

Staff Report

for the Board of Directors' Meeting of June 8, 2016

TO: Board of Directors

FROM: Gary King, Engineering Manager
Matthew Crowe, Senior Right of Way Agent

DATE: June 1, 2016

SUBJECT: Rock Creek Siphon Project #6898
Easement Acquisition
On Placer County APN 052-030-046

ENGINEERING

RECOMMENDATION:

Adopt Resolution No. 2016-24 (Declaring necessity and authorizing eminent domain proceedings for the acquisition of real property for a public project known as the Rock Creek Siphon Project – on Placer County APN 052-030-046, owned by Pacific Gas and Electric Company, A California Corporation (PG&E))

BACKGROUND:

NID relies on the water delivered into the PG&E's Rock Creek Reservoir as the source for NID's North Auburn treated water systems and some raw water deliveries. The water source for the Rock Creek Reservoir is PG&E's Wise Canals which is fed by PG&E's Bear River Canal. When conveyance into the reservoir is cutoff, it potentially disrupts water going to NID's treatment plant, over 2800 treated water services and hundreds of raw water customers. At present, there is not an alternate way to adequately deliver water into Rock Creek Reservoir for the needs of downstream water systems.

Such a disruption occurred on April 19, 2011, when 55 feet of the PG&E's Bear River Canal failed along a steep embankment. With the BR Canal out of service, NID, PG&E and Placer County Water Agency (PCWA) operations and services were significantly affected.

NID, PG&E and PCWA deployed temporary emergency measures and received assistance from neighboring agencies, including San Juan Water District, Cal-American Water Company, the Cities of Roseville and Lincoln and the Midway Heights County

Water District to partially offset the PG&E canal outage and limit the impacts of the canal outage.

The Bear River Canal outage lasted until June 2011 after which NID resumed normal operations and restored services its customers. The complete repair of the canal was finished in December 2011.

Project Description

This project provides an alternate conveyance facility to the reservoir to improve the reliability of NID's water operations and deliveries to serve customers in the North Auburn area. By constructing the project NID will have gravity water flow from NID's Combie Ophir II Canal via a 36" diameter pipeline, approximately 3,530 feet, to PG&E's Rock Creek Reservoir. Project plans and information can be viewed on NID's website at: <http://nidwater.com/rock-creek-siphon-project/> .

The project alignment affects 9 individual parcels, including 7 private parcels, NID's North Auburn Treatment Plant property, and the subject PG&E Rock Creek Reservoir property. The pipe also crosses Shale Ridge Road and Locksley Lane. (See Attached Project Map)

NID has obtained all the right of way for the project, except for the subject easement across PG&E's Rock Creek Reservoir lands. (See attached Easement Deed with Exhibits)

The proposed NID easement on PG&E's property is 25 feet wide, 242± feet in length, covering 7,708 ± square feet. NID staff modified the easement area and project plans to accommodate PG&E input, including: the 150± foot section of pipeline will be ductile iron instead of PVC, a 92± foot long rip-wrap rock swale from the outlet will extend at least ten feet below the reservoir's ordinary high water mark, and the pipe alignment was revised where it passes the northerly end of the Rock Creek Dam.

Project and Acquisition Timeline

May 14, 2014	–	CEQA certified and project approved by NID Board of Directors
October 2014	–	NID and PG&E meet to discuss project.
December 4, 2014	–	Notice of Decision to Appraise mailed to PG&E
December 16, 2014	–	Onsite appraisal inspection
February 2015	–	Appraisal report received and approved by NID
March 17, 2015	–	Written offer for easement mailed to PG&E
March 2015	–	Project construction contract awarded
July 2015	–	NID received grant for project funding
November 2015	–	Construction started
March 2016	–	18 month CPUC review for has not yet commenced
April 21, 2016	–	Notice of Intent for RON mailed to PG&E
May 24, 2016	–	Supplemental Notice mailed to PG&E - RON hearing scheduled for June 8, 2016

The proposed easement crosses PG&E property that is subject to obligations under its bankruptcy court approved Land Conservation Commitment (LCC) and Settlement and

Stipulation Agreement (SSA). The Stewardship Council, which oversees implementation of the LCC and SSA on PG&E lands, recommends that PG&E grant a conservation easement (CE) on the subject property to the Placer Land Trust. NID staff recommends that NID acquire these interests before the subject PG&E parcel is encumbered by a CE, thereby securing NID's senior rights in perpetuity and maximizing NID's ability to meet its obligations for water delivery.

