don Pedro Community Services District

Regular Meeting of October 15, 2018

AGENDA SUPPORTING DATA

5. DISCUSSION AND ACTION ITEMS

- b. Review and direction regarding the existing agreement with Lake Don Pedro Owners Association for the use and maintenance of Gregoris Pond.

Recommended Action

Staff recommends the following motion:

I move to direct staff to negotiate a revised agreement

Background

According to our records LDPCSD and LDPOA entered into an agreement on September 18, 2005 regarding the use and maintenance of the recreation lake located on Lot 737, Unit 2 –M. The agreement is attached for your review. We very much appreciate the cooperation of the LDPOA in facilitating our use and operation of the lake to store golf course irrigation water. We entered into the agreement expecting the golf course water use to continue indefinitely. Due to the closure of the golf course, the District has no ongoing interest in the pond at this time, as the cost of filling/maintaining the pond was paid with revenue from water sales to the golf course.

As it currently stands, all expense associated with filling and maintaining the lake under the current agreement would need to be paid by current LDPCSD customers through their water rates, which could be considered an unauthorized use of such public funds. Unfortunately, the LDPCSD does not receive any property tax or other sources of discretionary revenue to fund this cost, which is not currently related to the water system operation.

Without water sales from the lake, and with no current need for storing water for golf course irrigation, we should consider requesting that the LDPOA consider entering into a revised agreement with the District. We would want to preserve the right for future use of the lake should the irrigation need once again arise.

Lake Don Pedro Community Services District

9751 Merced Falls Road

La Grange, CA 95329

209-852-2331

Fax: 209-852-2268

Transmittal

Date: November 23, 2005

To: **Lake Don Pedro Owners Assoc.**
Dwight Muller
5182 Fuentes De Flores
La Grange, Ca 95329

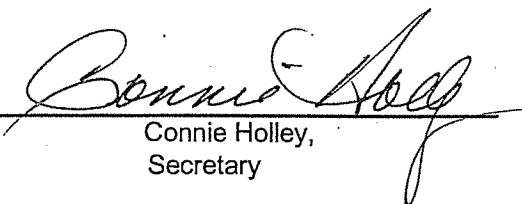
Subject: Copy of Resolution, Agreement, & Insurance Rider

From: Connie Holley for
Bob Kent
Lake Don Pedro CSD

Please note the following items enclosed:

Copies	Item	Description
1	Resolution	Agreement between LDPCSD & LDPOA re Gregoris Pond

Signature


Connie Holley,
Secretary

RESOLUTION 2005-11

Resolution Approving the Agreement Between the Lake Don Pedro Owners Association & Lake Don Pedro Community Services District for Use and Maintenance of Gregoris Pond in Lot 737, Unit 2-M.

WHEREAS, The Lake Don Pedro Community Services District has contracted to supply raw water for irrigation purposes to the Lake Don Pedro Golf and Country Club: and

WHEREAS, Gregoris Pond located on Lot 737, unit 2-M is part of that conveyance system used by the District to supply the water: and

WHEREAS, The Lake Don Pedro Owner's Association owns the pond, the Lake Don Pedro Owner's Association and the Lake Don Pedro Community Services District have entered into an agreement for the use of the Pond as part of that conveyance,

THEREFORE, The Board of Directors have approved the Agreement with the inclusion of an insurance rider that would protect the interests of the District in the event of a dam or impoundment failure. The referenced "Agreement" is included with this Resolution, along with a copy of the Insurance Rider required by the Lake Don Pedro Board of Directors.

THEREFORE, this resolution was passed and approved by the Board of Directors of the Lake Don Pedro Community Services District, this 21st day of November, 2005 by the following vote:

AYES: Five (5) Chairman Duste', Vice-Chairman Collins, Director Gile, Director Snyder & Director Walz
NOES: None (0)

[Handwritten signature of Eleanor Duste']

Eleanor Duste', Chairman of the Board

ATTEST:

[Handwritten signature of Connie Holley]
Connie Holley, Secretary to the Board

CERTIFICATE OF SECRETARY

I, Connie Holley, as the duly appointed Secretary of the Lake Don Pedro Community Services District, do hereby certify that the foregoing Resolution was duly and regularly adopted on the 21st day of November 2005 at the Regular Meeting of the Board of Directors.

[Handwritten signature of Connie Holley]
Connie Holley, Secretary

AGREEMENT BETWEEN LAKE DON PEDRO COMMUNITY SERVICES DISTRICT

AND

LAKE DON PEDRO OWNER'S ASSOCIATION

FOR

USE AND MAINTENANCE OF RECREATION LAKE IN LOT 737, UNIT 2-M

This Agreement is made this 18th day of September, 2005, by and between Lake Don Pedro Community Services District, a duly formed community services district of the State of California, hereinafter referred to as "District" and Lake Don Pedro Owner's Association, a non-profit corporation incorporated in the State of California, hereinafter referred to as "Association."

WITNESSETH:

WHEREAS, Association is owner of that certain parcel of land located in the County of Mariposa, designated as Lot 737 of Lake Don Pedro, a land subdivision developed by Boise Cascade Recreation Communities, hereinafter referred to as "Boise", said lot having been deeded by Boise to Association; and

WHEREAS, The Deerwood Corporation, a California corporation, referred to herein as "Deerwood," doing business as the Lake Don Pedro Golf and Country Club, as successor to Boise owns and operates an eighteen hole golf course within said subdivision, hereinafter referred to as Golf Course and has contracted with District to supply water for irrigation of Golf Course; and

WHEREAS, said Lot 737 contains an earthen dam constructed for the purpose of storing water and creating a lake, hereinafter referred to as "Lake", the waters of which overlie much of the area of Lot 737, which "Lake" is used by District as an integral part of the system for delivering water for irrigation of Golf Course; and

WHEREAS, District in the exercise of its function of delivering water to Golf Course has, prior to conveyance by Boise of Lot No. 737 to Association, constructed works for metering and discharging water into Lake and these works for said function and for this purpose requires certain rights be granted it by Association within Lot 737.

NOW, THEREFORE, IT IS HEREBY AGREED and understood by and between the parties as follows:

- (1) Association hereby grants to District all rights to Lot 737 and Lake that are necessary or convenient for the present or future storing and delivery of water to Golf Course and for construction, maintenance and operation of the water system existing or to be constructed thereon for said purpose. Said

Page 1 of 3 pages

rights include rights-of-way for ingress and egress and for construction and/or reconstruction in any manner necessary and for operation and maintenance of dam, spillway, inlet works, pipelines, pumps, meters and related structures and appurtenances together with the right to control water level in Lake. Any construction of above ground facilities (buildings, pump houses, etc.) additional to those existing as of the date hereof shall require approval of Association prior to construction thereof, which approval shall not be unreasonably withheld.

X(2) District agrees that Lake level will be maintained at or close to present spillway level at all times except as raised by flood or lowered under conditions that may require lower levels on a temporary basis for safety or maintenance.

(3) District agrees to save Association harmless from any cause that may arise as a result of exercise of the rights granted hereunder and further agrees that normal enjoyment and use of Lake by Association for recreational purposes will not be restricted or hampered by District except as may be occasioned by existence of its work or may from time to time be necessary for construction, repair or protection of its facilities.

(4) District agrees to assume responsibility for maintaining the dam and spillway pertaining to Lake and will undertake at its expense any construction deemed by District to be necessary for safety and security of these structures.

(5) Association agrees that any rights it may have acquired to water collected in Lake from natural sources are hereby conveyed to District, it being understood that Boise has heretofore made a similar conveyance of water rights to District and by this provision all rights to water collected in Lake and its tributaries are and will continue to be the property of District.

(6) District agrees to accept responsibility for compliance with all governmental rules and regulations relating to its use of the Lake, specifically including water quality, to the extent that water quality is affected by District operations, or water, supplied to the Lake by District.

* (7) The term of this Agreement shall be for 15 years from the date of execution of this Agreement, or until termination of irrigation of the Golf Course, whichever is longer, at the end of which period District shall have the right to renegotiate for an additional term of years.

(8) This Agreement shall be binding upon the respective successors in interest and assigns of District and Association.

Anything from the water up to the street
is to be taken care of by Lake Don Pedro Owners Assoc.
as per Dwight Muller

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

LAKE DON PEDRO COMMUNITY SERVICES DISTRICT

Robert Kent
Attest: Robert Kent,
General Manager

BY: Eleanor B. Duste
Eleanor Duste, President
Board of Directors

LAKE DON PEDRO OWNERS' ASSOCIATION

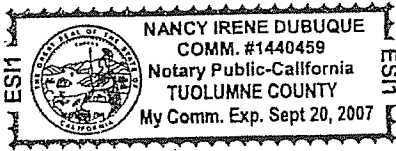
Nancy Irene Dubuque
Attest
C:\RLC\LDPCSD\PORTER\POND-AGT.WPD

BY: Dwight Muller
Dwight Muller

State of California }
County of Tuolumne } ss.

Subscribed and sworn to before me on 9-18-2005.

NOTARY SEAL



Nancy Irene Dubuque
Notary Signature
NANCY IRENE Dubuque
(Typed Name of Notary)



Liability Coverage Agreement LCA-SDRMA-200506

THIS ENDORSEMENT CHANGES THE TERMS, CONDITIONS AND DEFINITIONS OF THE COVERAGES ISSUED BY SDRMA CONTAINED IN THE LIABILITY COVERAGE AGREEMENT. PLEASE READ IT CAREFULLY.

