

ACT 400. Kings River Conservation District Act (1951 ch 931)

AN ACT creating a district to be called “Kings River Conservation District”; providing for its organization, operation, maintenance and government, for the inclusion of lands therein and the exclusion of lands therefrom; providing for the acquisition, construction, maintenance and operation of works and property for the purposes of the district, including the storage, conservation, distribution and sale of water, the development, distribution and sale of electric power, the drainage, reclamation and protection of land and prescribing and defining the powers, duties, purposes and responsibilities of said district.

§ 1. Short title of act

This act may be designated and referred to as the Kings River Conservation District Act, and any reference thereto by such description shall be sufficient for all purposes.

§ 2. Kings River Conservation District; Creation; Included territory; Excepted cities, town sites and areas

A district is hereby created to be known and designated as Kings River Conservation District, and the boundaries and territory of said district are as follows:

All that territory lying and being within the following described boundaries:

Commencing in the middle of the Main Channel of Kings River on the east section line of Section 18, Township 13 South, Range 24 East, M. D. B. & M.; thence running southwesterly along the center of said Main Channel through Section 19 of said township to the point at which the said Main Channel divides into the West and East Channels in the southeast quarter of the northeast quarter of Section 24, Township 13 South, Range 23 East, M. D. B. & M., thence along the center of the said West Channel of Kings River to the intersection with a line 200 feet northerly of and parallel to the northerly—most parts of the diverting dam across the said West Channel of Kings River near the headgate of the Gould Canal; thence westerly across said West Channel of Kings River along said parallel line to the point of intersection of said parallel line with a line 100 feet northwesterly from and parallel with the outside foot of the northwesterly bank of the said Gould Canal; thence parallel with said foot of bank and 100 feet distant therefrom in a general southwesterly direction through Section 25 to the intersection of the last above described line with the center of that certain public road known as Trimmer Springs Road in Section 26; thence southwesterly along the center of said Trimmer Springs Road to the point of intersection of said center of Trimmer Springs Road with the outside foot of the north bank of the said Gould Canal; thence along said foot of bank northwesterly through said Section 26; thence southwesterly through Section 27 to the intersection with the Enterprise Canal; thence following the outside foot of the northerly or easterly bank of said Enterprise Canal, in a general northwesterly direction through Sections 27, 28, 33, 32, 31, 30, 29, 20, 19 and 18 of said township, Sections 13, 14, 15, 10, 9, 16, 17, 8 and 7 of Township 13 South, Range 22 East, M. D. B. & M., Sections 12, 1 and 2 of Township 13 South, Range 21 East, M. D. B. & M. and Sections 35, 34, 27 and 28 of Township 12 South, Range 21 East, M. D. B. & M., to the west line of Section 28 of the last named township; thence leaving foot of said bank north along

section lines about five–eighths of a mile to the east quarter corner of Section 20; thence west one–half mile to the center of Section 20; thence north one–half mile to the north quarter corner of Section 20; thence west along the north line of Section 20 to the intersection with the outside foot of the northerly or easterly bank of the said Enterprise Canal; thence following said foot of bank of canal, in a general westerly direction through Sections 17 and 18 of Township 12 South, Range 21 East, M. D. B. & M. and Sections 13 and 24 of Township 12 South, Range 20 East, M. D. B. & M., to the east and west center line of Section 24 of the last named township; thence leaving said foot of bank of canal, west to the center of Section 23 of last named township; thence south one–half mile to the south quarter corner of said Section 23; thence west along section lines about one and three–eighths miles to the easterly line of Blackstone Avenue; thence southwesterly along the easterly line of Blackstone Avenue to the east and west center line of Section 28 of the last named township; thence west along half section lines to the top of the easterly bluff of the San Joaquin River; thence following down the top of said bluff in a general westerly direction through Sections 29, 32 and 31 of the last named township, Sections 367, 35, 34, 33, 32 and 31 of Township 12 South, Range 19 East, M. D. B. & M., Section 6 of Township 13 South, Range 19 East, M. D. B. & M., to the west line of said Section 6; thence north along the west line of said Section 6 to the intersection with the south bank of the San Joaquin River; thence following down the said bank, in a general westerly direction through Sections 1 and 2 of Township 13 South, Range 18 East, M. D. B. & M., Sections 35 and 34 of Township 12 South, Range 18 East, M. D. B. & M., Sections 3, 4, 9, 8 and 7 of Township 13 South, Range 18 East, M. D. B. & M., Sections 12, 1, 2, 11 and 10 of Township 13 South, Range 17 East, M. D. B. & M. to the west line of Section 10 of the last named township; thence south along section lines to the southwest corner of Section 15; thence west along section lines to the northwest corner of Section 20; thence south along section lines to the southeast corner of Section 31; thence into Township 14 South, Range 17 East, M. D. B. & M., east two miles to the northwest corner of Section 3; thence south two miles to the southwest corner of Section 10; thence east one mile to the northwest corner of Section 14; thence south one mile to the southwest corner of said Section 14; thence east one mile to the northwest corner of Section 24; thence south one mile to the southwest corner of said Section 24; thence east one mile to the northeast corner of Section 25; thence south two miles to the southeast corner of Section 36; thence east along township lines nine miles to the northwest corner of Section 3 of Township 15 South, Range 19 East, M. D. B. & M.; thence in said township south three miles to the southwest corner of Section 15; thence east one mile to the southeast corner of said Section 15; thence south one–half mile to the west quarter corner of Section 23; thence east one mile to the west quarter corner of Section 24; thence south along section lines two and one–half miles to the southwest corner of Section 36 of Township 15 South, Range 19 East, M. D. B. & M.; thence in Township 16 South, Range 19 East to the northwest corner of Section 1; thence south two miles along section lines to the southwest corner of Section 12; thence west one mile to the northwest corner of Section 14; thence south two miles along section lines to the southwest corner of Section 23; thence east two miles along section lines to the southeast corner of Section 24 of the last named township and range; thence into Township 16, South, Range 20 East, M. D. B. & M. running east along section lines two miles to the southeast corner of Section 20; thence south along section lines one mile to the southwest corner of Section 28; thence east along section lines three miles to the southeast

corner of Section 26; thence north along section lines one mile to the northeast corner of said Section 26; thence east along section lines to the southeast corner of Section 24 of the last named township and range; thence into Township 16 South, Range 21 East, M. D. B. & M. east along section lines three miles to the southeast corner of Section 21; thence south along section lines one mile to the southwest corner of Section 27; thence east along section lines two miles to the southeast corner of Section 26; thence south along section lines one mile to the southwest corner of Section 36; thence east along section lines to the southeast corner of Section 36 of the last named township and range; thence into Township 17 South, Range 22 East, M. D. B. & M., east along section lines to the northwest corner of Section 4; thence along the west side of said Section 4 to the southwest corner thereof; thence along the west side of Section 9, Township 17 South, Range 22 East, M. D. B. & M., to the southwest corner thereof; thence along the westerly side of Section 16, Township 17 South, Range 22 East, M. D. B. & M., to a point on the northerly bank of Cole Slough; thence westerly along said northerly bank of Cole Slough through Sections 17 and 18 all in Township 17 South, Range 22 East, M. D. B. & M.; thence westerly along the said northerly bank of Cole Slough through Sections 13, 24 and 23, in Township 17 South, Range 21 East, M. D. B. & M., and in Section 23 to the headgate at the intake of the Liberty Canal; thence along the northerly bank of said Liberty Canal through Sections 23, 22, 15, 16, 17, 8 and 7, all in Township 17 South, Range 21 East, M. D. B. & M.; thence through Sections 12, 11, 2 and 3, all in Township 17 South, Range 20 East, M. D. B. & M.; thence through Sections 34, 33, 32 and 31 all in Township 16 South, Range 20 East, M. D. B. & M.; thence through Sections 36, 25, 26, 27, 28, 33, 32, 31 and 30, Township 16 South, Range 19 East, M. D. B. & M.; thence into Township 16 South, Range 18 East, M. D. B. & M. through Section 25 to a point on the westerly line thereof; thence northerly along said line to the southeast corner of Section 23; thence westerly one mile to the southeast corner of Section 22; thence northerly one mile to the northeast corner of said Section 22; thence westerly one mile to the southeast corner of Section 16; thence northerly one mile to the northeast corner of said Section 16; thence westerly two miles to the southeast corner of Section 7; thence northerly one mile to the northeast corner of said Section 7; thence westerly one mile to the northwest corner of Section 7 of the last named township and range; thence into Township 16 South, Range 17 East, M. D. B. & M. to the southeast corner of Section 1; thence on a diagonal line to the northwest corner of said Section 1; thence on a diagonal line to the southwest corner of Section 2; thence north 46 deg. 28 min. east along the center line of McMullen Grade 1479 feet; thence north 22 deg. 49 min. west on a line parallel to and 45 feet southwesterly of the surveyed line of Levee No. 1, 2048.44 feet to the point of beginning of a curve to the left, having a radius of 5684.61 feet; thence northwesterly along said curve 1577.51 feet to the end of said curve; thence N. 38 deg. 43 min. W. on a line tangent to the aforesaid curve 34,642.68 feet to the point of beginning of a curve to the left, having a radius of 11,414.2 feet; thence northwesterly along said curve 2347.44 feet to the end of said curve; thence N. 50 deg. 30 min. W. on a line tangent to aforesaid curve 17,956.29 feet to the point of beginning of a curve to the left having a radius of 5684.61 feet; thence westerly along said curve 5412.16 feet to the end of said curve; thence S. 74 deg. 53½ min. W. on a line tangent to aforesaid curve 5,209.13 feet to a point in the east line of the right of way of the Hanford and Summit Lake Railway; thence S. 0 deg. 18½ min. W. along said east line of said right of way 890.81 feet; thence S. 31 deg. 05½ min. E. along the west line

of Reclamation District No. 1606, 1323.23 feet to the point of beginning of a curve to the left, having a radius of 2864.83 feet; thence southeasterly along said curve 2050 feet to the point of beginning of a curve to the right, having a radius of 5729.61 feet; thence southeasterly along said curve 2516.66 feet to the end of said curve; thence S. 46 deg. 55 min. E. on a line tangent to said curve 1477.72 feet to the point of beginning of a curve to the right, having a radius of 5729.61 feet; thence southeasterly along said curve 3146.67 feet to the end of said curve; thence S. 15 deg. 27 min. E. on a line tangent to said curve 10,360.68 feet; thence S. 15 deg. 26½ min. E. 5499.37 feet to a point in the south line of Section 15, T. 15 S., R. 16 E., M. D. B. & M., distant 4482.75 feet westerly from the southeast corner thereof; thence S. 88 deg. 39½ min. W. 735.25 feet crossing Fresno Slough along said south line of Section 15 to a point on the said south line of Section 15, 216.0 feet east of the southwest corner of said Section 15; thence N. 16 deg. 40 min. W. 1390.8 feet; thence N. 16 deg. 45 min. W. 1391.6 feet; thence N. 15 deg. 43 min. W. 701.4 feet; thence N. 15 deg. 21 min. E. 136.0 feet; thence N. 16 deg. 30 min. W. 814.0 feet; thence N. 17 deg. 03 min. W. 1123.5 feet, to a point on the North line of Section 16, T. 15 S., R. 16 E., M. D. B. & M., 1356.9 feet east of the one-quarter corner of the north side of Section 16; thence N. 15 deg. 32 min. W. 1381.0 feet; thence N. 16 deg. 20 min. W. 1386.0 feet; thence N. 15 deg. 58 min. W. 792.0 feet; thence N. 16 deg. 45 min. W. 593.0 feet; thence N. 20 deg. 36 min. W. 1421.0 feet, to a point on the north line of Section 9, T. 15 S., R. 16 E., M. D. B. & M., 2350.2 feet, East of the N. W. corner of Section 9; thence N. 16 deg. 39 min. W. 1442.6 feet; thence N. 24 deg. 57 min. W. 506.8 feet; thence N. 33 deg. 15 min. W. 174.4 feet; thence N. 53 deg. 20 min. W. 831.3 feet; thence N. 19 deg. 05 min. W. 253.5 feet; thence N. 20 deg. 25 min. W. 951.2 feet; thence N. 56 deg. 55 min. W. 538.2 feet; thence N. 47 deg. 55 min. W. 607.8 feet; thence N. 40 deg. 40 min. E. 1690.0 feet; thence N. 19 deg. 00 min. W. 600.0 feet; thence S. 71 deg. 00 min. W. 150.00 feet; thence S. 19 deg. 00 min. W. 514.6 feet; thence S. 40 deg. 40 min. W. 1604.0 feet; thence N. 46 deg. 51 min. W. 1341.6 feet, to a point on the North line of Section 5, T. 15 S., R. 16 E., M. D. B. & M., 1192.6 feet east of the one-quarter corner on the north side of said Section 5; thence West 48.3 feet; thence N. 54 deg. 17 min. W. 1339.1 feet; thence N. 54 deg. 22 min. W. 436.4 feet; thence N. 65 deg. 14 min. W. 584.3 feet; thence N. 82 deg. 04 min. W. 150.1 feet; thence N. 51 deg. 05 min. W. 761.6 feet; thence N. 63 deg. 57 min. W. 58.2 feet; thence N. 44 deg. 16 min E. 47.4 feet; thence N. 75 deg. 00 min. E. 275.0 feet; thence N. 19 deg. 41 min. W. 456.5 feet; thence N. 6 deg. 11 min. E. 619.4 feet; thence N. 78 deg. 03 min. W. 359.5 feet; thence S. 16 deg. 40 min. W. 322.1 feet; thence S. 81 deg. 05 min. W. 216.4 feet; thence N. 75 deg. 35 min. W. 567.0 feet; thence N. 77 deg. 25 min. W. 346.4 feet; thence S. 72 deg. 07 min. W. 183.9 feet; thence S. 56 deg 32 min. W. 280.0 feet; thence N. 79 deg. 09 min. W. 792.4 feet; thence N. 64 deg. 26 min. W. 1356.9 feet; thence N. 54 deg. 25 min. W. 487.8 feet; thence S. 82 deg. 19 min. W. 215.4 feet; thence N. 46 deg. 27 min. W. 265.7 feet; thence N. 5 deg. 29 min. W. 109.7 feet; thence N. 5 deg. 35 min. W. 1556.0 feet; thence N. 20 deg. 17 min. W. 183.7 feet; thence N. 55 deg. 34 min. W. 160.2 feet; thence S. 79 deg. 27 min. W. 199.2 feet; thence S. 69 deg. 25 min. W. 1504.0 feet; thence S. 69 deg. 37 min. W. 1843.8 feet; thence S. 40 deg. 24 min. W. 133.0 feet; thence S. 25 deg. 35 min. W. 516.8 feet; thence S. 22 deg. 47 min. W. 655.2 feet; thence S. 10 deg. 29 min. W. 471.0 feet; thence S. 14 deg. 54 min. W. 403.0 feet; thence West 165.6 feet to the center of Section 36, T. 14 S., R. 15 E., M. D. B. & M.; thence west along the north side of the southwest one-quarter of said section 36 to the one-quarter

