

CALIFORNIA WATER CODE APPENDIX

CHAPTER 116

SOUTH DELTA WATER AGENCY

→ § 116-1.1. Short title

Sec. 1.1. This act may be cited as the South Delta Water Agency Act.

→ § 116-1.2. Creation; name; boundaries

Sec. 1.2. There is hereby created a body politic and corporate of the State of California to be known as the "South Delta Water Agency" which shall have the boundaries hereafter described.

→ § 116-1.3. Definitions

Sec. 1.3. As used herein, unless otherwise indicated by their context:

(a) "Agency" means the South Delta Water Agency.

(b) "United States" means and includes the United States of America and all bureaus, commissions, divisions, departments, boards, agencies, and officers of the executive branch thereof.

(c) "State of California" includes the State of California and all bureaus, commissions, divisions, departments, boards, agencies, and officers of the executive branch thereof.

(d) "Board" means the board of directors of the agency.

(e) "Director" means a member of the board of directors.

(f) "Chairman" means the chairman of the board of directors of the agency.

(g) "Secretary" means the secretary of the board of directors of the agency.

(h) "Legal representative" means an official of a corporation owning land, and means a guardian, conservator, or administrator of the estate of the holder of title to land who:

(1) Is appointed under the laws of this state.

(2) Is authorized by the appointing court to exercise the particular right, privilege, or immunity which he seeks to exercise.

(i) "Voter" means the owner of record of the fee title to lands within the agency.

→ § 116-1.4. "Land" or "lands"; exclusion of improvements, minerals, etc.

Sec. 1.4. "Land" or "lands" as used herein excludes improvements thereon, and also excludes rights or privileges appertaining to minerals, oil, gas, or other hydrocarbon substances underlying the surface thereof when such rights or privileges are assessed separately from the land.

Article 2. Elections (Refs & Annos)

→ § 116-2.1. Law governing

Sec. 2.1. Except as otherwise provided herein, the Uniform District Election Law relating to landowner voting districts, shall apply to all elections within the agency.

→ § 116-2.2. Number of votes; evidence of ownership; multiple owners

Sec. 2.2. Each landowner shall have one vote for each dollar's worth of land to which he holds title within the division. The last equalized assessment roll of the county in which the land is located is conclusive evidence of ownership and of the worth of the land for voting purposes. When a parcel is held as community property, in joint tenancy, or as a tenancy in common, any spouse, joint tenant, or tenant in common shall be presumed to have authority to cast votes for that parcel.

→ § 116-2.3. Voting in person or by proxy

Sec. 2.3. Every voter or his legal representative may vote at any agency election either in person or by a person duly appointed as his proxy.

→ § 116-2.4. Proxy requirements

Sec. 2.4. No appointment of a proxy shall be valid, accepted, or vote allowed thereon at any agency election unless it meets all of the following requirements:

(a) It is in writing.

(b) It is executed by the person or legal representative of the person who, in accordance with the provisions of Section 2.3, is entitled to cast the votes for which the proxy is given.

(c) It is acknowledged.

(d) It specifies the election at which it is to be used. An appointment of a proxy shall be used only at the election specified.

Every appointment of a proxy is revocable, at the pleasure of the person executing it, at any time before the person appointed as proxy shall have cast a ballot representing the votes for which the appointment was given.

→ § 116-2.5. Authority of legal representative to vote; presentation; filing

Sec. 2.5. Before a legal representative votes at an agency election he shall present to the precinct board a certified copy of his authority which shall be kept and filed with the returns of the election.

→ § 116-2.6. Ballots

Sec. 2.6. The ballots used at an agency election shall be provided by the county clerk pursuant to the provisions of the Uniform District Election Law, and shall be in the form prescribed in Section 35106 of the Water Code.

→ § 116-2.7. Procedure at the polls

Sec. 2.7. Except as otherwise provided herein or in the Uniform District Election Law, the procedures to be used at the polls by the precinct board shall be as set forth in Section 35107 of the Water Code.

→ § 116-2.8. Contest of election; declaration of result; conclusiveness

Sec. 2.8. Any voter may commence the contest of an agency election within 20 days after the result has been declared by filing a complaint in the superior court of the county within which the voter's lands are situated. If no contest is commenced within that time, the declaration of the result as determined from the canvass of the respective county clerks is final and conclusive.

→ § 116-2.9. Objection to number of votes voter entitled to cast; recalculation

Sec. 2.9. Within five days after the election, any voter may file with the San Joaquin County Election Office a written objection to the number of votes the voter was entitled to cast. The county clerk shall within five days

thereafter review the objections and may recalculate in accordance with Section 2.2 the number of votes cast.

Article 3. Internal Organization (Refs & Annos)

→ § 116-3.1. Board of directors; exercise of powers

Sec. 3.1. The government of the agency shall be vested in a board of directors selected as herein provided, and the powers of the agency, except as otherwise herein expressly provided, shall be exercised by the board.

→ § 116-3.2. Composition of board; qualifications

Sec. 3.2. The board shall consist of five members, one from each of the five divisions in the agency, and each of whom shall be an owner of real property, or the legal representative of an owner of real property, within the respective division he represents.

→ § 116-3.3. First board; appointment of members

Sec. 3.3. The members representing each division on the first board of directors of the agency shall be appointed on or before March 1, 1974, by the board of supervisors of the county in which the division or the greater portion of the assessed value of the division is located, which board of supervisors shall be the supervising authority for the purpose of appointment in lieu of election pursuant to Section 23520 of the Elections Code.