Current Status

Over the past 18 months. NID staff and PG&E staff have discussed the project and granting NID an easement. PG&E has not expressed objection to NID's need for the project or the easement. A PG&E easement grant needs approval from the California Public Utility Commission (CPUC). The CPUC review process has not yet started and may take 18 months.

Pursuing acquisition of the subject property interests via condemnation action in court provides an inclusive, proactive course for NID to reach a conclusion. Under the circumstances, staff recommends it as the preferred method of acquisition.

In adopting this resolution and authorizing the initiation of eminent domain proceedings, the NID Board must find the following four items:

1. The public interest and necessity require the Project.
2. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The property sought to be acquired is necessary for the Project.
4. The offer required by section 7267.2 of the California Government Code has been made to the owner of record of the property to be acquired.

The request from staff is a finding regarding the necessity for this project and this acquisition, approval to seek an order from the court for possession of the real property interests and for a judgment by the court of fair value.

District staff remains available to discuss the project with property owners and will continue to pursue a negotiated acquisition.

mc

attachments:

- Resolution 2016-24 with Exhibits 1, A & B
- Copy of Offer Letter dated March 17, 2015
- Copy of Notice of Intent dated April 21, 2016
- Copy of Supplemental Notice of Intent dated May 24, 2016
- Project vicinity map, aerial image and site photograph

**DECLARING NECESSITY AND AUTHORIZING
EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF
REAL PROPERTY FOR A PUBLIC PROJECT KNOWN AS THE ROCK CREEK
SIPHON PROJECT – ON PLACER COUNTY APN 052-030-046,
OWNED BY PACIFIC GAS AND ELECTRIC COMPANY**

After duly convened public hearing on the matter of the acquisition by eminent domain of property interests for the **ROCK CREEK SIPHON PROJECT, BE IT RESOLVED** by the Board of Directors of NEVADA IRRIGATION DISTRICT that it finds and determines and hereby declares as follows:

1. The public improvement project entitled ROCK CREEK SIPHON PROJECT, consists of the installation of approximately 3,500 feet of 36-inch diameter water pipeline, and associated appurtenances, to convey water from Combie Ophir 2 Canal to the PG&E Rock Creek Reservoir.

The Nevada Irrigation District ROCK CREEK SIPHON PROJECT will increase the reliability of delivery of District's water to Rock Creek Reservoir. The project will provide needed facilities to accomplish the following public purposes:

- Enhance public health, safety and welfare by providing an additional source for District water delivery into the Rock Creek Reservoir, which is presently served by PG&E's only system for water delivery via the Wise Canal into the Rock Creek Reservoir);
 - Convey District water to the Rock Creek Reservoir which is needed for the District's North Auburn Water Treatment Plant to supply potable water to the North Auburn Treated Water system;
 - Convey District water to the Rock Creek Reservoir which is needed for the District's irrigation water systems
2. The ROCK CREEK SIPHON PROJECT is a public use authorized by law.
 3. The ROCK CREEK SIPHON PROJECT is planned and located in a manner that would be most compatible with the greatest public good and least private injury.
 4. The public interest and necessity require the ROCK CREEK SIPHON PROJECT.

5. The property sought to be acquired is necessary for the ROCK CREEK SIPHON PROJECT.
6. NEVADA IRRIGATION DISTRICT is empowered to exercise the power of eminent domain for the purpose of acquiring real property necessary for the ROCK CREEK SIPHON PROJECT, pursuant to the provisions of Section 22456 of the California Water Code.
7. The property interests to be acquired are situated in the county of Placer and are outside of the Nevada Irrigation District boundaries.
8. The Nevada Irrigation District is authorized to acquire property by eminent domain outside of the territorial limits of the District for water supply purposes, under California Code of Civil Procedure section 1240.125.
9. The extent and location of the property interests to be acquired for the ROCK CREEK SIPHON PROJECT are set forth in the easement deed attached to this resolution as Exhibit "1" and are more particularly described and depicted in Exhibits "A" and "B", attached hereto.
10. The property to be acquired is owned by Pacific Gas and Electric Company.
11. The property to be acquired is now appropriated to a public use and the use for which the property is sought to be acquired is a more necessary public use than the use to which the property is currently appropriated, under code of civil procedure section 1240.610.
12. The offer required by section 7267.2 of the California Government Code has been made to the owner of record of the property to be acquired.
13. Prior to the adoption of this Resolution, notice and an opportunity to be heard was provided to the landowner pursuant to the provisions of Section 1245.235.
14. The ROCK CREEK SIPHON PROJECT has been planned in compliance with the California Environmental Quality Act.
15. No person, business or farm operation shall be displaced by reason of the acquisition of the real property interest described herein for a public use.