corner on the west side of Section 36; thence south along the west side of Section 36, 2642.0 feet to the southwest corner of Section 36; thence west 132.7 feet; thence south 21 deg. 48 min. west 1377.6 feet; thence south 21 deg. 06 min. west 779.6 feet; thence south 3 deg. 51 min. east 668.4 feet; thence south 2 deg. 42 min. west 1370.6 feet; thence south 0 deg. 48 min. west 1321.5 feet; thence south 13 deg. 55 min. west 1340.5 feet; thence south 13 deg. 40 min. West 1351.2 feet; thence south 14 deg. 07 min. west 1356.9 feet; thence south 12 deg. 50 min. west 354.0 feet; thence south 21 deg. 15 min. east 564.8 feet; thence south 34 deg. 00 min. east 563.7 feet to a point on the south line of Section 11, Township 15 South, Range 15 East, M. D. B. & M., 1544.6 feet west of the southeast corner of said Section 11; thence south 46 deg. 55 min. east 2114.8 feet to a point on the east line of Section 14, Township 15 South, Range 15 East, M. D. B. & M., 1444.5 feet south of the northeast corner of said Section 14; thence south along the west line of Section 13, Township 15 South, Range 15 East, M. D. B. & M., 3856.3 feet to the southwest corner of said Section 13, thence east 3951.9 feet to the northwest corner of the east one-half of the northeast $\frac{1}{4}$ of Section 24, Township 15 South, Range 15 East, M. D. B. & M.; thence south 26 deg. 35 min. east 2968.8 feet to the $\frac{1}{4}$ corner on the east side of Section 24, Township 15 South, Range 15 East, M. D. B. & M.; thence south along the west line of the southwest $\frac{1}{4}$ of Section 19, Township 15 South, Range 16 East, M. D. B. & M., 2660.6 feet to the southwest corner of said Section 19; thence south 45 deg. 00 min. east 7536.0 feet to the southeast corner of Section 30, Township 15 South, Range 16 East., M. D. B. & M., said corner being also the northwest corner of Section 32 of the last named township; thence south 0 deg. 46 $\frac{1}{2}$ min. west along the west line of said Section 32, 5343.62 feet to the southwest corner thereof; thence south 89 deg. 41 min. east along the south line of said Section 32, 5275.6 feet to the southeast corner thereof; thence south 89 deg. 38 min. east along the south line of Section 33, Township 15 South, Range 16 East M. D. B. & M., 5276.9 feet to the southeast corner thereof; thence south 0 deg. 26 $\frac{1}{2}$ min. west along the west line of Section 3, Township 16 South, Range 16 East, M. D. B. & M., 2407 feet; thence north 88 deg. 29 min. 45 sec. east 2722.08 feet; thence south 0 deg. 26 $\frac{1}{2}$ min. west 2632.1 feet to the south quarter corner of said Section 3; thence north 88 deg. 57 min. east 2721.65 feet to the southeast corner thereof; thence north 88 deg. 57 $\frac{1}{2}$ min. east 5541.1 feet along the south line of Section 2, Township 16 South, Range 16 East, M. D. B. & M., to the southeast corner thereof; thence north 88 deg. 57 $\frac{1}{2}$ min. east along the south line of Section 1, Township 16 South, Range 16 East, M. D. B. & M., 2770.68 feet to the south quarter corner thereof; thence south 0 deg. 6 $\frac{1}{2}$ min. west along the west line of the north half of the northeast quarter of Section 12, Township 16 South, Range 16 East, M. D. B. & M., 1319.88 feet; thence north 88 deg. 54 $\frac{1}{2}$ min. east along the south line of said north half of the northeast $\frac{1}{4}$, 2753.48 feet to a point in the east line of said Section 12; thence south 0 deg. 46 $\frac{1}{2}$ min. west 3955.93 feet to the southeast corner of said Section 12; thence north 89 deg. 54 $\frac{1}{2}$ min. east along the southerly line of Section 7, Township 16 South, Range 17 East, 2651.07 feet more or less, to the southerly quarter corner of said section; thence northerly along the east line of the southwest quarter of said section to the center of said section; thence easterly along the south line of the northeasterly quarter of said section to the intersection of said line with the official swamp and overflow survey line, said point of intersection being south 89 deg. 52 min. west 1997.45 feet, more or less, from the east quarter corner of said section, measured along the south line of the northeast quarter of said section; thence continuing along said official swamp and overflow survey line

south 39 deg. 43 min. east 488.11 feet; thence south 34 deg. 43 min. east 1311.78 feet; thence south 77 deg. 53 min. east 938.35 feet to a point in the east line of said Section 7; thence continuing along said official swamp and overflow line south 27 deg. 30 min. east 762.3 feet; thence south 58 deg. east 594 feet to the south line of Section 8, in township 16 South, Range 17 East, M. D. B. & M.; thence west along the south line of said Section 8 to the southwest corner of said Section 8; thence south one mile to the southwest corner of Section 17; thence east one mile to the southeast corner of said Section 17; thence south one mile to the southwest corner of Section 21; thence east one mile to the southeast corner of said Section 21; thence south two miles to the southwest corner of Section 34 of the last named township; thence into Township 17 South, Range 17 East, M. D. B. & M. west to the northwest corner of Section 3; thence south along section lines to the west $\frac{1}{4}$ corner of Section 10; thence east along the north line of the south $\frac{1}{2}$ of Section 10 to the east $\frac{1}{4}$ corner of said Section 10; thence south along the section line to the southwest corner of Section 11; thence east along the section line to the southeast corner of said Section 11; thence south along the section line to the west $\frac{1}{4}$ corner of Section 13; thence east along the north line of the southwest $\frac{1}{4}$ of said Section 13 to the center of said Section 13; thence south along the east line of the southwest $\frac{1}{4}$ of said Section 13 to the south $\frac{1}{4}$ corner of said Section 13; thence east along the section line to the southeast corner of said Section 13; thence east along the section line to the southeast corner of said Section 13; thence in Township 17 South, Range 18 East, M. D. B. & M., east along the section line to the southwest corner of Section 17; thence south along the section line to the west $\frac{1}{4}$ corner of Section 20; thence along the north line of the southwest $\frac{1}{4}$ of Section 20 to the center of said Section 20; thence south along the east line of the southwest $\frac{1}{4}$ of Section 20 to the south $\frac{1}{4}$ corner of said Section 20; thence east along the section line to the southeast corner of Section 20; thence south along the section line to the west $\frac{1}{4}$ corner of Section 28; thence east along the north line of the southwest $\frac{1}{4}$ of Section 28 to the center of said Section 28; thence south along the east line of the southwest $\frac{1}{4}$ of Section 28 to the south $\frac{1}{4}$ corner of said Section 28; thence east along section lines to the north $\frac{1}{4}$ corner of Section 34; thence south along the west line of the northeast $\frac{1}{4}$ of Section 34 to the center of said Section 34; thence east along the south line of the northeast $\frac{1}{4}$ of Section 34 to the east $\frac{1}{4}$ corner of said Section 34; thence south along the section line to the southwest corner of the north $\frac{1}{2}$ of the southwest $\frac{1}{4}$ of Section 35; thence east along the south line of the north $\frac{1}{2}$ of the southwest $\frac{1}{4}$ of Section 35 to the southeast corner of the north $\frac{1}{2}$ of the southwest $\frac{1}{4}$ of said Section 35; thence south along the east line of the south $\frac{1}{2}$ of the southwest $\frac{1}{4}$ of Section 35 to the south $\frac{1}{4}$ corner of Section 35, Township 17 South, Range 18 East, M. D. B. & M.; thence into Township 18 South, Range 18 East, M. D. B. & M. to the north $\frac{1}{4}$ corner of Section 2; thence south along the west line of the east half of said Section 2 to the south $\frac{1}{4}$ corner of said Section 2; thence east along section lines to the southeast corner of Section 1; thence into Township 18 South, Range 19 East, M. D. B. & M. to the southwest corner of Section 6; thence south along the section line to the southwest corner of Section 7; thence east along the section line to the southeast corner of said Section 7; thence south along the section line to the southwest corner of Section 17; thence east along the section line to the southeast corner of said Section 17; thence south along the section line to the southwest corner of Section 21; thence east along the south section line of Section 21 to the point of intersection of said section line and the Government Swamp and Overflow Meander Line; thence southeasterly along the Government

Swamp and Overflow Meander Line through Section 28 to the intersection of said meander line and the east section line of said Section 28; thence south along section lines for approximately one and three-fourths miles to the southwest corner of Section 34, Township 18 South, Range 19 East, M. D. B. & M.; thence in Township 19 South, Range 19 East, M. D. B. & M. to the northwest corner of Section 3; thence south along the section line to the southwest corner of Section 3; thence east along the south line of said Section 3, one mile to the southeast corner of said Section 3; thence easterly three-quarters of a mile along the south line of Section 2 of the last named township and range, to the southwest corner of the southeast one-quarter of the southeast one-quarter of said Section 2; thence southerly one-half mile to the southwest corner of the southeast quarter of the northeast quarter of Section 11; thence southerly along the west line of the east $\frac{1}{2}$ of the southeast $\frac{1}{4}$ of said Section 11, also being the west line of Lot 5 of said Section 11, to the Southern Pacific Company Railroad line; thence southeasterly along the westerly line of said Lot 5 of said Section 11 to the southeast corner of said Section 11; thence south $2\frac{1}{2}$ miles along the west lines of Sections 13, 24 and 25, Township 19 South, Range 19 East, M. D. B. & M., to the west $\frac{1}{4}$ corner of said Section 25; thence east 2056 feet along the east-west center line of said Section 25 to a point along the west bank of South Fork of Kings River; thence south 252 feet along said west bank of said South Fork of Kings River to a point which is the junction of the said west bank of South Fork of Kings River and the westerly bank of the Empire West Side Irrigation District's Upper Ditch; thence south 47 degrees and 39 minutes west 2734 feet along the westerly bank of said Empire West Side Irrigation District's Upper Ditch to a point on the west line of said Section 25, which point is 548 feet north of the southwest corner of said Section 25; thence south 47 deg. 39 min. west 320 feet along said westerly bank of said Upper Ditch, in Section 26, Township 19 South, Range 19 East, M. D. B. & M.; thence south 8 deg. 29 min. west 1990.6 feet in Section 26 and 35 of the last named township and range; thence south 18 deg. 40 min. east 1250 feet along the said westerly bank of said Upper Ditch in Section 35, Township 19 South, Range 19 East, M. D. B. & M., to a point; thence south from this point 59 deg. 13 min. east 142 feet along said westerly bank of Upper Ditch to a point which point lies on the east line of said Section 35 and being 224 feet south of the east $\frac{1}{4}$ corner of said Section 35; thence southerly 2403 feet along the east line of said Section 35 to the southeast corner of said Section 35, also being along the said westerly bank of Upper Ditch; thence southerly 10,723.7 feet along the west lines of Section 1 and 12, Township 20 South, Range 19 East, M. D. B. & M., also along the west bank of said Upper Ditch to the southwest corner of said Section 12; thence westerly 700 feet along the north line of Section 14, last named township and range, to a point on the said westerly bank of Upper Ditch; thence southerly 2680.9 feet along said westerly bank of Upper Ditch; thence easterly 700 feet to the east $\frac{1}{4}$ corner of said Section 14; thence southerly 6702.2 feet along the west lines of Sections 13 and 24 to the southwest corner of the northwest quarter of the southwest quarter of Section 24, last named township and range; thence easterly 1322.8 feet to the southeast corner of the northwest quarter of the southwest quarter of said Section 24; thence southerly 670.3 feet to the southwest corner of the northwest quarter of the southeast quarter of the southwest quarter of said Section 24; thence easterly 1322.8 feet to the southeast corner of the northeast quarter of the southeast quarter of the southwest quarter of said Section 24; thence southerly 670.3 feet to the south quarter corner of said Section 24; thence southerly 207 feet along the westerly bank of the