It is hereby agreed that this endorsement is added to the Coverage Agreement attached hereto for the Lake Don Pedro Community Services District:

In consideration of the premiums at which this Coverage Agreement is written, and notwithstanding the exclusion for "dam breakage" it is agreed that all terms, conditions and limits contained in this Coverage Agreement shall apply to any *Occurrence, Auto Accident, Wrongful Act, Employee Benefits Act, Error or Omission, Wrongful Employment Practice, Claim or Suit*, that the *Member* becomes legally obligated to pay as *Damages*, arising from the ownership, maintenance or operation of *Dam(s)* as defined in the Coverage Agreement and listed below:

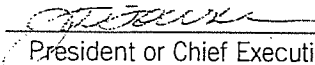
1. Gregoris Pond Impoundment

All other terms and conditions remain unchanged.

Effective date of this endorsement is: September 18, 2005

* * * * *

SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY

Signed by: 
President or Chief Executive Officer

June 30, 2005
Date

11/14/2005

CERTIFICATE OF COVERAGE



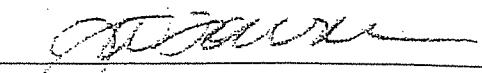
This is to certify that coverages selected below have been issued to the member named below for the period indicated notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate may be issued or may pertain; the coverage described herein is subject to all the terms, exclusions, and conditions of the specific coverage document; limits shown may have been reduced by paid claims. This certificate of insurance or binder evidences the limits of liability in effect at the inception of the policies shown. This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies listed below.

Participating Member: Lake Don Pedro Community Services District 9751 Merced Falls Road La Grange, CA 95329-8632	Member Number: BOP-7004	Company Affording Coverage: Special District Risk Management Authority 1112 I Street, Suite 300 Sacramento, California 95814 Toll-Free 800.537.7790 www.sdrma.org
--	-----------------------------------	--

Type of Coverage	Policy Number	Effective Date	Expiration Date	Limits	
<input checked="" type="checkbox"/> Other Coverage Dam Failure Liability	LCA-SDRMA-200506	09/18/2005	07/01/2006	Per Occurrence	\$5,000,000
				Annual Aggregate	\$5,000,000

Description; All listed coverage is in effect only for the time period specified.

Cancellation: Should any of the above-described policies be cancelled before the expiration dates thereof, the issuing company will endeavor to mail 30 days written notice to the above-named certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon the company.


Authorized Signature

**LAKE DON PEDRO OWNERS ASSOCIATION
C/O THE MANAGEMENT ALTERNATIVE
906 13TH STREET
MODESTO, CA 95354
(209) 544-3422, FAX (209) 544-3421
mgmt@tmamulti.com**

September 28, 2006

Mr. Bob Kent
Lake Don Pedro Community Services District
9751 Merced Falls Road
La Grange, CA 95329

Dear Mr. Kent:

SUBJECT: LDPCSD and LDPOA Agreement for Gregoris Pond

As manager of the Lake Don Pedro Owners Association, I am writing at the direction of the Board of the Board of Directors in regard to needed maintenance to the dam at Gregoris Pond.

It has recently come to the Board's attention that the dam is in urgent need of repair at this time. Erosion has resulted in missing dirt and bare rock showing in some areas. In addition, it appears that some type of animal has dug at least one hole through the dam which allows water to come through. In sum, the dam is in peril of failing. With winter rains around the corner, this is a serious hazard and should the dam fail, flooding and extensive property damage will occur.

The Association's agreement with LDPCSD, Resolution 2005-11, states the following in this regard:

"District agrees to assume responsibility for maintaining the dam and spillway pertaining to Lake and will undertake at its expense any construction deemed by District to be necessary for safety and security of these structures."

The Board respectfully requests that the dam be inspected at this time and that repairs be made as needed as soon as possible to avoid any potential of dam failure and flooding this winter. The Board looks forward to receipt of a written action plan in this regard at your earliest convenience. Please direct all correspondence in this regard to the above.

Mr. Bob Kent
RE: Gregoris Pond
September 28, 2006 – Page 2

We thank you in advance for your prompt attention to this matter.

Sincerely,

LAKE DON PEDRO OA

Sherri Annoni Lucy, PCAM, CCAM
The Management Alternative
Association Manager

cc Board of Directors
Deon Stein, Attorney-at-Law

Lake Don Pedro Community Services District

Regular Meeting of October 15, 2018

AGENDA SUPPORTING DATA

5. DISCUSSION AND ACTION ITEMS

- c. Adoption of a Resolution declaring certain District property as surplus and directing their sale by public bid

Recommended Action

Staff recommends the following motion:

I move to adopt a Resolution declaring certain District property as surplus and directing their sale by public bid

Background

District policy requires that as district owned vehicles and equipment are determined to be unnecessary for our needs, that the equipment be declared surplus by the Board and offered for sale by public bid. The following equipment is recommended to be declared as surplus:

1. 1998 Chevrolet inoperable pickup
2. 2001 Chevrolet inoperable pickup
3. 1999 Towmaster T10DD Carrier Trailer

Once the equipment is surplus, an advertisement will be posted locally and in the newspaper, and purchase bids opened on a date specific. All items are sold to the highest bidder, as-is.

Lake Don Pedro Community Services District

Regular Meeting of October 15, 2018

AGENDA SUPPORTING DATA

5. DISCUSSION AND ACTION ITEMS

- d. Review and direction regarding the District Standby (Availability) charge and direction regarding the applicability of the charge to all vacant parcels within the district

Recommended Action

Staff recommends the following motion:

I move to direct staff to prepare a plan for implementation of availability fees for all vacant parcels within the District boundaries

Background

When the District was formed in 1980, an availability fee was established through a public hearing and board action. The fee was ultimately included specifically in state law due to the fact that it was higher than the \$10 per acre allowed by general law. The section of the old CSD law is below:

61765.15: Notwithstanding Section 61765, in the Lake Don Pedro Community Services District, the water standby or availability charge shall not exceed sixty dollars (\$60) per year for each acre of land on which the charge is levied or sixty dollars (\$60) per year for a parcel less than one acre. This section, applicable only to the Lake Don Pedro Community Services District, is necessary because of the unique and special water management and financing problems in the area included within the district.

The District water regulations also address the availability fee as follows:

G. WATER STANDBY/AVAILABILITY CHARGE:

1. Water Standby/Availability Charge: Applicable to all unimproved lots and parcels where metered service is available, but where such is not requested and installed.

2. Rate: The schedule is hereby fixed at \$60.00* per year per acre times the number of acres in such parcel but with a minimum \$60.00 per parcel and a maximum of \$180.00 per parcel. The \$60.00 per acre charge for parcels larger than one acre, but smaller than three acres shall be prorated for each fractional acre rounded off to the nearest one tenth acre. The size of lots for purposes of fixing charges shall be based upon the Assessor's maps and records of the Counties of Mariposa and Tuolumne and the maps and records of the Lake Don Pedro Community Services District.

The purpose of the fee is to pay a proportional share of the cost to keep the existing water system in a "ready to serve" condition in the event these parcels choose to connect to the system in the future. This item is on the Board's agenda due to the finding that many vacant parcels located within the District boundaries are not currently paying the availability fee, and should be. A presentation will be provided at this meeting to graphically depict the parcels currently not paying the fee. Staff seeks Board direction to immediately begin implementing the fee for all vacant parcels in the district.

Lake Don Pedro Community Services District

Regular Meeting of October 15, 2018

AGENDA SUPPORTING DATA

5. DISCUSSION AND ACTION ITEMS

- e. Report on the status of completion of the State Water Resources Control Board's evaluation of the Merced Irrigation District's Place of Use boundary for Water Rights License 11395.

Recommended Action

No action is recommended as this item is a status report only.

Background

On June 13, 2018 the State Water Rights staff responded to the District that the Place of Use maps submitted early in 2018 were accepted as the correct depiction of the POU boundaries. Unfortunately, on August 30, 2018 the SWRCB staff sent an email to the District requesting clarification on the boundaries in a specific area of concern, as identified in the attached email, and boundary maps referenced in the email.

Over the past month, District staff, mapping consultant and legal counsel have been reviewing District records to identify the source of the discrepancy, if any, and to locate data to support a definitive boundary determination. This has been a very interesting and revealing process reviewing all of the original District maps, and subsequent annexations since the early 1980s to identify the appropriate documentation to verify the intended location of the original Place of Use Boundary with the state.

The documentation reveals that the original Water Rights License 11395 Place of Use filing was intended to mirror the boundaries of the Sierra Highlands Water Company, the predecessor in interest to the Lake Don Pedro CSD. The Sierra Highlands Water Company Boundaries were surveyed in the development of the legal description for the creation of the Lake Don Pedro CSD (LDPCSD) in 1980. The legal description of the initial LDPCSD boundary clearly describes the boundary as following the Tuolumne/Mariposa County line in the area of the identified discrepancies between the maps provided by state staff in their email.

As the legal description provides a definitive POU boundary determination that encompasses all of the parcels in question, we believe that an administrative boundary correction can be made by the State Water Rights division. We have submitted this documentation to the state.

