

Staff Report

for the Board of Directors' Meeting of October 12, 2016

TO: Board of Directors

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

DATE: October 5, 2016

SUBJECT: **Dutch Flat No. 2 and Chicago Park Systems
Real Property Acquisition Project #6927
Acquisition of Fee Title & Easement Interests
Affecting lands of Pacific Gas and Electric Company (PG&E)
In Nevada and Placer Counties**

ENGINEERING

RECOMMENDATION:

Adopt Resolution No. 2016-37 (Declaring necessity and authorizing eminent domain proceedings for the acquisition of real property for a public project known as the Dutch Flat No. 2 and Chicago Park Systems Real Property Acquisition Project - on Nevada County Assessor Parcel Number: 65-110-06, and Placer County Assessor Parcel Number: 062-240-006, owned by Pacific Gas and Electric Company, A California Corporation.)

Adopt Resolution No. 2016-38 (Declaring necessity and authorizing eminent domain proceedings for the acquisition of real property for a public project known as the Dutch Flat No. 2 and Chicago Park Systems Real Property Acquisition Project - on Nevada County Assessor Parcel Numbers: 65-120-20, 65-220-11, and 65-220-13 and Placer County Assessor Parcel Number: 062-020-005, owned by Pacific Gas and Electric Company, A California Corporation.)

BACKGROUND:

The subject resolutions are a continuation of the Nevada Irrigation District (NID) Dutch Flat No. 2 and Chicago Park Systems Real Property Acquisition Project () to secure property rights that are necessary for the Dutch Flat No. 2 Conduit and the Chicago Park Conduit Systems (DF2-CP Systems). The DF2-CP Acquisition Project involves several PG&E properties along the Bear River in Nevada and Placer Counties. The subject acquisitions are forwarded separately so that they may proceed independently and unaffected by constraints that may occur on other PG&E properties or project acquisitions.

The DF2-CP Systems were developed by NID, in the 1960's, along the Bear River, as part of its Yuba-Bear Hydroelectric Project under Federal Energy Regulatory Commission (FERC) License No. 2266. These systems include hydraulic conduits, reservoirs, the Dutch Flat No. 2 powerhouse and appurtenant facilities extending from NID's Dutch Flat No. 2 Flume Intake at PG&E's Drum Afterbay to NID's Chicago Park Powerhouse (see Overview Map & Facility Descriptions). Some of NID's facilities and operations are situated on PG&E property. After completing this project as proposed, NID will own the land underlying the subject conduits and reservoirs and will hold easements for appurtenant facilities, e.g. roads and spillways, on PG&E properties.

Staff identified the interests sought in the DF2-CP Acquisition Project because they are needed to ensure property rights for the continued operation of NID's hydro division water storage and delivery systems and to comply with its FERC License No. 2266.

NID and PG&E are each relicensing their respective FERC projects. NID's Yuba-Bear Project – FERC License 2266 – information may be reviewed by visiting NID's website <http://www.eurekasw.com/NID/default.aspx>. PG&E's Drum-Spaulding Project – FERC License 2310 – information may be reviewed by visiting the website – <http://www.eurekasw.com/DS/default.aspx>.

PG&E is subject to obligations under the 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, has recommended that PG&E grant conservation easements (CE) across the subject properties to the Bear Yuba Land Trust and the Placer Land Trust. The PG&E parcels that are affected by this acquisition are not currently encumbered by any CEs.

The areas and property interests which NID seeks to acquire are described in the attached resolutions and deed exhibits.

Resolution No. 2016 – 37 addresses to the proposed Road Easement Deed covering a segment of the *“B Alarm” Access Road*.

NID does not possess permanent rights for use of *“B Alarm” Access Road* on PG&E property. Access on the road is permitted under NID's current operating agreement with PG&E. NID seeks to secure these permanent easement rights to use and maintain the road and appurtenant facilities. By obtaining these rights, NID will reduce potential disputes and litigation that might occur among multiple interest holders as to their respective rights in the subject land.

Resolution No. 2016 – 38 covers the proposed fee and easement rights in the Stump Canyon area described in the Grant Deed for the *Dutch Flat No.2 Conduit “Segment 1”, Dutch Flat 2 Afterbay “Flooding Area #1”, Stump Canyon Siphon “Low Level Valve Access Road”* and *Stump Canyon Spillway*.

NID holds easements for the *Dutch Flat No.2 Conduit “Segment 1”, Dutch Flat 2 Afterbay “Flooding Area #1”*. Staff has determined that the current easement is not

sufficient for ongoing and future requirements of the facilities. NID ownership of these lands in fee will minimize risks from actual interference with NID operations that may arise from PG&E, its agents or grantees, and would reduce potential disputes and litigation that might occur among multiple owners or interest holders as to their respective rights in the subject land.

NID does not possess permanent rights for *Stump Canyon Siphon “Low Level Valve Access Road”* and *Stump Canyon Spillway*. Access on the road and use of the spillway is permitted under NID’s current operating agreement with PG&E. NID seeks to secure these permanent easement rights to use and maintain the road, spillway and appurtenant facilities. By obtaining these rights, NID will reduce potential disputes and litigation that might occur among multiple interest holders as to their respective rights in the subject land.

Staff recommends that NID acquire each of these interests in advance of the subject PG&E parcels being encumbered by CEs. Thereby identifying and securing NID’s senior rights as a matter of public record, to preserve in perpetuity NID’s ability to meet its obligations for water delivery and its FERC license.

In adopting each of the resolutions 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 Dutch Flat No. 2 and Chicago Park Systems Real Property Acquisition Project.
2. The Dutch Flat No. 2 and Chicago Park Systems Real Property Acquisition 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 Dutch Flat No. 2 and Chicago Park Systems Real Property Acquisition 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 these acquisitions, 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.

mc

attachments:

- Resolution 2016-37 with Exhibits A and 1-4 (B Alarm)
- Resolution 2016-38 with Exhibits A and 1,2,5&6 (Stump Canyon)
- Offer Letter dated August 18, 2016 (B Alarm)
- Supplemental Notice of Intent dated September 20, 2016 (B Alarm)
- Offer Letter dated August 19, 2016 (Stump Canyon)
- Supplemental Notice of Intent dated September 20, 2016 (Stump Canyon)
- Project - Overview Map
- NID FERC Project 2266 Facility Description
- Summary Table of Acquisitions
- Stewardship Council – Bear River Planning Unit: Map 3

**DECLARING NECESSITY AND AUTHORIZING
EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF
REAL PROPERTY FOR A PUBLIC PROJECT KNOWN AS
THE DUTCH FLAT NO. 2 AND CHICAGO PARK SYSTEMS
REAL PROPERTY ACQUISITION PROJECT – ON NEVADA COUNTY
APN 65-110-06 AND PLACER COUNTY APN 062-240-006, OWNED BY
PACIFIC GAS AND ELECTRIC COMPANY (PG&E)**

After duly convened public hearing on the matter of the acquisition by eminent domain of property interests for the ***Dutch Flat No. 2 and Chicago Park Systems Real Property Acquisition Project*** (DF2-CP Acquisition Project), the Board of Directors determines and declares as follows:

1. The Nevada Irrigation District (District) owns and operates the Dutch Flat No. 2 Conduit System and Chicago Park Conduit System (DF2-CP Systems) as an integral part of the District's Yuba-Bear Hydroelectric Project (Yuba-Bear).
2. The District's DF2-CP Systems are integrated systems of hydraulic conduits and appurtenant facilities and real property interests extending from the District's Dutch Flat No. 2 Flume Intake at the Drum Afterbay to the District's Chicago Park Powerhouse District located along the Bear River in the Counties of Nevada and Placer, State of California.
3. Following the Federal Energy Regulatory Commission (FERC) approval of the District's Yuba-Bear Project license 2266 in 1963, the District has constructed and operated the DF2-CP Systems.
4. The District's DF2-CP Systems are and will continue to be necessary to the District's beneficial use of water for consumptive purposes and for the generation of electric power and to otherwise carry out the District's purposes.
5. The District's operation of the DF2-CP Systems is necessary for, related to and required by FERC license 2266.
6. DF2-CP Acquisition Project will secure for the District certain fee title and easement real property interests, which are necessary for the District's operation of the DF2-CP Systems and the implementation of FERC license 2266.

7. The District is authorized to exercise the right of eminent domain to acquire property necessary to carry out its purposes, including the furnishing of water for consumptive use and the generation of hydroelectric power, under California Water Code section 22456.
8. The property interests to be acquired are situate in the counties of Nevada and Placer.
9. The property interests to be acquired are situate outside of the District boundaries.
10. The District is authorized to acquire property by eminent domain outside of the territorial limits of the District for water or electric supply purposes, under California Code of Civil Procedure section 1240.125.
11. The extent and location of the property interests to be acquired for the DF2-CP Acquisition Project are set forth in the road easement deed attached to this resolution as Exhibit A, and are more particularly described and depicted in Exhibits 1 through 4, attached hereto.
12. The Pacific Gas & Electric Company, a California Corporation, owns the property to be acquired.
13. Reasonable written personal notice of the board's intent to adopt this resolution of necessity and a reasonable opportunity to appear and be heard on matters referred to in Section 1240.030 were given to PG&E, in accordance with California Code of Civil Procedure section 1245.235.
14. The property to be acquired is currently appropriated to public use.
15. The use for which the property is to be taken by the District is a more necessary public use than the use to which the property is appropriated; the taking is authorized by California Code of Civil Procedure section 1240.610.
16. The DF2-CP Acquisition Project involves negligible or no expansion of an existing use of the property to be acquired and will not result in a direct or reasonably foreseeable indirect physical change in the environment and is not, therefore, subject to the California Environmental Quality Act.
17. The public interest and necessity require the DF2-CP Acquisition Project.
18. The DF2-CP Acquisition Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
19. The property sought to be acquired is necessary for the DF2-CP Acquisition Project.
20. 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; and

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 property interests referred to above and described in Exhibits A, and 1 through 4 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 Nevada Irrigation 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 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
5. 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 the Nevada Irrigation District General Manager or his designee may direct.

PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting of said Board held on the 12th day of October, 2016 by the following vote of said Board:

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

President of the Board of Directors

Attest:

Secretary to the Board of Directors

Exhibit "A"

NID Resolution No. 2016 - 37
(B Alarm)

RECORDING REQUESTED BY:

Nevada Irrigation District

WHEN RECORDED MAIL TO:

**Nevada Irrigation District
1036 W. Main Street
Grass Valley CA 95945-5424**

Nevada County APN: 65-110-06

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Placer County APN: 062-240-006

Project: 6927 – Dutch Flat No. 2 & Chicago Park Conduit Systems
Index No. 55 -
Map Nos.

Documentary Transfer Tax: \$ -0-
() Computed on full value of property conveyed
(x) Unincorporated area () City of _____
(x) 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

ROAD EASEMENT DEED

Whereas PACIFIC GAS AND ELECTRIC COMPANY, a California Corporation, hereinafter called GRANTOR, owns certain lands situated in unincorporated areas of the Counties of Nevada and Placer, State of California, hereinafter called *GRANTOR's Lands*, more particularly described in Exhibit "1" and the general vicinity of said *GRANTOR's Lands* is shown on Exhibit "2"; and

Whereas NEVADA IRRIGATION DISTRICT, hereinafter called DISTRICT, owns the Dutch Flat No. 2 and Chicago Park Conduit integrated systems, a system of hydraulic conduits and appurtenant facilities extending from the DISTRICT's Dutch Flat No. 2 Flume Intake at the GRANTOR's Drum Afterbay to the DISTRICT's Chicago Park Powerhouse, portions of said Dutch Flat No. 2 and Chicago Park Conduit systems being situated within said *GRANTOR's Lands*.

Whereas Exhibits "1", "2", "3" and "4", referenced herein, are attached hereto and made a part hereof.

Whereas DISTRICT holds real property interests which affect said *GRANTOR's Lands*, including, but not limited to, the interests described in the record documents referenced in said Exhibits "1" through "4," inclusive.

NOW, THEREFORE, FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, GRANTOR hereby grants to DISTRICT a permanent easement and right-of-way for pedestrian, vehicle, and equipment ingress to and egress from DISTRICT facilities and property interests on, over, under and across those certain portions of said GRANTOR's Lands, hereinafter called Road Areas, more particularly identified as follows:

"B ALARM" ROAD, described in Exhibits "3" and shown on Exhibits "4".

Said Road Easement granted herein include the following rights for DISTRICT:

- a) to excavate for, install, replace, relocate, improve, inspect, operate, patrol, maintain and use such roadway and access facilities and appurtenances, including drainage control, for use in connection with said facilities and adequate protection therefore, as the DISTRICT shall from time to time elect;
- b) to grade said Road Areas for the full width thereof;
- c) from time to time to trim and to cut down and clear away any and all trees, brush and vegetation now or hereafter on, over, or under said Road Areas. No payment shall be due the GRANTOR for timber, brush or vegetation removed by the DISTRICT;
- d) to install, maintain and use gates in all fences which now or hereafter cross said Road Areas.

GRANTOR further grants to DISTRICT *easement rights* to ingress to and egress from the following: DISTRICT facilities and property interests, including, said Road Areas, and *other areas utilized by DISTRICT*, with people, tools, equipment, and material to install, repair, replace, operate, maintain, patrol and inspect, DISTRICT facilities and appurtenances thereto, on, over and across said GRANTOR's Lands 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.

GRANTOR further grants to DISTRICT *easement rights* to trim and to cut down and clear away any and all trees, brush and vegetation on, over, under, and across said GRANTOR's Lands, as may be necessary and reasonable for DISTRICT purposes to install, repair, replace, operate, maintain, patrol and inspect DISTRICT facilities and property interests, and appurtenances thereto, situated on, over, under, and across said GRANTOR's Lands.