→ § 116-3.4. First board, terms of members

Sec. 3.4. The terms of office for the first board of directors shall expire in 1975 for those directors appointed to represent even-numbered divisions, and in 1977 for those appointed to represent odd-numbered divisions as designated in Section 9.2, as provided in the Uniform District Election Law.

→ § 116-3.5. Election or appointment of succeeding members; terms

Sec. 3.5. All directors shall thereafter be elected or appointed in lieu of election in the manner prescribed in Article 2 (commencing with Section 2.1) of this act. The term of each director other than those appointed pursuant to Section 3.3 shall be four years and until his successor qualifies.

→ § 116-3.6. Qualification of members; oath

Sec. 3.6. Within 20 days after receiving his certificate of election, or certificate of appointment, each member director shall qualify by taking and subscribing an official oath and filing it in the office of the agency.

→ § 116-3.7. Vacancies

Sec. 3.7. Any vacancy occurring on the board shall be filled by appointment by the board of supervisors of the county within which such division or the major portion of the assessed value of such division is located, and such appointee shall serve for the unexpired portion of the term of the office in which such vacancy exists.

→ § 116-3.8. Organizational meeting; quorum; annual election of officers

Sec. 3.8. The first board shall hold its first meeting as soon as possible after the appointment and qualification of the members of the first board of directors. It shall choose one of its members as chairman, and one of its members as vice chairman, and shall thereupon provide for the time and place of holding its meetings and the manner in which its special meetings may be called.

A majority of the board shall constitute a quorum for the transaction of business.

At its first meeting in January of each year, the board shall choose one of its members as chairman and one of its members as vice chairman, who shall serve as such until the first meeting in January of the immediately following year, or until their respective successors are chosen.

→ § 116-3.9. Action by resolution or motion; vote required

Sec. 3.9. The board shall act only by resolution or motion, which may be adopted by voice vote, but on demand of any member the roll shall be called. No motion or resolution shall be passed or become effective without the affirmative vote of a majority of the members of the board.

→ § 116-3.10. Rules and regulations; adoption

Sec. 3.10. The board may adopt reasonable rules and regulations to facilitate the exercise of its duties and powers.

→ § 116-3.11. Compensation of members; expenses

Sec. 3.11. Each of the members of the board shall receive for each attendance at the meetings of the board the sum of twenty-five dollars (\$25).

In addition to his compensation for attendance at meetings of the board, each member of the board shall be allowed his actual, necessary and reasonable expenses incurred in carrying out his duties.

Each member of the board shall receive such compensation as the board determines to be just and reasonable

for services, other than attendance at meetings of the board, performed at the direction of the board.

→ § 116-3.12. **Appointment of advisers, assistants and employees; compensation; duties; delegation of powers**

Sec. 3.12. The board may appoint, define the duties, and fix the compensation of such advisers, assistants, and employees as it may deem necessary to efficiently maintain and operate the agency. The exercise of any and all executive, administrative and ministerial powers may be delegated by the board.

→ § 116-3.13. **Powers of board**

Sec. 3.13. The board shall have the power:

1. To fix the time and place or places at which its regular meetings shall be held, and shall provide for the calling and holding of special meetings;
2. To fix the location of the principal place of business of the agency and the location of all offices of the agency.
3. To prescribe a system of business administration; to create any and all necessary offices; to establish and reestablish the powers and duties and compensation of all officers and employees; and to require and fix the amount of all official bonds necessary for the protection of the funds and property of the agency.
4. To designate depositories for the funds of the agency.

Article 4. Purposes and Powers

→ § 116-4.1. **General purposes of agency**

Sec. 4.1. (a) The general purposes of the agency shall be to take all reasonable and lawful actions to negotiate, enter into, execute, amend, administer, perform, and enforce one or more agreements with the United States, the State of California, or other entities, and to pursue legislative and legal actions that have for their general purposes either of the following:

- (1) To protect the water supply of the lands within the agency against intrusion of ocean salinity.
- (2) To assure the lands within the agency a dependable supply of water of suitable quality sufficient to meet present and future needs.

(b) The agency may also undertake activities to advise and assist landowners and local districts within the agency in reclamation and flood control matters.

→ § 116-4.2. Powers of agency

Sec. 4.2. The agency shall also have the following powers:

(a) To have perpetual succession.

(b) To sue and be sued, except as otherwise provided herein or by law, in all actions and proceedings in all courts and tribunals of competent jurisdiction.

(c) To adopt a seal and alter it at pleasure.

(d) To take by grant, purchase, gift, devise, or lease, or dispose of, real and personal property of every kind within or without the agency.

(e) To borrow money and incur indebtedness; provided, however, that with the exception of agreements provided for in Section 4.1, the agency shall not at any one time incur indebtedness in excess of the ordinary annual income and revenues of the agency; except that the agency may borrow money for its expenses incurred during the period until the agency first receives tax money.

(f) To employ labor and contract for services.

(g) To cause assessments to be levied, in the manner hereinafter provided, for the purpose of paying expenses and obligations of the agency, including its formation expenses and any warrants issued therefor.

(h) To act jointly with or cooperate with the United States and with the State of California to the end that the purposes and activities of the agency may be fully and economically performed.

(i) To make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

(j) To carry on technical and other investigations of all kinds necessary or convenient for the accomplishment of the purposes or powers of the agency.

(k) To do any and every lawful act necessary in order that a sufficient in-channel water supply of suitable quality may be available for any present or future beneficial use or uses of the lands within the agency.