BE IT FURTHER RESOLVED by this Board of Directors that NEVADA IRRIGATION DISTRICT be, and is, authorized and empowered as follows:

1. To acquire in the name of NEVADA IRRIGATION DISTRICT, the easement rights for water conveyance facilities and appurtenances on the real property referred to hereinabove and described in Exhibits "1", "A" and "B" attached hereto, pursuant to

the provisions of Division 11 of the California Water Code, Section 22456, and the provisions of Title 7 of the California Code of Civil Procedure commencing with Section 1230.010, et seq., and the Constitution of the State of California relating to eminent domain.

2. To prepare and prosecute in the name of said District such proceeding or proceedings in the proper court having jurisdiction thereof as are necessary for such adjudication.
3. To move the Court for an order for possession prior to judgment, pursuant to Code of Civil Procedure sections 1255.410 and following.
4. To make deposits of security out of proper funds under the control of NEVADA IRRIGATION DISTRICT, in such amounts so fixed and determined and in such a manner as said District manager or designee may direct.
5. To deposit the probable amount of compensation based on an appraisal, which will be awarded in the proceeding, pursuant to Code of Civil Procedure sections 1255.010 and following

PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting of said Board, held on the 8th day of June 2016 by the following vote of said Board:

AYES:	Directors
NOES:	Directors
ABSENT:	Directors
ABSTAINING:	Directors

Secretary

EXHIBIT 1

RECORDING REQUESTED BY:

Nevada Irrigation District

WHEN RECORDED MAIL TO:

**Nevada Irrigation District
1036 W. Main Street
Grass Valley, CA 95945**

Placer County APN: 052-030-046

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Project: 6898 Rock Creek Siphon Project
Map No. 488/489
Index No. 27

Documentary Transfer Tax: \$ _____
 Computed on full value of property conveyed
 Unincorporated area City of _____
 Recordation requested by Nevada Irrigation District,
a political Subdivision of the State of California,
pursuant to Government Code Section 6103.

Signature of Agent Determining Tax

EASEMENT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

PACIFIC GAS AND ELECTRIC COMPANY, a California corporation

hereinafter called GRANTOR, hereby grants to **NEVADA IRRIGATION DISTRICT**, hereinafter called DISTRICT, a permanent easement for rights stated herein, on, over, under and across those certain lands, hereinafter called Easement Area, which are situated in the unincorporated area, County of Placer, State of California, described in Exhibit "A" and shown on Exhibit "B" attached hereto.

GRANTOR hereby grants to DISTRICT the rights, privilege and authority to excavate for, install, replace, relocate (of the initial or any other size or flow), inspect, remove, operate, patrol, maintain and use such facilities as the DISTRICT shall from time to time elect for conveying water, with necessary and proper valves and other appurtenances and fittings including telemetry or electrical lines, measuring, recording, and monitoring devices, aboveground vaults, valve boxes, fire hydrants, blow offs or manholes, and other directly related apparatus, and devices for controlling electrolysis for use in connection with said facilities, together with adequate protection therefore, and also together with a right of way within said Easement Area, or along a route as hereinafter set forth;

Together with the following rights:

- a) the right of grading said Easement Area for the full width thereof;
- b) the right to ingress to and egress from said Easement Area for persons, equipment, materials and vehicles over and across GRANTOR's property by means of roads and lanes thereon, if such there be, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to GRANTOR;
- c) the right from time to time to trim, remove, cut down and clear away any and all trees, brush, and debris now or hereafter on said Easement Area;

- d) the right to install, maintain and use gates in all fences which now or hereafter cross said Easement Area;
- e) the right to mark the location of pipelines by suitable markers set in the ground.

OBLIGATIONS OF THE DISTRICT

DISTRICT hereby covenants and agrees:

- a) DISTRICT shall repair any damage it shall do to GRANTOR's private roads or lanes on said Easement Area;
- b) DISTRICT shall indemnify GRANTOR against any claims for loss and damage arising out of the exercise of rights granted hereby.