Included in this agenda item please find:

1. The Resolution of the Mariposa County Local Agency Formation Commission establishing the LDPCSD, using the Sierra Highlands Water Company boundaries
2. The 1978 Place of Use map showing the POU and Sierra Highlands Water Company boundaries as coterminous
3. The Legal Description of the LDPCSD boundaries, with the area in question highlighted beginning on page 7 and ending on page 9. The legal description should be viewed with the Boundary map file attachment
4. A screen shot to show as highlighted the original LDPCSD/Sierra Highlands boundaries based on the legal description
5. Pages from the Assessor's parcel maps which correlate directly with the legal description. For reference we have numbered the 39 courses described in the legal description on pages 7 and 8.
6. A copy of the August 30, 2018 email from the state, and the two referenced maps prepared by MID and LDPCSD

Management will provide at the meeting a detailed presentation of the information provided in this packet.

From: [Feldhaus, Aaron@Waterboards](mailto:Feldhaus.Aaron@Waterboards)
To: [Peter Kampa; heltal@mercedid.org](mailto:Peter.Kampa:heltal@mercedid.org)
Cc: [Vasquez, Victor@Waterboards](mailto:Vasquez.Victor@Waterboards)
Subject: Lake Don Pedro CSD Place of Use (POU) Map Discrepancy (MID license 11395)
Date: Thursday, August 30, 2018 1:04:15 PM
Attachments: [LDPCSDProvidedBoundaries.pdf](#)
[MIDProvidedPOU.PDF](#)

Mr. Eltal and Mr. Kampa,

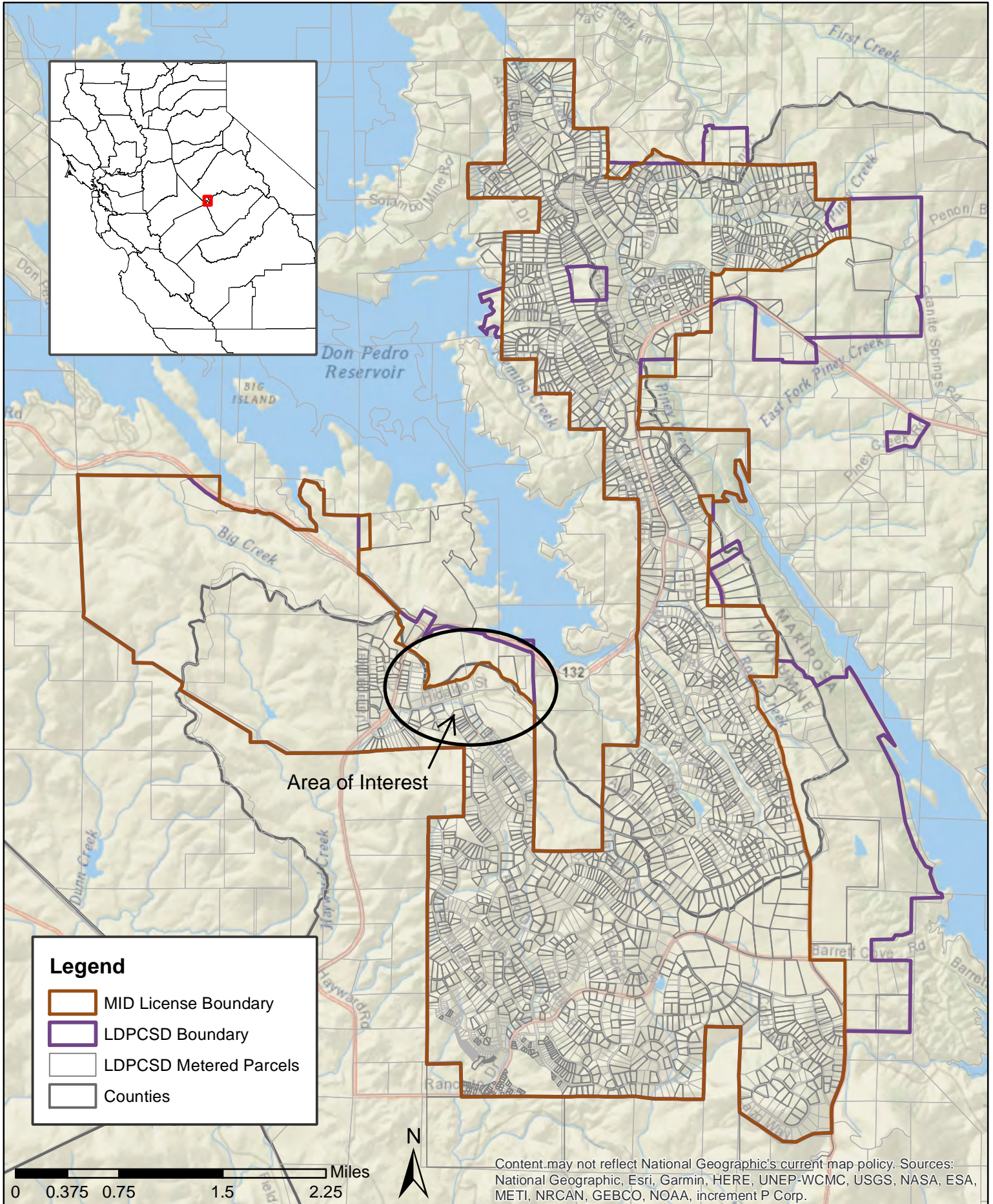
I've recently separately received Place of Use (POU) boundary maps (license 11395) for Lake Don Pedro CSD (LDPCSD) from both MID and LDPCSD. After comparing both maps, there appears to be some discrepancies that I would like to make you aware of. The POU boundary provided by MID is from 2008 and more closely matches what is in the records of the Division. The POU boundary map provided by LDPCSD was created by the same engineering firm that created the boundary map provided by MID, is more recent, and appears to follow certain parcel/county boundaries in one key location. I've attached both maps, and labeled the area where there is concern regarding the water rights complaint. Can you comment on or resolve these boundary discrepancies? We are trying to resolve the boundary issue in order to complete our investigation for the complaint filed against LDPCSD. Depending on which boundary is actually correct, there may be several parcels that are outside of the POU and cannot be served with water from MID's water right license.

Since the water right is held by MID, and their map more closely matches what is on file at the Division, we would have to abide by that POU boundary in the event of any disagreement. Changes to the POU may be made through the change petition process, unless it is demonstrated that some administrative error was made by the Division. However, we also understand that LDPCSD has supplemented all outside POU water supply with groundwater since 2015, thus there are likely no ongoing noncompliance with the POU term of the MID license. If you have any questions please reach out soon.

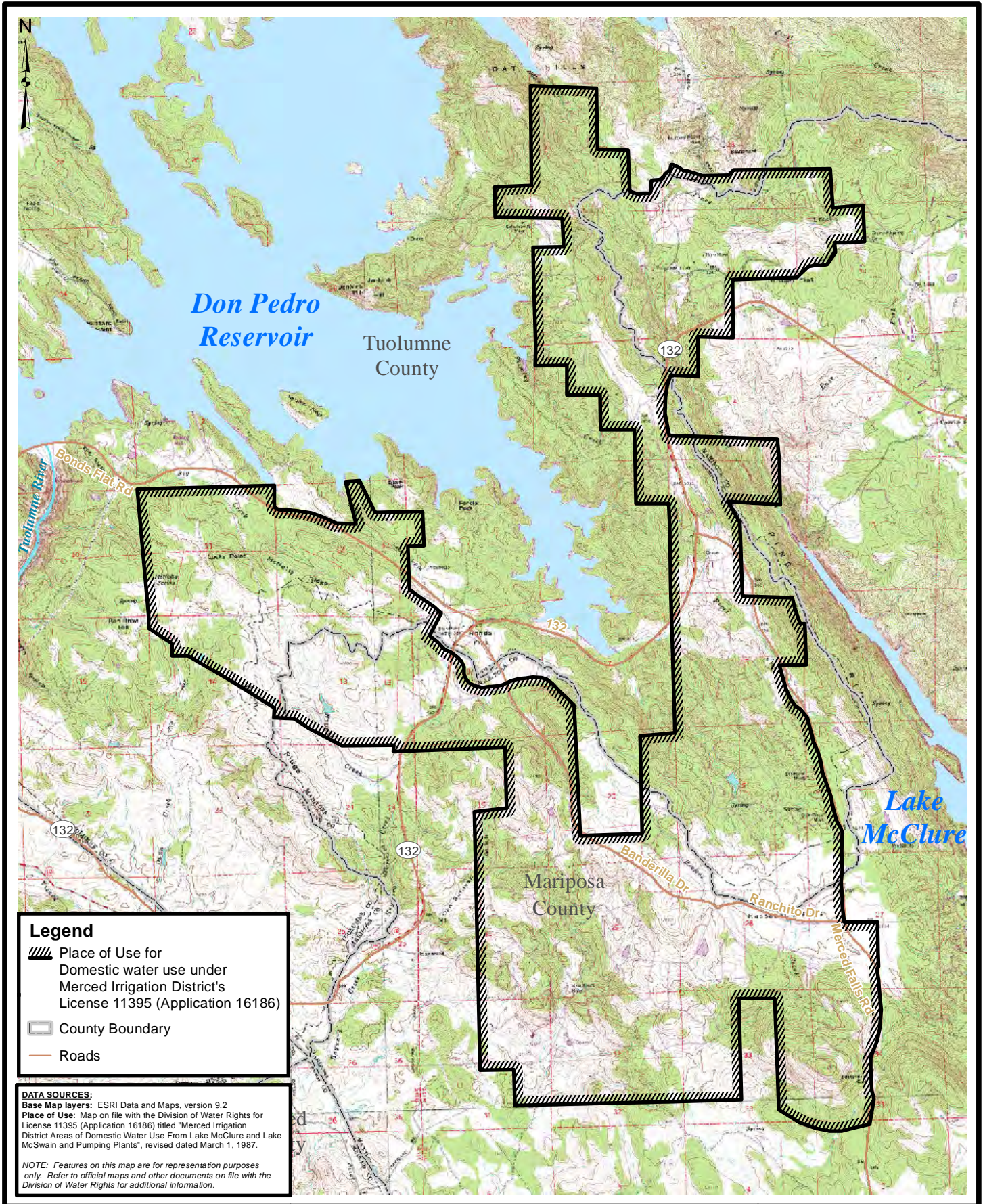
Respectfully,

Aaron Feldhaus
Engineering Geologist
Sacramento Valley Enforcement Unit, Division of Water Rights
California State Water Resources Control Board
Phone: (916) 341-5367
Email: aaron.feldhaus@waterboards.ca.gov

LDPCSD Provided License and District Boundaries



Boundary shapefiles provided by LDPCSD; Map composed by Division staff. This map does not constitute a public land survey as defined by California Business & Professions Code section 8726.