→ § 116-4.3. Incidental powers

Sec. 4.3. The agency shall have all powers necessary or convenient to carry out the purposes of this act, including powers granted by this act and any other provision of law.

→ § 116-4.4. Drought emergencies; contracts for services

Sec. 4.4. Notwithstanding any other provision of this act, the agency shall have the power to contract with the State of California and with the United States, or with either, for services furnished during a period declared by the Governor to be a drought emergency in the area resulting in serious water shortage or quality degradation for the purpose of protecting the quality or quantity of the water supply for the lands within the agency. Such contract may be entered into upon approval of a majority of the members of the board and without an election of the voters. All such contracts shall be limited to one year and shall recognize that the plan is being implemented as an urgently needed relief measure to prevent great losses and that California and the United States have no obligation to provide such service in any future year or years.

→ § 116-4.5. Water rights

Sec. 4.5. (a) The agency shall have no authority or power to bind, prejudice, impair, restrict, or limit water rights within the agency.

(b) The agency may assist landowners, districts, and water right holders within the agency's boundaries in the protection of vested water rights and may represent the interests of those parties in water right proceedings and related proceedings before the State Water Resources Control Board and the courts of this state and the United States, to carry out the purposes of the agency.

Article 5. Finances (Refs & Annos)

→ § 116-5.1. Annual levy and collection of assessments; limitations; maximum rate

Sec. 5.1. On or before the 30th day of June of each year, the board shall determine, and cause to be thereafter assessed and collected as provided in this act, an amount of money sufficient to meet and pay the estimated expenses and obligations, including a reasonable reserve for contingencies, of the agency, until such time as moneys shall be available to the agency from assessments levied in the next succeeding year, subject, however, to a maximum rate, the revenue of which shall not exceed two hundred fifty thousand dollars (\$250,000), for purposes other than payment under the contracts provided for in Section 4.1. No vote shall be required to establish a maximum rate upon formation of the agency as would otherwise be required under Section 2286 of the Revenue and Taxation Code, and the maximum rate shall be the statutory rate allowed by law unless the voters of the agency approve a higher rate as provided in subdivision (3) of Section 2263 of the Revenue and Tax Code.

→ § 116-5.2. Uniform charge per acre unless benefit zones established

Sec. 5.2. The board shall fix a uniform charge per acre on each acre or fraction thereof of taxable land within the agency sufficient to pay the expenses and obligations determined pursuant to Section 5.1, unless benefit zones are established and in existence pursuant to Section 5.15.

→ § 116-5.3. Amounts necessary to pay contracts; determination; collection; uniform charge per acre unless benefit zones established

Sec. 5.3. The amounts necessary to make payments pursuant to any and all contracts entered into by the agency pursuant to Section 4.1 shall also be determined by the board on or before the 30th day of June of each year, which amounts shall be collected in the manner provided in this article. The board shall also fix a uniform charge per acre on each acre or fraction thereof of taxable land within the agency sufficient to pay those amounts unless benefit zones are established and in existence pursuant to Section 5.15.

→ § 116-5.4. Board certification of amounts determined pursuant to §§ 116-5.2 and 116-5.3; collection; agency payment of costs incurred by county auditor, assessor, and tax collector

Sec. 5.4. The board shall certify the amounts determined pursuant to Sections 5.2 and 5.3 to the Board of Supervisors of San Joaquin County on or before the 30th day of June of each year. The county auditor, county assessor, and county tax collector of that county shall thereupon take the action as may be necessary to collect those amounts. The agency shall pay to the county the cost incurred by the county auditor, county assessor, and county tax collector in complying with this act.

→ § 116-5.5. Time for levy; assessments as lien on lands assessed; disposition of funds

Sec. 5.5. The board of supervisors shall levy an assessment on the lands within the agency in accordance with the determinations made above, at the same time county taxes are levied, and its collection shall be at the same time and in the same manner as county taxes. Such assessments shall be a lien on the lands assessed and shall be enforceable in the same manner and by the same means as county taxes.

When collected, the amount, less the cost incurred by the county in complying with the provisions of this act, shall be paid to the treasurer of the agency under the general requirements and penalties provided by law for the settlement of other taxes.

→ § 116-5.6. Treasurer; warrants

Sec. 5.6. The board may, but need not, appoint as treasurer of the agency the county treasurer of any county situated in whole or in part within the boundaries of the agency. In the event that a county treasurer is appointed, he shall be the depository of the funds of the agency.

The board may issue warrants drawn on the appropriate funds of the agency to pay indebtedness of the agency incurred in carrying out the powers and duties of the agency in anticipation of the collection of assessment levies.

→ § 116-5.7. **Delta Water Agency; termination; proportionate distribution to South Delta Water Agency**

Sec. 5.7. The lands within the agency comprise a portion of the lands lying within the Delta Water Agency, the existence of which agency terminates on December 31, 1973, pursuant to Section 8.1 of the Delta Water Agency Act of 1968 (Chapter 419 of the Statutes of 1968).[FNI] The successor of the Delta Water Agency, pursuant to Section 56501 of the Government Code, shall hold for the benefit of this agency that portion of the moneys, funds, and other assets of the Delta Water Agency which bears the same ratio to such total moneys, funds, and other assets as the assessed valuation of lands within this agency which were also situated within the Delta Water Agency bears to the total assessed valuation of lands within the Delta Water Agency, and which remained on hand in the Delta Water Agency after payment of all outstanding obligations of such agency, and shall distribute such portion of the remaining assets to this agency following its initial organization in lieu of the distribution of such assets otherwise provided under Section 56507 of the Government Code

[FNI] The Delta Water Agency Act as enacted by Stats.1968, c. 419 was editorially classified as Water Code Appendix § 108-1.1 et seq.