GRANTOR reserves the right to make use of said Road Areas for purposes which will not interfere with the DISTRICT's full enjoyment of the rights granted hereby.

INDEMNIFICATION

DISTRICT shall indemnify and hold GRANTOR harmless against any liability, loss, or claim for injury to or damage to the property of third persons arising out of DISTRICT's use and exercise of the easement rights granted herein, except to the extent caused by GRANTOR's negligence or willful misconduct or that of GRANTOR's agents or other persons for whom GRANTOR is legally responsible.

ASSIGNMENT

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

PACIFIC GAS AND ELECTRIC COMPANY, A CALIFORNIA CORPORATION

Signature: _____ Date _____

Name: _____
(please print or type)

Title: _____
(please print or type)

ACCEPTANCE

NEVADA IRRIGATION DISTRICT

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 _____ of said Board adopted on _____.

Signature: _____ Date _____

Name: _____
(please print or type)

Title: _____
(please print or type)

EXHIBIT "1"

P.G. & E. Lands Description

PARCEL "1":

The Northwest Quarter of Section 19, Township 16 North, Range 11 East, M.D.M., Nevada and Placer Counties, California, as described in Book 1 of Official Records, Page 214, Nevada County Records and Book 269 of Official Records, Page 177, Placer County Records, recorded February 16, 1929 and January 26, 1929, respectively;

EXCEPTING THEREFROM, all that portion of said northwest quarter described as "Parcel I", per Book 446 of Official Records, Page 643, Nevada County Records and Book 1203 of Official Records, Page 535, Placer County Records, recorded May 16, 1968 and June 21, 1968, respectively.

(NW ¼ Section 19, T16N, R11E, M.D.M.)

PARCEL "2":

Lot 41, of Township 16 North, Range 10 East, M.D.M., Nevada County, California, commonly known as the "Little York Water and Mining Company's Placer Mine", said Lot being a portion of Section 23 and Section 26 of said Township, as described in Book 144 of Deeds, Page 214 and Book 28 of Official Records, Page 225, Nevada County Records, recorded September 6, 1927 and November 14, 1935, respectively;

EXCEPTING THEREFROM, all that portion of said Lot 41 described as "Parcel II", per Book 446 of Official Records, Page 643, Nevada County Records and Book 1203 of Official Records, Page 535, Placer County Records, recorded May 16, 1968 and June 21, 1968, respectively.

(Portion Lot 41, T16N, R10E, M.D.M.)

PARCEL "3":

Lot 66, of Township 16 North, Range 10 East, M.D.M., Nevada and Placer Counties, California, commonly known as the "Liberty Hill Placer Mine", as described in Book 144 of Deeds, Page 214 and Book 28 of Official Records, Page 225, Nevada County Records, recorded September 6, 1927 and November 14, 1935, respectively.

(Lot 66, T16N, R10E, M.D.M.)

PARCEL "4":

The Northeast Quarter, Southwest Quarter, Northwest Quarter of the Southeast Quarter, Lot 14 and Lot 15 of Section 27, Township 16 North, Range 10 East, M.D.M., Nevada County, California, as described in Book 1 of Official Records, Page 214, Nevada County Records and Book 269 of Official Records, Page 177, Placer County Records, recorded February 16, 1929 and January 26, 1929, respectively;

EXCEPTING THEREFROM, all that portion of said northeast quarter described as "Parcel III", per Book 446 of Official Records, Page 643, Nevada County Records and Book 1203 of Official Records, Page 535, Placer County Records, recorded May 16, 1968 and June 21, 1968, respectively.

(Portion NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lot 14 and Lot 15, Section 27, T16N, R10E, M.D.M.)

PARCEL "5":

Those portions of Mineral Survey No. 3611, also known as the "Consolidated Junction Placer Mine", lying within the southwest quarter of Section 26 and the southeast quarter of Section 27, and those portions of Lot 44, also known as the "Dutch Flat and Franklin Placer Mine", lying within the southeast quarter of Section 27 and the north half of Section 34, Township 16 North, Range 10 East, M.D.M., Nevada and Placer Counties, California, said portions being described as Parcels 1 and 2, and Parcels 3 and 4 respectively, in Book 68 of Official Records, Page 287, Nevada County Records and Book 416 of Official Records, Page 440, Placer County Records, both being recorded June 17, 1941;

EXCEPTING THEREFROM, all that portion of said Parcel 1 described as "Parcel IV", per Book 446 of Official Records, Page 643, Nevada County Records and Book 1203 of Official Records, Page 535, Placer County Records, recorded May 16, 1968 and June 21, 1968, respectively.

(Portions Mineral Survey No. 3611, Sections 26 and 27 and Portions Lot 44, Sections 27 and 34, T16N, R10E, M.D.M.)

PARCEL "6":

Lot 47, also known as the "Sailor or Brown and Company's Placer Mining Claim", lying within the east half of Section 33 and the northwest quarter of Section 34, Township 16 North, Range 10 East, M.D.M., Nevada and Placer Counties, California, as described in Book 8 of Official Records, Page 105 and 117, Nevada County Records and Book 287 of Official Records, Page 158 and 164, Placer County Records, both being recorded June 17, 1941;

EXCEPTING THEREFROM, all that portion of said Lot 47 described as "Parcel VII", per Book 446 of Official Records, Page 643, Nevada County Records and Book 1203 of Official Records, Page 535, Placer County Records, recorded May 16, 1968, respectively.

(Portion Lot 47, Sections 33 and 34, T16N, R10E, M.D.M.)

PARCEL "7":

Lot 48 of Section 33, Township 16 North, Range 10 East, M.D.M., Nevada and Placer Counties, California, as described in Book 144 of Deeds, Page 371, Book 144 of Deeds, Page 372 and Book 145 of Deeds, Page 166, Nevada County Records, recorded February 2, 1928, February 2, 1928 and March 22, 1928 respectively, and Book 256 of Official Records, Page 403, Book 256 of Official Records, Page 405 and Book 260 of Official Records, Page 184, Placer County Records, recorded January 12, 1928, January 12, 1928 and March 29, 1928, respectively;

EXCEPTING THEREFROM, the north 14.45 chains of said Lot 48 per Doc. No. 99-029189, Nevada County Records, recorded August 12, 1999.

(Portion Lot 48, Section 33, T16N, R10E, M.D.M.)

PARCEL "8":

Lot 76 of Section 33, Township 16 North, Range 10 East, M.D.M., Nevada County, California, as described in Book 28 of Official Records, Page 225 and Book 27 of Official Records, Page 165, Nevada County Records, recorded November 14, 1935 and September 27, 1935, respectively.

(Lot 76, Section 33, T16N, R10E, M.D.M.)

PARCEL "9":

Lot 40 of Section 4, Township 15 North, Range 10 East, M.D.M., Nevada and Placer Counties, California, as described in Book 141 of Deeds, Page 416, Book 145 of Deeds, Page 161, Book 145 of Deeds, Page 370, Book 5 of Official Records, Page 171, Book 5 of Official Records, Page 390 and Book 47 of Official Records, Page 302, Nevada County Records, recorded June 8, 1928, March 19, 1928, August 2, 1928, June 2, 1930, November 20, 1930 and November 26, 1938, respectively, and Book 254 of Official Records, Page 178, Book 260 of Official Records, Page 182, Book 263 of Official Records, Page 388, Book 285 of Official Records, Page 280, Book 288 of Official Records, Page 225 and Book 384 of Official Records, Page 464, Placer County Records, recorded April 16, 1928, March 29, 1928, September 1, 1928, June 4, 1930, October 21, 1930 and September 13, 1938, respectively.

(Lot 40, Section 4, T15N, R10E, M.D.M.)

PARCEL "10":

Lot 4 of the Northeast Quarter of Section 5, Township 15 North, Range 10 East, M.D.M., Nevada and Placer Counties, California, as described in Book 1 of Official Records, Page 214, Nevada County Records and Book 269 of Official Records, Page 177, Placer County Records, recorded February 16, 1929 and January 26, 1929, respectively.

(Lot 4 NE ¼ Section 5, T15N, R10E, M.D.M.)

PARCEL "11":

Lot 37 of Section 5, Township 15 North, Range 10 East, M.D.M., Nevada County, California, as described in Book 28 of Official Records, Page 225 and Book 27 of Official Records, Page 165, Nevada County Records, recorded November 14, 1935 and September 27, 1935, respectively;

EXCEPTING THEREFROM, all that portion of said Lot 37 described as "Parcel VI", per Book 446 of Official Records, Page 643, Nevada County Records and Book 1203 of Official Records, Page 535, Placer County Records, recorded May 16, 1968 and June 21, 1968, respectively.

(Portion Lot 37, Section 5, T15N, R10E, M.D.M.)

NEVADA IRRIGATION DISTRICT

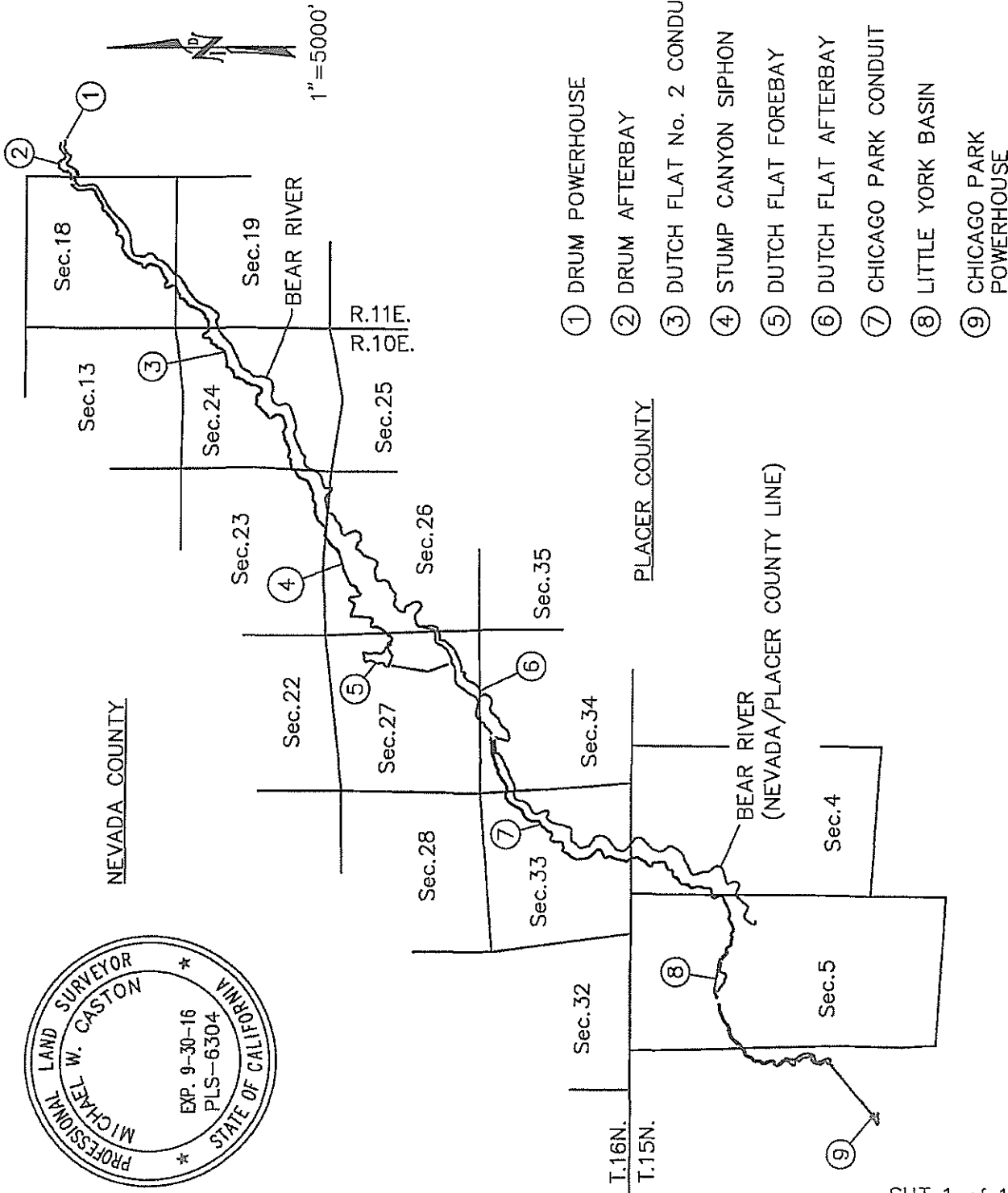
NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT "2"

PROJECT FOR Dutch Flat No. 2 and Chicago Park Conduits DATE July 8, 2015

THROUGH LAND OF Pacific Gas and Electric

SCALE: 1" = 5000'



- ① DRUM POWERHOUSE
- ② DRUM AFTERBAY
- ③ DUTCH FLAT No. 2 CONDUIT
- ④ STUMP CANYON SIPHON
- ⑤ DUTCH FLAT FOREBAY
- ⑥ DUTCH FLAT AFTERBAY
- ⑦ CHICAGO PARK CONDUIT
- ⑧ LITTLE YORK BASIN
- ⑨ CHICAGO PARK POWERHOUSE

EXHIBIT "3"

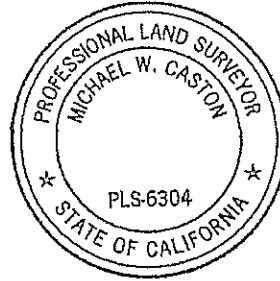
A portion of the northwest quarter of Section 19, Township 16 North, Range 11 East, M.D.M., Nevada and Placer Counties, California, said portion lying within P.G.& E. Parcel "1" as said Parcel is described in Exhibit "1" herein, said portion being described as follows:

"B Alarm" Road Easement Description

An easement strip 40.00 feet in width, on, over and across a portion of said northwest quarter.