Failure by DISTRICT to perform its obligations described herein would constitute a breach of contract and be subject to action for damages. DISTRICT non-performance would not constitute a condition subsequent or a basis for an extinguishment, forfeiture or reversion of this Easement.

GRANTOR'S USE OF EASEMENT AREA

GRANTOR may use said Easement Area for purposes and in a manner that will not interfere with DISTRICT's full enjoyment of the rights granted hereby; provided that GRANTOR shall first apply for and receive from DISTRICT an encroachment permit authorizing the use. GRANTOR's application will be processed and determined in accordance with DISTRICT's rules and regulations regarding encroachments upon areas subject to DISTRICT easements, as they now exist or as hereafter duly adopted. DISTRICT will not unreasonably condition or deny the encroachment permit, or delay acting upon GRANTOR's application.

Typical GRANTOR uses that may meet DISTRICT approval include utility facilities (e.g. private service conduits), walkways, driveways, fencing, low impact landscaping, or cattle grazing.

Typical GRANTOR uses that do not meet DISTRICT approval include erecting or constructing any structure or other obstruction, drilling or operating any well, constructing any reservoir, diminishing or substantially adding to the ground cover, storing or using materials that pose a hazard to water quality.

BINDING EFFECT

This Easement shall be binding upon and inure to the benefit of the parties successors and assigns, heirs, beneficiaries and personal representatives.

PACIFIC GAS AND ELECTRIC COMPANY, a California corporation

Date: _____

Signature

Print Name

Title

Date: _____

Signature

Print Name

Title

ACCEPTANCE

This is to certify that the interest in real property conveyed by this document to the Nevada Irrigation District, a governmental agency, is hereby accepted by the undersigned on behalf of the Board of Directors of the Nevada Irrigation District pursuant to authority conferred by Resolution No. _____ of said Board adopted on _____.

Date: _____

EXHIBIT "A"

A strip of land, thirty (30.00) feet in width being a portion of the lands described in Book 177 Official Records at Page 132 Placer County Records, State of California, being located within the Northeast one-quarter of the Southwest one-quarter of Section 28, Township 13 North, Range 8 East, M.D.M., and being more particularly described as follows:

Beginning at a point on the property boundary line of that certain parcel of land described in said Book 177 Official Records at Page 132 said **Point of Beginning** being located South 33°21'53" West 321.66 feet from the Center one-quarter Section Corner of Section 28, Township 13 North, Range 8 East, M.D.M., thence along said property boundary line South 0°01'16" East 30.18 feet, thence leaving said property boundary line and across the lands described in said Book 177 Official Records at Page 132 the following seven (7) courses:

South 83°50'32" East 37.52 feet;

South 6°09'28" West 49.79 feet;

South 17°24'28" West 135.05 feet;

South 72°35'32" East 30.00 feet;

North 17°24'28" East 138.00 feet;

North 6°09'28" East 82.74 feet;

North 83°50'32" West 70.77 feet to the Point of Beginning.

The herein described strip contains an area of 7,708 square feet more or less.

The herein described strip is shown on Exhibit "B" attached hereto and made a part hereof.

The herein described strip affects a portion of APN 052-030-046.

Bruce E. Parker, PLS 7757



**End of
Description**

NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT 'B'

PROJECT FOR ROCK CREEK SIPHON
THROUGH LAND OF PG&E

DATE November 20, 2014

SCALE: 1" = 300'



1" = 300'

SEC. 28 T. 13N, R. 8E
M.D.M.

PG&E
177 O.R. 132
POR. AP 52-030-046

EASEMENT LOCATION
SEE SHEET 2 OF 2

N-S CENTER SECTION LINE SEC. 28

BASIS OF BEARING:
RECORD OF SURVEY FILED IN BOOK 14 OF
SURVEYS AT PAGE 66, PLACER COUNTY
RECORDS



NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT 'B'

PROJECT FOR ROCK CREEK SIPHON

DATE November 20, 2014

THROUGH LAND OF PG&E

SCALE: 1"=50'



N 89°40'26" E

C1/4 SEC. COR.
SECTION 28

321.66'

S 33°21'53" W

N-S CENTER SECTION LINE SECTION 28 0°01'16" E

1"=50'

SEC. 28 T. 13N, R. 8E
M.D.M.