→ § 116-5.8. **Raising revenue under other laws**

Sec. 5.8. The board may raise revenue in the same manner and in accordance with the same provisions as applicable to reclamation districts under Division 15 (commencing with Section 50000) of the Water Code, with the exception of the provisions of Article 4 (commencing with Section 51360) of Chapter 2 of Part 7 of Division 15 of the Water Code.

The agency shall not be eligible to receive any property taxes levied pursuant to subdivision (b) of Section 2237 of the Revenue and Taxation Code.

→ § 116-5.9. **Uniform charge per acre; zones reflecting proportional benefits; redetermination**

Sec. 5.9. The board shall annually fix and collect a charge, as provided in Sections 5.2 and 5.3, unless and until the board, on its own motion or on petition of landowners representing at least 15 percent of the lands within the agency or at least 15 percent of the voters of the agency, directs that commissioners be named to make a redetermination of the benefits received and to establish one or more zones of benefit which reflect the proportion of benefits to be derived by the lands within the respective zone or zones from the operation of the agency and from any contract the agency may have entered into. The redetermination shall be effective as of the first day of July in the next succeeding year.

→ § 116-5.10. Appointment of commissioners for redetermination of benefits received by zones within the agency; oath; interest in real estate

Sec. 5.10. For purposes of Section 5.9, the board may appoint three commissioners who have no interest in any real estate within the agency, each of whom, before entering upon his or her duties, shall make and subscribe an oath that he or she is not in any manner interested in any real estate within the agency, directly or indirectly, and that he or she will perform the duties of a commissioner to the best of his or her abilities.

→ § 116-5.11. Zones of benefit; designation; percentage assessments; map; report

Sec. 5.11. The commissioners shall determine whether the agency lands should be divided into more than one zone of benefit. If the commissioners determine that the agency shall be divided into more than one zone, the zones shall be given a numerical designation starting with Zone 1 which shall be assessed at 100 percent and the benefits received by the other zones shall be expressed in terms of relatively smaller percentages as those benefits compare with those received by Zone 1. The commissioners shall prepare a map showing the boundaries of the zones and their respective benefit percentages, and a report explaining the basis for their determination.

→ § 116-5.12. Board receipt of benefit zone map and report; hearing; notice

Sec. 5.12. Upon receipt of the commissioners' map and report, the board shall schedule a hearing. Notice of the hearing shall be given in each county in which the agency is located by publishing once each week for at least two successive weeks in a newspaper of general circulation.

→ § 116-5.13. Notice of hearing on benefit zones; contents

Sec. 5.13. The notice shall state the time and place of hearing, that the purpose of the hearing is to approve the report and map of the commissioners, and the location of the place or places where the report and map may be inspected. The notice shall include a brief, generalized description of the benefit zones and percentage of benefits determined for each zone.

→ § 116-5.14. Conduct of hearing on benefit zones; evidence or testimony; objections

Sec. 5.14. At the hearing, any landowner within the proposed boundaries of the benefit zone or any other interested person may offer any relevant evidence or testimony relating to the boundaries of the benefit zones or the benefits to be received. Any landowner or interested person may object to the inclusion of land within a benefit zone or may request the inclusion of any other land within the zone or a change in the percentage of benefits of any zone.

→ § 116-5.15. Board action at conclusion of hearing on benefit zones

Sec. 5.15. At the conclusion of the hearing, the board may alter the boundaries of benefit zones or the percentages of benefits applicable thereto and shall make an order establishing the boundaries of benefit zones and the percentages of benefits applicable thereto which shall best approximate the benefits received.

→§ 116-5.16. Charge per acre if agency divided into benefit zones

Sec. 5.16. If the board orders that the agency shall be divided into more than one zone, then the charge per acre made pursuant to Section 5.2 shall be multiplied by the percentage of benefit applicable to the zone or zones within which the acreage is located, and then be increased by the factor necessary so that the total amount to be collected shall be equivalent to the amount determined to be required pursuant to Section 5.1. The charge per acre under Section 5.3 to collect annual funds required to be paid pursuant to any contracts provided for in Section 4.1 shall be adjusted in the same manner.

→§ 116-5.17. Subsequent redetermination of benefit zones or percentages

Sec. 5.17. The board, subsequent to any redetermination of benefits made pursuant to Section 5.9, may, on its own motion or on petition of landowners representing at least 15 percent of the lands within the agency or at least 15 percent of the voters of the agency, direct that the zones of benefit or that the percentages of benefit be further redetermined in the same manner as provided in this article.

Article 6. Validation Proceedings

→§ 116-6.1. Contracts with United States or State of California; manner of validation

Sec. 6.1. The agency shall validate any contract entered into with the United States or the State of California under the provisions of Section 4.1 in the manner provided in Chapter 9 (commencing with Section 860), Title 10, Part 2 of the Code of Civil Procedure.

Article 7. Approval of Contract by Voters

→§ 116-7.1. Approval of contracts entered into with United States or State of California; election

Sec. 7.1. No contract of the nature and character authorized by Section 4.1 of this act may be entered into or by the agency unless first approved by a majority of the votes cast at an election held within the agency.

→§ 116-7.2. Conduct of election; date

Sec. 7.2. The election called for the purpose of voting upon such a contract shall be conducted insofar as applicable, in the manner provided in Article 2 (commencing with Section 2.1) of this act, and may be held on any Tuesday, notwithstanding Section 2502 of the Elections Code.