Upper Ditch of the Empire West Side Irrigation District in Section 25, last named township and range; thence south 34 deg. 10 min. west 284 feet along said westerly bank of Upper Ditch; thence south 45 deg. 20 min. west 3400 feet along said westerly bank of Upper Ditch to the west quarter corner of said Section 25; thence easterly 982 feet to a point on the westerly bank of Ditch of Empire West Side Irrigation District; thence south 48 deg. 30 min. west 2770 feet along said westerly bank of Ditch through portions of Sections 25 and 26, Township 20 South, Range 19 East, M. D. B. & M.; thence south 36 deg. 30 min. west 2700 feet through portions of Sections 26 and 35 along said westerly bank of Ditch; thence southerly 1340.4 feet to center of said Section 35; thence westerly 1320 feet to the northwest corner of the northeast quarter of the southwest quarter of Section 35, Township 20 South, Range 19 East, M. D. B. & M.; thence southerly 2681 feet to the southwest corner of the southeast quarter of the southwest quarter of said Section 35, also being the southwest corner of Lot 9 of said Section 35; thence easterly along the south line of said Section 35 to the intersection of said line with the northwesterly bank of the West Side Canal, said point of intersection also being a point on the north line of Section 1, Township 21 South, Range 19 East, M. D. B. & M. where said line intersects the northwesterly bank of said West Side Canal; thence southwesterly following the meanderings of said bank of said canal to its intersection with the northern line of Section 15, same township and range; thence westerly along said line of said Section 15 to the north quarter corner of Section 15 in said Township 21 South, Range 19 East; thence southerly $\frac{1}{2}$ mile to the center of said Section 15; thence westerly $\frac{1}{4}$ of a mile to the northwest corner of the east half of the southwest quarter of said Section 15; thence southerly $\frac{1}{2}$ of a mile to the southwest corner of the east half of the southwest quarter of said Section 15; thence westerly along the southern line of said Section 15 and along the southern line of Section 16, same township and range, to the south quarter corner of said Section 16, last said quarter corner being a point on the meander line of Tulare Lake as established by the United States Surveyor General of California in the year 1855; thence along said meander line S. 31 deg. 10 min. W. 77.10 chains, S. 35 deg. 45 min. W. 17.12 chains, S. 39 deg. 30 min. W. 72.00 chains, S. 9 deg. 30 min. W. 25.00 chains, S. 44 deg. 35 min. W. 28.30 chains and S. 28 deg. W. 68.15 chains to a point on the southern line of Section 31 of said Township 21 South, Range 19 E., M. D. B. & M., last said point being distant S. 89 deg. 26 min. E. 48.00 chains from the southwest corner of said Section 31; thence, leaving said meander line, and along the line between Township 21 South, Range 19 East, and Township 22 South, Range 19 E., M.D. B. & M., north 89 deg. 26 min. W. 8.06 chains to the north quarter corner of Section 6 of said Township 22 South, Range 19 East, M. D. B. & M.; thence southerly along the line dividing the east half and the west half of said Section 6 and along the line dividing the east one-half and the west one-half of Section 7, last said township and range, 2 miles, more or less, to the south quarter corner of said Section 7; thence easterly along the southern line of said Section 7 one-half of a mile, more or less, to the northwest corner of Section 17, last said township and range; thence southerly three-eighths of a mile to the southwest corner of the north one-half of the south one-half of the northwest one-quarter of said Section 17; thence easterly one-half of a mile to the southeast corner of the north one-half of the south one-half of the northwest quarter of said Section 17; thence southerly five-eighths of a mile to the south quarter corner of said Section 17; thence easterly $\frac{1}{4}$ mile to the northwest corner of the northeast quarter of the northeast quarter of Section 20, last said township and range; thence southerly three-quarters of

a mile to the southwest corner of the northeast one-quarter of the southeast one-quarter of said Section 20; thence easterly one-quarter of a mile to the southeast corner of the northeast one-quarter of the southeast one-quarter of said Section 20; thence southerly one-quarter of a mile to the northwest corner of Section 28, last said township and range; thence east one-half of a mile to the north one-quarter corner of said Section 28; thence southerly one mile to the south one-quarter corner of said Section 28; thence east one-half of a mile to the northwest corner of Section 34, last said township and range; thence southerly along the western line of last said Section 34 and continuing along the western line of Section 3, Township 23 South, Range 19 East, M. D. B. & M., 1½ miles, more or less, to the west quarter corner of last said Section 3; thence easterly one-quarter of a mile to the northwest corner of the northeast quarter of the southwest quarter of last said Section 3; thence southerly one-quarter of a mile to the southwest corner of the northeast one-quarter of the southwest one-quarter of last said Section 3; thence easterly three-quarters of a mile to the northeast corner of the southeast one-quarter of the southeast one-quarter of last said Section 3; thence southerly one-quarter of a mile to the southeast corner of last said Section 3; thence easterly along the southern line of Sections 2 and 1, last said township and range, 2 miles, more or less, to the northwest corner of Section 7, Township 23 South, Range 20 East, M. D. B. & M., thence southerly one-half of a mile to the west quarter corner of last said Section 7; thence easterly one-half of a mile, more or less, to the center of last said Section 7; thence southerly one-quarter of a mile to the southwest corner of the northwest one-quarter of the southeast one-quarter of last said Section 7; thence easterly one mile to the northwest corner of the southwest one-quarter of the southeast one-quarter of Section 8, last said township and range; thence southerly one-quarter of a mile to the south quarter corner of last said Section 8; thence easterly along the southern lines of Section 8, 9, 10, and 11, last said township and range, 3½ miles, more or less, to the northwest corner of Section 13, Township 23 South, Range 20 East, M. D. B. & M.; thence southerly along the western lines of Sections 13, 24, 25, and 36, last said township and range, 4 miles to the southwest corner of last said Section 36; thence easterly one mile to the northwest corner of Section 6, Township 24 South, Range 21 East, M. D. B. & M.; thence southerly one mile to the southwest corner of last said Section 6; thence easterly 85.81 chains, more or less, to the northwest corner of Section 8, last said township and range; thence southerly three-quarters of a mile to the southwest corner of the northwest one-quarter of the southwest one-quarter of last said Section 8; thence easterly along the southern lines of the north half of the south half of Sections 8, 9, and 10, last said township and range, 3 miles, more or less, to the southeast corner of the northeast quarter of the southeast quarter of last said Section 10; thence northerly three-quarters of a mile to the southwest corner of Section 2, last said township and range; thence easterly along the southern lines of Sections 2 and 1, last said township and range, 2 miles, more or less, to the southeast corner of last said Section 1; thence southerly one-half of a mile to the east one-quarter corner of Section 12, last township and range; thence easterly along the east and west center lines of Sections 7 and 8, Township 24 South, Range 22 East, M. D. B. & M.; one and one-half miles more or less to the center of last said Section 8; thence northerly one-half of a mile to the south quarter corner of Section 5, last said township and range; thence easterly along the southern lines of 5, 4 and 3, last said township and range, two and one-half miles more or less to the southwest corner of Section 2, Township 24 South, Range 22 East, M. D. B. & M.; thence east, along the

southern line of last said Section 2, 11.94 chains to its intersection with the meander line of Tulare Lake as surveyed in 1880 and shown on the township plat of last said township approved by the United States Surveyor General of California on February 9th, 1881; thence along last said meander line north 55 degrees E. 55.00 chains, north 60 degrees E. 15.00 chains; north 56 degrees 30 minutes E. 31.62 chains and north 56 degrees 30 minutes E. 61.86 chains to a point on the north line of Section 1, Township 24 South, Range 22 East, M. D. B. & M., distance thereon west 29.00 chains from the northeast corner of last said Section 1; thence northeasterly along the meander or shore line in 1880 of Tulare Lake through Section 36, Township 23 South, Range 22 East, M. D. B. & M., to a point on the western line of Section 31, Township 23 South, Range 23 East, M. D. B. & M., distant thereon north 21.00 chains from the southwest corner of last said Section 31; thence continuing along the meander or shore line of Tulare Lake as surveyed in 1880 and shown on the township plat of last said township approved by the United States Surveyor General of California on February 9, 1881, the following courses and distances: North 52 degrees E. 50.00 chains, N. 56 degrees E. 17.00 chains, N. 52 degrees, E. 30.20 chains, N. 52 degrees 30 minutes E. 11.40 chains, N. 43 degrees E. 23.00 chains, N. 44 degrees E. 35.00 chains, N. 49 degrees E. 45.06 chains, N. 45 degrees E. 5.65 chains, N. 41 degrees E. 52.00 chains, N. 35 degrees, E. 10.00 chains, N. 38 degrees E. 36.24 chains, N. 22 degrees E. 22.00 chains, N. 26 degrees E. 8.00 chains, N. 23 degrees E. 16.10 chains and N. 15 degrees 30 minutes E. 40.00 chains to a point on the north line of Section 15, Township 23 South, Range 23 East, M. D. B. & M., distant thereon west 68.00 chains from the northeast corner of said Section 15; thence leaving last said meander line, and along the northern lines of Sections 15, 16, last said township and range westerly 91.78 chains to the southeast corner of Section 8, last said township and range; thence northerly one-half mile to the east quarter corner of said Section 8; thence westerly one mile to the west quarter corner of said Section 8; thence southerly one-half mile to the southwest corner of said Section 8; thence westerly 86.17 chains to the northwest corner of Section 18, last said township and range, said corner of said Section 18 being also the southeast corner of Section 12, Township 23 South, Range 22 East, M. D. B. & M.; thence north one mile to the northeast corner of Section 12, last named township and range; thence north along range line 12 miles to the northeast corner of Section 12, Township 21 South, Range 22 East, M. D. B. & M.; thence west two and one-half miles along section lines to the south one-quarter corner of Section 3, last named township and range; thence northerly one-half mile to the center of said Section 3; thence westerly one-half mile to the west one-quarter corner of said Section 3; thence north one-half mile to the northwest corner of said Section 3, thence east 3 miles along township line to the northeast corner of Section 1, Township 21 South, Range 22 East, M. D. B. & M.; thence east 383 feet along said township correction line to a point on the south line of Section 36, Township 20 South, Range 22 East, M. D. B. & M. which point is also on center line of Lakelands Canal and Irrigation Company Canal; thence N. 21 deg. 45 min. W. a distance of 6388 feet along center line of said canal; thence N. 62 deg. 45 min. W. a distance of 711 feet along center line of said canal to a point on the west line of Section 25 last named township and range, said point being 1278 feet north of the southwest corner of said Section 25; thence north on section line to the west one-quarter corner of said Section 25; thence east to the southeast corner of the southwest one-quarter of the northwest one-quarter of said Section 25; thence north to the southeast corner of the northwest one-quarter of the northwest one-quarter

of said Section 25; thence east to the southeast corner of the northeast one-quarter of the northwest one-quarter of said Section 25; thence north to the north one-quarter corner of said Section 25; thence east to the northeast corner of said Section 25; thence north along range line to the northeast corner of southeast one-quarter of the southeast one-quarter of Section 12, Township 20 South, Range 22 East; thence west to the northwest corner of the southeast one-quarter of the southwest one-quarter of said Section 12; thence south to the southwest corner of the southeast one-quarter of the southwest one-quarter of said Section 12; thence west along the section lines to the northeast corner of Section 16, Township 20 South, Range 22 East, M. D. B. & M.; thence west three miles along the north line of Sections 16, 17 and 18 to the northwest corner of Section 18 last named township and range; thence west one-half mile along section line to the south one-quarter corner of Section 12, Township 20 South, Range 21 East; thence northerly along the north-south center line of last named Section 12 to the north one-quarter corner of said Section 12; thence west one and one-half miles along section lines to the northwest corner of Section 11 last named township and range; thence northerly one mile along section line to the northwest corner of Section 2 last named township and range; thence northerly three miles along the west lines of Sections 35, 26 and 23, Township 19 South, Range 21 East, M. D. B. & M. to the northwest corner of Section 23; thence east one mile along section line to the northeast corner of said Section 23; thence northerly one mile along section line to the northwest corner of Section 13 last named township and range; thence east one mile along section line to the northeast corner of said Section 13; thence east four miles along section lines to the northeast corner of Section 15, Township 19 South, Range 22 East, M. D. B. & M.; thence north one mile along section line to the northwest corner of Section 11 last named township and range; thence east one mile along section line to the southeast corner of Section 2 last named township and range; thence north one mile to the northeast corner of said Section 2; thence north two miles along section lines to the northwest corner of Section 25, Township 18 South, Range 22 East, M. D. B. & M.; thence one-half mile east along section line to the south one-quarter corner of Section 24, last named township and range; thence north one mile along north-south center line of Section 24 last named township and range to the north one-quarter corner of said Section 24; thence west one-half mile along section line to the northwest corner of said Section 24; thence north two miles along sections lines to the northwest corner of Section 12 last named township and range; thence northerly along the west line of Section 1, Township 18 South, Range 22 East, M. D. B. & M., to the point of intersection of the said west line with the north bank of the slough used as part of the ditch known as the Settlers Ditch; thence running upstream along the north bank of said slough and said Settlers Ditch through Sections 6 and 5, Township 18 South, Range 23 East, M. D. B. & M., Sections 33, 34, 27, 26, and 25, Township 17 South, Range 23 East, M. D. B. & M., Sections 30 and 19, Township 17 South, Range 24 East, M. D. B. & M., to the most easterly intersection of the north bank of the said slough and the south line of said Section 19 in the southeast quarter of said Section 19; thence east to the southeast corner of said Section 19; thence north to the east quarter corner of said Section 19; thence east along east and west center section lines through Sections 20 and 21 to the west quarter corner of Section 22; thence southeasterly along the meander line between swamp land and high land to a point on the east section line of said Section 22 a distance of twenty-seven chains and 50 links north of the southeast corner of said Section 22; thence south to the southeast corner of said Section 22;

thence east along the south section lines of Sections 23 and 24 of the last named township; thence east along the south section lines of Sections 19, 20, and 21, Township 17 South, Range 25 East, M. D. B. & M., to the south quarter corner of said Section 21; thence north along north and south center section lines through Sections 21, 16, and 9 to the north quarter corner of said Section 9; thence east along the south section lines of Sections 4, 3, 2, and 1 to the south quarter corner of said Section 1; thence north along the north and south center section line to the north quarter corner of said Section 1; thence west to the southeast corner of Section 35, Township 16 South, Range 25 East, M. D. B. & M.; thence north along the east line of said Section 35 to the point of intersection of the said east line of Section 35 and the east bank of the Sontag Ditch as originally constructed, said Sontag Ditch being the continuance of the East Branch of the Alta Main Canal; thence northwesterly along said east bank of said Sontag Ditch as was originally constructed to a point where the Sontag Ditch is known as the East Branch of Alta Main Canal; thence continuing northwesterly along the east bank of said East Branch of Alta Main Canal as originally constructed to the point where the said East Branch of Alta Main Canal intersects the Alta Main Canal; thence continuing northwesterly along the east bank of the Alta Main Canal to the main headgate of Alta Main Canal located in Section 2, Township 14 South, Range 23 East, M. D. B. & M.; thence upstream along the east bank of said Alta Main Canal formerly known as 76 canal, sometimes also known as the Back Channel of Kings River, in a northeasterly direction to a point where the south bank of said Alta Main Canal intersects the south bank of Kings River; thence upstream along the south bank of said Kings River to a point where said south bank intersects the section line between Sections 17 and 18 in Township 13 South, Range 24 East, M. D. B. & M.; thence north along said section line to the point of beginning.