Legend

- Place of Use for Domestic water use under Merced Irrigation District's License 11395 (Application 16186)
- County Boundary
- Roads

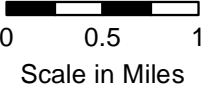
DATA SOURCES:
 Base Map layers: ESRI Data and Maps, version 9.2
 Place of Use: Map on file with the Division of Water Rights for License 11395 (Application 16186) titled "Merced Irrigation District Areas of Domestic Water Use From Lake McClure and Lake McSwain and Pumping Plants", revised dated March 1, 1987.

NOTE: Features on this map are for representation purposes only. Refer to official maps and other documents on file with the Division of Water Rights for additional information.



Lake Don Pedro Community Services District

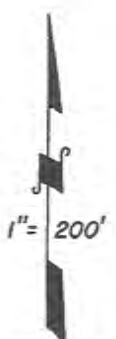
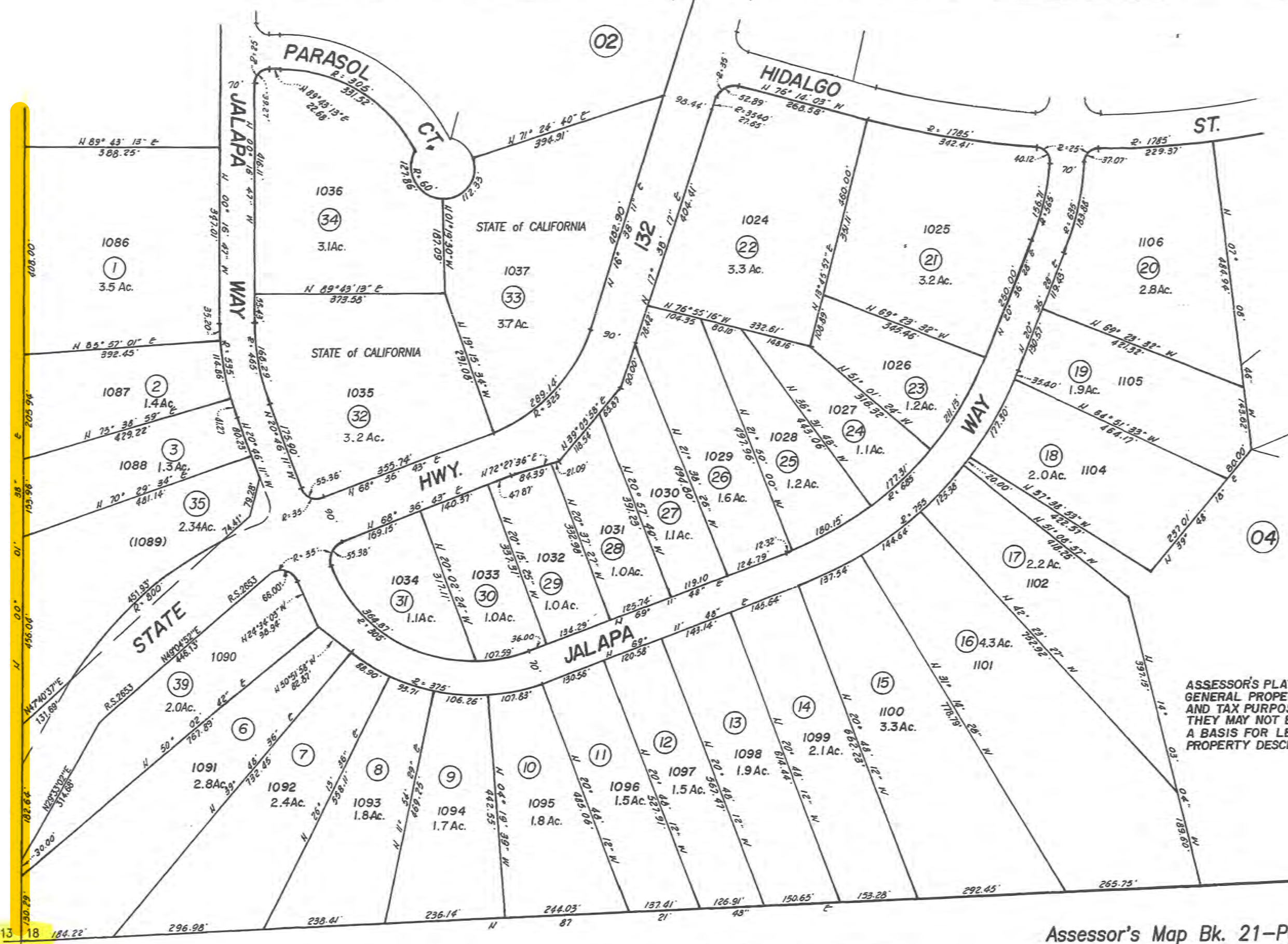
Place of Use



APN: 0213200040

Original LDPCSD Boundaries





ASSESSOR'S PLATS ARE FOR GENERAL PROPERTY LOCATION AND TAX PURPOSES ONLY. THEY MAY NOT BE USED AS A BASIS FOR LEGAL PROPERTY DESCRIPTIONS.

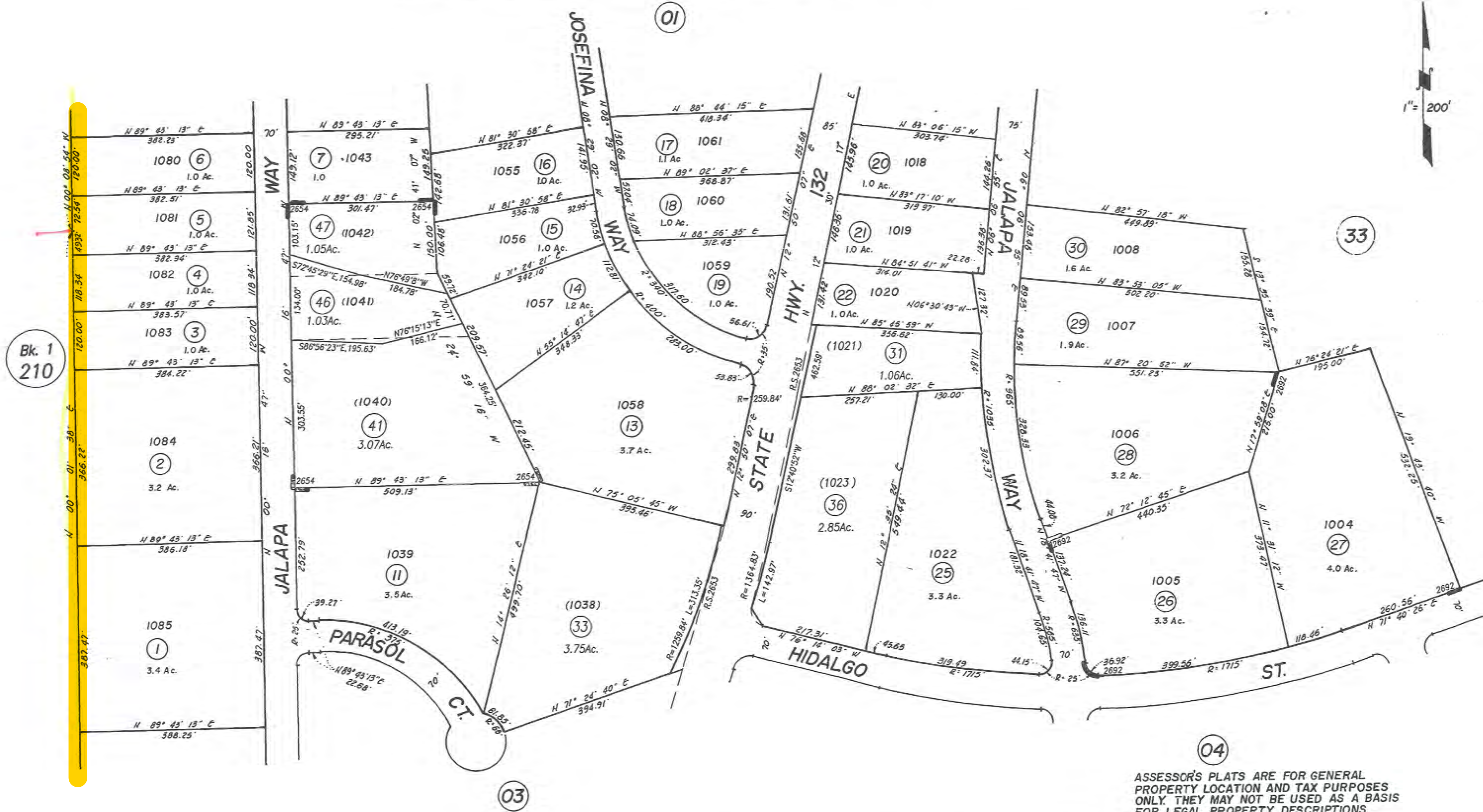
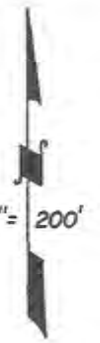
Bk. 1
210

R.S.1693-Lake Don Pedro unit No.3-M
R.S.2653-Hwy. 132 Dept. of Transportation

Bk. 1
220

NOTE- Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Small Circles.