→ § 116-7.3. Publication of election notice; proof

Sec. 7.3. Notice of such a contract approval election shall be published once a week for four successive weeks in a newspaper of general circulation published in each county within which affected lands of the agency are located. Proof of publication shall be filed with the secretary prior to the day of the election.

→ § 116-7.4. Contents of election notice

Sec. 7.4. The notice of the election shall specify:

(a) The time and place of the election.

(b) The purpose of the election.

(c) A brief statement of the general purpose of the contract.

(d) The amount of money to be paid to the United States, or the State of California, or both, under the contract.

→ § 116-7.5. Ballot statement

Sec. 7.5. The ballots at the election shall contain a brief statement of the general purpose of the contract substantially as stated in the notice of election and the amount of money to be paid to the United States, or the State of California, or both, under the contract with the words "Contract--Yes" and "Contract--No."

→ § 116-7.6. Amendment of contract; hearing; protest; election

Sec. 7.6. The board shall not amend any contract of the nature and character authorized by Section 4.1 without a hearing, and unless no substantial written protest to the amendment is received by the board within 30 days following the date of that hearing. If a substantial written protest is received, the agency may not amend the contract unless an election is held pursuant to this article and a majority of the votes cast approve the amendment.

→ § 116-7.7. Protest constituting substantial written protest

Sec. 7.7. Written protest received from landowners representing 15 percent of the land within the agency shall constitute a substantial written protest.

→ § 116-7.8. Notice of hearing on proposed amendment; publication; contents

Sec. 7.8. Notice of the hearing on the proposed amendment shall be published in the manner prescribed in Section 7.3. The notice shall describe the proposed amendment, shall specify that written protests may be filed with the agency, and shall set a date for the hearing.

→ § 116-7.9. Termination of contract; hearing; procedure

Sec. 7.9. The board shall not terminate any contract of the nature and character authorized by Section 4.1 without a hearing and following the procedure for contract amendments.

Article 8. Dissolution for Failure to Execute Agreement

→ § 116-8.1. Repealed by Stats.1987, c. 667, § 26

→ § 116-8.2. Law governing winding up affairs

Sec. 8.2. In the event of the dissolution of the agency and the termination of its existence, its affairs shall be wound up, its successor for the purpose of winding up its affairs determined, and its assets and funds distributed in accordance with the Cortese-Knox Local Government Reorganization Act of 1985 (Division 3 (commencing with Section 56000) of Title 5 of the Government Code).

Article 9. Boundaries

→ § 116-9.1. Enumeration

Sec. 9.1. The boundaries of the agency are as follows:

Beginning at the intersection of the westerly boundary of the County of San Joaquin with the center line of Victoria Canal; thence in a general southerly direction along said westerly boundary of San Joaquin County, 5 miles, more or less, to intersection with the south line of the Southern Pacific Railroad Company's right of way, said intersection being in Section 32, T. 1 S., R. 4 E., M.D.B. & M.; thence southeasterly along said Railroad south line, 1 3/4 miles, more or less, to the west line of Section 3, T. 2 S., R. 4 E., M.D.B. & M.; thence south, being along the westerly boundary of the West Side Irrigation District, 2 miles, more or less, to a point 630 feet north of the S.W. corner of Section 15, T. 2 S., R. 4 E., M.D.B. & M.; thence in a general southeasterly direction along the boundary of the West Side Irrigation District (as said boundary is described in Instrument recorded in Book G., Volume 31 of Miscellaneous, page 585, San Joaquin County Records) through Sections 15, 22, 23, 26, 25 and 36, T.2 S., R. 4E., M.D.B. & M., and Sections 31 and 32, T. 2 S., R. 5 E., M.D.B. & M., a distance of 6.4 miles, more or less, to the east line of said Section 32; thence along the boundary of the Banta Carbona Irrigation District the following forty-four (44) courses: (1) south, 1 1/4 miles, more or less, to the N.E. corner of Section 8, T. 3 S., R. 5 E., M.D.B. & M., (2) west, 1/2 mile to the N 1/4 corner of said Section 8, (3) south along the north-south 1/4 section line of said Section 8, a distance of

