

Appendix G

BVID Board Resolution 3-7-90-1

RESOLUTION NO. 3-7-90-1

OF THE BOARD OF DIRECTORS OF
BROWNS VALLEY IRRIGATION DISTRICT
CURTAILING WATER DIVERSIONS AT NY10
AND WATER DELIVERIES FROM THE UPPER MAIN CANAL

WHEREAS, the Upper Main Canal consists of many miles of flumes, ditches and other facilities for delivering water from the NY10 diversion to lands within the District;

WHEREAS, the District plans to construct a water conservation project known as the Upper Main Pipeline Project by the 1991 irrigation season to deliver irrigation water to the lands presently served by the Upper Main Canal, after which diversions at NY10 and use of the Upper Main Canal would be terminated. This project will eliminate the ditch losses experienced on the Upper Main Canal;

WHEREAS, the 5,500 acre-feet of water previously diverted for use at the Upper Main Canal will be available for use, sale, lease, exchange or transfer inside or outside of the District, downstream of the Yuba River Development Project, as a result of this water conservation project;

WHEREAS, in light of the District's plan to terminate water deliveries from the Upper Main Canal in 1991, it would not be cost effective to perform maintenance work necessary to use the Upper Main Canal in 1990 to provide reliable water service.

NOW, THEREFORE, be it resolved by the Board of Directors as follows:

1. The foregoing recitals are true and are incorporated by this reference.

2. The Board hereby finds and determines (a) it is not cost effective to provide water service from the Upper Main during 1990, and (b) the District plans to implement the Upper Main Pipeline Water Conservation Project to have an alternative means of providing water service to the lands served by the Upper Main, commencing during the 1991 irrigation season.

3. The Board hereby orders water diversions from NY10 and water deliveries from the Upper Main Canal be terminated, during 1990 and thereafter, unless and until the Board directs that such diversions and water service be resumed.

4. The Board hereby declares that it abandons no right, title or interest in any District water rights, easements, rights

of way or facilities as a result of this Resolution, including but not limited to the NY10 diversion or the Upper Main Canal.

5. The Manager is hereby authorized and directed to notify affected landowners of such actions, and to cooperate with such landowners in providing interim water supplies during 1990, to the extent reasonably feasible.

6. Pursuant to California Water Code sections 1011 and 1706, the District intends to sell, lease, exchange or otherwise transfer for use within or outside the boundaries of the District the 5,500 acre-feet of water previously diverted for use from the Upper Main Canal, the use of which from the Upper Main Canal will henceforth cease as a result of its water conservataion project.

The foregoing Resolution was duly passed and adopted by the Board of Directors at a meeting thereof held on March 7, 1990, by the following roll call vote:

AYES: La Mantia, Smith, Bordsen, Cote, Misler
NOES: None
ABSENT: None

Signed by me after its passage this 7th day of March 1990.

By: Ted La Mantia
Ted La Mantia, President

ATTEST:

By: Helen M. Tittel
Secretary

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