Also beginning at a point on the east bank of La Hacienda spillway in Section 13, Township 24 South, Range 21 East, M. D. B. & M., said point being one-half mile south of the north line of said Section 13, and running thence northeasterly in a direct line to the northwest corner of the southwest quarter of the northwest quarter of Section 18, Township 24 South, Range 22 East, M. D. B. & M., thence easterly one and three-quarters miles, more or less, to the northeast corner of the southwest quarter of the northeast quarter of Section 17, last said township and range; thence southerly one-quarter of a mile to the southeast corner of the southwest quarter of the northeast quarter of said Section 17; thence easterly one-half of a mile to the southwest corner of the southeast quarter of the northwest quarter of Section 16, last said township and range; thence northerly one-half of a mile to the northwest corner of the northeast quarter of the northwest quarter of said Section 16; thence easterly three-quarters of a mile to the southwest corner of Section 10, last said township and range; thence northerly one-quarter of a mile to the northwest corner of the south half of the southwest quarter of said Section 10; thence easterly one-half of a mile to the northeast corner of the south one-half of the southwest quarter of said Section 10; thence southerly one-eighth of a mile to the southeast corner of the north one-half of the southeast quarter of the southwest quarter of said Section 10; thence westerly one-quarter of a mile to the southwest corner of the north half of the southeast quarter of the southwest quarter of said Section 10; thence southerly one-eighth of a mile to the southeast corner of the southwest quarter of the southwest quarter of said Section 10; thence westerly one-quarter of a mile to the northeast corner of Section 16, last said township and range; thence southerly one-quarter of a

mile to the southeast corner of the northeast quarter of the northeast quarter of said Section 16; thence westerly one-quarter of a mile to the southwest corner of the northeast quarter of the northeast quarter of said Section 16; thence southerly one-half of a mile to the northwest corner of the southeast quarter of the southeast quarter of said Section 16; thence easterly one-half of a mile to the northeast corner of the southwest quarter of the southwest quarter of Section 15, last said township and range; thence northerly one-half of a mile to the northwest corner of the southeast quarter of the northwest quarter of said Section 15; thence easterly one-quarter of a mile to the northeast corner of the southeast quarter of the northwest quarter of said Section 15; thence northerly one-eighth of a mile to the northwest corner of the south half of the northwest quarter of the northeast quarter of said Section 15; thence easterly one-quarter of a mile to the northeast corner of the south half of the northwest quarter of the northeast quarter of said Section 15; thence northerly one-eighth of a mile to the northwest corner of the northeast quarter of the northeast quarter of said Section 15; thence easterly one-quarter of a mile to the northeast corner of said Section 15; thence southerly one mile to the southeast corner of said Section 15; thence westerly along the southern boundary lines of said Sections 15 and 16, two miles to the northeast corner of Section 20 last said township and range; thence southerly one-half of a mile to the east quarter corner of said Section 20; thence westerly along the east and west center lines of Sections 20 and 19, last said township and range, and continuing along the east and west center line of Section 24, Township 24 South, Range 21 East, M. D. B. & M., a distance of two and three-quarters miles, more or less, to a point on the east bank of La Hacienda spillway in said Section 24; thence northerly along said bank of said spillway one mile to the point of beginning.

Excepting therefrom the lands embraced within the boundaries of the following cities, as such cities' boundaries existed as of March 1, 1979:

1. The City of Clovis and additions situated in Township 12 South, Range 21 East, M. D. B. & M., and Township 13 South, Range 21 East, M. D. B. & M.;
2. The City of Fresno and additions situated in Township 12 South, Range 19 East, M. D. B. & M., Township 12 South, Range 20 East, M. D. B. & M., Township 13 South, Range 19 East, M. D. B. & M., Township 14 South, Range 19 East, M. D. B. & M., Township 13 South, Range 20 East, M. D. B. & M., Township 13 South, Range 21 East, M. D. B. & M., Township 14 South, Range 20 East, M. D. B. & M., and Township 14 South, Range 21 East, M. D. B. & M.;
3. The City of Kerman and additions situated in Township 14 South, Range 17 East, M. D. B. & M., and Township 14 South, Range 18 East, M. D. B. & M.;
4. The City of Selma and additions situated in Township 15 South, Range 21 East, M. D. B. & M., Township 15 South, Range 22 East, M. D. B. & M., and Township 16 South, Range 22 East, M. D. B. & M.;
5. The City of Kingsburg and additions situated in Township 16 South, Range 22 East, M. D. B. & M.;
6. The City of Fowler and additions situated in Township 15 South, Range 21 East, M. D. B. & M.;

7. The City of Sanger and additions situated in Township 14 South, Range 22 East, M. D. B. & M.;
8. The City of Hanford and additions situated in Township 18 South, Range 22 East, M. D. B. & M., Township 19 South, Range 21 East, M. D. B. & M., Township 19 South Range 22 East, M. D. B. & M., and Township 18 South, Range 21 East, M. D. B. & M.;
9. The City of Corcoran and additions situated in Township 21 South, Range 22 East, M. D. B. & M.;
10. The City of Lemoore and additions situated in Township 18 South, Range 20 East, M. D. B. & M. and Township 19 South, Range 20 East, M. D. B. & M.;
11. The City of Parlier and additions situated in Township 15 South, Range 22 East, Mount Diablo Base and Meridian;
12. The City of San Joaquin and additions situated in Township 15 South, Range 16 East, Mount Diablo Base and Meridian;
13. The City of Reedley and additions situated in Township 15 South, Range 23 East, M. D. B. & M.;
14. The City of Dinuba and additions situated in Township 16 South, Range 24 East, M. D. B. & M.;

It is the intent of the Legislature that any annexations to the above described cities after March 1, 1979, shall be concurrently detached from the Kings River Conservation District under the provisions of the District Reorganization Act of 1965 (commencing with Section 56000 of the Government Code).

And further excepting therefrom the lands embraced within the limits of the townsites as listed below:

1. The Town of Biola as shown in Record of Surveys Number 8, pages 32 and 33 in the office of the County Recorder of the County of Fresno, State of California;
2. The Town of Del Rey, additions and portion of Section according to the maps of same on file and of record in the Office of the County Recorder of the County of Fresno, State of California, described as follows to wit:

Commencing at the northeast corner of Section 5, Township 15 South, Range 22 East, Mount Diablo Base and Meridian; thence south along east line of said Section 5 to a point 771.88 feet south of East $\frac{1}{4}$ corner of Section 5, being 100 feet southerly from the southeast corner of Swanson Addition No. 2; thence N. $87^{\circ} 05' W.$ a distance of 929.28 feet to a point 20 feet N. $87^{\circ} 05' W.$ and 120 feet S. $1^{\circ} 20' W.$ from the southwest corner of Block 4 of Swanson Addition No. 2 to Townsite of Del Rey; thence N. $1^{\circ} 20' E.$ 725.02 feet to a point on the south line of the northeast $\frac{1}{4}$ of said Section 5, which is 20 feet N. $1^{\circ} 20' E.$ from a point 20 feet N. $89^{\circ} 39' W.$ from the northwest corner of Block 2 of Swanson Addition to Townsite of Del Rey; thence westerly along the south line of Northeast $\frac{1}{4}$ of said Section 5 to a point 558.62 feet east of

center of Section 5, Township 15 South, Range 22 East; thence N. $0^{\circ} 28' W.$ 446 feet; thence east 250.96 feet to most westerly corner of Lot 29 of Azadian Addition; thence N. $35^{\circ} 58' E.$ along northwesterly line of Azadian Addition to intersection with the southwesterly line of Vine Avenue as shown on map of Town of Del Rey; thence N. $45^{\circ} 54' W.$ to intersection with the northwesterly line of Fourth Street as shown on map of Town of Del Rey; thence N. $57^{\circ} 21' W.$ a distance of 310.73 feet, more or less, to southeast corner of West $\frac{1}{2}$ of Northwest $\frac{1}{4}$ of Northeast $\frac{1}{4}$ of said Section 5; then north 1320 feet, more or less, to northeast corner of West $\frac{1}{2}$ of Northwest $\frac{1}{4}$ of Northeast $\frac{1}{4}$ of Section 5; then east 1980 feet, more or less, to northeast corner of Section 5, Township 15 South, Range 22 East, Mount Diablo Base and Meridian and point of beginning.

3. The Town of Bowles, additions and portion of section according to the maps of same on file and of record in the Office of the County Recorder of the County of Fresno, State of California described as follows to wit:

Commence at the southwest corner of Section 24, Township 15 South, Range 20 East, Mount Diablo Base and Meridian; thence north 380 feet along section line to intersection with the westerly extension of the north line of Lewis Avenue, 50 feet wide; thence east along north line of Lewis Avenue and extension thereof to intersection with west line of 80 foot Atchison and Topeka and Santa Fe Railway Right of way, being 20 feet north and 20 feet east of northeast corner of Block 1 of Lewis addition to Town of Bowles; thence south along said westerly Right of way line to intersection with the easterly extension of the south line of A Street, as shown on map of Town of Bowles; thence west 170 feet, more or less, along said south line and extension thereof to a point 60 feet east of northeast corner of Block 1, Town of Bowles, being the east line of Broadway Avenue and westerly line of 160 foot Atchison Topeka and Santa Fe Railway Reservation; thence southerly along said west line to intersection with the easterly extension of the south line of Block 3 of Town of Bowles, 77.1 feet easterly of southeast corner of said Block 3; thence west along the south line of Blocks 3 and 4 of Town of Bowles and the extension thereof to a point 40 feet west of southwest corner of Block 4, Town of Bowles; thence north along a line parallel to and 40 feet west of west line of Blocks 4, 5 and 6, Town of Bowles to intersection with westerly extension of north line of Block 6 at a point 40 feet west of northwest corner of Block 6, Town of Bowles; thence west 94 feet along westerly extension of north line of Block 6 of said town; thence north 330 feet to a point 30 feet south of north line of Section 25, Township 15 South, Range 20 East; thence west along a line parallel to and 30 feet south of north line of said Section 25 to intersection with west line of Section 25; thence north 30 feet to southwest corner of Section 24, Township 15 South, Range 20 East, Mount Diablo Base and Meridian, being point of beginning.

4. Portion of the Town of Monmouth as shown in Record of Surveys, Volume 4 Page 43, in the Office of the County Recorder of the County of Fresno, State of California and portion of Section 1, Township 16 South, Range 20 East, Mount Diablo Base and Meridian exterior boundaries described as follows:

Commence at the southeast corner of the Northeast $\frac{1}{4}$ of Southeast $\frac{1}{4}$ of Section 1, Township 16 South, Range 20 East, Mount Diablo Base and Meridian; thence south along said section line to

intersection with the easterly extension of the south line of the 8-foot alley, as shown on map of Town of Monmouth; thence westerly along south line of alley and extension thereof, being 8 feet south of the south lines of Blocks 1, 2 and 3 of said town, to intersection with east line of 200-foot Atchison, Topeka, and Santa Fe Railway reservation; thence northwesterly along the easterly line of said railway reservation to intersection with the westerly projection of the north line of a 40-foot county road; thence easterly along said north line and extension thereof, being parallel to and 228 feet north of north lines of Blocks 4, 5 and 6 of Town of Monmouth to intersection with east line of said Section 1; thence south along said section line to southeast corner of northeast $\frac{1}{4}$ of southeast $\frac{1}{4}$ of Section 1, Township 16 South, Range 20 East, being point of beginning.