1019.3 feet, (4) S. 82°22' E., 827.35 feet, (5) N. 63°46' E., 535.55 feet, (6) S. 65°30' E., 495.8 feet, (7) S. 46°06' E., 223.4 feet, (8) S. 8°52' E., 356.5 feet, (9) N. 87°49' E., 695.7 feet to a point in the west line of Section 9, T. 3 S., R. 5 E., M.D.B. & M. that bears south 1580.8 feet from the northwest corner thereof, (10) south to the W 1/4 corner thereof, (11) S. 89°35' E. along the south line of the NW 1/4 of said Section 9, a distance of 1325.8 feet; (12) S. 36°05' E., 609.2 feet, (13) along a curve to the left, radius 691.3 feet, through a central angle of 13°36', a distance of 164.0 feet, (14) S. 49°41' E., 240.2 feet, (15) along to a curve to the left, radius 548.0 feet through a central angle of 35°12', a distance of 336.5 feet, (16) S. 84°35' E., 322.8 feet to the east line of the SW 1/4 of said Section 9, (17) S. 0°16' W., 1781.3 feet to the S 1/4 corner of said Section 9, (18) east, 2 miles to the N 1/4 corner of Section 14, T. 3 S., R. 5 E., M.D.B. & M., (19) south, 1/2 mile to the center of said Section 14, (20) east, 1/2 mile to the E 1/4 corner of said Section 14, (21) south, 1/2 mile to the S.E. corner of said Section 14, (22) east, 1/2 mile to the N 1/4 corner of Section 24, T. 3 S., R. 5 E., M.D.B. & M., (23) south 1 1/2 miles to the center of Section 25, T. 3 S., R. 5 E., M.D.B. & M., (24) east, 1/2 mile to the W 1/4 corner of Section 30, T. 3 S., R. 6 E., M.D.B. & M., (25) south, 75.5 feet, (26) S. 76°57' E., 233.7 feet, (27) S. 67°33' E., 563.0 feet, (28) S. 75°48' E., 488.29 feet, (29) along a curve to the right, radius 573.14 feet, a distance of 115 feet, (30) S. 64°18' E., 47.85 feet, (31) along a curve to the left, radius 409.32 feet, a distance of 249.29 feet, (32) N. 80°48' E., 574.77 feet; (33) N. 80°04' E., 322.76 feet, (34) along a curve to the right, radius 358.17 feet, a distance of 225.83 feet, (35) S. 63°48' E., 1.51 feet to the east line of the SW 1/4 of said Section 30, (36) north, 469.3 feet, more or less, to the center of said Section 30, (37) east, 1/2 mile to the W 1/4 corner of Section 29, T. 3 S., R. 6 E., M.D.B. & M., (38) south, 1/2 mile to the S.W. corner of said Section 29, (39) east, 1 1/2 mile to the N 1/4 corner of Section 33, T. 3 S., R. 6 E., M.D.B. & M., (40) south, 1 mile to the S 1/4 corner of said Section 33, (41) east, 1 1/4 miles, more or less, to the intersection of the south line of Section 34, T. 3 S., R. 6 E., M.D.B. & M., with the southerly boundary of the County of San Joaquin, (42) northeasterly along the southerly boundary of San Joaquin County, 1900 feet, more or less, to the east line of said Section 34, (43) north, along the east line of Section 34, a distance of 1100 feet, more or less, to the southwesterly line of the Southern Pacific Railroad Company's right of way and (44) northwesterly along said Railroad's southwesterly line 3 miles, more or less, to the west line of Section 21, T. 3 S., R. 6 E., M.D.B. & M.; thence north along the west line of said Section 21 to the northeasterly line of said Railroad right of way; thence along the boundary of the West Stanislaus Irrigation District the following seven (7) courses: (1) north, 1100 feet, more or less, to the N.W. corner of said Section 21, (2) east, 1 1/2 miles to the N 1/4 corner of Section 22, T. 3 S., R. 6 E., M.D.B. & M., (3) south, 1 mile to the S 1/4 corner of said Section 22, (4) N. 43° E., 2,020 feet, more or less, (5) S. 47° E., 7600 feet, more or less, to the center line of Greenwood Road, (6) northeasterly along the center line of Greenwood Road, 1900 feet, more or less, to intersection with the east line of Section 26, T. 3 S., R. 6 E., M.D.B. & M., and (7) south along the east line of Section 26, a distance of 1400 feet, more or less, to intersection with the southerly boundary of the County of San Joaquin; thence northeasterly along the southerly boundary of San Joaquin County, 2.2 miles, more or less, to the center line of the San Joaquin River; thence continue along said southerly boundary of San Joaquin County in a general northeasterly direction, along the center line of the San Joaquin River and the center line of the Stanislaus River, 4 1/2 miles, more or less, to intersection with the north-south 1/4 Section line of Section 9, T. 3 S., R. 7 E., M.D.B. & M., said intersection being southerly 300 feet, more or less from the north line of said Section 9; thence north along said north-south 1/4 Section line to the right bank on the Stanislaus River; thence along the boundary of Reclamation District No. 2064 the following four (4) courses: (1) north, 1 mile, more or less, to the S 1/4 corner of Section 33, T. 2 S., R. 7 E., M.D.B. & M., (2) east, 1/2 mile to the S.E. corner of said Section 33, (3) north, 1/2 mile to the E 1/4 corner of said Section 33, and (4) west, 1 mile to the W 1/4 corner of said Section 33; thence along the boundary of Reclamation District No. 2075 the following three (3) courses: (1) north, 1 1/2 miles to the N.E.