Said portion described herein is delineated on Exhibit "4" attached hereto and made a part hereof.

This description has been prepared by me, in conformance with the California Professional Land Surveyors Act, on April 15, 2015.



Michael W. Caston, P.L.S. 6304

NEVADA IRRIGATION DISTRICT

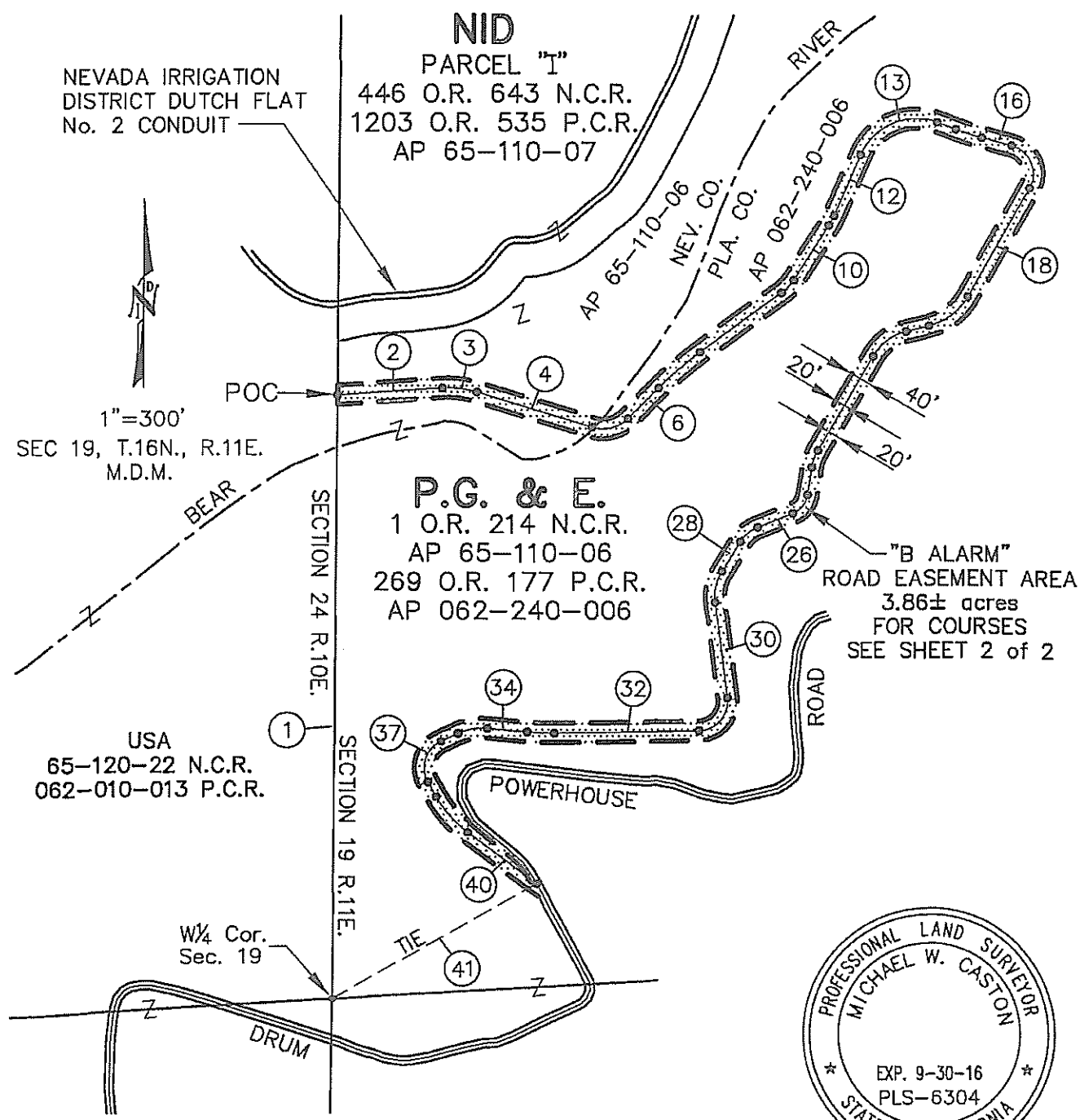
NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT "4"

PROJECT FOR Dutch Flat No. 2 and Chicago Park Conduits DATE July 8, 2015
 "B Alarm" Road Easement

SCALE: 1"=300'

THROUGH LAND OF Pacific Gas and Electric Co.



BASIS OF BEARING:
 PARCEL "T" PER BOOK 446 OF OFFICIAL
 RECORDS, PAGE 643, NEVADA COUNTY RECORDS

B Alarm Road
 S:\CM4 30 Projects\1927 Dutch Flat No.2 and Chicago Park Conduits\Easements\B Alarm Road Chicago Park Easements.dwg

NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT "4"

PROJECT FOR Dutch Flat No. 2 and Chicago Park Conduits DATE July 8, 2015
 "B Alarm" Road Easement SCALE: N/A

THROUGH LAND OF Pacific Gas and Electric Co.

"B ALARM" EASEMENT COURSES

NO.	COURSE	DISTANCE
1	S 00°09'49" W	1251.61' TIE
2	N 86°20'52" E	216.98'
3	R=200.00' Δ=20°43'48" L=72.36'	
4	S 72°55'20" E	245.36'
5	R=75.00' Δ=61°26'25" L=80.43'	
6	N 45°38'15" E	89.40'
7	R=800.00' Δ=08°11'25" L=114.36'	
8	N 53°49'40" E	209.17'
9	R=100.00' Δ=21°14'49" L=37.08'	
10	N 32°34'51" E	134.20'
11	R=150.00' Δ=09°02'22" L=23.67'	
12	N 23°32'30" E	137.39'
13	R=125.00' Δ=87°15'15" L=190.36'	
14	S 69°12'15" E	41.14'
15	R=500.00' Δ=06°32'10" L=57.04'	
16	S 75°44'25" E	63.48'
17	R=60.00' Δ=105°17'30" L=110.26'	
18	S 29°33'05" W	260.46'
19	R=125.00' Δ=47°16'49" L=103.15'	
20	S 76°49'54" W	48.51'
21	R=110.00' Δ=46°30'03" L=89.28'	
22	S 30°19'51" W	225.96'
23	R=100.00' Δ=21°32'56" L=37.61'	
24	S 08°46'55" W	57.28'
25	R=50.00' Δ=58°54'38" L=51.41'	
26	S 67°41'33" W	77.23'
27	R=75.00' Δ=36°02'05" L=47.17'	
28	S 31°39'28" W	72.35'
29	R=100.00' Δ=38°44'47" L=67.63'	
30	S 07°05'19" E	199.75'

"B ALARM" EASEMENT COURSES

NO.	COURSE	DISTANCE
31	R=60.00' Δ=96°14'13" L=100.78'	
32	S 89°08'54" W	299.62'
33	R=500.00' Δ=06°11'09" L=53.98'	
34	N 84°39'57" W	81.83'
35	R=115.00' Δ=30°31'48" L=61.28'	
36	S 64°48'15" W	38.78'
37	R=60.00' Δ=94°40'17" L=99.14'	
38	S 29°52'02" E	34.05'
39	R=250.00' Δ=22°49'10" L=99.57'	
40	S 52°41'12" E	176.70'
41	S 60°13'28" W	480.16' TIE



**DECLARING NECESSITY AND AUTHORIZING
EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF
REAL PROPERTY FOR A PUBLIC PROJECT KNOWN AS
THE DUTCH FLAT NO. 2 AND CHICAGO PARK SYSTEMS REAL
PROPERTY ACQUISITION PROJECT – ON NEVADA COUNTY APNs
65-120-20, 65-220-11 AND 65-220-13, AND PLACER COUNTY APN 062-
020-005, OWNED BY PACIFIC GAS AND ELECTRIC COMPANY (PG&E)**

After duly convened public hearing on the matter of the acquisition by eminent domain of property interests for the ***Dutch Flat No. 2 and Chicago Park Systems Real Property Acquisition Project*** (DF2-CP Acquisition Project), the Board of Directors determines and declares as follows:

1. The Nevada Irrigation District (District) owns and operates the Dutch Flat No. 2 Conduit System and Chicago Park Conduit System (DF2-CP Systems) as an integral part of the District's Yuba-Bear Hydroelectric Project (Yuba-Bear).
2. The District's DF2-CP Systems are integrated systems of hydraulic conduits and appurtenant facilities and real property interests extending from the DISTRICT's Dutch Flat No. 2 Flume Intake at the Drum Afterbay to the DISTRICT's Chicago Park Powerhouse District located along the Bear River in the Counties of Nevada and Placer, State of California.
3. Following the Federal Energy Regulatory Commission (FERC) approval of the District's Yuba-Bear Project license 2266 in 1963, the District has constructed and operated the DF2-CP Systems.
4. The District's DF2-CP Systems are and will continue to be necessary to the District's beneficial use of water for consumptive purposes and for the generation of electric power and to otherwise carry out the District's purposes.
5. The District's operation of the DF2-CP Systems is necessary for, related to and required by FERC license 2266.
6. DF2-CP Acquisition Project will secure for the District certain fee title and easement real property interests, which are necessary for the District's operation of the DF2-CP Systems and the implementation of FERC license 2266.
7. The District is authorized to exercise the right of eminent domain to acquire property necessary to carry out its purposes, including the furnishing of water for

consumptive use and the generation of hydroelectric power, under California Water Code section 22456.

8. The property interests to be acquired are situated in the counties of Nevada and Placer.
9. Certain property interests to be acquired are situate outside of the District boundaries.
10. The District is authorized to acquire property by eminent domain outside of the territorial limits of the District for water or electric supply purposes, under California Code of Civil Procedure section 1240.125.
11. The extent and location of the property interests to be acquired for the DF2-CP Acquisition Project are set forth in the grant deed attached to this resolution as Exhibit A, and are more particularly described and depicted in Exhibits 1, 2, 5 and 6, attached hereto.
12. The Pacific Gas & Electric Company, a California Corporation (PG&E), owns the property to be acquired.
13. Reasonable written personal notice of the board's intent to adopt this resolution of necessity and a reasonable opportunity to appear and be heard on matters referred to in Section 1240.030 were given to PG&E, in accordance with California Code of Civil Procedure section 1245.235.
14. The property to be acquired is currently appropriated to public use.
15. The use for which the property is to be taken by the District is a more necessary public use than the use to which the property is appropriated; the taking is authorized by California Code of Civil Procedure section 1240.610.
16. The DF2-CP Acquisition Project involves negligible or no expansion of an existing use of the property to be acquired and will not result in a direct or reasonably foreseeable indirect physical change in the environment and is not, therefore, subject to the California Environmental Quality Act.
17. The public interest and necessity require the DF2-CP Acquisition Project.
18. The DF2-CP Acquisition Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
19. The property sought to be acquired is necessary for the DF2-CP Acquisition Project.
20. 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; and

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 property interests referred to above and described in Exhibits A, 1, 2, 5 and 6, 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 Nevada Irrigation 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 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
5. 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 the Nevada Irrigation District General Manager or his designee may direct.

PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting of said Board held on the 12th day of October, 2016 by the following vote of said Board:

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

President of the Board of Directors

Attest:

Secretary to the Board of Directors

Exhibit "A"

NID Resolution No. 2016 - 38
(Stump Canyon)

RECORDING REQUESTED BY:

Nevada Irrigation District

WHEN RECORDED MAIL TO:

**Nevada Irrigation District
1036 W. Main Street
Grass Valley CA 95945-5424**

Nevada County APNs: 65-120-20,
65-220-11, and -13

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Placer County APN: 062-020-005

Project: 6927 – Dutch Flat No. 2 & Chicago Park Conduit Systems
Index No. 7 -
Map Nos.

Documentary Transfer Tax: \$ -0-
() Computed on full value of property conveyed
(x) Unincorporated area () City of _____
(x) 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

GRANT DEED

Whereas PACIFIC GAS AND ELECTRIC COMPANY, a California Corporation, hereinafter called GRANTOR, owns certain lands situated in unincorporated areas of the Counties of Nevada and Placer, State of California, hereinafter called *GRANTOR's Lands*, more particularly described in Exhibit "1" and the general vicinity of said *GRANTOR's Lands* is shown on Exhibit "2"; and

Whereas NEVADA IRRIGATION DISTRICT, hereinafter called DISTRICT, owns the Dutch Flat No. 2 and Chicago Park Conduit integrated systems, a system of hydraulic conduits and appurtenant facilities extending from the DISTRICT's Dutch Flat No. 2 Flume Intake at the GRANTOR's Drum Afterbay to the DISTRICT's Chicago Park Powerhouse, portions of said Dutch Flat No. 2 and Chicago Park Conduit systems being situated within said *GRANTOR's Lands*.

Whereas Exhibits "1", "2", "5" and "6", referenced herein, are attached hereto and made a part hereof.

Whereas DISTRICT holds real property interests which affect said *GRANTOR's Lands*, including, but not limited to, the interests described in the record documents referenced in said Exhibits "1", "2", "5" and "6".

NOW, THEREFORE, FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, GRANTOR hereby GRANTS to DISTRICT – FEE TITLE LANDS, ROAD EASEMENT(S), SPILLWAY EASEMENT(S), and ANCILLARY EASEMENT RIGHTS, more particularly described hereinbelow.