AP 52-030-018

POB

PROPERTY LINE

EASEMENT LOCATION
AREA = 7,708 Sq.Ft. +/-

S00° 01' 16"E
30.18'

N83° 50' 32"W
70.77'

S83° 50' 32"E
37.52'

S06° 09' 28"W
49.79'

N06° 09' 28"E
82.74'

PG&E

177 O.R. 132
AP 052-030-046

ROCK CREEK RES.

S17° 24' 28"W
135.05'

S06° 09' 28"W
49.79'

N17° 24' 28"E
138.00'

S72° 35' 32"E
30.00'

BASIS OF BEARINGS:
RECORD OF SURVEY FILED IN BOOK 14 OF
SURVEYS AT PAGE 66, PLACER COUNTY RECORDS

March 17, 2015

Mr. Robert Steigmeyer
Land Planner, Hydro Support
Pacific Gas and Electric Company
Land & Environmental Management
2730 Gateway Oaks Dr., Suite #220
Sacramento, CA 95833



TRUSTED ENGINEERING ADVISORS

Bennett Engineering Services
1082 Sunrise Avenue, Suite 100
Roseville, California 95661

T 916.783.4100

F 916.783.4110

www.ben-en.com

**Re : Rock Creek Siphon Real Property Interest Acquisition Offer
Affecting PG&E Parcels, Nevada County APN: 052-030-046**

Dear Mr. Steigmeyer:

Bennett Engineering Services is under contract with Nevada Irrigation District to acquire the right of way over Pacific Gas and Electric Company's Rock Creek Reservoir property for the project referenced above.

Pursuant to prior discussions between PG&E and NID, please find herewith NID's offer for the easement interests sought by NID for the Rock Creek Siphon project.

This letter along with the enclosed documents constitutes NID's offer of \$2,900 for the subject interests identified herein affecting PG&E's property. The enclosed documents include the following:

- EASEMENT DEED including Exhibits "A" and "B"
- RIGHT OF WAY AGREEMENT
- ESCROW INSTRUCTIONS to First American Title Co. and a copy of the Preliminary Title report
- APPRAISAL REPORT prepared by Daniel R. Ketcham and Associates dated January 28, 2015

This offer is expressly conditioned on PG&E's cleanup of site contamination (should any exist) within the easement areas described in the enclosed deeds.

This offer is conditioned upon execution by the parties of a Right of Way and Easement Agreement with terms acceptable to the parties.

To assist PG&E in evaluating NID's offer, please note that NID is obligated to offer to PG&E reimbursement for the reasonable costs of an appraisal ordered by PG&E pursuant to Civil Code of Procedure Section §1263.025. If PG&E's appraiser opines different value from that offered herein, NID will consider this report and may adjust its offer based on the additional information.

You are welcome to contact me at (530) 333-2636 or by mail at the address above to discuss and/or identify any questions or concerns you may have. Thank you for your cooperation and consideration of this matter.

Sincerely,

Myra Cooper Holmes SR/WA
Property Acquisition Manager

Enclosures

cc: Adrian Schneider



NEVADA IRRIGATION DISTRICT

1036 W. Main Street, Grass Valley, CA 95945-5424 ~ www.nidwater.com
(530) 273-6185 ~ Fax: (530) 477-2646 ~ Toll Free: (800) 222-4102

April 21, 2016

PLACER COUNTY
APN – 052-030-046-000

CERTIFIED MAIL: 7009 2250 0001 9123 5516

Pacific Gas and Electric Company
c/o Cesar V. Alegria, Jr., Esq.
PG&E/Law Dept
77 Beale St #B-30A
San Francisco, CA 94105

NOTICE

YOU ARE HEREBY NOTIFIED that the governing body of Nevada Irrigation District will consider for adoption, and may adopt, a resolution of necessity authorizing eminent domain proceedings to be commenced against Pacific Gas and Electric Company, a California Corporation, for the acquisition of certain real property pursuant to a public project for the Rock Creek Siphon Project within Nevada Irrigation District. This notice is given to you as required by California Law, specifically California Code of Civil Procedure, Section 1245.210 et seq.

The real property, which is the proposed subject of eminent domain proceedings, is more particularly described in the Easement Deed, attached hereto and incorporated by reference herein.