corner of Section 29, T. 2 S., R. 7 E., M.D.B. & M., (2) west, 2 miles to the S.E. corner of Section 24, T. 2 S., R. 6 E., M.D.B. & M., and (3) north, 1/2 mile to the E 1/4 corner of said Section 24; thence north, 1/2 mile to the N.E. corner of said Section 24; thence west along the north line of said Section 24, a distance of 30 feet; thence along the boundary of Reclamation District No. 2094 the following two (2) courses: (1) continue west, 1/2 mile to the S 1/4 corner of Section 13, T. 2 S., R. 6 E., M.D.B. & M., and (2) north, 1 mile to the S 1/4 corner of Section 12, T. 2 S., R. 6 E., M.D.B. & M.; thence along the boundary of Reclamation District No. 17 the following seventeen (17) courses: (1) north, 1 mile to the N 1/4 corner of said Section 12, (2) west, 1/2 mile to the S.E. corner of Section 2, T. 2 S., R. 6 E., M.D.B. & M., (3) north, 1/2 mile to the E 1/4 corner of said Section 2, (4) west, 1/2 mile to the center of said Section 2, (5) north, 3/4 mile to the S.W. corner of the NW 1/4 of the SE 1/4 of Section 35, T. 1 S., R. 6 E., M.D.B. & M., (6) east, 1/2 mile to the S.E. corner of the NE 1/4 of the SE 1/4 of said Section 35, (7) north, 1/4 mile to the E 1/4 corner of said Section 35, (8) west along the east-west 1/4 section line of said Section 35, a distance of 1350 feet, more or less, to the west line of the Southern Pacific Railroad Company's right of way, (9) northerly along the west line of said Railroad right of way, 1/4 mile, more or less, to the north line of the S 1/2 of the NE 1/4 of said Section 35, (10) west, 1457 feet, more or less, to the N.W. corner of the SW 1/4 of the NE 1/4 of said Section 35, (11) north, 1/4 mile to the N 1/4 corner of said Section 35, (12) west, 1/4 mile to the S.W. corner of the SE 1/4 of the SW 1/4 of Section 26, T. 1 S., R. 6 E., M.D.B. & M., (13) north, 1/2 mile to the N.W. corner of the NE 1/4 of the SW 1/4 of said Section 26, (14) east, 1/4 mile to the center of said Section 26, (15) north, 1 3/4 miles to the N.E. corner of the SE 1/4 of the SW 1/4 of Section 14, T. 1 S., R. 6 E., M.D.B. & M., (16) west, 1/4 mile to the N.W. corner of the SE 1/4 of the SW 1/4 of said Section 14, and (17) north, 3/4 mile to the N.E. corner of the NW 1/4 of the NW 1/4 of said Section 14, being on the boundary of the C. M. Weber Grant; thence along the boundary of said C. M. Weber Grant, being along the boundary common to said Reclamation District No. 17 and the Stockton-East Water District the following five (5) courses: (1) west, 3/4 mile to the S.E. corner of fractional Section 10, T. 1 S., R. 6 E., M.D.B. & M., (2) north, 232.41 chains, more or less, to the N.E. corner of fractional Section 34, T. 1 N., R. 6 E., M.D.B. & M., (3) East 20 chains, (4) North 40 chains, and (5) East 1076 feet; thence leaving said boundary of the C. M. Weber Grant and continuing along the boundary common to said Reclamation District No. 17 and Stockton-East Water District, the following five (5) courses: (1) North 255.64 feet, (2) N. 89°15' E., 364.98 feet, (3) N. 66°30' E., 1246.34 feet to the west line of French Camp Road, (4) northerly along said west line of French Camp Road, 1850 feet, more or less, to the south bank of French Camp Slough, and (5) westerly along the south bank of French Camp Slough, 1.75 miles, more or less, to the right or easterly bank of the San Joaquin River; thence leaving the boundary of said Reclamation District No. 17 and continuing along the boundary of the Stockton-East Water District the following five (5) courses: (1) northwesterly along said right bank of the San Joaquin River, 1 mile, more or less, (2) West 500 feet, more or less, to the southeast corner of Oxidation Pond Annexation No. 3--A-1-66 to the City of Stockton, (3) westerly along the Stockton City Limits line, 1.6 miles, more or less, to the easterly line of Dagget Road; (4) northerly along said easterly line of Dagget Road, 1 mile, more or less, to the center line of Burns Cutoff, and (5) in a general westerly direction along the center line of Burns Cutoff 0.8 miles, more or less, to intersection with the northeasterly production of High Ridge Levee; thence southeasterly along said northeasterly production to the intersection of said High Ridge Levee with the westerly bank of Burns Cutoff; thence in a general southwesterly direction along High Ridge Levee, being along the westerly boundary of Reclamation District No. 524, a distance of 4 1/2 miles, more or less, to intersection with the center line of Kingston School Road; thence westerly along the center line of Kingston School Road and its westerly production 1366 feet, more or less, to intersection with the center line of Drexler Tract Levee; thence in a general southerly direction along the center line of Drexler Tract Levee and its southerly production, 1 mile, more or less, to intersection with the center line of Middle River; thence in a general

easterly direction along said center line of Middle River, 1.2 miles, more or less, to intersection with the northerly production of a line that is parallel with and 40 feet westerly of the center line of Kidd Levee; thence southerly along said northerly production and along the line parallel with and 40 feet westerly of the center line of Kidd Levee, a distance of 2.9 miles, more or less, to intersection with the easterly production of the center line of Howard Road, being the northeast corner of the lands of David Bixler as said corner was established by Julius H. Smith in 1889; thence along the division line between the lands of David Bixler and the Williams Estate, as established by said Smith, the following two (2) courses: (1) westerly along the easterly production and the center line of Howard Road, 2.2 miles, more or less, to the west side of the Cross Levee, (2) northerly along the west side of the Cross Levee, 1.9 miles, more or less, to the center line of Middle River; thence westerly along the center line of Middle River, 2.1 miles, more or less, to intersection with the center line of Victoria Canal; thence southwestwardly along said center line of Victoria Canal, 4 miles, more or less, to the point of beginning.