FEE TITLE LANDS

GRANTOR hereby GRANTS to DISTRICT fee title to all that real property, inclusive of all improvements, being those certain portions of said GRANTOR's Lands, hereinafter called Fee Title Lands, more particularly identified as follows:

DUTCH FLAT NO. 2 CONDUIT "SEGMENT 1" and DUTCH FLAT AFTERBAY "FLOODING AREA #1", described in Exhibit "5" and shown on Exhibit "6";

Grantor further grants to DISTRICT *easement rights* on, over, under, through, and across said GRANTOR's Lands immediately adjoining said Fee Title Lands to construct, maintain, reconstruct and replace such slopes and embankments, and facilities incidental thereto. to trim and to cut down and clear away any and all trees, brush and vegetation, as may be necessary and reasonable to install, repair, replace, operate, maintain, patrol and inspect DISTRICT facilities, and appurtenances thereto, situated on, over, under, and across said GRANTOR's Lands and said Fee Title Lands.

RESERVATIONS BY GRANTOR

GRANTOR reserves the right reasonably necessary for the purpose of harvesting merchantable timber currently growing on said Fee Title Lands, and the right to reasonable ingress and egress on, over and across said Fee Title Lands lands for such purpose, subject to the following provisions:

1. GRANTOR shall comply with all applicable laws and regulations, federal, state, and local;
2. GRANTOR shall maintain said timber in a healthy and safe condition and protect against injury to person or damage to property caused in whole or in part by any dangerous condition of the timber on said Fee Title Lands;
3. GRANTOR shall conduct its activities for such purpose in such a manner as to avoid damage to DISTRICT's property or operations on said Fee Title Lands;
4. GRANTOR shall provide DISTRICT with written notice of its intent to work related to such purpose on said Fee Title Lands, including a description of the intended work, at least 45 days prior to the commencement of work, except in the case of an emergency, in which case notice shall be provided in such form and at such time as is reasonably practicable;
5. GRANTOR shall indemnify and hold DISTRICT harmless against any liability, loss, or claim for injury to or damage to the property of third persons arising out of GRANTOR's exercise of said rights reserved under this deed, except to the extent caused by DISTRICT's negligence or willful misconduct or that of DISTRICT's agents or other persons for whom DISTRICT is legally responsible;
6. GRANTOR shall not plant or replant trees or engage in any other activities on said Fee Title Lands, except as expressly authorized by this reservation;
7. DISTRICT may, at its expense and without payment of compensation to GRANTOR, remove trees from said Fee Title Lands as is reasonably necessary to DISTRICT's operations and maintenance;
8. DISTRICT shall provide GRANTOR with written notice of its intent to remove trees from said Fee Title Lands at least 45 days prior to the commencement of work, except in the case of an emergency, in which case notice shall be provided in such form and at such time as is reasonably practicable;
9. DISTRICT shall indemnify and hold GRANTOR harmless against any liability, loss, or claim for injury to or damage to the property of third persons arising out of DISTRICT's removal of trees from said Fee Title Lands, except to the extent caused by GRANTOR's active negligence or willful misconduct or that of GRANTOR's agents or other persons for whom GRANTOR is legally responsible.

ROAD EASEMENT

GRANTOR further grants to DISTRICT easement rights for pedestrian, vehicle, and equipment ingress to and egress from DISTRICT facilities and property interests on, over, under and across those certain portions of said GRANTOR's Lands, hereinafter called Road Area, more particularly identified as follows:

STUMP CANYON SIPHON "LOW LEVEL VALVE ACCESS ROAD", described in Exhibits "5" and shown on Exhibits "6";

Said Road Easement granted herein include the following rights for DISTRICT:

- a) to excavate for, install, replace, relocate, improve, inspect, operate, patrol, maintain and use such roadway and access facilities and appurtenances, including drainage control, for use in connection with said facilities and adequate protection therefore, as the DISTRICT shall from time to time elect;
- b) to grade said Road Area for the full width thereof;
- c) from time to time to trim and to cut down and clear away any and all trees, brush and vegetation now or hereafter on, over, or under said Road Area. No payment shall be due the GRANTOR for timber, brush or vegetation removed by the DISTRICT;
- d) to install, maintain and use gates in all fences which now or hereafter cross said Road Area.

GRANTOR reserves the right to make use of said Road Area for purposes which will not interfere with the DISTRICT's full enjoyment of the rights granted hereby.

SPILLWAY EASEMENT

GRANTOR further grants to DISTRICT easement rights to spill, discharge, and flow water unobstructed and without limitation as to volume, velocity, timing, duration, source, or cause from the Dutch Flat No. 2 Conduit systems, and appurtenances on, over, under and across those certain portions of said GRANTOR's Lands, hereinafter called Spillway Areas, more particularly identified as follows:

"STUMP CANYON SPILLWAY", described in Exhibit "5" and shown on Exhibit "6";

Said Spillway Easements granted herein include the following rights for DISTRICT:

- a) to excavate for, install, replace, stabilize, rehabilitate, relocate, improve, inspect, operate, patrol, maintain, and use such facilities as the DISTRICT shall from time to time elect for conveying water, together with adequate protection for said facilities and for adjacent lands, as the DISTRICT shall from time to time elect;
- b) from time to time to trim and to cut down and clear away any and all trees, brush and vegetation now or hereafter on, over, or under said Spillway Area. No payment shall be due the GRANTOR for timber, brush or vegetation removed by the DISTRICT;
- c) to install, maintain and use gates in all fences which now or hereafter cross said Spillway Area.

ANCILLARY EASEMENT RIGHTS

GRANTOR further grants to DISTRICT *easement rights* to ingress to and egress from the following: DISTRICT facilities and property interests, said Fee Title Lands, said Road Area, said Spillway Area and *other areas utilized by DISTRICT*, with people, tools, equipment, and material to install, repair, replace, operate, maintain, patrol and inspect, DISTRICT facilities and appurtenances thereto, on, over and across said GRANTOR's Lands 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.

GRANTOR further grants to DISTRICT *easement rights* to trim and to cut down and clear away any and all trees, brush and vegetation on, over, under, and across said GRANTOR's Lands, as may be necessary and reasonable for DISTRICT purposes to install, repair, replace, operate, maintain, patrol and inspect DISTRICT facilities, and appurtenances thereto, situated on, over, under, and across said GRANTOR's Lands and said Fee Title Lands.

INDEMNIFICATION

DISTRICT shall indemnify and hold GRANTOR harmless against any liability, loss, or claim for injury to or damage to the property of third persons arising out of DISTRICT's use and exercise of the easement rights granted herein, except to the extent caused by GRANTOR's negligence or willful misconduct or that of GRANTOR's agents or other persons for whom GRANTOR is legally responsible.

ASSIGNMENT

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

PACIFIC GAS AND ELECTRIC COMPANY, A CALIFORNIA CORPORATION

Signature: _____ Date _____
Name: _____
(please print or type)
Title: _____
(please print or type)

ACCEPTANCE

NEVADA IRRIGATION DISTRICT

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 _____ of said Board adopted on _____.

Signature: _____ Date _____
Name: _____
(please print of type)
Title: _____
(please print or type)

EXHIBIT "1"

P.G. & E. Lands Description

PARCEL "1":

The Northwest Quarter of Section 19, Township 16 North, Range 11 East, M.D.M., Nevada and Placer Counties, California, as described in Book 1 of Official Records, Page 214, Nevada County Records and Book 269 of Official Records, Page 177, Placer County Records, recorded February 16, 1929 and January 26, 1929, respectively;

EXCEPTING THEREFROM, all that portion of said northwest quarter described as "Parcel I", per Book 446 of Official Records, Page 643, Nevada County Records and Book 1203 of Official Records, Page 535, Placer County Records, recorded May 16, 1968 and June 21, 1968, respectively.

(NW ¼ Section 19, T16N, R11E, M.D.M.)

PARCEL "2":

Lot 41, of Township 16 North, Range 10 East, M.D.M., Nevada County, California, commonly known as the "Little York Water and Mining Company's Placer Mine", said Lot being a portion of Section 23 and Section 26 of said Township, as described in Book 144 of Deeds, Page 214 and Book 28 of Official Records, Page 225, Nevada County Records, recorded September 6, 1927 and November 14, 1935, respectively;

EXCEPTING THEREFROM, all that portion of said Lot 41 described as "Parcel II", per Book 446 of Official Records, Page 643, Nevada County Records and Book 1203 of Official Records, Page 535, Placer County Records, recorded May 16, 1968 and June 21, 1968, respectively.

(Portion Lot 41, T16N, R10E, M.D.M.)

PARCEL "3":

Lot 66, of Township 16 North, Range 10 East, M.D.M., Nevada and Placer Counties, California, commonly known as the "Liberty Hill Placer Mine", as described in Book 144 of Deeds, Page 214 and Book 28 of Official Records, Page 225, Nevada County Records, recorded September 6, 1927 and November 14, 1935, respectively.

(Lot 66, T16N, R10E, M.D.M.)

PARCEL "4":

The Northeast Quarter, Southwest Quarter, Northwest Quarter of the Southeast Quarter, Lot 14 and Lot 15 of Section 27, Township 16 North, Range 10 East, M.D.M., Nevada County, California, as described in Book 1 of Official Records, Page 214, Nevada County Records and Book 269 of Official Records, Page 177, Placer County Records, recorded February 16, 1929 and January 26, 1929, respectively;

EXCEPTING THEREFROM, all that portion of said northeast quarter described as "Parcel III", per Book 446 of Official Records, Page 643, Nevada County Records and Book 1203 of Official Records, Page 535, Placer County Records, recorded May 16, 1968 and June 21, 1968, respectively.

(Portion NE ¼, SW ¼, NW ¼ SE ¼, Lot 14 and Lot 15, Section 27, T16N, R10E, M.D.M.)

PARCEL "5":

Those portions of Mineral Survey No. 3611, also known as the "Consolidated Junction Placer Mine", lying within the southwest quarter of Section 26 and the southeast quarter of Section 27, and those portions of Lot 44, also known as the "Dutch Flat and Franklin Placer Mine", lying within the southeast quarter of Section 27 and the north half of Section 34, Township 16 North, Range 10 East, M.D.M., Nevada and Placer Counties, California, said portions being described as Parcels 1 and 2, and Parcels 3 and 4 respectively, in Book 68 of Official Records, Page 287, Nevada County Records and Book 416 of Official Records, Page 440, Placer County Records, both being recorded June 17, 1941;

EXCEPTING THEREFROM, all that portion of said Parcel 1 described as "Parcel IV", per Book 446 of Official Records, Page 643, Nevada County Records and Book 1203 of Official Records, Page 535, Placer County Records, recorded May 16, 1968 and June 21, 1968, respectively.

(Portions Mineral Survey No. 3611, Sections 26 and 27 and Portions Lot 44, Sections 27 and 34, T16N, R10E, M.D.M.)

PARCEL "6":

Lot 47, also known as the "Sailor or Brown and Company's Placer Mining Claim", lying within the east half of Section 33 and the northwest quarter of Section 34, Township 16 North, Range 10 East, M.D.M., Nevada and Placer Counties, California, as described in Book 8 of Official Records, Page 105 and 117, Nevada County Records and Book 287 of Official Records, Page 158 and 164, Placer County Records, both being recorded June 17, 1941;

EXCEPTING THEREFROM, all that portion of said Lot 47 described as "Parcel VII", per Book 446 of Official Records, Page 643, Nevada County Records and Book 1203 of Official Records, Page 535, Placer County Records, recorded May 16, 1968, respectively.

(Portion Lot 47, Sections 33 and 34, T16N, R10E, M.D.M.)

PARCEL "7":

Lot 48 of Section 33, Township 16 North, Range 10 East, M.D.M., Nevada and Placer Counties, California, as described in Book 144 of Deeds, Page 371, Book 144 of Deeds, Page 372 and Book 145 of Deeds, Page 166, Nevada County Records, recorded February 2, 1928, February 2, 1928 and March 22, 1928 respectively, and Book 256 of Official Records, Page 403, Book 256 of Official Records, Page 405 and Book 260 of Official Records, Page 184, Placer County Records, recorded January 12, 1928, January 12, 1928 and March 29, 1928, respectively;

EXCEPTING THEREFROM, the north 14.45 chains of said Lot 48 per Doc. No. 99-029189, Nevada County Records, recorded August 12, 1999.

(Portion Lot 48, Section 33, T16N, R10E, M.D.M.)

PARCEL "8":

Lot 76 of Section 33, Township 16 North, Range 10 East, M.D.M., Nevada County, California, as described in Book 28 of Official Records, Page 225 and Book 27 of Official Records, Page 165, Nevada County Records, recorded November 14, 1935 and September 27, 1935, respectively.

(Lot 76, Section 33, T16N, R10E, M.D.M.)

PARCEL "9":

Lot 40 of Section 4, Township 15 North, Range 10 East, M.D.M., Nevada and Placer Counties, California, as described in Book 141 of Deeds, Page 416, Book 145 of Deeds, Page 161, Book 145 of Deeds, Page 370, Book 5 of Official Records, Page 171, Book 5 of Official Records, Page 390 and Book 47 of Official Records, Page 302, Nevada County Records, recorded June 8, 1928, March 19, 1928, August 2, 1928, June 2, 1930, November 20, 1930 and November 26, 1938, respectively, and Book 254 of Official Records, Page 178, Book 260 of Official Records, Page 182, Book 263 of Official Records, Page 388, Book 285 of Official Records, Page 280, Book 288 of Official Records, Page 225 and Book 384 of Official Records, Page 464, Placer County Records, recorded April 16, 1928, March 29, 1928, September 1, 1928, June 4, 1930, October 21, 1930 and September 13, 1938, respectively.

(Lot 40, Section 4, T15N, R10E, M.D.M.)

PARCEL "10":

Lot 4 of the Northeast Quarter of Section 5, Township 15 North, Range 10 East, M.D.M., Nevada and Placer Counties, California, as described in Book 1 of Official Records, Page 214, Nevada County Records and Book 269 of Official Records, Page 177, Placer County Records, recorded February 16, 1929 and January 26, 1929, respectively.

(Lot 4 NE ¼ Section 5, T15N, R10E, M.D.M.)