5. Portion of Town of Caruthers as shown in Record of Surveys Volume 5 Page 11 and Sandusky Tract as shown in Plats Volume 14 Page 59 and portion of Section 18, Township 16 South, Range 20 East, Mount Diablo Base and Meridian, all as shown in Office of County Recorder of the County of Fresno, State of California described as follows: Commence at the intersection of the north line of Section 18, Township 16 South, Range 20 East, Mount Diablo Base and Meridian with the northwesterly projection of the southwesterly line of Villa Lot 1 of the Town of Caruthers; thence southeasterly along said southwesterly line and the projection thereof and along the southwesterly line of Villa Lot 6 of the Town of Caruthers to intersection with the east line of Section 18, Township 16 South, Range 20 East; thence south along said east line to intersection with the southeasterly projection of the northeasterly line of Villa Lot 5 of the Town of Caruthers; thence northwesterly along the southeasterly projection of said Villa Lot 5 and along the northeasterly line of Villa Lot 5 to a point 168 feet southeasterly from most northerly corner of Villa Lot 5; thence southwesterly along line parallel to and 168 feet southeast of northwesterly line of Villa Lot 5 to intersection with northeasterly line of Sandusky Tract; thence southeasterly 2 feet to most easterly corner of Sandusky Tract; thence southwesterly along the southeasterly line of Sandusky Tract, being 170 feet southeasterly and parallel to the northwesterly line of Villa Lot 5, to intersection with the southeasterly extension of the northeasterly line of Block 82 of Town of Caruthers; thence southeasterly along said southeasterly extension to intersection with a line 490 feet north and parallel to the south line of the North $\frac{1}{2}$ of the South $\frac{1}{2}$ of Section 18, Township 16 South, Range 20 East; thence east along said parallel line to a point 490 feet north of south line of North $\frac{1}{2}$ of South $\frac{1}{2}$ of Section 18, Township 16 South, Range 20 East and 1150 feet east of southeasterly line of Sandusky Tract; thence south 490 feet to south line of North $\frac{1}{2}$ of South $\frac{1}{2}$ of Section 18, Township 16 South, Range 20 East; thence west along said Section line to intersection with the southwesterly projection of southeasterly line of Villa Lot 4 of Town of Caruthers; thence northeasterly along said southwesterly projection and along the southeasterly line of said Villa Lot 4 to most easterly corner of Villa Lot 4; thence northwesterly 440 feet along northeasterly line of Villa Lot 4 to a point 40 feet southeast of most easterly corner of Block 93, Town of Caruthers; thence southwesterly 360 feet along a line parallel to and 40 feet southeasterly from the southeasterly line of Block 93; thence at right angles northwesterly 40 feet to intersection with the southwesterly projection of the southeasterly line of said Block 93; thence southwesterly along said southwesterly projection 277 feet; thence at right angles northwesterly 400 feet to intersection with the northwesterly line of Villa Lot 4; thence southwesterly along said

northwesterly line to intersection with the west line of the East $\frac{1}{2}$ of the West $\frac{1}{2}$ of Section 18, Township 16 South, Range 20 East; thence north along said Section line to intersection with the southwesterly projection of a line that is parallel to and 550 feet northwesterly of the southeasterly line of Villa Lot 3 of Town of Caruthers; thence northeasterly along said parallel line to intersection with the northeasterly line of said Villa Lot 3; thence northwesterly along said northeasterly line of Villa Lot 3 to most southerly corner of Villa Lot 2, Town of Caruthers; thence northeasterly along the southeasterly line of said Villa Lot 2 to most easterly corner of Villa Lot 2; thence northwesterly along northeasterly line of Villa Lot 2 and northwesterly production thereof to intersection with the north line of Section 18, Township 16 South, Range 20 East; thence east along said section line to intersection with the northwesterly projection of the southwesterly line of Villa Lot 1, Town of Caruthers, being point of beginning.

6. The Town of Laton as shown in Record of Surveys Number 1, Page 76 and portion of West Laton Addition, as shown in Record of Surveys Number 6 page 24 in the Office of the County Recorder of the County of Fresno, State of California, described as follows:

All of the Southwest $\frac{1}{4}$ of Section 22, Township 17 South, Range 21 East, Mount Diablo Base and Meridian.

7. The Town of Lanare as shown in Record of Surveys Number 7, Page 52 in the office of the County Recorder of the County of Fresno, State of California;

8. The Town of Riverdale, additions and portion of sections, as shown of record in the Office of the County Recorder of Fresno County, State of California described as follows:

Being that portion of Sections 24 and 25 of Township 17 South, Range 19 East, Mount Diablo Base and Meridian, Fresno County, California described as follows: Beginning at the southwest corner of Section 24 and running northerly along the west line of Section 24 a distance of 238.7 feet to a point on said west line; thence easterly and parallel to the south line of said Section and 238.7 feet northerly therefrom, a distance of 880 feet; thence northerly 880 feet easterly from and parallel to the west line of said Section to a point on the north line of South $\frac{1}{2}$ of North $\frac{1}{2}$ of Southwest $\frac{1}{4}$ of Section 24; thence easterly on said line to a point 740 feet west of north to south center line of Section 24; thence southerly 360 feet on a line parallel to and 740 feet west of the north to south center line of Section 24 to a point 445 feet north of north line of "C" Street as shown on map of La Paloma Addition to Riverdale; thence easterly 740 feet to a point on the center line of Section 24; thence southerly to the southeast corner of Northeast $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Section 24; thence easterly on the north line of the South $\frac{1}{2}$ of Southeast $\frac{1}{4}$ of Section 24 to the southwest corner of the Northeast $\frac{1}{4}$ of Southeast $\frac{1}{4}$ of Section 24, continuing thence easterly along the north line of South $\frac{1}{2}$ of Northeast $\frac{1}{4}$ of Section 24, to a point which is 432.55 feet east of the southwest corner of the Northeast $\frac{1}{4}$ of Southeast $\frac{1}{4}$ of Section 24; thence southerly to a point on the south line of "B" Street extended easterly at a point 871.12 feet west of the east line of Section 24; thence easterly on the extension of said south line of "B" Street to a point on the east line of Section 24; thence southerly to the southeast corner of Section 24; thence westerly along the line between Section 24 and Section 25, to a point 488.5 feet west of the southeast corner of Section 24; thence southerly along a line parallel to and a distance of 488.5 feet west of

the east line of Section 25 to the intersection of said line with the center line of the Burrel Ditch; thence southwesterly along the center line of said Burrel Ditch to its intersection with the east line of Lot 12 of Martha Kruger Subdivision extended northerly; thence southerly along said extension of the east line of Lot 12 and continuing along the east lines of Lot 12 and Lot 13 to a point which is 210 feet southerly thereon from the northeast corner of said Lot 13; thence westerly parallel to and at a distance of 210 feet southerly from the north line of said Lot 13 to the west line of the Northeast $\frac{1}{4}$ of said Section 25; thence northerly along the west line of said Northeast $\frac{1}{4}$ to its intersection with the center line of the Burrel Ditch; thence westerly and southwesterly along said center line of the Burrel Ditch to a point on the south line of the North $\frac{1}{2}$ of Northwest $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of said Section 25; thence westerly, approximately 375 feet, along the south line of said North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ to the west line of said Section 25; thence northerly along the west line of said Section 25 to the point of beginning.

9. The Town of Helm as shown in Plat Book Volume 7, Page 97 in the office of the County Recorder of the County of Fresno, State of California;

10. The Town of Armona as shown in Map book page 3, Map book page 12, Map book page 17, and Map book page 30 of Kings County; and in Licensed Surveyors Plats Volume 1 page 44; Volume 1 page 84; Volume 2 page 40; Volume 2 page 56; Volume 2 page 66; Volume 2 page 72; Volume 2 page 73; Volume 3 page 48; Volume 4 page 17 in the office of the County Recorder of Kings County, State of California;

11. The Town of Stratford as shown in Licensed Surveyors Plats Volume 2 page 1 and Volume 2 page 57 in the office of the County Recorder of Kings County, State of California;

And further excepting therefrom the lands embraced within the limits of the following described areas:

1. Selma Sewer Farm being the north half of the northeast quarter of Section 31, Township 16 South, Range 22 East, M. D. B. & M.;

2. Clotho Station being a portion of Section 18, Township 14 South, Range 22 East, M. D. B. & M., consisting of a strip of land 350 feet wide lying on the south side of S. P. R. R. track westerly from east line of said Section 18;

3. All portions of that certain mountain known as Smith Mountain, including the small hill forming the southern extremity thereof, over which water will not flow by gravity from East Branch of the Alta Main Canal, all located in Sections 26, 27, 28, 33, 34 and 35 in Township 15 South, Range 24 East, M. D. B. & M., and in Sections 3 and 10 in Township 16 South, Range 24 East, M. D. B. & M.

4. Fresno Municipal Sewer Farm being all of Section 21, and the northwest quarter of Section 22, and 12 acres in the northwest corner of the north $\frac{1}{2}$ of the south $\frac{1}{2}$ of Section 22 lying north of the center of ditch running southwesterly through said north $\frac{1}{2}$ of the south $\frac{1}{2}$ of Section 22, and the northwest quarter of Section 27, and the north one-half of Section 28, all in Township 14 South, Range 19 East, M. D. B. & M.

5. That portion of land in Section 19, Township 14 South, Range 20 East, M. D. B. & M., used as a garbage fill and reclaimed by the City of Fresno, described as follows: The north $\frac{1}{2}$ of Lots 13 and 14, Union Colony, of said Section 19; and the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of said Section 19; and beginning at a point in the east line of the northeast $\frac{1}{4}$ of said Section 19, 2314.57 feet north of the southeast corner of said northeast $\frac{1}{4}$; thence west along the south line of the north $\frac{1}{2}$ of the north $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of the said northeast $\frac{1}{4}$, 980.1 feet; thence south parallel to the west side of the east $\frac{1}{2}$ of the said northeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$, 106.5 feet; thence west parallel to the south side of the north $\frac{1}{2}$ of the north $\frac{1}{2}$ of the said northeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ and westerly production, 366.7 feet; thence south parallel to and 40 feet west of the west side of the east $\frac{1}{2}$ of the said northeast $\frac{1}{4}$, 883.0 feet; thence east 40.0 feet to a point 2.0 feet north of the southwest corner of the said northeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$; thence south along the west line of the east $\frac{1}{2}$ of the northeast $\frac{1}{4}$, 2.0 feet to the said southwest corner of the northeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$; thence east along the south line of the northeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ to the southeast corner thereof; thence north along the east line of the said northeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ to the point of beginning.

§ 3. Divisions; Numbering and denominations

(a) On or before May 1, 2013, the board shall adopt a resolution that divides the district into seven electoral divisions, which shall be numbered and denominated Division One, Division Two, Division Three, Division Four, Division Five, Division Six, and Division Seven.

(b) Using the most recent federal census data as a basis, the electoral divisions shall be as far as practicable, equal in population as required by law.

(c) In establishing the boundaries of the electoral divisions, the board may give consideration to the topography, geography, cohesiveness, contiguity, integrity, compactness of territory, and the community of interests of the electoral divisions.

(d) The establishment of seven divisions pursuant to this section shall not affect the term of office of any director holding office on January 1, 2013.

§ 3.1. Directors; Election; Terms

(a)

(1) One director shall be elected in accordance with this section by the voters of each electoral division.

(2) A candidate for the board of directors shall be a resident in the electoral division for which he or she is a candidate.

(3) A director shall continue to reside within the electoral division during his or her term of office, except that no change in boundaries of an electoral division shall affect the term of office of an incumbent director.

(b) Consistent with the requirements of Section 10404 of the Elections Code, the first elections for Division One, Division Three, and Division Five established pursuant to Section 3 shall be conducted at the November 4, 2014, general district election.

(c) Consistent with the requirements of Section 10404 of the Elections Code, the first elections for Division Two, Division Four, Division Six, and Division Seven established pursuant to Section 3 shall be conducted at the November 8, 2016, general district election.

(d) Except as otherwise provided by this act, the term of office for each director elected pursuant to subdivisions (b) and (c) shall be four years and the director shall hold office until his or her successor qualifies and takes office.

(e) Elections pursuant to this section shall be conducted in accordance with the Uniform District Election Law (Part 4 (commencing with Section 10500) of Division 10 of the Elections Code).

(f) The candidate receiving the highest number of votes cast for the office of director for a specific division shall be declared elected.

§ 3.2. Review of boundaries; Adjustment

The board shall review the boundaries of the seven electoral divisions established pursuant to Section 3 before November 1 of the year following the year in which each decennial census is taken. If necessary, the board of directors shall, by resolution, adjust the boundaries of any divisions pursuant to Chapter 8 (commencing with Section 22000) of Division 21 of the Elections Code, except as otherwise provided in this act.

§ 4. Findings and determinations of legislature

The Legislature hereby finds and determines that the territory comprising said district and the lands thereof will be benefited by the formation of said district; that the water problems in the district require the formation of the district; that these problems are not general or statewide; that many owners of rights to the waters of the Kings River and its tributaries, including irrigation districts, reclamation districts, mutual water companies and other public and private corporations and individual owners have entered into agreements for the distribution of waters from said river and its tributaries and that the distribution of such waters to a considerable extent is made in accordance with such agreements; that the effective distribution and conservation of such waters may be aided by the acquisition of storage space in the Pine Flat Reservoir created by the Pine Flat Dam now being constructed by the United States of America; that matters affecting the distribution, use and storage of the waters of the Kings River and its tributaries, the future conservation and use thereof and the protection, drainage and reclamation of lands within the district can be most appropriately handled by the district herein provided for, and it is necessary to have a political entity embracing the areas having rights to said waters created in order to protect such rights and to meet the various problems affecting such water supply, including those hereinabove set forth; provided, however, that the Legislature further finds and determines that the district claims and has no present or future right to take, use, control, or distribute any of the waters of the Kings River, except for the right to the nonconsumptive use of such waters for the

production of power, or except for such rights as the district may subsequently acquire by voluntary agreement with the holders thereof.