YOU ARE FURTHER NOTIFIED that you have the right to appear and be heard before the governing body of Nevada Irrigation District regarding all of these matters set forth and referred to in California Code of Civil Procedure, 1240.030 consisting of the following:

1. The public interest and necessity require the construction of the Project.
2. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The property sought to be acquired is necessary for the Project.

The subject real property, owned by Pacific Gas and Electric Company, is currently appropriated to a public use and is sought to be acquired for a more necessary public use, pursuant to California Code of Civil Procedure, 1240.610 et seq.

Pacific Gas and Electric Company
Cesar V. Alegria, Jr., Esq.
April 21, 2016

YOU ARE FURTHER NOTIFIED that your failure to file a written request to appear and be heard within 15 days after this notice was mailed will result in a waiver of your right to appear and be heard. You may direct any request for a public hearing to Nevada Irrigation District at said District's main office, 1036 West Main Street, Grass Valley CA 95945.



Matthew Crowe, Senior Right-of-Way Agent
Nevada Irrigation District

4-21-2016

Date

Enclosures

cc:

Lisa Francis Tassone

Mr. Anthony Soares, Esq.
Minasian, Meith, Soares, Sexton & Cooper, LLP
1681 Bird Street
P.O. Box 1679
Oroville, CA 95965-1679



NEVADA IRRIGATION DISTRICT

1036 W. Main Street, Grass Valley, CA 95945-5424 ~ www.nidwater.com
(530) 273-6185 ~ Fax: (530) 477-2646 ~ Toll Free: (800) 222-4102

May 24, 2016

PLACER COUNTY
APN – 052-030-046-000

CERTIFIED MAIL: 7009 2250 0001 9123 7237

Pacific Gas and Electric Company
c/o Cesar V. Alegria, Jr., Esq.
PG&E/Law Dept
77 Beale St #B-30A
San Francisco, CA 94105

SUPPLEMENTAL NOTICE (to NOTICE dated April 21, 2016)

YOU ARE HEREBY NOTIFIED that on June 8, 2016, the governing body of Nevada Irrigation District will consider for adoption, and may adopt, a resolution of necessity authorizing eminent domain proceedings to be commenced against Pacific Gas and Electric Company, a California Corporation, for the acquisition of certain real property pursuant to a public project for the Rock Creek Siphon Project for Nevada Irrigation District. This notice is given in compliance with California Law, specifically California Code of Civil Procedure, Section 1245.210 et seq.

The real property owned by Pacific Gas and Electric Company, which is the proposed subject of eminent domain proceedings, is more particularly described in the attachments to the NOTICE dated April 21, 2016 and are incorporated by reference herein.

YOU ARE FURTHER NOTIFIED that you have the right to appear and be heard before the governing body of Nevada Irrigation District regarding all of these matters set forth and referred to in California Code of Civil Procedure, 1240.030 consisting of the following:

1. The public interest and necessity require the construction of the Project.
2. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The property sought to be acquired is necessary for the Project.

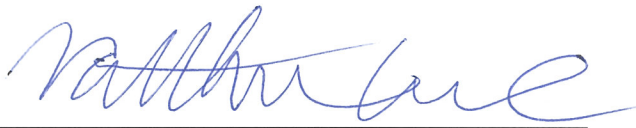
The subject real property, owned by Pacific Gas and Electric Company, is currently appropriated to a public use and is sought to be acquired for a more necessary public use, pursuant to California Code of Civil Procedure, 1240.610 et seq.

Pacific Gas and Electric Company
Cesar V. Alegria, Jr., Esq.
May 24, 2016

The Nevada Irrigation District Board of Directors meeting is scheduled for 9:00 a.m., June 8, 2016. The Board of Directors will consider and may adopt said resolution of necessity at this meeting. There is no set time for this agenda item so it will be heard in the course of business during the meeting.

You have the right to appear and be heard on the matters referred to in Section 1240.030, restated above, and Section 1240.610 et seq. Your failure to file a written request to appear and be heard within 15 days after this notice was mailed (the date of this notice) will result in waiver of the right to appear and be heard.

Please direct any inquiries in this matter to Nevada Irrigation District, 1036 W. Main Street, Grass Valley, CA 95945.