PARCEL "11":

Lot 37 of Section 5, Township 15 North, Range 10 East, M.D.M., Nevada County, California, as described in Book 28 of Official Records, Page 225 and Book 27 of Official Records, Page 165, Nevada County Records, recorded November 14, 1935 and September 27, 1935, respectively;

EXCEPTING THEREFROM, all that portion of said Lot 37 described as "Parcel VI", per Book 446 of Official Records, Page 643, Nevada County Records and Book 1203 of Official Records, Page 535, Placer County Records, recorded May 16, 1968 and June 21, 1968, respectively.

(Portion Lot 37, Section 5, T15N, R10E, M.D.M.)

NEVADA IRRIGATION DISTRICT

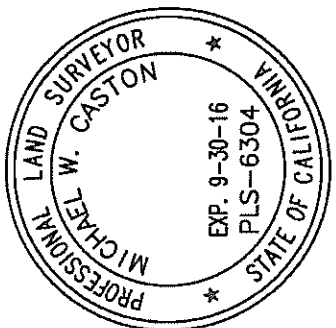
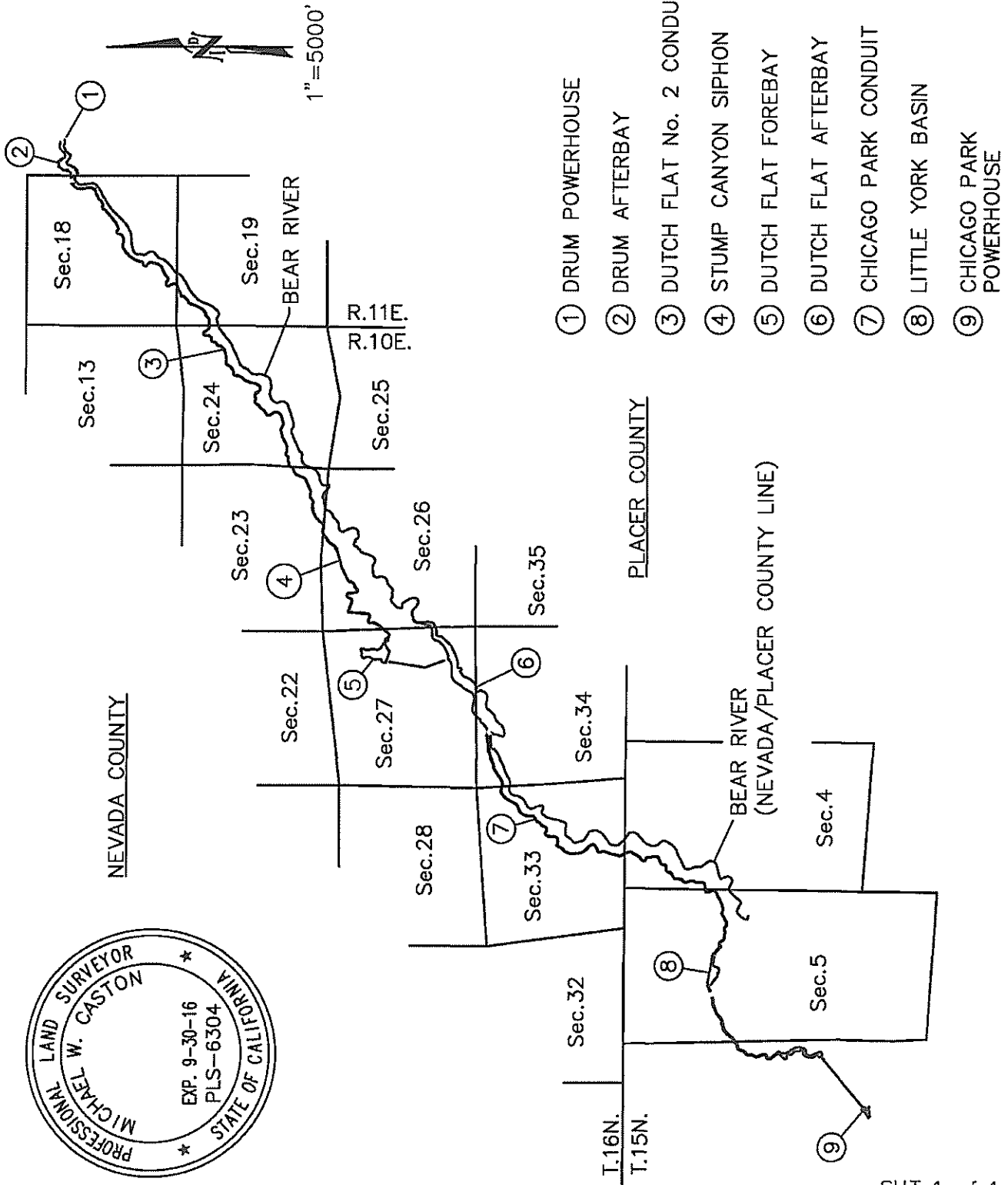
NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT "2"

PROJECT FOR Dutch Flat No. 2 and Chicago Park Conduits DATE July 8, 2015

THROUGH LAND OF Pacific Gas and Electric

SCALE: 1"=5000'



Visibility Map-Overall

EXHIBIT "5"

A portion of Lot 41 and portions of Lot 66 within Sections 23 and 26, Township 16 North, Range 10 East, M.D.M., Nevada and Placer Counties, California, said portions lying within P.G.&E. Parcels "2" and "3", as said Parcels are described in Exhibit "1" herein, said portions being described as follows:

Fee Title Lands Description

Dutch Flat No. 2 Conduit "Segment 1":

A strip of land 200.00 feet in width, on, over and across a portion of said Lot 66 within the southeast quarter of said Section 23 and the north half of said Section 26, said strip being identical to Parcel "1", per Book 446 of Official Records, Page 672, Nevada County Records and Book 1203 of Official Records, Page 564, Placer County Records.

Dutch Flat Afterbay "Flooding Area #1":

A portion of said Lot 66 within the southwest quarter of said Section 26, said portion being identical to Parcel "f", per Book 446 of Official Records, Page 659, Nevada County Records and Book 1203 of Official Records, Page 551, Placer County Records.

Road Easement Description

Stump Canyon Siphon "Low Level Valve Access Road":

An easement strip 30.00 feet in width, on, over and across a portion of said Lot 41 and a portion of said Lot 66 within the southwest quarter of said Section 23 and the northwest quarter of said Section 26.

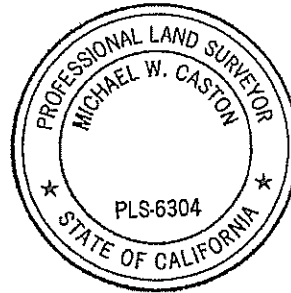
Spillway Easement Description

"Stump Canyon Spillway":

An easement strip 150.00 feet in width, on, over and across a portion of Lot 66 within the northeast quarter of said Section 26.

Said portions described herein are delineated on Exhibit "6" attached hereto and made a part hereof.

This description has been prepared by me, in conformance with the California Professional Land Surveyors Act, on April 15, 2015.



Michael W. Caston, P.L.S. 6304

NEVADA IRRIGATION DISTRICT

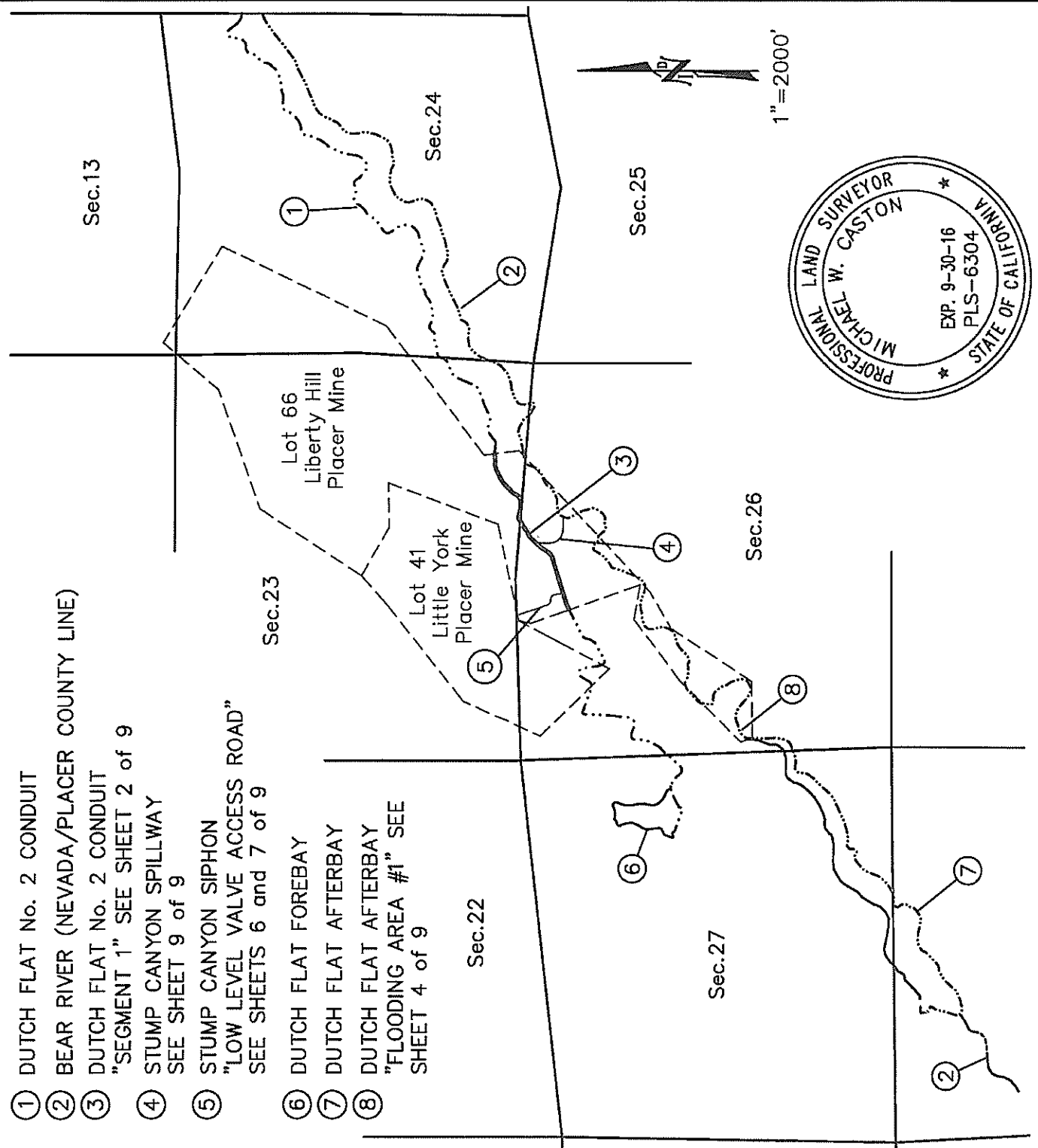
NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT "6"

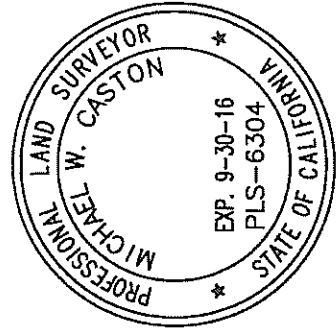
PROJECT FOR Dutch Flat No. 2 and Chicago Park Conduits DATE July 8, 2015

THROUGH LAND OF Pacific Gas and Electric

SCALE: 1"=2000'



- ① DUTCH FLAT No. 2 CONDUIT
- ② BEAR RIVER (NEVADA/PLACER COUNTY LINE)
- ③ DUTCH FLAT No. 2 CONDUIT "SEGMENT 1" SEE SHEET 2 of 9
- ④ STUMP CANYON SPILLWAY SEE SHEET 9 of 9
- ⑤ STUMP CANYON SIPHON "LOW LEVEL VALVE ACCESS ROAD" SEE SHEETS 6 and 7 of 9
- ⑥ DUTCH FLAT FOREBAY
- ⑦ DUTCH FLAT AFTERBAY
- ⑧ DUTCH FLAT AFTERBAY "FLOODING AREA #1" SEE SHEET 4 of 9