Assessor's Map Bk. 21-Pg.030
County of Mariposa, Calif.
2004



Bk. 1
210

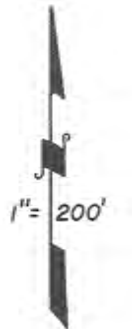
ASSESSOR'S PLATS ARE FOR GENERAL PROPERTY LOCATION AND TAX PURPOSES ONLY. THEY MAY NOT BE USED AS A BASIS FOR LEGAL PROPERTY DESCRIPTIONS.

NOTE-Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Small Circles.

R.S. 1693-Lake Don Pedro Unit No.3-M
R.S.2653-Hwy.132 Dept. of Transportation
R.S.2654-Frank & Mildred Beranek

R.S.2692-The Deerwood Corp.

Assessor's Map Bk.21-Pg.020
County of Mariposa, Calif.

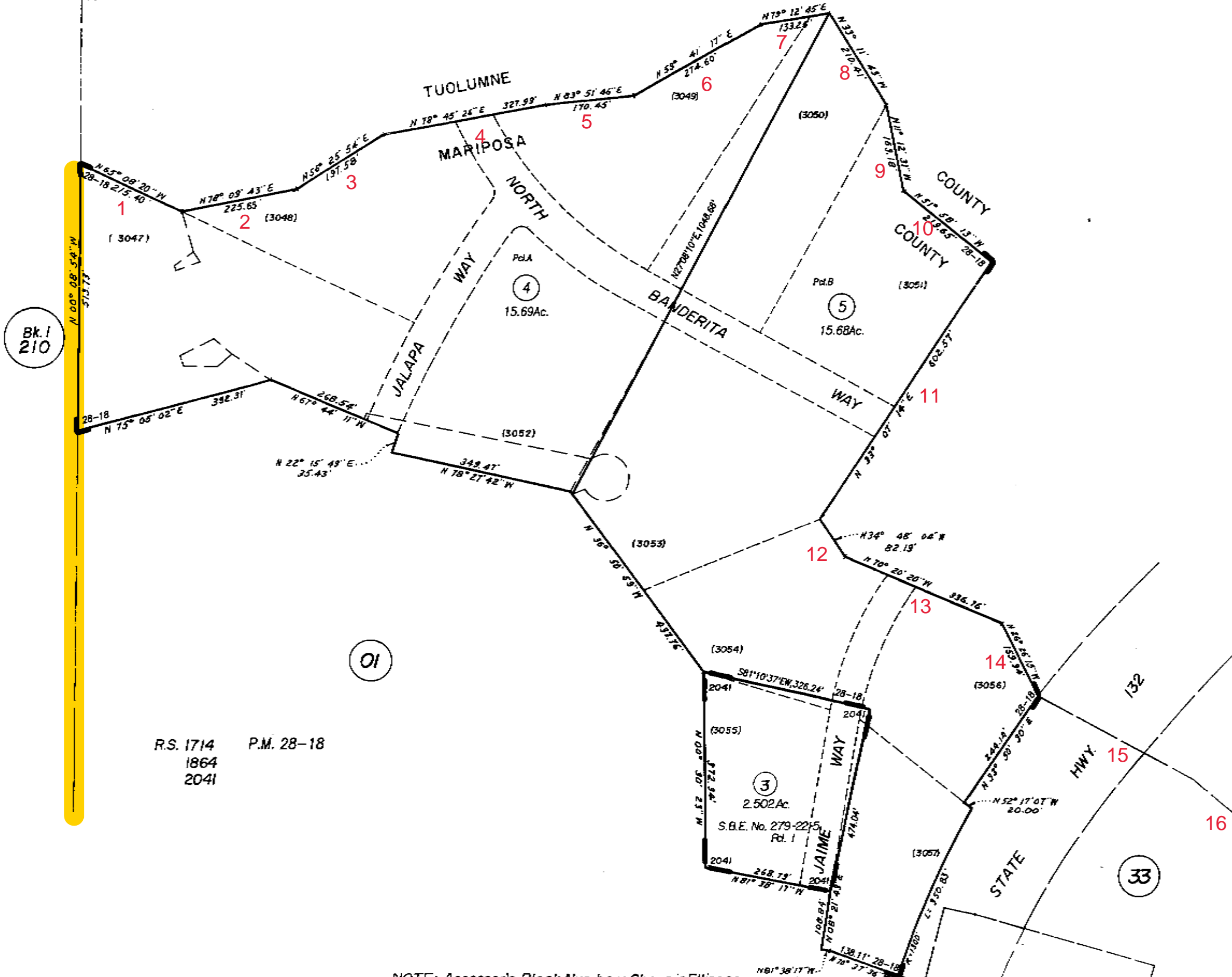
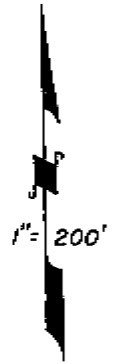


Bk. 1
210



ASSESSOR'S PLATS ARE FOR GENERAL PROPERTY LOCATION AND TAX PURPOSES ONLY. THEY MAY NOT BE USED AS A BASIS FOR LEGAL PROPERTY DESCRIPTIONS.

12 7
13 18



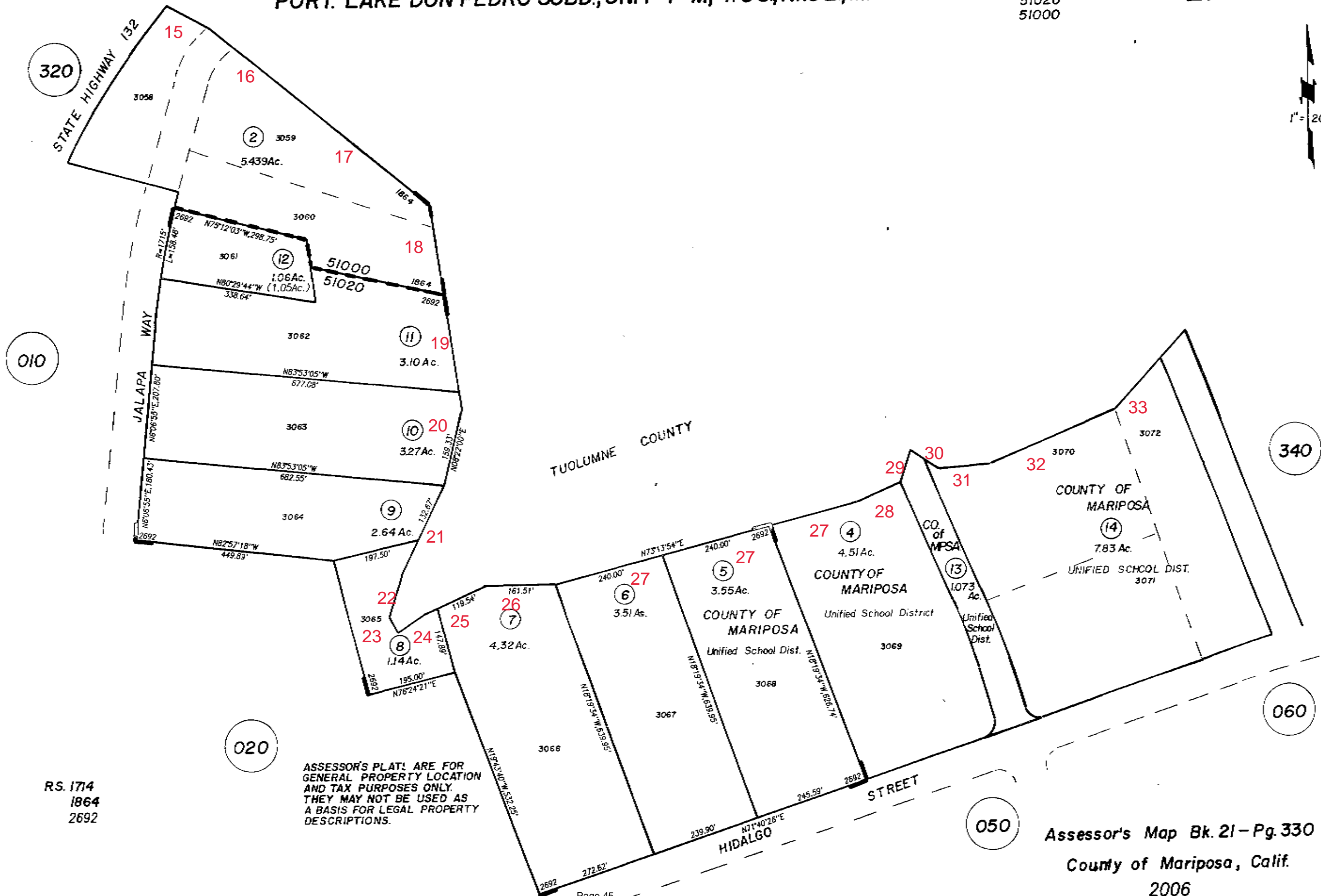
R.S. 1714 P.M. 28-18
1864
2041

ASSESSOR'S PLATS ARE FOR GENERAL PROPERTY LOCATION AND TAX PURPOSES ONLY. THEY MAY NOT BE USED AS A BASIS FOR LEGAL PROPERTY DESCRIPTIONS.