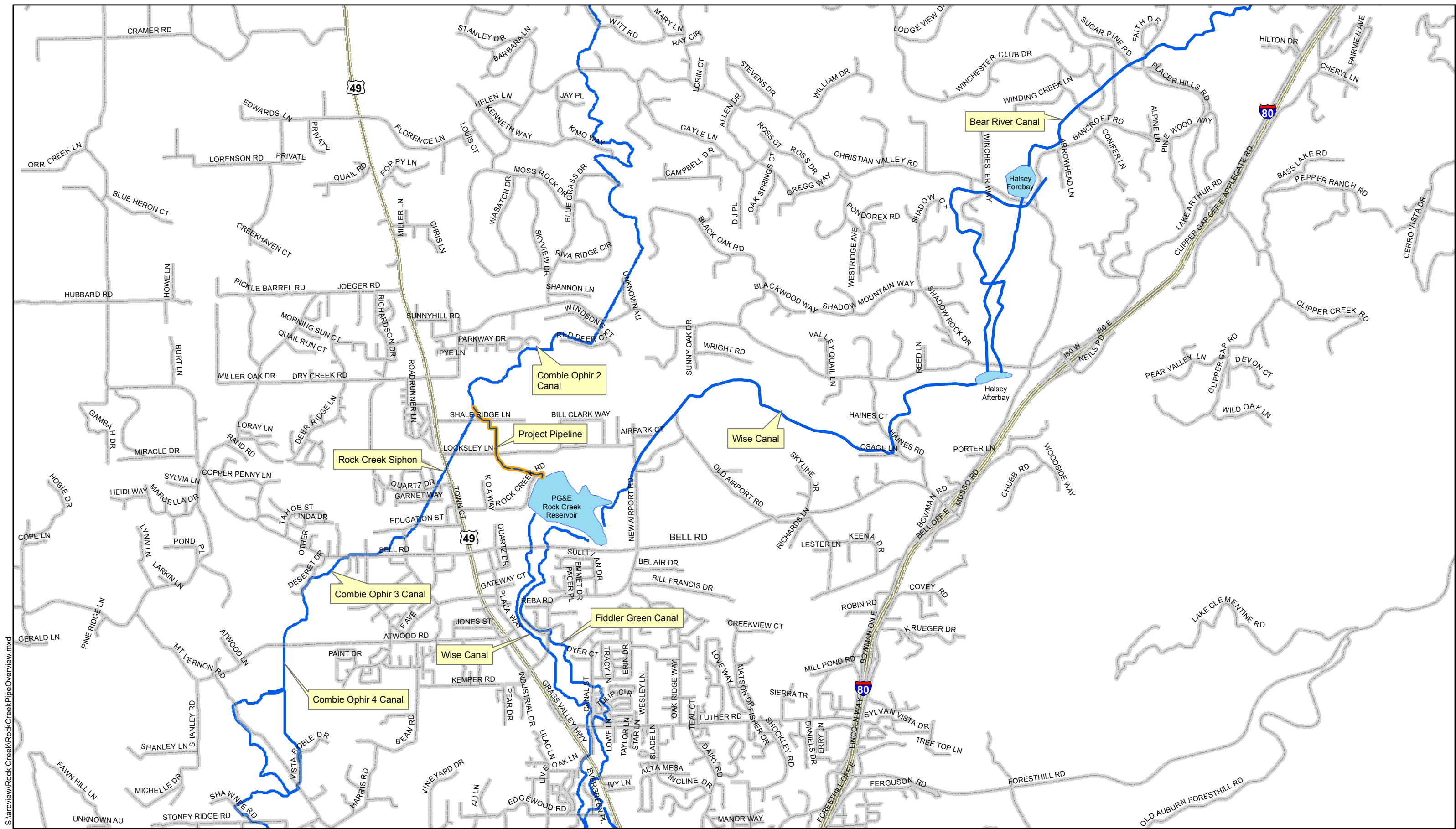
Matthew Crowe, Senior Right-of-Way Agent
Nevada Irrigation District

May 24, 2016
Date

cc:

Lisa Francis Tassone

Mr. Anthony Soares, Esq.
Minasian, Meith, Soares, Sexton & Cooper, LLP
1681 Bird Street
P.O. Box 1679
Oroville, CA 95965-1679