Investigation having shown that conditions in the area comprising said district to be peculiar to it, it is hereby declared that a general law cannot be made applicable to said district and that the enactment of this special law is necessary for the conservation, development, control, distribution and use of said waters of the Kings River and its tributaries and power developed thereby for the public good, for the protection, drainage and reclamation of lands within the district, for the protection and preservation of rights to water therein and for the purpose of meeting the various problems affecting such water supply, including those hereinabove set forth.

§ 5. Definitions

As used in this act the following words shall have the following meanings unless by the context otherwise indicated, and the definition of a word applies to any of its variants:

- (a)** “District” means Kings River Conservation District.
- (b)** “Board” means the board of directors of the district.
- (c)** “President” means the president of the board.
- (d)** “Secretary” means the secretary of the board.
- (e)** “General district election” means the election required to be held in the district on the first Tuesday after the first Monday in November in each even-numbered year.
- (f)** “Special district election” means any district election other than a general district election.
- (g)** “Elector,” “voter,” and “precinct board” have, respectively, the same meanings as in the Elections Code, but an elector or voter shall also be a resident of the district and, when required, of a division thereof.
- (h)** “Property” embraces all real and personal property.
- (i)** “Works” includes conduits, canals, embankments, dams, reservoirs, wells, pumps, tunnels, powerhouses, power generating equipment, powerlines, and other appliances and other facilities useful in the control, conservation, drainage, diversion and transmission of waters and in the generation, control and transmission of electrical power, and all land, property, franchises, easements, rights-of-way and privileges necessary or useful to maintain any of the foregoing.
- (j)** “Conduits” includes canals, laterals, ditches, flumes, pipes and their appurtenances.
- (k)** “Operate” includes use, maintenance and repair.
- (l)** “Street” includes road, alley, avenue, highway and public way.
- (m)** “United States” includes the United States of America and all bureaus, commissions, divisions, departments, boards, agencies and officers of the United States of America.
- (n)** “State of California” includes the State of California and all bureaus, commissions, divisions, departments, agencies and officers of the State of California.

§ 6. District declared a politic and corporate body; Powers of district

Kings River Conservation District is hereby declared to be and is a body politic and corporate and as such shall have, among others, the powers enumerated in this act and such other powers as the law may provide.

§ 7. Use of water and electrical energy, and property a public use; District a public State agency

The use of all water and electrical energy required for the purposes of the district, together with all property for carrying out the purposes and business of the district, is a public use, and the district is a public agency of the State of California to carry out this public use.

§ 8. Board of directors; Election

The powers of the district shall, except as otherwise provided, be exercised by a board of seven directors.

§ 9. Board of directors; First directors to be appointed; Qualifications of appointees; First meeting

At the first regular meeting in December after each general district election, the directors shall meet and organize as a board.

§ 10. Board of directors; Selection of president and vice president; Provisions for time and place of meetings and for calling special meetings; Legislative sessions open to public

The board shall choose from its members a president and a vice president, who shall act as president during his absence or inability to act, and provide for the time and place of holding meetings and the manner in which its special meetings may be called. All legislative sessions of the board, whether regular or special, shall be open to the public. A majority of the board shall constitute a quorum for the transaction of business. The board shall also establish rules for its proceedings.

§ 11. Ordinances, resolutions, motions; Enacting clause; Compensation of directors

The board shall act only by ordinance, resolution or motion, and, except where action shall be taken by the unanimous vote of all directors present and voting, the ayes and noes taken upon the passage of all ordinances, resolutions and motions shall be entered upon the minutes of the board. No ordinance, resolution or motion shall be passed or become effective without the affirmative vote of at least a majority of the members of the board. The enacting clause of all ordinances passed by the board shall be in these words: "Be it ordained by the Board of Directors of Kings River Conservation District as follows:". All ordinances shall be signed by the president and attested by the secretary.

The compensation received by each director for sitting on the board shall be determined pursuant to Section 21166 of the Water Code.

§ 12. General manager, secretary, auditor, assistant secretary, etc.; Appointment; Bond; Oath

The board shall, at its first meeting or as soon thereafter as practicable, appoint a general manager, a secretary, and an auditor. No director shall be eligible to the office of general manager, secretary or auditor. The general manager, secretary and auditor shall receive such compensation as the board shall determine, and each shall serve at the pleasure of the board. The same person may be appointed as general manager and secretary or as secretary and auditor. The board may at any time also appoint an assistant secretary and appoint or employ and prescribe the authorities and duties of such other officers and employees, attorneys and engineers as may be necessary or convenient for the business of the district, each of whom shall serve at the pleasure of the board. The general manager, secretary, auditor and other employees and assistants of the district who may be required to do so by the board shall each give such bond to the district conditioned for the faithful performance of his duties as the board may provide. Any member of the board and the secretary may administer oaths when necessary in the performance of his official duties.

§ 13. Signing and countersigning of deeds, etc.; Duties of general manager, auditor, depository

The president or vice president shall sign, and the secretary or assistant secretary shall countersign, all deeds and instruments in writing which have been first approved or authorized by the board, unless the board directs some other officer or officers to execute the same. The president, vice president, secretary and assistant secretary shall perform such other duties as may be imposed by the board. The general manager, subject to the control and approval of the board, shall have full charge and control of the maintenance, operation and construction of the works and property of the district and shall have full power and authority to employ and discharge all employees and assistants, prescribe their duties and fix and alter their compensation. He shall perform such other duties as may be imposed by the board and report to the board in accordance with such rules and regulations as it may adopt. The auditor shall install and maintain a system of auditing and accounting that shall completely and at all times show the financial condition of the district. He shall draw warrants, which must be countersigned by the president or vice president, to pay demands made against the district when such demands have been approved or authorized by the board. The board shall also designate a depository or depositories to have custody of the funds of the district, all of which depositories shall give security sufficient to secure the district against possible loss and who shall pay the warrants drawn by the auditor for demands against the district under such rules as the directors may prescribe.

§ 14. [Section repealed 1963.]

§ 15. Claims against district

Claims for money or damages against the district are governed by the provisions of Part 3 (commencing with Section 900) and Part 4 (commencing with Section 940) of Division 3.6 of

Title 1 of the Government Code, except as provided therein. Claims not governed thereby or by other statutes or by ordinances or regulations authorized by law and expressly applicable to such claims shall be prepared and presented to the governing body, and all claims shall be audited and paid, in the same manner and with the same effect as are similar claims against the county. The district may employ counsel to defend any action or proceeding brought against it on account of any taking, injury, damage or destruction, or to defend as provided in Part 6 (commencing with Section 995) of Division 3.6 of Title 1 of the Government Code an action or proceeding brought against any of its officers, employees, or servants, and the fees and expenses involved therein are a lawful charge against the district.

§§ 16, 17. [Sections repealed 1963.]

§ 18. [Section repealed 1970.]

§ 19. [Section repealed 2013.]

§ 20. [Section repealed 2013.]

§ 21. Addition of land to district; Inclusion in division; Relocation of boundary lines; Exclusion of territory from district; Exclusion from division and relocation of boundary lines; When changes not to be made.

Whenever any land is added to the district, the board, by resolution, shall include it or any part thereof in such division or divisions as the board may determine, giving consideration to the location thereof and the interests of its inhabitants with respect to power and water and the sources of water supply therein; and the board shall relocate the boundary lines of the division or divisions to which such territory is added accordingly. Whenever any territory is excluded from the district, the board, by resolution, shall relocate the boundary lines of the division or divisions within which such territory lies so as to exclude it from such division or divisions. No such change in a division or divisions may be made within 180 days immediately preceding a general district election, nor shall such change work a forfeiture of office of any director. A certified copy of such resolution, together with a map or plat showing the boundaries of such division or divisions as relocated thereby shall be filed with the county recorder of each county within which any portion of the district lies.

§ 22. [Section repealed 2013.]

§ 23. Vacancies in office of director; Oath of director

All vacancies occurring in the office of director shall be filled in accordance with Section 1780 of the Government Code. Before entering upon the duties of his or her office, each director shall take and subscribe the official oath and file it with the secretary. The oath of office may be taken before the secretary, any member of the board, or any officer authorized by law to administer oaths.

§ 24. [Section repealed 2014.]

§ 24.1. [Section repealed 1965.]

§ 25. Recall of director; Application of Elections Code

Every incumbent in the office of director, whether elected by popular vote for a full term or appointed, may be recalled by the voters in accordance with the recall provisions of the Uniform District Election Law.

§ 26. Powers of district; Generally

The district shall have the following powers, including those necessarily implied therefrom:

- (1)** To have perpetual succession.
- (2)** 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.
- (3)** To adopt a seal and alter it at pleasure.
- (4)** To do any and every lawful act necessary to be done to furnish water and electrical energy in the district for any present or future beneficial use or uses, including, without limiting the generality of the foregoing, irrigation, domestic, fire protection, municipal, power and other beneficial uses.
- (5)** To take by grant, purchase, gift, devise, lease, either with or without the privilege of purchase, or otherwise, and to hold, use, enjoy, and to lease and dispose of real and personal property of every kind within or without the district necessary to the full exercise of its powers.
- (6)** To construct, purchase, lease, or otherwise acquire waterworks and other works and machinery, canals, conduits, and reservoirs and to purchase, lease or otherwise acquire water rights, storage rights, storage sites, watersheds, lands, rights and privileges useful or necessary to convey, supply, store or otherwise make use of water for any purposes authorized by this act and to operate and maintain the same for the benefit of the district.
- (7)** To construct, purchase, lease or otherwise acquire works for the generation, transmission, distribution, sale and lease of electric power, including the sale and disposition thereof to municipalities, districts, corporations or persons and to do all necessary and proper acts for the construction and operation of such electric power works.

(8) To appropriate, acquire and conserve water and water rights for any useful purpose, and to store and conserve water for future use.

(9) To commence, maintain, intervene in and compromise in the name of the district and to assume the costs of any action or proceeding involving or affecting the ownership or use of water or water rights within the district used or useful for any purpose of the district; to commence, maintain, intervene in, defend and compromise actions and proceedings to prevent interference with or diminution of the natural flow of any stream or natural underground supply of waters used or useful for any purpose of the district or a common benefit to lands within the district or its inhabitants; and to commence, maintain and defend actions and proceedings to prevent any interference with such waters as may endanger the inhabitants or lands of the district or as may impair, damage or threaten the exercise of any right to waters belonging to the district or a common benefit to lands within the district or to its inhabitants.

(10) To sell water or the use thereof for any useful purposes and, when there is a surplus, to sell and otherwise dispose of the same to municipalities, public agencies or to consumers or users, including publicly and privately owned utilities, mutual water companies, corporations and persons without the boundaries of the district.

(11) To sell, dispose of and distribute electric power for any useful purpose, and, when there is a surplus, to sell or otherwise dispose of the same to consumers or users including public and private corporations without the boundaries of the district.

(12) To exercise the right of eminent domain to take any property necessary or convenient for carrying out the purposes of this act except that the district shall not have power to acquire by condemnation any property held or used for the development, storage, or distribution of water for public use.

(13) To borrow money and incur indebtedness and to issue bonds or other evidences of indebtedness; also to refund and retire any indebtedness or lien that may exist against the district or the property thereof.

(14) To make contracts, employ labor and do all acts necessary for the full exercise of the powers of the district. The board may cause construction or other work to be performed or carried out by contract or by the district under its own superintendence.

(15) To sell or lease any lands belonging to the district for oil, gas, or other hydrocarbon substances or other minerals when deemed by the board to be in the best interest of the district, subject, however, to the provisions of Chapter 5 (commencing with Section 7051), Part 2, Division 6, of the Public Resources Code.

(16) To cooperate, act in conjunction and contract with the United States, State of California, municipalities, public and private corporations of any kind and persons in the construction of any works for storing, conserving or distributing waters of the district or belonging to any inhabitant or owner of land or water rights therein or for the control of flood and storm waters, the draining or reclaiming of lands, the protection of property, watersheds, watercourses, underground supplies, highways or life or for the purpose of conserving, storing, salvaging, recapturing,

distributing, or transporting such waters for beneficial use or uses of the district or of the owners of rights to water therein, and for the use, operation, management and control of such works; to make and perform any agreement with the United States, the State of California, any public or private corporation of any kind and any person, or any of them, for the joint acquisition, disposition or operation of any property or works of a kind which might be acquired, disposed of or operated by the district.

(17) To cooperate and contract with the United States under the Federal Reclamation Act of June, 1902, and all acts amendatory thereof or supplementary thereto or any other act of Congress heretofore enacted authorizing or permitting such cooperation or contract for the purpose of construction of works, whether for irrigation, drainage, flood control or for the development of electric or other power, or for the acquisition, purchase, extension, operation or maintenance of such works, or for a water supply, or for the assumption as principal or guarantor of indebtedness to the United States and to carry out and perform the terms of any contract so made, and for said purposes the district shall have all powers, rights and privileges possessed by irrigation districts and, except as herein otherwise provided, shall exercise such powers, rights and privileges in the same manner and subject to the same restrictions and limitations as irrigation districts, all as provided in Chapter 2 (commencing with Section 23175) of Part 6 of Division 11 of the Water Code, as such provisions now exist; provided, however, that in any such contract made by the district and the United States, the land which may be charged with any taxes or assessments under such contract shall be designated and described, and the contract shall not include any lands which will not be benefited by the works or system contemplated under such contract, nor shall it impair, restrict, or provide for the control of any right in or to water or the use thereof without the consent of the owner of such right. Such contract may exempt from tax or assessment any land benefited by the works or system contemplated by such contract if such land, or any agency on its behalf, has paid to the district or to the United States its proper share of the construction costs of such works or system.