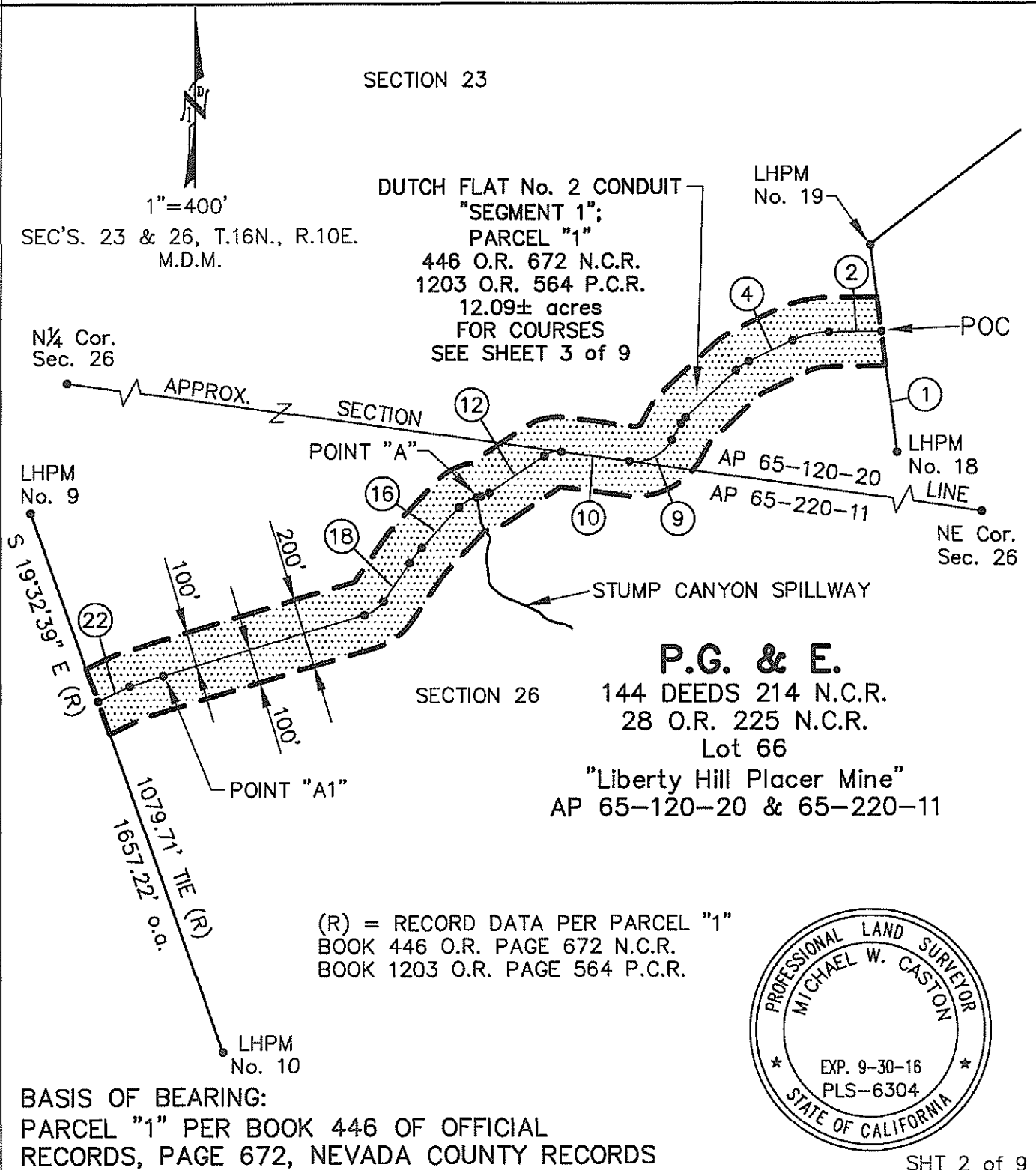
NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT "6"

PROJECT FOR Dutch Flat No. 2 and Chicago Park Conduits DATE July 8, 2015
Dutch Flat No. 2 Conduit "Segment 1" SCALE: 1"=400'

THROUGH LAND OF Pacific Gas and Electric



NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT "6"

PROJECT FOR Dutch Flat No. 2 and Chicago Park Conduits DATE July 8, 2015
 Dutch Flat No. 2 Conduit "Segment 1" SCALE: N/A

THROUGH LAND OF Pacific Gas and Electric

"SEGMENT 1" COURSES

NO.	COURSE	DISTANCE
1	S 07°15'22" E	353.23' TIE (R)
2	S 89°15'33" W	151.88'
3	R=250.00' Δ=24°52'52" L=108.56'	
4	S 64°22'41" W	139.40'
5	R=150.00' Δ=17°18'29" L=45.31'	
6	S 47°04'12" W	200.72'
7	R=70.00' Δ=18°25'43" L=22.51'	
8	S 28°38'29" W	53.74'
9	R=120.00' Δ=69°21'27" L=145.26'	
10	N 82°00'04" W	199.17'
11	R=70.00' Δ=41°53'42" L=51.18'	
12	S 56°06'14" W	191.16'
13	R=70.00' Δ=21°35'17" L=26.37'	
14	S 77°41'31" W	11.84' POINT "A"
15	R=100.00' Δ=34°33'06" L=60.30''	
16	S 43°08'25" W	158.72'
17	R=350.00' Δ=09°10'28" L=56.04'	
18	S 33°57'57" W	133.94'
19	R=100.00' Δ=39°15'27" L=68.52'	
20	S 73°13'30" W	605.34' POINT "A1"
21	S 73°13'30" W	102.54'
22	S 64°09'45" W	99.70'±



NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT "6"

PROJECT FOR Dutch Flat No. 2 and Chicago Park Conduits DATE July 8, 2015
 Dutch Flat Afterbay "Flooding Area #1" SCALE: 1"=100'

THROUGH LAND OF Pacific Gas and Electric



1"=100'

SEC 26, T.16N., R.10E.
M.D.M.

P.G. & E.

144 DEEDS 214 N.C.R.

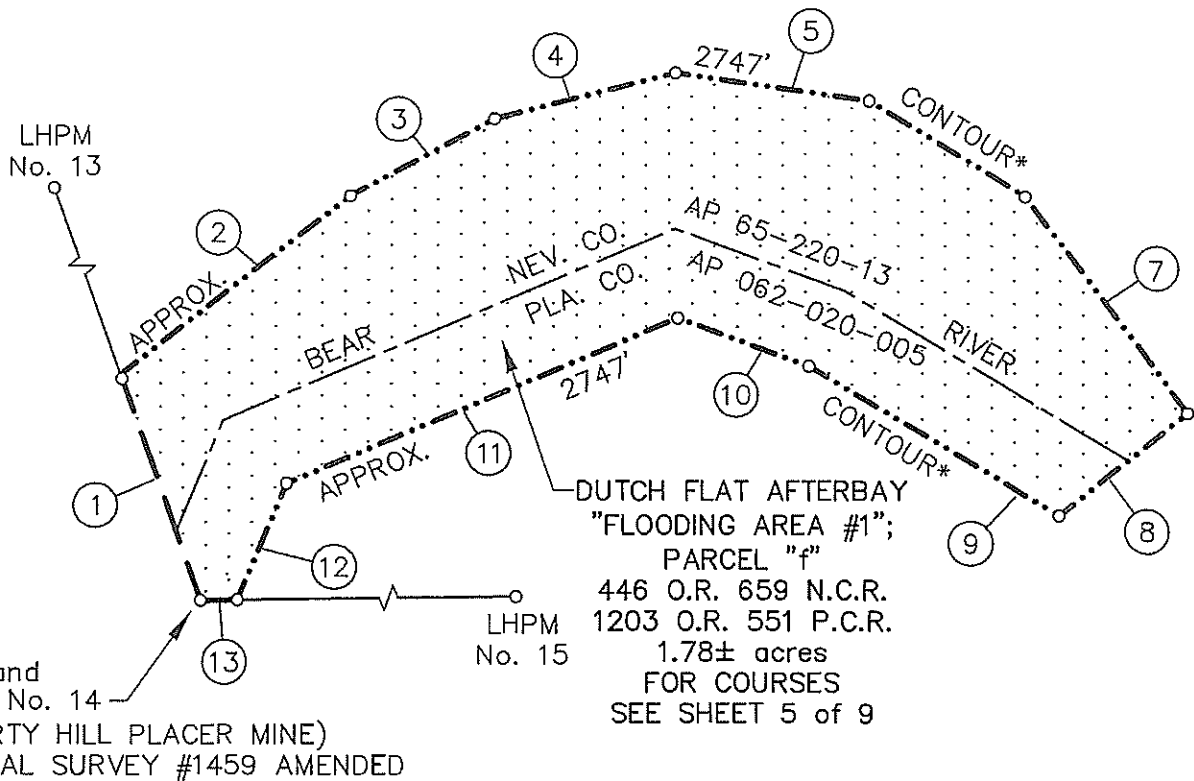
28 O.R. 225 N.C.R.

Lot 66

"Liberty Hill Placer Mine"

AP 65-220-13 NEV. CO.

AP 062-020-005 PLA. CO.



POC and LHPM No. 14
(LIBERTY HILL PLACER MINE)
MINERAL SURVEY #1459 AMENDED

DUTCH FLAT AFTERBAY
"FLOODING AREA #1";
PARCEL "f"
446 O.R. 659 N.C.R.
1203 O.R. 551 P.C.R.
1.78± acres
FOR COURSES
SEE SHEET 5 of 9

* CONTOUR PER U.S.G.S.
DATUM of 1929

BASIS OF BEARING:
PARCEL "f" PER BOOK 446 OF OFFICIAL RECORDS,
PAGE 659, NEVADA COUNTY RECORDS.



NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT "6"

PROJECT FOR Dutch Flat No. 2 and Chicago Park Conduits DATE July 8, 2015
Dutch Flat Afterbay "Flooding Area #1" SCALE: N/A

THROUGH LAND OF Pacific Gas and Electric

"FLOODING AREA #1" COURSES

NO.	COURSE	DISTANCE
1	N 19°37'15" W	130.00'
2	N 52°02'27" E	157.49' *
3	N 61°41'57" E	88.59' *
4	N 75°41'20" E	101.14' *
5	S 81°56'44" E	107.06' *
6	S 58°14'26" E	98.79' *
7	S 36°56'53" E	146.40' *
8	S 51°20'25" W	89.64' *
9	N 59°02'10" W	157.44' *
10	N 70°08'41" W	76.55' *
11	S 66°54'00" W	229.39' *
12	S 22°48'45" W	68.40' *
13	S 89°13'42" W	20.00'

* COURSES ALONG 2747' CONTOUR



NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT "6"

PROJECT FOR Dutch Flat No. 2 and Chicago Park Conduits DATE July 8, 2015

Stump Canyon Siphon "Low Level Valve
Access Road" Easement

SCALE: 1"=200'

THROUGH LAND OF Pacific Gas and Electric

P.G. & E.

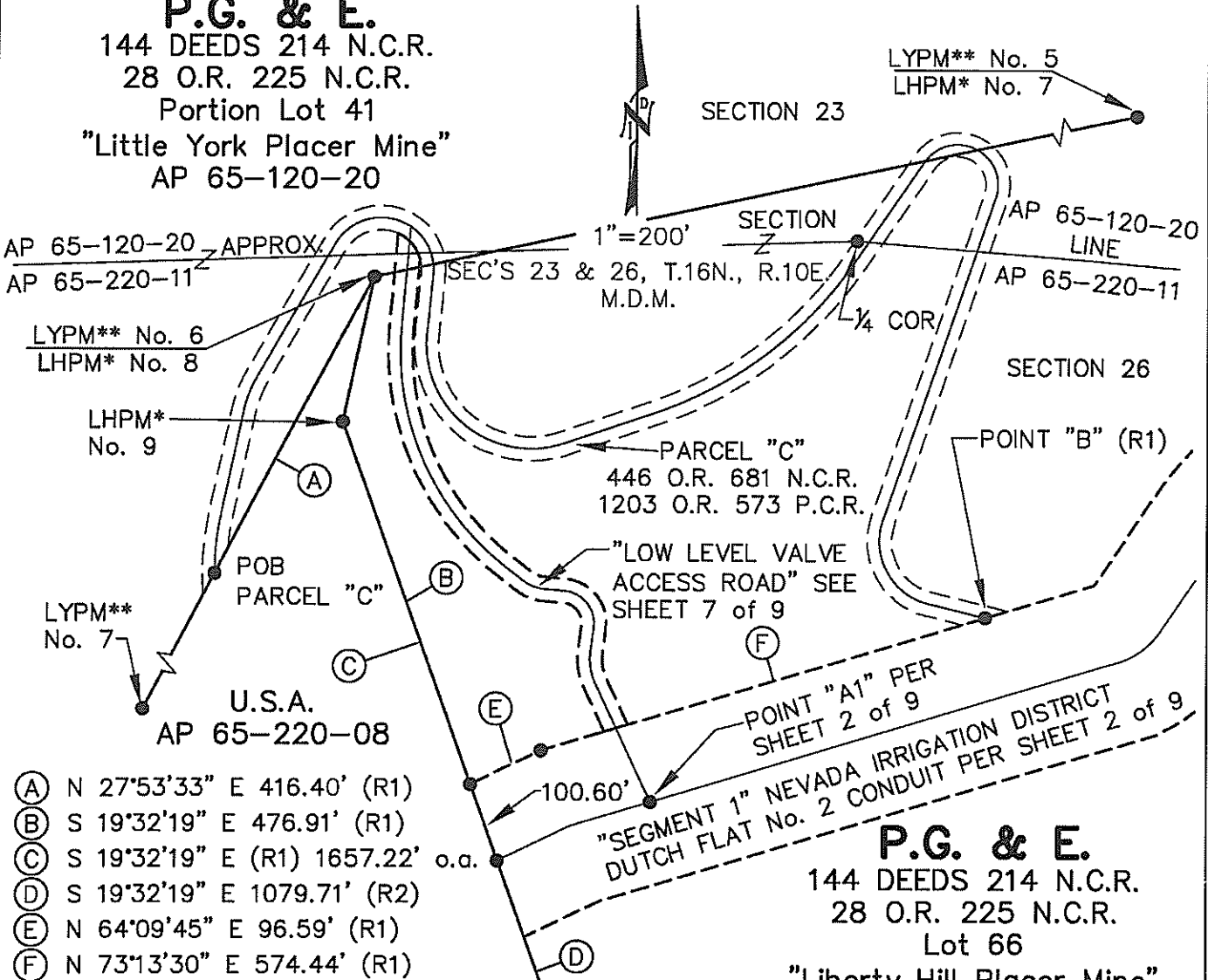
144 DEEDS 214 N.C.R.

28 O.R. 225 N.C.R.

Portion Lot 41

"Little York Placer Mine"

AP 65-120-20



- (A) N 27°53'33" E 416.40' (R1)
- (B) S 19°32'19" E 476.91' (R1)
- (C) S 19°32'19" E (R1) 1657.22' o.a.
- (D) S 19°32'19" E 1079.71' (R2)
- (E) N 64°09'45" E 96.59' (R1)
- (F) N 73°13'30" E 574.44' (R1)

P.G. & E.