Assessor's Map Bk. 21 Pg. 320
County of Mariposa, Calif.
2004

NOTE: Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Small Circles.

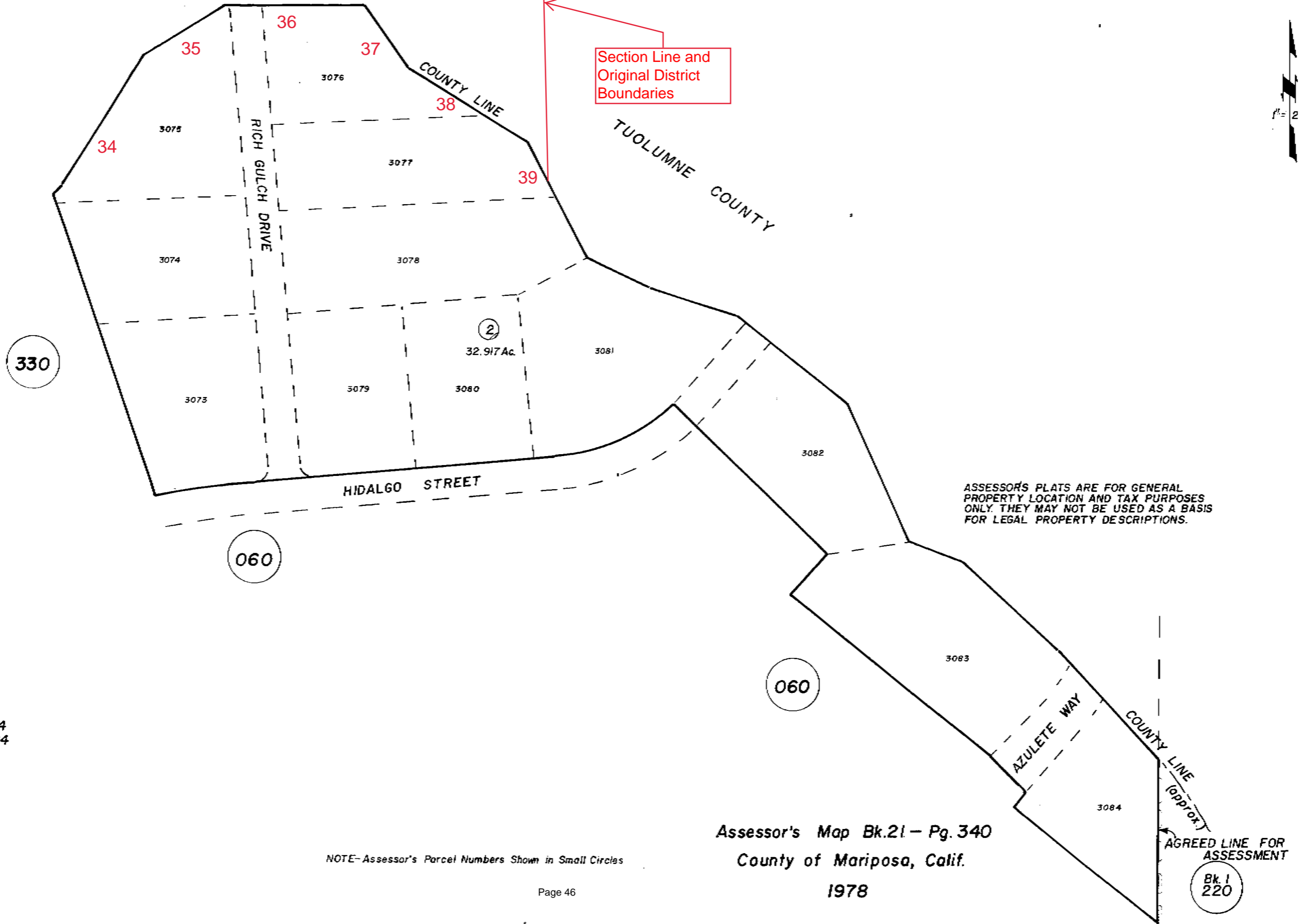
1" = 200'



RS. 174
1864
2692

ASSESSOR'S PLATS ARE FOR
GENERAL PROPERTY LOCATION
AND TAX PURPOSES ONLY.
THEY MAY NOT BE USED AS
A BASIS FOR LEGAL PROPERTY
DESCRIPTIONS.

Assessor's Map Bk. 21 - Pg. 330
County of Mariposa, Calif.
2006



R.S. 1714
1864

NOTE- Assessor's Parcel Numbers Shown in Small Circles

Bk. 1
220

LEGAL DESCRIPTION
of Boundaries for Proposed
LAKE DON PEDRO COMMUNITY SERVICES DISTRICT

All those certain lands situated in the State of California, Counties of Tuolumne and Mariposa, being portions of Township 2 South and Township 3 South, all Range 15 East, M.D.M., the boundaries of which lands are more particularly described as follows:

Beginning in said Tuolumne County at the section corner common to Sections 19, 20, 30, and 29 T. 2S., R. 15E., M.D.M., and running thence along the line common to said Sections 20 and 29 North $86^{\circ}58'39''$ East 2590.22 feet to the $\frac{1}{4}$ corner common to said Sections 20 and 29;

thence leaving said section line and running South $00^{\circ}00'03''$ West 2772.70 feet to the center $\frac{1}{4}$ corner of said Section 29;

thence South $89^{\circ}51'26''$ East 1285.08 feet;

thence South $01^{\circ}07'35''$ East 1331.54 feet;

thence South $89^{\circ}48'07''$ East 1214.55 feet to the line common to said Tuolumne and Mariposa Counties;

thence in said Mariposa County South $89^{\circ}48'07''$ East 96.73 feet to the section line common to said Section 29 and Section 28;

thence in said Section 28 South $89^{\circ}36'57''$ East 1635.23 feet to the county line common to said Mariposa and Tuolumne Counties;

thence in said Tuolumne County the following eleven (11) courses:

(1.) South $89^{\circ}36'57''$ East 732.48 feet;

(2.) North $00^{\circ}40'21''$ West 1338.27 feet;

(3.) South $89^{\circ}45'04''$ East 65.42 feet;

(4.) North $30^{\circ}33'53''$ East 42.79 feet;

(5.) North $27^{\circ}36'07''$ West 195.00 feet;

(6.) North $66^{\circ}10'53''$ East 183.00 feet;

(7.) North $89^{\circ}53'53''$ East 200.00 feet;

(8.) South $00^{\circ}06'07''$ East 108.39 feet;

(9.) South $89^{\circ}37'46''$ East 1289.96 feet;

(10.) South $00^{\circ}09'25''$ East 174.10 feet;

(11.) South $00^{\circ}58'49''$ East 1275.47 feet to said County Line;

thence along said County Line South $44^{\circ}46'13''$ West 97.65 feet;

thence leaving said county line and running in said Mariposa County South $89^{\circ}28'48''$ East 1393.26 feet to the section line common to said Section 28 and Section 27;

thence running in said Section 27 North $86^{\circ}49'33''$ East 1314.70 feet and South $00^{\circ}44'43''$ East 1382.78 feet to the section line common to said Section 27 and Section 34;

thence along last said section line North $88^{\circ}09'41''$ East 765.78 feet;

thence leaving last said section line and running in said Section 34 the following six (6) courses:

- (1.) South $37^{\circ}14'29''$ West 668.30 feet;
- (2.) Along a Curve to the right with a central angle of $46^{\circ}45'44''$ a radius of 435 feet and a length of 355.03 feet;
- (3.) South $37^{\circ}00'00''$ East 366.93 feet;
- (4.) North $64^{\circ}34'23''$ East 152.47 feet;
- (5.) North $71^{\circ}47'03''$ East 386.85 feet;
- (6.) North $61^{\circ}35'45''$ East 157.46 feet to the center section line of said Section 34;

thence along said center section line North $00^{\circ}45'52''$ West 997.23 feet to last said section line;

thence along last said section line North $82^{\circ}49'54''$ East to the section corner common to said Sections 27 and 34 and Sections 35 and 26;

thence along the section line common to said Sections 34 and 35 South $00^{\circ}20'42''$ West 5547.33 feet to the section corner common to said Sections 34 and 35 and Sections 2 and 3, T. 3S., R. 15E., M.D.M;

thence along the section line common to said Sections 3 and 34 North $89^{\circ}18'48''$ West 4568.64 feet to the northeastern line of State Highway 132;

thence along said northeastern line in said Section 34 North $56^{\circ}26'59''$ West 935.79 feet to the section line common to said Section 34 and Section 33;

thence continuing along said northeastern line in said Section 33 the following five (5) courses:

- (1.) North $56^{\circ}26'59''$ West 435.25 feet;
- (2.) North $56^{\circ}37'01''$ West 662.13 feet;
- (3.) North $61^{\circ}32'23''$ West 496.93 feet;
- (4.) North $83^{\circ}27'19''$ West 599.25 feet;
- (5.) South $70^{\circ}48'36''$ West 771.58 feet to the center section line of said Section 33;

thence leaving said northeastern line along the center section line of said Section 33 South $00^{\circ}11'37''$ West 1269.22 feet to the $\frac{1}{4}$ corner common to said Section 33 and Section 4, T. 3S., R. 15E., M.D.M.;

thence leaving last said center section line along the section line common to said Sections 33 and 4 North $89^{\circ}36'36''$ West 1337.55 feet;

thence in said T. 3S. and in said Section 4, leaving last said section line South $00^{\circ}06'51''$ West 1021.81 feet and North $89^{\circ}07'58''$ West 1348.42 feet to the section line common to said Section 4 and Section 5;

thence along last said section line into Tuolumne County South $00^{\circ}43'26''$ West 1393.90 feet to the $\frac{1}{4}$ corner common to said Sections 4 and 5;

thence along last said section line South $00^{\circ}37'57''$ West 1341.73 feet;

thence in said Section 4 leaving last said section line North $89^{\circ}57'27''$ East 987.82 feet to said county line;

thence along said county line in said Section 4 and into Section 9 the following sixteen (16) courses:

- (1.) South $36^{\circ}40'13''$ East 272.63 feet;
- (2.) South $08^{\circ}35'33''$ East 428.83 feet;
- (3.) South $16^{\circ}12'55''$ West 182.28 feet;
- (4.) South $29^{\circ}56'05''$ East 114.95 feet;
- (5.) South $44^{\circ}37'10''$ East 375.91 feet;
- (6.) South $43^{\circ}01'55''$ East 188.66 feet;
- (7.) South $14^{\circ}17'34''$ East 236.90 feet;
- (8.) South $63^{\circ}26'30''$ East 160.98 feet;
- (9.) South $36^{\circ}20'52''$ East 302.83 feet;
- (10.) South $33^{\circ}57'33''$ East 211.23 feet;
- (11.) South $16^{\circ}33'11''$ East 358.00 feet;
- (12.) South $42^{\circ}09'07''$ East 164.99 feet;
- (13.) South $21^{\circ}15'55''$ East 234.91 feet;
- (14.) South $17^{\circ}24'54''$ East 281.39 feet;
- (15.) South $34^{\circ}10'35''$ East 283.38 feet;
- (16.) South $51^{\circ}31'15''$ East 108.85 feet to the center section line of said Section 9;

thence leaving said county line and running in said Tuolumne County and in said Section 9 along last said center section line South $00^{\circ}42'00''$ West 1609.88 feet;

thence leaving last said center section line North $59^{\circ}50'56''$ East 1195.33 feet to said County Line;

thence along said County Line South $36^{\circ}36'50''$ East 150.51 feet and South $16^{\circ}18'40''$ East 302.41 feet;

thence leaving said county line in said Tuolumne County South $59^{\circ}51'10''$ West 1339.86 feet to the centerline of Merced Falls Road;

thence along said centerline North $29^{\circ}20'21''$ West 111.04 feet to last said center section line;

thence along last said center section line South $00^{\circ}42'00''$ West 1516.68 feet to the $\frac{1}{4}$ corner common to said Section 9 and Section 16;

thence leaving last said center section line along the section line common to said Sections 9 and 16 North $88^{\circ}21'52''$ East 2080.49 feet to said county line;

thence leaving last said section line along said county line the following three (3) courses:

- (1.) South $20^{\circ}10'17''$ East 639.99 feet;
- (2.) South $60^{\circ}02'59''$ East 278.06 feet;
- (3.) South $27^{\circ}34'15''$ East 203.85 feet to the section line common to said Section 16 and Section 15;

thence leaving said county line and running in said Tuolumne County along last said section line South $01^{\circ}54'52''$ West 1157.30 feet;

thence leaving last said section line in said Section 15 North $89^{\circ}59'43''$ East 631.37 feet to said County Line;

thence along said County Line the following seven (7) courses:

- (1.) South $25^{\circ}13'15''$ East 106.62 feet;
- (2.) South $43^{\circ}07'53''$ East 245.70 feet;
- (3.) South $52^{\circ}56'23''$ East 235.48 feet;
- (4.) South $18^{\circ}51'15''$ East 215.80 feet;
- (5.) South $78^{\circ}31'32''$ East 283.52 feet;
- (6.) South $19^{\circ}10'01''$ East 211.62 feet;
- (7.) South $39^{\circ}08'03''$ East 91.96 feet;

thence leaving said County Line in said Tuolumne County and into said Section 16 South $63^{\circ}20'46''$ West 2300.62 feet to the Merced Falls Road;

thence along said Merced Falls Road in said Section 16 and in Section 15 and 22 the following fifteen (15) courses:

- (1.) South $42^{\circ}31'22''$ East 59.00 feet;
- (2.) South $27^{\circ}37'22''$ East 290.16 feet;
- (3.) South $33^{\circ}02'22''$ East 166.09 feet;
- (4.) South $44^{\circ}17'22''$ East 265.14 feet;
- (5.) South $18^{\circ}41'22''$ East 669.36 feet;
- (6.) South $19^{\circ}24'22''$ East 400.21 feet;
- (7.) South $06^{\circ}32'22''$ East 285.15 feet;
- (8.) South $21^{\circ}00'37''$ East 496.36 feet;
- (9.) South $15^{\circ}42'29''$ East 311.35 feet;
- (10.) South $11^{\circ}22'44''$ East 727.14 feet;
- (11.) South $17^{\circ}39'42''$ East 886.73 feet;
- (12.) South $08^{\circ}48'42''$ East 449.85 feet;
- (13.) South $14^{\circ}12'42''$ East 552.59 feet;
- (14.) South $23^{\circ}55'42''$ East 349.11 feet;
- (15.) South $10^{\circ}58'38''$ East 149.08 feet to said county line;

thence leaving said Tuolumne County and continuing along said Merced Falls Road in said Mariposa County in said Section 22 and in Section 27 the following four (4) courses:

- (1.) South $08^{\circ}36'13''$ East 340.90 feet;
- (2.) South $01^{\circ}28'10''$ West 2024.59 feet;
- (3.) South $89^{\circ}12'55''$ East 35.47 feet;
- (4.) South $00^{\circ}08'05''$ East 1356.57 feet to the Barrett Cove Road;

thence leaving said Merced Falls Road and running along said Barrett Cove Road, South $89^{\circ}34'03''$ East 4032.42 feet to the corner common to said Section 27 and Section 26;

thence leaving said Barrett Cove Road along the section line common to said Section 26 and 27 South $00^{\circ}15'18''$ West 2673.31 feet to the section corner common to said Sections 26 and 27 and Sections 34 and 35;

Thence along the section line common to said Sections 27 and 34 North 89° 44' 26" West 2640.46 feet to the western side of said Merced Falls Road;

Thence leaving last said section line and running along said Merced Falls Road in Section 34 the following eleven (11) courses:

- (1.) South 00° 52' 50" East 394.46 feet;
- (2.) Along a curve to the right with a central angle of 04° 45' 09" a radius of 2,000 feet and a length of 165.89 feet;
- (3.) South 02° 21' 42" West 378.94 feet;
- (4.) South 04° 54' 41" West 550.51 feet;
- (5.) Along a curve to the right with a central angle of 17° 42' 10" a radius of 2,200 feet and a length of 679.74 feet;
- (6.) South 21° 34' 29" West 285.00 feet;
- (7.) South 19° 04' 49" West 315.50 feet;
- (8.) South 24° 56' 58" West 206.25 feet;
- (9.) South 13° 56' 53" West 157.65 feet;
- (10.) South 06° 47' 58" East 147.88 feet;
- (11.) South 00° 38' 20" East 782.73 feet;

Thence leaving said Merced Falls Road and running in said Section 34 and into Section 33 the following six (6) courses:

- (1.) South 87° 49' 06" West 724.79 feet;
- (2.) South 64° 22' 23" West 764.60 feet;
- (3.) North 87° 54' 44" West 507.61 feet;
- (4.) North 55° 30' 14" West 2006.43 feet;
- (5.) North 00° 51' 18" East 348.77 feet;
- (6.) North 00° 33' 56" East 2891.23 feet to the section line common to said Section 33 and Section 28;

Thence along last said section line North 88° 38' 58" West 1340.16 feet to the $\frac{1}{4}$ corner common to said Sections 33 and 28;

Thence leaving last said section line along the center section line of said Section 33 South 00° 52' 46" West 2846.03 feet to the center $\frac{1}{4}$ corner of said Section 33;