Such contract may provide for the release of the land described therein, or any portion thereof, from any tax or assessment upon payment to the district or the United States of its proper share of the construction cost of such works or system. Nothing herein contained shall prevent the district, whether pursuant to any such contract or otherwise, from levying taxes or assessments for the cost of the operation and maintenance of any such works or system, subject, however, to the limitations provided in Section 37 of this act. The proceedings for voting at an election upon a proposal to enter into such contract with the United States shall be had, insofar as applicable, in the manner provided in the case of the issuance of district bonds; provided, however, that in the event the board shall determine that all liabilities of the district incurred under the provisions of such contract can be repaid and liquidated as to both principal and interest from revenues from the works or system contemplated under such contract and payments made to the district by public or private corporations or persons pursuant to written contracts providing for the payment of whatever amounts may be necessary to amortize the portion of said cost which may under said contracts be underwritten by such corporation or persons, then upon the adoption of such resolution the board shall have power on behalf of the district, without the necessity of an election, to enter into such repayment contracts with the United States, subject to all provisions

of this act applicable to such contracts except provisions requiring an election to authorize such contracts; provided further, however, no such contract shall charge any land with any tax or assessment for the payment of the cost of constructing the works or system contemplated in such contract. In the event that the revenues of the district from the works contemplated by any contract approved at an election shall be, or in the judgment of the board are likely to be, inadequate to pay all charges payable to the United States under such contract and all charges for construction, acquisition, operation and maintenance of the works acquired or constructed under such contract, a tax shall be levied for the payment of such charges on the land in the portion of the district designated and described in such contract as the territory to be charged therewith.

(18) To conserve and store water, including storm and floodwaters, by means of any works authorized in this act and by spreading and sinking the same in any underground basin or basins or the gravels and detritus thereof by any means appropriate therefor, which storage and conservation, whether surface or underground, may be made by the district on its own behalf or on behalf of any owner of the right to the water so stored or conserved on such terms and conditions as may be fixed by the board and the owner; and the district or the owner in whose behalf it acted, when waters are so stored and conserved, may recapture and use the same for any beneficial purpose or use or may permit the recapture and use thereof by others under such terms and conditions as may be fixed by the board or by such owner and the board if conserved and stored on behalf of the owner; and the district may contract with others for the use of any property, conduits, canals, ditches, reservoirs or reservoir sites or dams or other facilities for the purpose of conserving, storing, spreading, or sinking, transporting or distributing such waters.

(19) To control flood and storm waters within the district and flood and storm waters of streams or watercourses outside of the district which flow into the district and conserve such waters by storage either surface or underground, to divert and transport such waters for beneficial uses within the district and otherwise to reduce the waste of water and protect life and property from floods within the district.

(20) To drain and reclaim lands within the district either by surface or underground works or both; and to divert, store, conserve, transport and dispose of water resulting from such operations for any beneficial use.

§ 27. Construction of intersections and crossings; Right of way

The district shall have power to construct works along, under or across any road, street, alley, avenue or highway or across any stream of water, water course, railway, canal, ditch or flume which the route of said works may intersect or cross, but provided such works are constructed in such manner as to afford security for life and property, and the district shall restore any such crossings and intersections to their former state as near as may be or in a manner not to have impaired unnecessarily their usefulness, and shall comply with all lawful rules and regulations of the owner or agency in charge thereof. Every person and corporation, either public or private, whose right of way shall be intersected or crossed by said works, shall unite with the district in forming said intersections and crossings and grant such rights therefor as may be agreed upon between them and the district. The right of way is hereby given, dedicated and set apart to locate,

construct and maintain said works over and through any of the lands which are now or may be hereafter the property of the State of California, and the district shall have the same rights and privileges thereto appertaining as heretofore or as may be granted to municipalities within the State, except that where such land is already devoted to public use, any expense necessary to permit the joint use of such land shall be borne by the district.

§ 28. Fixation of water and power rates; Rules and regulations for sale, of water, power; Contracts for construction of works and furnishing of materials

The board shall fix all water and power rates and all other charges for services or work done by the district and shall, through the general manager, collect the same. The board may establish suitable rules and regulations for the sale, distribution, and use of water and power and other services that may be rendered by the district and made therein and may provide that water, power, or services shall not be furnished to those against whom there are delinquent rates or charges.

The board may prescribe methods for the construction of works and the furnishing of materials, equipment, and supplies and for the letting of contracts therefor. However, any such contract requiring the expenditure of fifty thousand dollars (\$50,000), or more, shall be subject to competitive bidding, after advertisement therefor, and awarded to the lowest responsible bidder, except where the construction or work is to be done or performed by the district with its own forces upon force account.

§ 28.5. Improvement districts (First of two)

Improvement districts may be formed in the district for any authorized purpose of the district in the same manner as improvement districts are formed in irrigation districts. When formed, the improvement districts shall be governed under Part 7 (commencing with Section 23600) of Division 11 of the Water Code in the same manner as improvement districts in irrigation districts. The board shall have the same rights, powers, duties, and responsibilities with respect to the formation and government of improvement districts in the district as the board of directors of an irrigation district has with respect to improvement districts in irrigation districts. Assessments in an improvement district in the district shall be levied, collected, and enforced at the same time and as nearly in the same manner as practicable as annual taxes of the county, except that the assessment shall be made in the same manner as provided with respect to improvement districts in irrigation districts.

§ 28.5. Improvement districts (Second of two)

Improvement districts may be formed in the district for any authorized purpose of the district in the same manner as improvement districts are formed in irrigation districts. When formed, the improvement districts shall be governed under Part 7 (commencing with Section 23600) of Division 11 of the Water Code in the same manner as improvement districts in irrigation districts. The board has the same rights, powers, duties, and responsibilities with respect to the formation and government of improvement districts in the district that the board of directors of an irrigation district has with respect to improvement districts in irrigation districts. Assessments

in an improvement district in the district shall be levied, collected, and enforced at the same time and as nearly in the same manner as practicable as annual taxes of the county, except that the assessment shall be made in the same manner as provided with respect to improvement districts in irrigation districts.

§ 29. Incurrence of bonded indebtedness; Resolution of board; Hearing; Election

Whenever the board deems it necessary for the district to incur a bonded indebtedness, it shall by resolution so declare and state in that resolution the purpose for which the proposed debt is to be incurred, the amount thereof, and fix a time and place for a hearing by the board on the question as to whether the whole district or only a portion thereof will be benefited by the accomplishment of the purpose, and if only a portion thereof will be so benefited, what portion thereof will be so benefited. Notice of the hearing shall thereupon be given by the secretary by publication of a copy of the resolution in one newspaper of general circulation, printed and published in each county within which any portion of the district lies at least once a week for two weeks prior to the hearing. The copy of the resolution published shall be accompanied by a notice subscribed by the secretary to the effect that the hearing referred to in the resolution will be held at the time and place specified in the resolution and that any person interested, including all persons owning property in the district, will be heard upon the question stated in the resolution.

At the time and place fixed in the resolution for the hearing or at this time and place to which the hearing may be adjourned, the board may proceed with the hearing, and any person interested, including any and all persons owning property within the district, may appear and present any and all matters material to the question as he or she may desire. Upon the conclusion of the hearing, the board shall by resolution determine whether the whole of the district will be benefited by the accomplishment of the purpose stated; and if it determines that the whole of the district will not be so benefited by the accomplishment of the purpose, it shall state what portion of the district will be so benefited; and that portion of the district so described shall thereupon constitute and be known as Improvement District No. ____ of Kings River Conservation District; and the proceedings thereafter, for the purpose of the bond election within the improvement district and for the purpose of taxation for the payment of the bonds and interest, shall be limited and apply only to the improvement district. The determination of the board on this question shall be final and conclusive.

If the board by the resolution determines that only a portion of the district will be benefited and creates an improvement district as hereinabove provided, it shall adjourn the hearing for not less than 40 nor more than 70 days. Within 10 days after the order of adjournment, the secretary shall publish once in one newspaper of general circulation, printed and published in each county within which any portion of the improvement district lies, a notice stating the time and place fixed for the adjourned hearing, and that at or prior to the hearing any person owning land in said improvement district may file written protest to the incurring of the proposed bonded indebtedness by the improvement district, and at the time and place fixed any person interested may appear and be heard on the question of whether the bonded indebtedness should be incurred by the improvement district. If at or prior to the adjourned hearing written objections to the

incurring of the proposed bonded indebtedness by the improvement district, signed by the owners of the majority of the acreage of land within the improvement district are filed with the secretary, then the board, by resolution adopted at the hearing, shall abandon proceedings for the proposed bond issue. The last equalized assessment roll of each county containing land within the improvement district is prima facie evidence of ownership of land in that county. If the proceedings are not abandoned as hereinabove provided, the board, if it deems it necessary to incur the bonded indebtedness, shall by a resolution so declare and state the purpose for which the proposed debt is to be incurred, whether or not the whole of the district is to be benefited thereby or only a portion thereof, and if only a portion thereof a description of the portion sufficient for identification and the designation thereof, all in accordance with the determination of the board as expressed in its previous resolution, the amount of the debt to be incurred, the maximum term the bonds to be issued shall run before maturity, which shall not exceed 40 years, and the amount or rate of interest to be paid, which shall not exceed 5 percent, payable annually or semiannually, and the proposition to be submitted to the voters of the district or of the improvement district, as the case may be.

The board shall fix a date upon which an election shall be held for the purpose of authorizing the bonded indebtedness to be incurred, and shall provide for the holding of the special election on the date so fixed. The special election may be held concurrently with a general district election. The special election shall be called and held in accordance with Chapter 4 (commencing with Section 21925) of Part 4 of Division 11 of the Water Code insofar as the same may be applicable. The returns of the election shall be made to and the votes canvassed by the board on the first Tuesday which is six or more days after the election, and the results of the election shall be ascertained and declared in accordance with Chapter 4 (commencing with Section 21925) of Part 4 of Division 11 of the Water Code. As soon as the result is declared, the secretary shall enter in the records of the board his or her statement of the result. Any irregularity or informality in the conduct of the election shall not invalidate the election if fairly conducted.

If it appears from the returns that more than two-thirds of the votes cast at the election were in favor of incurring the indebtedness, the board may, by resolution at such time or times as it deems proper, provide for the form and execution of the bonds and for the issuance of any part thereof and may sell or dispose of the bonds so issued at that time and manner as the board deems to be to the public interest.

§ 30. Issuance of refunding bonds; Procedure; Interest rate; Exchange for original bonds

The board may by resolution submit to the voters of the district a measure to issue new bonds to refund any or all of the district bonds outstanding or submit to the voters of any improvement district a measure to issue new bonds to refund any improvement district bonds outstanding, which measure may be voted on at any general or special district election, and the procedure upon such election shall be in accordance so far as is applicable with the procedure upon an original issue of bonds, except that no hearing need be held upon the question whether the bond issue will benefit the entire district or only a portion thereof, and the vote of a majority of the voters voting upon the measure shall be sufficient to authorize the issuance of refunding bonds. The refunding bonds shall not bear a higher rate of interest than the bonds to be refunded and

may be issued and sold in the manner and form prescribed for an original issue of bonds. Refunding bonds may, if the holders of bonds of an original issue and the board so agree, be exchanged for original bonds. The face value of refunding bonds exchanged for original bonds shall not exceed the face value of original bonds. The board may raise money by water or power rates or taxes to pay principal and interest of the refunding bonds in the same manner as prescribed for the payment of bonds of an original issue.

§ 31. Call or redemption of bonds; Resolution; Notice; Publication

Any bonds, original or refunding, issued by the district, may be made callable by a resolution of the board adopted at or prior to the time of issuing such bonds, which may provide for the calling and redemption of such bonds in numerical order or by lot on any interest payment date prior to their fixed maturity at not exceeding the par value thereof and accrued interest or on such other terms as may be provided therein. If any such bonds are so made callable, a statement to that effect shall be set forth on the face of the bond. Notice of any such call or redemption shall be published in one newspaper of general circulation, printed and published in each county within which any portion of the district lies. The first publication of such notice shall not be less than 30 nor more than 90 days prior to the date fixed for such redemption. After the date fixed for such redemption, if the district shall have provided funds available for the payment of the principal and interest for the bonds so called, interest on such bonds shall thereafter cease.

§ 32. District within meaning of Const Art XI § 13, Art XIII § 1 ¾ and Water Code § 20003; Bonds of district as legal investments

The Kings River Conservation District is hereby declared to be a district within the meaning of that term as used in Section 13 of Article XI and Section 1 ¾ of Article XIII of the Constitution of the State of California and Section 20003 of the Water Code.

Bonds of the district shall be legal investments for all trust funds and for the funds of all insurance companies, banks, both commercial and savings, trust companies, and for school funds. Whenever any money or funds may by law now or hereafter enacted be invested in bonds of cities, cities and counties, counties, school districts, or municipalities in the State of California, such money or funds may be invested in bonds of the district, issued in accordance with the provisions of this act. Whenever bonds of cities, cities and counties, counties, school districts, or municipalities may by any law now or hereafter enacted be used as security for the performance of any act, the bonds of the district may be so used.