144 DEEDS 214 N.C.R.

28 O.R. 225 N.C.R.

Lot 66

"Liberty Hill Placer Mine"

AP 65-220-11



LHPM* No. 10

* LIBERTY HILL PLACER MINE
** LITTLE YORK PLACER MINE

(R1) = RECORD DATA PER
PARCEL "C", 446 O.R., PAGE 681,
NEVADA COUNTY RECORDS

(R2) = RECORD DATA PER
PARCEL "1", 446 O.R., PAGE 672,
NEVADA COUNTY RECORDS

BASIS OF BEARING:
PARCEL "C" PER BOOK 446 OF OFFICIAL
RECORDS, PAGE 681, NEVADA COUNTY RECORDS.

SHT 6 of 9

NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT "6"

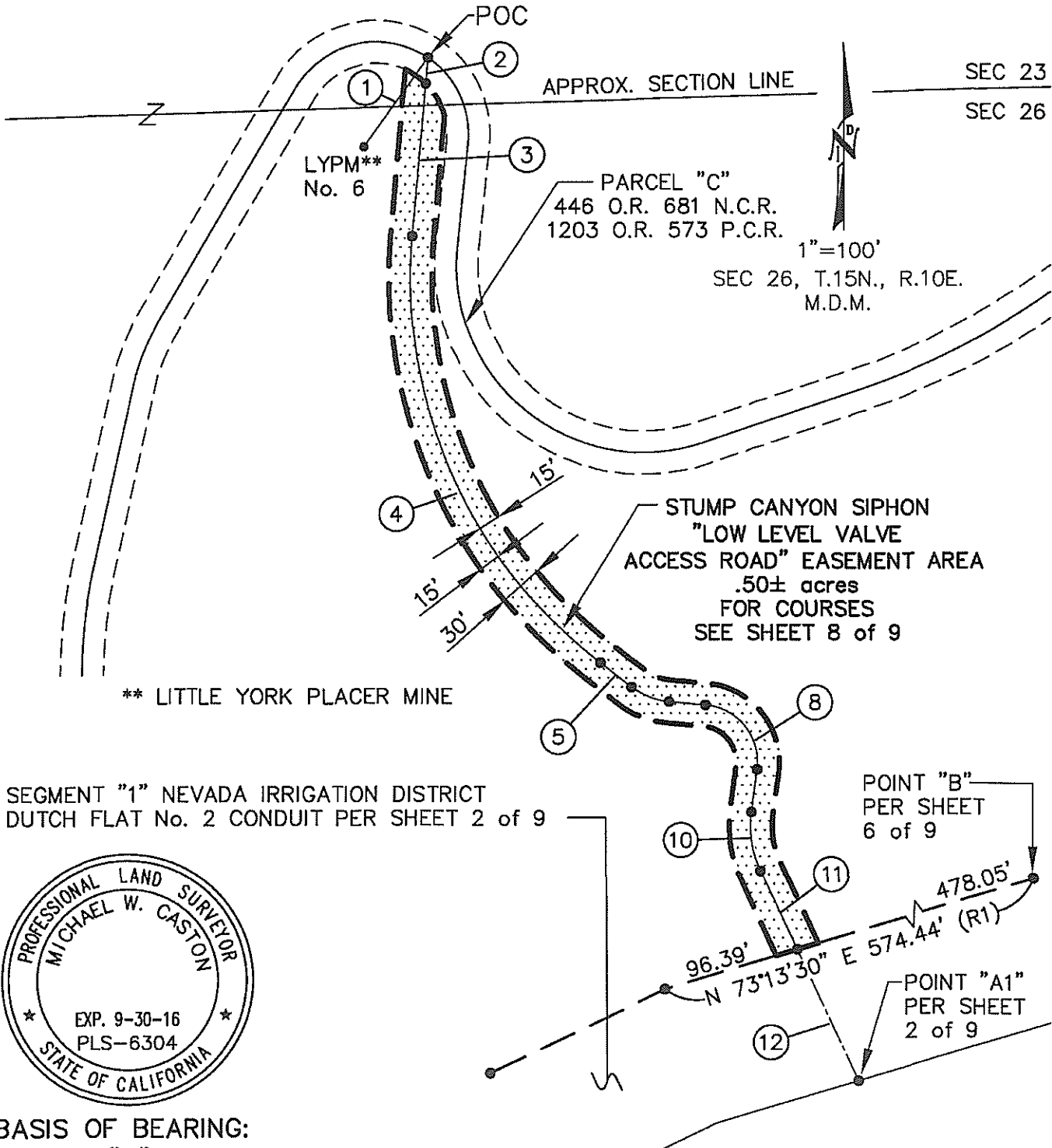
PROJECT FOR Dutch Flat No. 2 and Chicago Park Conduits DATE July 8, 2015

Stump Canyon Siphon "Low Level Valve

SCALE: 1"=100'

Access Road" Easement

THROUGH LAND OF Pacific Gas and Electric



** LITTLE YORK PLACER MINE

SEGMENT "1" NEVADA IRRIGATION DISTRICT
DUTCH FLAT No. 2 CONDUIT PER SHEET 2 of 9



POINT "B"
PER SHEET
6 of 9

POINT "A1"
PER SHEET
2 of 9

BASIS OF BEARING:
PARCEL "C" PER BOOK 446 OF OFFICIAL
RECORDS, PAGE 681, NEVADA COUNTY RECORDS.

NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT "6"

PROJECT FOR Dutch Flat No. 2 and Chicago Park Conduits DATE July 8, 2015

Stump Canyon Siphon "Low Level Valve

SCALE: N/A

Access Road" Easement

THROUGH LAND OF Pacific Gas and Electric

"LOW LEVEL VALVE ACCESS ROAD" COURSES

NO.	COURSE	DISTANCE
1	S 35°42'50" W	76.45' TIE
2	S 04°51'50" W	18.11'
3	S 04°51'50" W	106.79'
4	R=340.00' Δ =56°58'43" L=338.12'	
5	S 56°06'53" E	27.70'
6	R=50.00' Δ =32°50'40" L=28.66'	
7	S 84°57'33" E	25.55'
8	R=40.00' Δ =92°25'00" L=64.52'	
9	S 07°27'27" W	30.00'
10	R=75.00' Δ =32°15'05" L=42.22'	
11	S 24°47'38" E	59.88'
12	S 24°47'38" E	100.98' POINT "A1"



NEVADA IRRIGATION DISTRICT

NEVADA AND PLACER COUNTIES, CALIFORNIA

EXHIBIT "6"

PROJECT FOR Dutch Flat No. 2 and Chicago Park Conduits DATE July 8, 2015

"Stump Canyon Spillway" Easement

SCALE: 1"=200'

THROUGH LAND OF Pacific Gas and Electric



1"=200'

SEC 26, T.15N., R.10E.
M.D.M.

SECTION LINE

POINT "A" PER
SHEET 2 of 9

SEC 23
SEC 26

"SEGMENT 1" NEVADA
IRRIGATION DISTRICT
DUTCH FLAT No. 2
CONDUIT PER SHEET
2 of 9

CENTERLINE STUMP
CANYON SPILLWAY 500'±

"STUMP CANYON
SPILLWAY" EASEMENT AREA
1.71± acres

STUMP CANYON
SIPHON

150'
75'
75'
NEV.
PLA.
BEAR

CO.
CO.

RIVER

P.G. & E.

144 DEEDS 214 N.C.R.

28 O.R. 225 N.C.R.

Lot 66

"Liberty Hill Placer Mine"

AP 65-220-11



SHT 9 of 9



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

August 18, 2016

Certified Mail Receipt No. 7009 2250 0001 9123 5400

Christopher J. Gonzalez
CJG Legal
200 Pringle Ave., Suite 400
Walnut Creek, CA 94596

Re: 6927 – Dutch Flat No. 2 and Chicago Park Systems Real Property Acquisition
Nevada County APN: 65-110-06 & Placer County APN: 062-240-006

Dear Mr. Gonzalez:

This letter follows up prior communications between Nevada Irrigation District (NID) and Pacific Gas & Electric Company (PG&E) regarding NID's initial offer to PG&E dated November 4, 2015 for real property acquisitions associated with its Dutch Flat No. 2 and Chicago Park systems.

NID is restating its November 4, 2015 offer as multiple offers. NID removes from its November 4, 2015 offer the acquisition of the Road Easement described and shown in the Road Easement Deed and Exhibits 1, 2, 3, and 4, enclosed, and makes this separate offer to acquire said Road Easement for the amount and on the terms stated below. NID's November 4, 2015 offer for the balance of the acquisition described therein is reduced by the amount of this offer for the Road Easement, but shall otherwise remain in effect, unless modified by separate correspondence.

In the enclosed letter from independent appraiser Daniel R. Ketcham, MAI, SRA, SR/WA, dated August 19, 2016, he identifies the fair market value of \$2312.00 for said Road Easement Deed.

This letter including enclosures, hereby constitutes NID's offer to PG&E in the amount of \$2312.00 to acquire the interests described herein.

Based on NID's review of this particular facility and interests, including comments received from PG&E, NID believes this acquisition will not conflict with PG&E uses of the property.

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

This offer is conditioned upon execution by the parties of an Easement Purchase Agreement with terms acceptable to the parties.

Christopher J. Gonzalez
Pacific Gas and Electric Company
August 18, 2016
Page 2

Should PG&E's appraiser opine a different value from that offered herein, NID will consider additional information and may adjust its offer.

Please contact me to discuss NID's offer and PG&E's response. I may be reached at (530) 273-6185 ext. 234, crowe@nidwater.com and the address above. Thank you for your cooperation and consideration of this matter.

Respectfully submitted,



Matthew Crowe
Senior Right-of-Way Agent

Enclosures

MC/tr

cc: Cesar V. Alegria, Jr.
Law Department
Pacific Gas and Electric Company
77 Beale Street, #B-30A
San Francisco, CA 94105

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



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

September 20, 2016

CERTIFIED MAIL: 7013 2630 0000 2979 9949

Nevada County APN: 65-110-06 & Placer County APN: 062-240-006

Christopher J. Gonzalez
CJG Legal
200 Pringle Ave., Suite 400
Walnut Creek, CA 94596

SUPPLEMENTAL NOTICE (to NOTICES dated November 23, 2015 and January 12, 2016)

YOU ARE HEREBY NOTIFIED that on October 12, 2016, the governing body of Nevada Irrigation District will consider for adoption, and may adopt, a resolution or resolutions of necessity authorizing eminent domain proceedings to be commenced against Pacific Gas and Electric, a California Corporation for the acquisition of certain real property for Nevada Irrigation District facilities and activities related to its water conveyance and hydroelectric systems.

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

YOU ARE FURTHER NOTIFIED that the governing body of Nevada Irrigation District will be considering 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 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 property that is the subject of the resolution 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.

The Nevada Irrigation District Board of Directors meeting is scheduled for 9:00 a.m., October 12, 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

Sept 20, 2016
Date

cc: Lisa Francis Tassone
M. Anthony Soares, Esq.

Cesar V. Alegria, Jr.
Law Department
Pacific Gas and Electric Company
77 Beale Street, #B-30A
San Francisco, CA 94105



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

August 19, 2016

Certified Mail Receipt No. 7009 2250 0001 9123 5417

Christopher J. Gonzalez
CJG Legal
200 Pringle Ave., Suite 400
Walnut Creek, CA 94596

Re: 6927 – Dutch Flat No. 2 and Chicago Park Systems Real Property Acquisition
Nevada County APN: 65-120-20, 65-220-11 & 65-220-13
Placer County APN: 062-020-005

Dear Mr. Gonzalez:

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NID is restating its November 4, 2015 offer as multiple offers. NID removes from its November 4, 2015 offer the acquisition of the fee and easement interests described and shown in the Grant Deed and Exhibits 1, 2, 5, and 6, enclosed, and makes this separate offer to acquire said interests for the amounts and on the terms stated below. NID's November 4, 2015 offer for the balance of the acquisition described therein is reduced by the amounts of this offer for fee and easement interests herein, but shall otherwise remain in effect, unless modified by separate correspondence.

In the enclosed letter from independent appraiser Daniel R. Ketcham, MAI, SRA, SR/WA, dated August 19, 2016, he identifies the fair market values of the interests identified herein.

This letter including enclosures, hereby constitutes individual NID offers to PG&E to acquire each interest described herein, as follows:

- DUTCH FLAT NO. 2 CONDUIT "SEGMENT 1" (Fee) = \$724
- DUTCH FLAT AFTERBAY "FLOODING AREA #1" (Fee) = \$107
- STUMP CANYON SIPHON "LOW LEVEL VALVE ACCESS ROAD" (Road Easement) = \$299
- STUMP CANYON SPILLWAY (Spillway Easement) = \$486

Based on NID's review of these particular facilities and interests, including comments received from PG&E, NID believes this acquisition will not conflict with PG&E uses of the property.

6927.2 DF2-CP Mod-Offers PG&E- DF2-Stmp Cnyn 8-19r

Christopher J. Gonzalez
Pacific Gas and Electric Company
August 19, 2016
Page 2

The offer terms herein are expressly conditioned on PG&E's cleanup of site contamination (should any exist) within the fee and easement areas described in the enclosed deeds.

The offer terms herein are conditioned upon execution by the parties of Fee and Easement Purchase Agreement(s) with terms acceptable to the parties.

Should PG&E's appraiser opine a different value from that offered herein, NID will consider additional information and may adjust its offer.

Please contact me to discuss NID's offer and PG&E's response. I may be reached at (530) 273-6185 ext. 234, crowe@nidwater.com and the address above. Thank you for your cooperation and consideration of this matter.