S:\arcview\Rock Creek\RockCreekPipeOverview.mxd





S:\arcview\Rock Creek\RockCreekPipeCloseUp.mxd



Date: 6/1/2016
 Drawn By: D. HUNT

ROCK CREEK SIPHON PROJECT

NEVADA IRRIGATION DISTRICT

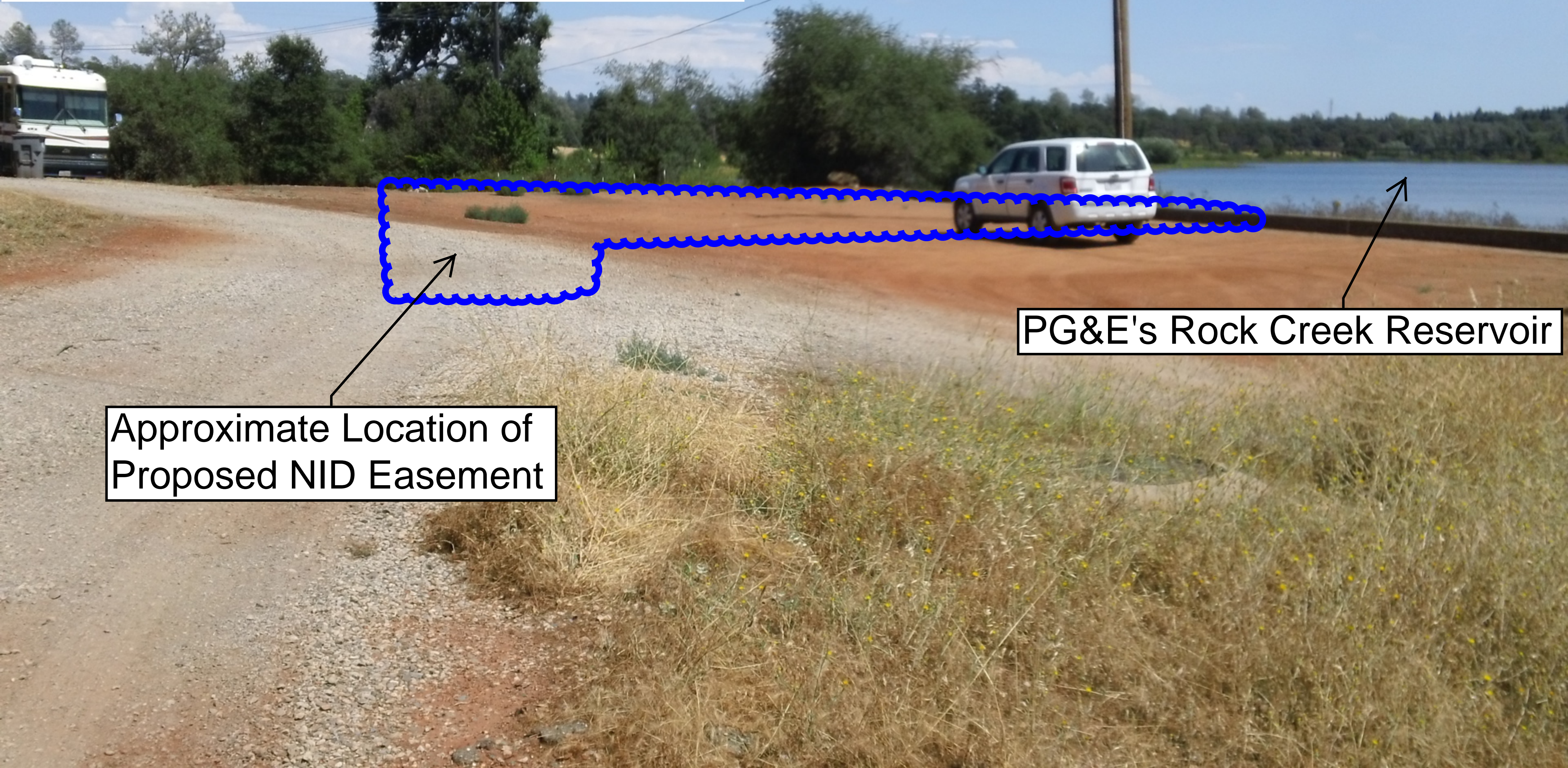
NEVADA COUNTY -- PLACER COUNTY
 GRASS VALLEY, CALIFORNIA

Scale: 1" = 400' @ 8-1/2x11

FIGURE 2

Rock Creek Siphon Project

View looking east onto PG&E Lands APN 052-030-046



Approximate Location of
Proposed NID Easement

PG&E's Rock Creek Reservoir