Thence along the center section line of said Section 33 North 86° 44' 52" West 2673.59 feet to the $\frac{1}{4}$ corner common to said Section 33 and Section 32;

thence leaving said Section 33 along the center section line of said Section 32 South 89°59'05" West 5317.91 feet to the ¼ corner common to said Section 32 and Section 31;

thence leaving said Section 32 along the center section line of said Section 31 South 89°15'10" West 1331.93 feet;

thence leaving last said center section line North 00°03'36" East 1325.37 feet and South 89°05'30" West 1331.98 feet to the center section line of said Section 31;

thence along last said center section line North 00°03'36" East 1321.62 feet to the ¼ corner common to said Section 31 and Section 30;

thence leaving said Section 31 along the center section line of said Section 30 North 00°11'08" East 5355.32 feet to the ¼ corner common to said Section 30 and Section 19;

thence leaving said Section 30 along the center section line of said Section 19 North 00°26'10" East 2672.21 feet to the center ¼ corner of said Section 19;

thence along the center section line of said Section 19 North 88°23'49" East 1343.18 feet;

thence leaving last said center section line North 00°22'51" East 2661.79 feet to the section line common to said Section 19 and Section 18;

thence along last said section line South 87°21'48" West 4119.01 feet to the section corner common to Sections 18 and 19, T. 3S., R. 15E., M.D.M. and Section 13 and 24, T. 3S., R. 14E., M.D.M.;

thence leaving said Section 19 along the section line common to said Section 18 and 13 North 00°01'38" East 2608.23 feet to the ¼ corner common to said Section 18 and 13;

thence continuing along last said section line North 00°08'54" West 2298.64 feet to said County Line;

thence leaving last said section line and running in said Section 18 and along said county line the following thirty-nine (39) courses;

- (1.) South 65°08'19" East 215.37 feet;
- (2.) North 78°09'43" East 225.62 feet;
- (3.) North 56°25'54" East 197.58 feet;
- (4.) North 78°45'26" East 327.99 feet;
- (5.) North 83°51'46" East 170.45 feet;
- (6.) North 59°41'17" East 274.60 feet;
- (7.) North 79°12'45" East 133.25 feet;
- (8.) South 33°11'43" East 210.41 feet;
- (9.) South 11°12'31" East 169.18 feet;
- (10.) South 51°58'13" East 219.65 feet;

- (11.) South 33°07'14" West 602.57 feet;
- (12.) South 34°48'04" East 82.19 feet;
- (13.) South 70°20'20" East 336.76 feet;
- (14.) South 26°26'15" East 159.94 feet;
- (15.) South 62°32'31" East 334.35 feet;
- (16.) South 50°15'51" East 399.54 feet;
- (17.) South 50°20'18" East 234.52 feet;
- (18.) South 07°37'29" East 272.85 feet;
- (19.) South 07°27'34" East 192.14 feet;
- (20.) South 08°22'00" West 159.33 feet;
- (21.) South 26°12'45" West 232.67 feet;
- (22.) South 15°39'56" West 87.36 feet;
- (23.) South 28°40'49" East 41.24 feet;
- (24.) North 51°53'55" East 69.06 feet;
- (25.) North 66°09'15" East 151.93 feet;
- (26.) North 89°56'47" East 161.51 feet;
- (27.) North 73°13'54" East 705.69 feet;
- (28.) North 65°14'21" East 89.32 feet;
- (29.) North 20°36'21" East 77.59 feet;
- (30.) South 45°39'16" East 92.04 feet;
- (31.) North 88°59'08" East 109.68 feet;
- (32.) North 69°48'04" East 307.89 feet;
- (33.) North 44°30'54" East 298.32 feet;
- (34.) North 32°12'27" East 343.84 feet;
- (35.) North 54°21'21" East 159.02 feet;
- (36.) North 89°58'02" East 316.33 feet;
- (37.) South 34°49'27" East 167.17 feet;
- (38.) South 58°27'30" East 315.26 feet;
- (39.) South 25°10'56" East 131.24 feet to the section line common to said Section 18 and Section 17;

thence leaving said County Line in said Tuolumne County along last said section line North $00^{\circ}01'34''$ East 1207.95 feet to the southwestern line of State Highway 132;

thence leaving last said section line in said Section 17 along last said southwestern line the following seven (7) courses:

- (1.) North $89^{\circ}37'06''$ East 123.61 feet;
- (2.) South $74^{\circ}55'17''$ East 51.19 feet;
- (3.) South $69^{\circ}14'06''$ East 593.80 feet;
- (4.) South $62^{\circ}27'00''$ East 450.00 feet;
- (5.) South $14^{\circ}26'55''$ East 168.13 feet;
- (6.) North $81^{\circ}21'41''$ East 130.49 feet;
- (7.) South $40^{\circ}49'33''$ East 67.10 feet;

thence leaving last said southwestern line South $00^{\circ}06'18''$ West 693.96 feet to the center section line of said Section 17;

thence leaving last said center section line South $00^{\circ}04'37''$ East into said Mariposa County 2667.20 feet to the section line common to said Section 17 and Section 20;

thence leaving said Section 17 and running in said Section 20 the following five (5) courses;

- (1.) South $00^{\circ}11'26''$ West 4029.34 feet;
- (2.) North $89^{\circ}29'24''$ East 1339.19 feet;
- (3.) North $89^{\circ}16'52''$ East 1323.40 feet;
- (4.) North $00^{\circ}06'25''$ East 1346.29 feet;
- (5.) North $00^{\circ}10'50''$ West 219.88 feet to said county line;

thence leaving said Mariposa County and running in said Tuolumne County and in said Section 20 North $00^{\circ}10'50''$ West 2459.28 feet to the section line common to said Section 20 and said Section 17;

thence along last said section line North $89^{\circ}28'10''$ East 1313.60 feet to the section corner common to said Sections 20 and 17 and Sections 16 and 21;

thence along the section line common to said Sections 17 and 16 North $00^{\circ}12'54''$ West 2707.37 feet to the $\frac{1}{4}$ corner common to said Section 17 and 16;

thence continuing along last said section line North $00^{\circ}09'24''$ East 2647.74 feet to the section corner common to said Section 17 and 16 and Sections 8 and 9;

thence along the section line common to said Sections 8 and 9 North 00°11'33" East 2679.19 feet to the $\frac{1}{4}$ corner common to said Sections 8 and 9;

thence continuing along last said section line North 00°00'44" East 1348.29 feet;

thence leaving last said section line and running in said Section 8 South 89°57'40" West 1331.14 feet and North 00°19'05" West 1359.63 feet to the section line common to said Section 8 and Section 5;

thence leaving said Section 8 in Section 5 North 00°45'02" East 1338.22 feet and North 89°42'18" West 1336.28 feet to the center section line of said Section 5;

thence along last said center section line North 00°52'09" East 1334.72 feet to the center $\frac{1}{4}$ corner of said Section 5;

thence along the center section line of said Section 5 North 89°51'24" West 1375.20 feet;

thence leaving last said center section line North 02°00'46" East 1338.74 feet and South 89°19'52" West 1348.28 feet to the section line common to said Section 5 and Section 6;

thence along last said section line North 03°12'46" East 865.13 feet to the section corner common to said Section 5 and 6 and Section 32 and 31, T. 2S., R. 15E., M.D.M.;

thence leaving said Township 3 South in Township 2 South and in said section 31 the following eighteen (18) courses:

- (1.) South 88°57'28" West 215.78 feet;
- (2.) North 15°40'00" West 70.17 feet;
- (3.) North 32°16'00" East 279.10 feet;
- (4.) North 74°36'00" West 173.22 feet;
- (5.) South 70°06'00" West 253.06 feet;
- (6.) South 14°49'00" West 195.50 feet;
- (7.) North 37°52'00" West 438.27 feet;
- (8.) North 82°35'00" East 147.23 feet;
- (9.) North 13°52'00" East 333.73 feet;
- (10.) North 82°26'00" East 189.65 feet;
- (11.) North 41°16'00" East 206.21 feet;
- (12.) North 41°56'00" West 185.53 feet;
- (13.) North 28°47'00" East 162.01 feet;
- (14.) North 39°03'00" West 231.77 feet;
- (15.) South 67°06'00" West 251.85 feet;

(16.) North $19^{\circ}49'00''$ West 339.10 feet;

(17.) North $80^{\circ}56'00''$ East 716.96 feet;

(18.) North $53^{\circ}29'00''$ East 147.86 feet to the section line common to said Sections 31 and 32;

thence along last said section line North $00^{\circ}53'15''$ East 830.58 feet to the $\frac{1}{4}$ corner common to said Sections 31 and 32;

thence continuing along last said section line North $00^{\circ}59'08''$ East 1338.87 feet;

thence leaving last said section line in said Section 32 South $89^{\circ}54'56''$ East 1305.35 feet and North $00^{\circ}34'54''$ East 1342.11 feet to the section line common to said Section 32 and Section 29;

thence along last said section line South $89^{\circ}56'10''$ West 1295.95 feet to the section corner common to said Sections 32 and 29 and Sections 30 and 31;

thence along the section line common to said Sections 30 and 31 North $89^{\circ}46'14''$ West 1357.32 feet;

thence leaving last said section line in said Section 30 North $00^{\circ}37'48''$ West 1307.24 feet and North $89^{\circ}03'58''$ East 1354.94 feet to the section line common to said Sections 30 and 29;

thence along last said section line North $00^{\circ}43'35''$ West 1334.79 feet to the $\frac{1}{4}$ corner common to said Sections 30 and 29;

thence continuing along last said section line North $00^{\circ}51'15''$ East 2629.85 feet to the section corner common to said Sections 30 and 29 and Sections 19 and 20, being the point of beginning of this description and containing 9027.03 acres more or less.

Saving and excepting therefrom in the hereinabove described lands the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 32; T. 2S., R. 15E., M.D.M. containing 38.4 acres more or less

Bearings in the above description are based on the California State Co-ordinate System, Zone III.

Distances in the above description are grid distances. To obtain ground distances, divide grid distances by a combined grid factor of 0.9998814.