Respectfully submitted,



Matthew Crowe
Senior Right-of-Way Agent

Enclosures

MC/tr

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September 20, 2016

CERTIFIED MAIL: 7009 2250 0001 9123 5448

Nevada County APN: 65-120-20, 65-220-11 & 65-220-13
Placer County APN: 062-020-005

Christopher J. Gonzalez
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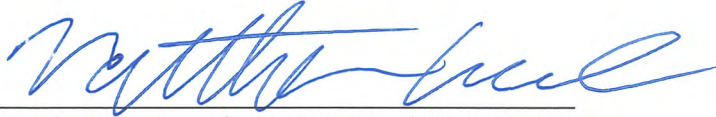
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15 days after this notice was mailed (the date of this notice) will result in waiver of the right to appear and be heard.

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



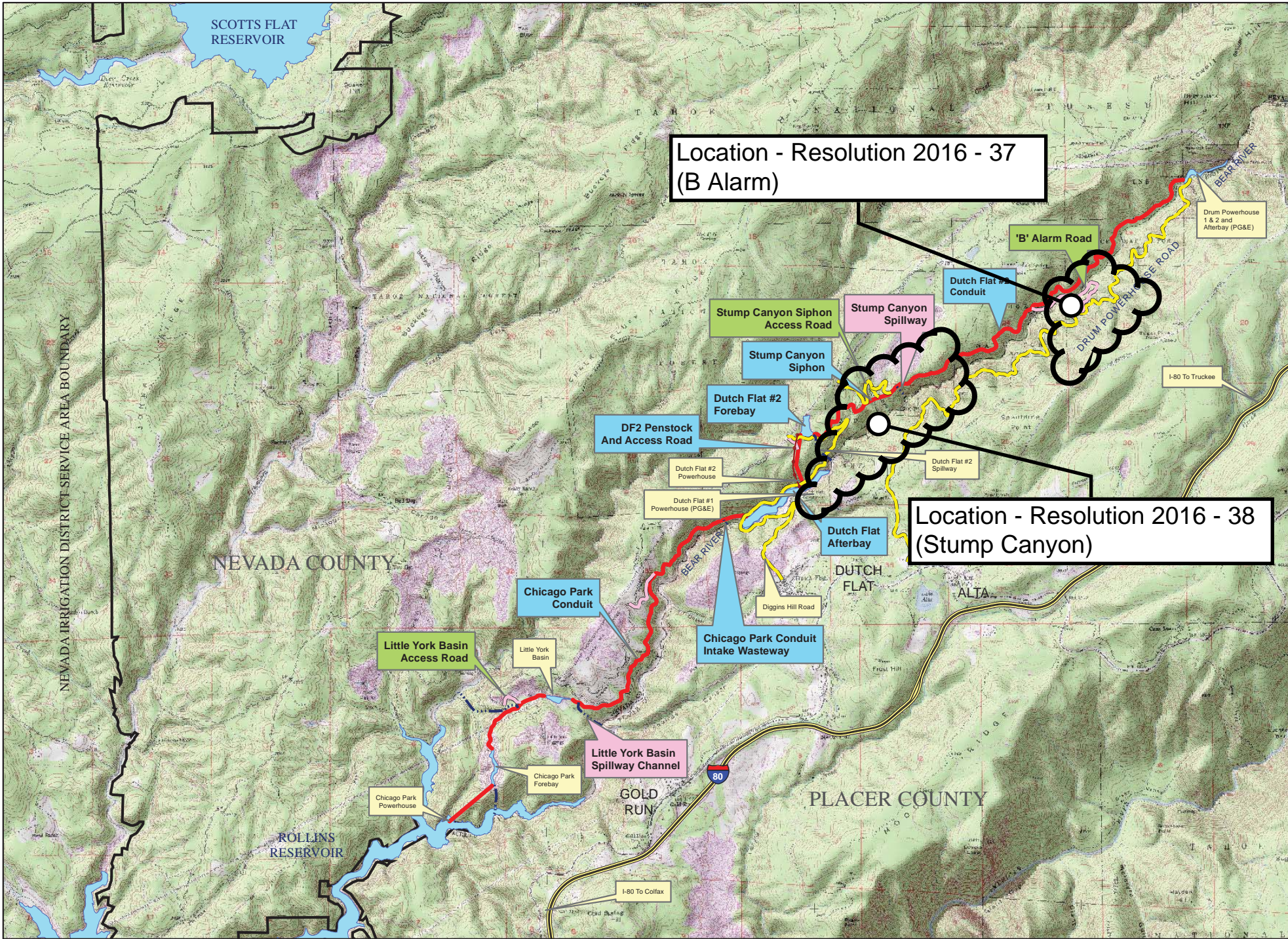
Matthew Crowe, Senior Right-of-Way Agent
Nevada Irrigation District

Sep 20, 2016

Date

cc: Lisa Francis Tassone
M. Anthony Soares, Esq.

Cesar V. Alegria, Jr.
Law Department
Pacific Gas and Electric Company
77 Beale Street, #B-30A
San Francisco, CA 94105



S:\arcview\Yuba-Bear\DutchFlat-ChicagoPark-Rollins.mxd



NID FERC Project 2266 Facility Descriptions*

related to the

DF2-CP Acquisition Project

Dutch Flat No. 2 Conduit, a 24,728 foot long combination of tunnel, flume, siphon and canal that diverts water from Drum Afterbay (part of PG&E's Drum-Spaulding Project) to Dutch Flat No. 2 Forebay at a maximum design capacity of 610 cfs;

Dutch Flat Forebay, an off-stream man-made re-regulating reservoir adjacent the Bear River formed by Dutch Flat Forebay Dam. At normal maximum water surface elevation (3,331.6 feet), Dutch Flat Forebay has a usable storage capacity of 185 ac-ft, a surface area of 8 acres, and a shoreline of about 0.5-mile;

Dutch Flat No. 2 Powerhouse Penstock, a 2,100 foot-long, 8 foot-diameter, steel penstock that diverts water, at a maximum design capacity of approximately 610 cfs, from Dutch Flat Forebay to Dutch Flat No. 2 Powerhouse;

Dutch Flat No. 2 Powerhouse an above-ground, outdoor powerhouse constructed of reinforced concrete and located adjacent to Dutch Flat Afterbay, part of the Bear River. The powerhouse consists of one vertical axis Francis turbine with a nameplate rated capacity of 24.57 MW at a flow of 600 cfs;

Dutch Flat Afterbay Dam, a zoned embankment dam with rockfill shells located on the Bear River 6 miles upstream of its confluence with Rollins Reservoir. The dam is 165 feet high with a crest length of 495 feet and a crest elevation of 2,755.0 feet, and a drainage area of 21.2 square miles;

Dutch Flat Afterbay Dam Spillway, an uncontrolled, concrete-lined spillway 100 feet in length with a crest elevation of 2,741 feet. Discharge goes over an ogee crest and down a 405 foot-long concrete chute that discharges into the Bear River. The maximum design capacity of the spillway is 20,000 cfs;

Dutch Flat Afterbay, a man-made reregulating reservoir located on the Bear River formed by Dutch Flat Afterbay Dam. At normal maximum water surface elevation (2,741.0 ft), Dutch Flat Afterbay Reservoir extends about 0.9-mile upstream, has a usable storage capacity of 2,037 ac-ft, a surface area of 140 acres, and a shoreline of about 1.9 miles. The dam includes two low-level outlets (El. 2,640.0 ft) with a combined maximum design capacity of about 760 cfs at full pool;

Chicago Park Conduit, which diverts water from Dutch Flat Afterbay Dam to Chicago Park Forebay via 21,700 feet of concrete flume (18 feet wide by 10 feet deep) and gunite-lined ditch (14-38 feet wide and 10 feet deep). Maximum design capacity of the conduit is 1,100 cfs;

Appurtenant facilities and features necessary to operate the system. (e.g. access roads and spillways - including but not limited to the following: **B Alarm Access Road**, **Stump Canyon Siphon- Low Level Valve Access Road**, DF2 Penstock Access Road, Chicago Park Powerhouse Road, Little York Basin: Access Road 1, Little York Basin: Access Road 2, **Stump Canyon Spillway**, and Little York Spillway)

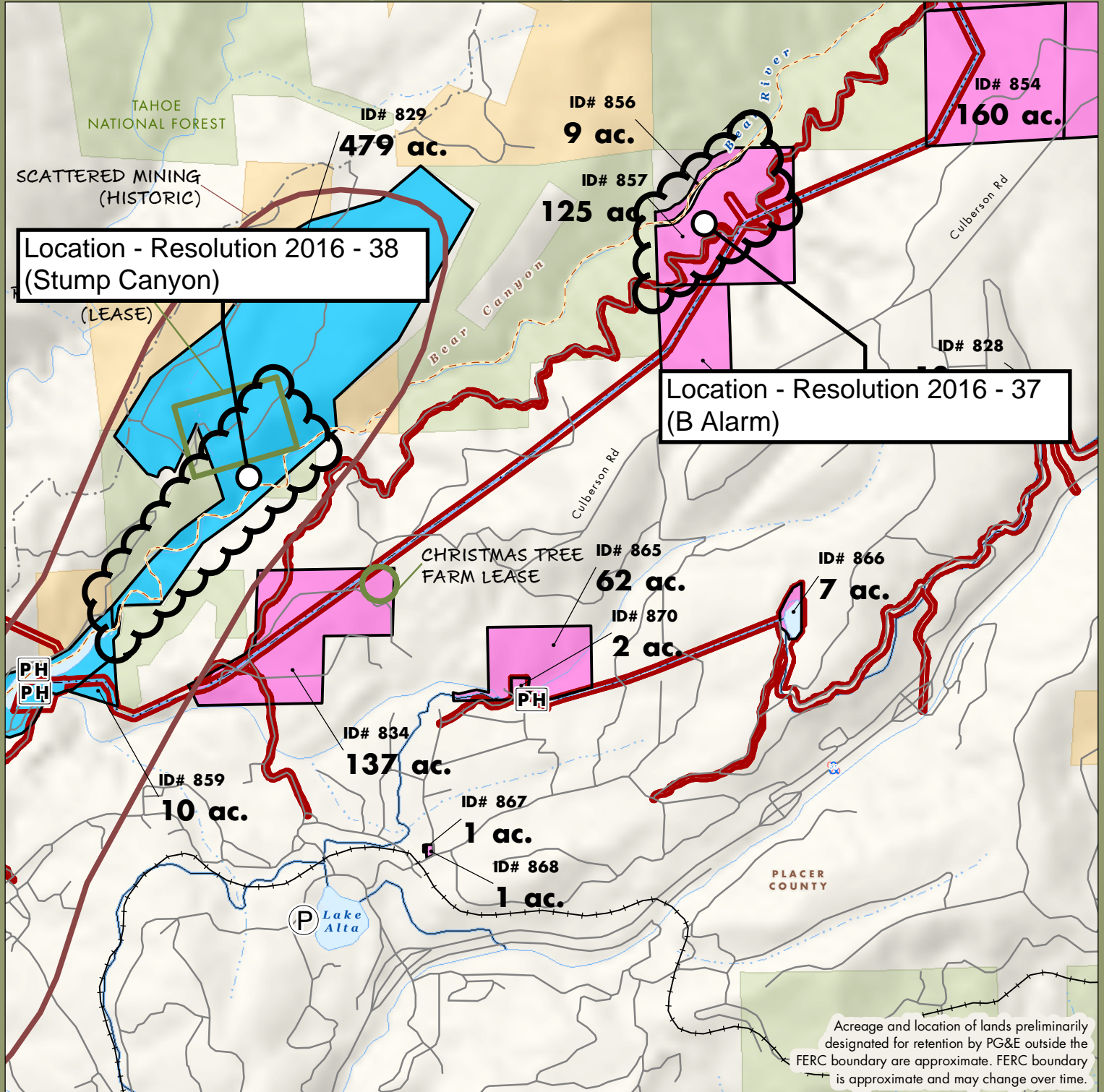
* Descriptions excerpted from *Nevada Irrigation District's - Yuba-Bear Hydroelectric Project (2266) Relicensing - Fact Sheet*
Viewable at - [http://www.eurekasw.com/NID/Project Maps and Figures/Yuba-Bear Project Flow Schematic and Fact Sheet](http://www.eurekasw.com/NID/Project%20Maps%20and%20Figures/Yuba-Bear%20Project%20Flow%20Schematic%20and%20Fact%20Sheet)

SUMMARY TABLE OF ACQUISITIONS

Dutch Flat No. 2 and Chicago Park Systems - Real Property Acquisition Project October 12, 2016 Resolutions

Oct 12, 2016 Resolution No.	Description of Interests and Areas TBA	Area TBA (acres)	Length of feature (feet)	Nevada County APN	Placer County APN	Deed Exhibit
	Proposed Road Easement					Road Easement Deed
Res 2016-37	"B Alarm" Access Road	3.86	4,204	65-110-06	062-240-006	Ex 3&4
	Proposed Fee Ownership					Grant Deed
Res 2016-38	DF2 Conduit Segment 1	12.09	2,633	65-120-20		Ex 5&6
				65-220-11		
Res 2016-38	DF Afterbay: FloodArea 1	1.78	NA	65-220-13	062-020-005	Ex 5&6
	Proposed Road Easement					
Res 2016-38	Stump Canyon Siphon Low Level Access Road	0.5	726	65-120-20		Ex 5&6
				65-220-11		
	Proposed Spillway Easement					
Res 2016-38	Stump Canyon Spillway	1.71	500	65-220-11		Ex 5&6
	TBA = To Be Acquired					

Bear River Planning Unit: Map 3



Acreage and location of lands preliminarily designated for retention by PG&E outside the FERC boundary are approximate. FERC boundary is approximate and may change over time.

Conservation Easement for Bear Yuba Land Trust	BLM	Campground	Parking
Conservation Easement for Placer Land Trust	Private	Day Use	Powerhouse
Legal Parcel Boundary and Id Number	USFS	Feature of Importance	Private Camp
FERC Boundary	OHV Road	Fishing	Trailhead
	Trail		
	Railroad		

0 0.25 0.5 0.75 Miles

December 2014