→ § 116-9.2. Area of each division

Sec. 9.2. The area of each division of the agency is as follows:

Division 1

Beginning at the intersection of the center line of Middle River with the southerly production of the center line of Drexler Tract Levee, being a point on the northerly boundary of the South Delta Water Agency; thence in a general easterly direction along said center line of Middle River, being along said Agency boundary, 1.2 miles, more or less, to intersection with the northerly production of a line that is parallel with and 40 feet westerly of the center line of Kidd Levee; thence leaving said Agency boundary in a general easterly and southerly direction along the center line of Middle River 5.8 miles, more or less, to intersection with the center line of Old River; thence in a general easterly direction along the center line of Old River 3 1/2 miles, more or less, to the center line of the San Joaquin River; thence southerly along the center line of the San Joaquin River 4 miles, more or less, to intersection with the north line of the S 1/2 of the SW 1/4 of Section 10, T. 2 S., R. 6 E., M.D.B. & M.; thence east along said north line 1400 feet, more or less, to the westerly end of the south line of Williamson Road; thence in a general easterly and southeasterly direction along the south line of Williamson Road 0.6 mile, more or less, to a point 15 feet west of the east line of said Section 10, where said Road turns north; thence S. 83°20' E., 15 feet, more or less, to the east line of said Section 10; thence south, 300 feet, more or less, to the S.E. corner of said Section 10; thence east 1 1/2 miles to the S 1/4 corner of Section 12, T. 2 S., R. 6 E., M.D.B. & M., being on the easterly boundary of said South Delta Water Agency; thence in a general northerly, westerly and southwestwardly direction along the easterly and northerly boundary of said Agency to the point of beginning.

Division 2

Beginning at the intersection of the center line of Howard Road with the division line (running northerly) between David Bixler and the Williams Estate, as established by Julius H. Smith in 1889, being on the northerly boundary of the South Delta Water Agency; thence leaving said Agency boundary, westerly along the

center line of Howard Road 200 feet, more or less, to intersection with the center line of Tracy Boulevard; thence southerly along the center line of Tracy Boulevard 2.6 miles, more or less, to intersection with the center line of Grant Line Canal; thence easterly along the center line of Grant Line Canal 1.6 miles, more or less, to intersection with the center line of Salmon Slough; thence southeasterly along the center line of Salmon Slough 1.4 miles, more or less, to center line of Old River; thence westerly along the center line of Old River 5000 feet, more or less, to the center line of a Dredger Cut; thence southerly along the center line of said Dredger Cut 700 feet, more or less, to the center line of Tom Paine Slough; thence southerly and southeasterly along the center line of Tom Paine Slough 1.4 miles, more or less, to intersection with the center line of MacArthur Drive; thence southerly along the center line of MacArthur Drive 2.1 miles, more or less, to the center line of Grant Line Road; thence easterly along the center line of Grant Line Road 3 1/2 miles, more or less, to the center line of Kasson Road, thence southeasterly along the center line of Kasson Road 1.7 miles, more or less, to the southeasterly line of Lorenzen Road, being on the southeasterly line of San Joaquin County Survey No. 2183; thence northeasterly and easterly along the boundary line of said Survey No. 2183, a distance of 2.4 miles, more or less, to the left bank of the San Joaquin River; thence easterly to the center line of the San Joaquin River; thence in a general northerly direction along the center line of the San Joaquin River 4.3 miles, more or less, to the westerly boundary of Division 1; thence in a general northwesterly direction along the westerly boundary of Division 1 to the northerly boundary of said South Delta Water Agency; thence southerly and westerly along the northerly boundary of the South Delta Water Agency to the point of beginning.

Division 3

Beginning at the intersection of the southerly boundary of the South Delta Water Agency with the center line of Corral Hollow Road; thence northerly along the center line of Corral Hollow Road 5 1/2 miles, more or less, to intersection with the center line of Lammers Road; thence easterly along the center line of Lammers Road 1800 feet, more or less, to intersection with the center line of Tracy Boulevard; thence northerly along the center line of Tracy Boulevard 1 mile, more or less, to intersection with the center line of Old River; thence in a general easterly direction along the center line of Old River 2.4 miles, more or less, to intersection with the westerly boundary of Division 2; thence easterly, northwesterly, westerly, northerly and easterly along the westerly boundary of Division 2 to the northerly boundary of said South Delta Water Agency; thence northerly, westerly, southerly and southeasterly along the northerly, westerly and southerly boundary of said Agency to the point of beginning.

Division 4

Beginning at the N.E. corner of Section 8, T. 3 S., R. 5 E., M.D.B. & M., said corner being on the southerly boundary of the South Delta Water Agency; thence northerly and westerly along said Agency boundary 2 1/4 miles, more or less, to intersection with the easterly boundary of Division 3; thence in a general northerly and easterly direction along the easterly boundary of Division 3 to the westerly boundary of Division 2; thence southerly and easterly along the westerly and southerly boundary of Division 2 to the N.E. corner of Section 24, T. 2 S., R. 5 E., M.D.B. & M.; thence south 1 mile to the S.E. corner of said Section 24; thence west 1 mile to the S.W. corner of said Section 24; thence south 3 miles to the S.E. corner of Section 2, T. 3 S., R. 6 E., M.D.B. & M.; thence west 3 miles, more or less, to the point of beginning.

Division 5

Beginning at the N 1/4 corner of Section 8, T. 3 S., R. 5 E., M.D.B. & M., said corner being on the southerly boundary of the South Delta Water Agency; thence easterly along said Agency boundary 1/2 mile to the southerly boundary of Division 4; thence easterly, northerly, easterly and northerly along the southerly and easterly boundary of Division 4 to the southerly boundary of Division 2; thence easterly, southeasterly, north-easterly, and northerly along the southerly and easterly boundary of Division 2 to the southerly boundary of Division 1; thence easterly along the southerly boundary of Division 1 to the easterly boundary of said South Delta Water Agency; thence in a southerly, southwesterly and northwesterly direction along the easterly and southerly boundary of said Agency to the point of beginning.

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