§ 33. Bonds to pay cost and expenses of construction of works

The term “construction” or any of its variants when used in this section, unless the context otherwise requires, means and includes the physical construction, reconstruction, renewal, extension, or repair of works; also the acquisition or control of works or any right therein or thereto by purchase, lease, contract, or in or by any manner whereby any right, title or interest in or to property is capable of being acquired or transferred. For the purpose of providing money and funds to pay the cost and expense of the construction of any works authorized hereunder, the

board may issue revenue bonds. The board, if it deems it necessary to issue such revenue bonds, shall by resolution so declare and state the purpose or purposes for which the revenue bonds are proposed to be issued, the principal amount of the bonds to be issued therefor, the maximum amount of interest to be paid on such bonds, which shall not exceed 5 ½ percent, payable annually or semiannually, and the proposition to be submitted to the voters of the district, and said resolution shall also state that such bonds are to be revenue bonds, the principal and interest of which are payable only from the revenues from the use or operation of the works for the construction of which such bonds are to be issued and are not to be secured by the taxing power of the district. The board shall fix a date upon which an election shall be held for the purpose of authorizing the issuance of such revenue bonds. Notice of the election shall be given, the election held and the result determined substantially in the manner provided for the incurring of a bonded indebtedness as provided in Section 29 hereof. If from the returns it appears that more than two-thirds of the votes cast at such election were in favor of the issuance of such revenue bonds, the board may by resolution provide for the issuance thereof. Such bonds shall be issued in the name of the district and shall be designated as "Kings River Conservation District Revenue Bonds." In the resolution providing for the issuance of such bonds, the board may limit, restrict, and regulate the holding, deposit, investment and application of money consisting of the proceeds from the sale of the bonds or the revenue received from the operation of the works or project to be financed thereby, and such provisions shall constitute a contract with the holders of the bonds and be binding upon the district as long as the bonds are outstanding; and while any bonds remain outstanding, the powers, duties or existence of the district or any official thereof shall not be diminished or impaired in any manner that will adversely affect the interest and rights of the holders of the bonds. Any holder of any bond may by mandamus or other appropriate proceeding require and compel the performance of any of the duties imposed upon the district or any official thereof with respect to the construction of the works or project and the collection, deposit, application and disbursement of all revenues derived from the use and operation thereof and the deposit and disbursement of the proceeds received from the sale of such bonds. In addition thereto the holders of bonds may exercise or prosecute any other rights or remedies which they may have. Temporary or interim bonds, certificates or receipts of any denominations and with or without coupons attached thereto may be issued and delivered until definitive bonds are executed and available for delivery. Any expense incurred by the district for advertising, engraving, printing, clerical, legal or other services necessary to properly perform the services and duties relating to the sale and issuance of such bonds shall be paid from the proceeds of the sale of such bonds. Such bonds shall contain a recital on the face thereof that the payment or redemption of the bonds and the payment of interest thereon is secured by a first and direct charge and lien upon the revenues of any nature whatever received from the operation of the works for the construction of which the bonds are issued and that neither the payment of the principal, or any part thereof, nor any interest thereon constitutes a liability or obligation of the district except to the extent that such payment can be made from such revenues. The payment of both principal and interest of all such bonds shall be secured only by the rates, charges and revenues established or accrued for the use and operations of the works for the construction of which bonds are issued and shall be made from such revenues. Both redemption and interest payments shall constitute a first and direct charge and lien on all revenues received from the operation of such works, on all

interest accrued from such revenues, and on all sinking funds created out of such revenues. The collection of revenue shall be continued until all bonds, with interest thereon, are fully redeemed and paid.

The boards shall determine the form, conditions and denominations of all bonds and the dates which the bonds shall bear. It shall determine the interest rate on all bonds, which shall not exceed 5 ½ percent per annum; provided, however, that bonds of the same issue may bear different rates of interest. Principal and interest on bonds shall be payable at such place or places as may be fixed and determined by the board and such bonds may contain provisions for registration thereof as to principal only or as to both principal and interest. The bonds shall be issued in coupon form with interest payable at such times as may be determined by the board and shall mature at such times and in such amount as the board prescribes. The board may provide for the retirement of such bonds at any time or times prior to their maturity and in such manner and upon payment of such premiums as may be fixed and determined in the proceedings providing for the issuance thereof. Such bonds may be issued and sold from time to time and in such amounts as may be necessary in the judgment of the board to provide sufficient funds for the construction of the works and to pay all costs and expenses, including interest due and payable, prior to and during the period of actual construction thereof and for a period of one year after completion thereof, and the proceeds from the bonds are hereby made available for this purpose. Such bonds may be sold below the par or face value thereof, but the selling price shall not be less than that which will yield the purchaser not to exceed 5 ½ percent per annum according to the standard tables of bond values, and the sale price shall include the interest which has accrued thereon up to the date of the delivery of the bonds. Successive issues of bonds shall have equal preference with respect to the redemption thereof and the payment of interest thereon, but the district may fix different maturity dates serially or otherwise for successive issues. All such bonds are hereby declared to be negotiable instruments. All bonds issued and sold shall be sold on sealed proposals to the highest and best bidder after such advertising for bids as the board deems proper, except that the board may reject all bids and thereafter sell the bonds at private sale under such terms and conditions as the board deems most advantageous, but not at a price below that of the best bid which was rejected.

The proceeds from the sale of such bonds shall be deposited by the district in a depository authorized by law to receive such deposits of the district, to the credit of the construction fund for the construction of such works, and the proceeds shall be paid out solely for the construction of the works, surveys and preparation of plans and specifications therefor, the payment of all other costs and expenses prior to and during construction, the acquisition of the necessary water, water rights, rights of way, easements, lands, electric power, power resources and facilities, other property of every kind and description and any appurtenances to any such property necessary for such works and project, the payment of interest becoming due and payable on bonds prior to and during the period of actual construction and for the period of one year after the completion of such construction, and all costs and expenses during the period of one year after such completion as the need therefor shall arise. The district may agree with the purchasers of bonds upon any conditions or limitations restricting the disbursement of the proceeds that may be deemed advisable for the purpose of assuring the proper application thereof. From the money deposited

in the construction fund, the board shall transfer to the place or places of payment named in the bonds the sums required to pay interest as it becomes due on all bonds sold and outstanding for the construction of the works during the period of actual construction and during the period of one year after completion thereof, and thereafter shall transfer from the revenue fund into which shall be paid all revenues accruing from the use and operation of said works to the place or places named in the bonds the sum required to pay interest on the bonds and redeem the principal thereof, as such interest payments and bond redemptions fall due for all bonds issued and sold. All funds transferred for the payment of principal and interest on such bonds shall be segregated and applied solely for the payment of principal and interest.

Any person or public or private corporation may, by contract with the district, underwrite or assume the payment in whole or in part of the cost of the construction of any such works, and in the event such contract shall be made, all payments received thereunder shall be deemed to be revenues of such works and shall be subject to the terms and provisions of this section respecting the revenues thereof.

Any surplus which exists in the construction fund shall be applied to the retirement of bonds issued for the construction of the works by purchase of call; provided, however, that in the event the bonds cannot be purchased at a price satisfactory to the board and are not by their terms callable prior to maturity, such surplus shall be paid into the fund applicable to the payment of principal and interest of the bonds and shall be used for that purpose; provided further, however, the proceedings authorizing the issuance of bonds may provide limitations and conditions upon the time and manner of applying such surplus to the purchase and call of outstanding bonds. The terms upon which the bonds shall be purchased or called and the conditions provided for in the proceedings authorizing their issuance shall be followed and observed in the application and use of such surplus.

In like manner the board may issue any revenue bonds to refund and pay outstanding revenue bonds; provided, however, that such bonds shall not be for a higher rate of interest than the bonds proposed to be refunded, and the purchase price paid therefor shall not be less than the total amount of interest and principal accrued upon the bonds to be refunded, and the board may provide for the exchange of refunding bonds for the original bonds; provided, the face value of the refunding bonds so exchanged shall not exceed the face value of the original bonds.

§ 33.1. Interest on bonds subject to federal income taxation

Notwithstanding the provisions of Sections 54382 and 54402 of the Government Code and any other provisions of law, the board may determine and provide, in any resolution providing for the issuance of bonds pursuant to the Revenue Bond Law of 1941 (commencing with Section 54300 of the Government Code), for interest on the bonds at a rate or rates not exceeding 18 percent a year, payable annually or semiannually, if, before the issuance of the bonds, the board determines, to the best of its knowledge and belief, that the interest on the bonds will be subject to federal income taxation under then existing law.

§ 33.2. Bonds authorized to be issued for Dinkey Creek Hydroelectric Project

Notwithstanding Section 54388 of the Government Code or any other provision of law, the board may sell up to four hundred fifty million dollars (\$450,000,000) principal amount of the bonds authorized to be issued for the Dinkey Creek Hydroelectric Project and related facilities at the election held in the district on November 3, 1981, pursuant to the Revenue Bond Law of 1941 (Chapter 6 (commencing with Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code) at private sale or at public sale, whichever it determines.

Article 12 (commencing with Section 53590 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code) shall not be applicable to the issuance of those bonds if, in addition to any underwriter that has, or has had, a financial advisory relationship with respect to the issuance of bonds, there is an equal managing underwriter that does not have, or has not had, such a financial advisory relationship.

§ 34. Signatures on bonds and coupons

Each bond, whether a general obligation or revenue bond, shall be signed by the president and secretary then in office at any time between the date of the bond and its delivery to a purchaser from the district, and the seal of the district shall be impressed thereon. The interest coupons shall be signed by the secretary, and the signature of the secretary may be made by facsimile.

§ 35. How money in sinking fund and moneys not immediately required may be invested

Any money in any sinking fund established for the payment of any bonded or other indebtedness and any money of the district not required for the immediate necessities of the district may be invested in bonds issued by the district, bonds issued by any school district, any part of which is in a county containing any part of the district, bonds issued by the State, bonds and certificates issued by the United States, and registered warrants issued by the State. The investment may be made by the purchase of the bonds, certificates or warrants at the original sale or by purchase after they have been issued and may, from time to time, be sold and the proceeds reinvested. Sales thereof shall be made in season so that the proceeds may be applied to the purposes for which the money with which the same were purchased was allocated.

§ 36. Special taxes; Kings River Conservation District bond tax; Purpose

If the revenues of the district are, or in the judgment of the board will probably be, inadequate for any cause to pay the principal or interest on any bond, other than revenue bonds, or any payment or charge provided in any contract approved by the voters, as it becomes due, the board shall cause a tax to be levied as herein provided, sufficient to pay the amount of such principal, interest, payment, or charge as the same becomes due, which tax shall be known as Kings River Conservation District bond tax. Taxes for the payment of said Kings River Conservation District bond tax shall be levied on the land within the district or improvement district therein, as determined by the board in the resolution declaring the necessity to incur the debt, or on the land charged with the tax under the terms of any contract approved by the voters.

§ 37. Kings River Conservation District tax; Purpose; Maximum amount of tax

If the revenues of the district are, or in the judgment of the board will probably be, inadequate for any cause to pay any other expenses and claims against the district, the board shall cause a tax to be levied as herein provided sufficient to pay such expenses and claims, which tax shall be known as Kings River Conservation District tax and shall be levied on all land in the district. The tax levied for such purposes during any year shall not exceed two and one-half mills (0.0025) on each one hundred cents of the assessed values of the lands within the district.

§ 38. Determination of necessary amount, tax rate and chargeable land

The board shall determine the amount necessary to be raised by taxation for the payment of principal and interest on any bond and payments or charges under any contract approved by the voters, and shall fix the rate of tax to be levied and the land or lands chargeable therewith which will raise the amount of money required therefor, and shall likewise determine the amount necessary to be raised by taxation to pay other expenses and claims against the district and fix the rate to be levied on land within the district to raise an amount sufficient to pay such other expenses and claims.

§ 39. Certification of tax rate and chargeable land; Levy of tax; Tax lien

Within a reasonable time previous to the time when the boards of supervisors of the counties within which the district or any portion of the district lies, are required by law to fix the tax rate thereof, the board shall certify to each board of supervisors of each such county the rate or rates so fixed and the land or lands on which the same shall be levied, with direction that at the time and in the manner required by law for the levying of taxes for county purposes, each such board of supervisors shall levy and collect a tax in addition to such other tax as may be levied by such board at the rate or rates so fixed and determined and on the land or lands so certified; and it is made the duty of the officer or body having the authority to levy taxes within each such county to levy the tax so required. It shall be the duty of all county officers having the duty of collecting taxes to collect such tax in the time, form and manner as county taxes are collected, and when collected to pay the same to the district. Such taxes shall be a lien on said land or lands and of the same force and effect as other liens for taxes, and their collection may be enforced by the same means as provided for the enforcement of liens for state and county taxes.

§ 39.1. Tax not to be levied against mineral interest separately valued on roll

No tax or assessment shall be levied or assessed against any mineral interest which has a separate valuation on the assessment roll, but such tax shall be levied and assessed against the land exclusive of such mineral interest.

§ 40. Levy of district taxes; Filing of statement of creation of district, etc.; Time for filing; Contents of statement; Compliance with Gov C §§ 54900–54903

It shall be the duty of the board to file, or cause to be filed, on or before the first of February, with each assessor whose roll is used for the levy of district taxes and with the State Board of Equalization, a statement of the creation of the district or the creation of an improvement district

therein or the change of the boundaries of either thereof, setting forth the legal description of the boundaries of the district or improvement district so created, or as the same have been changed, together with a map or plat indicating such boundaries, and in all other respects to comply with the provisions of Sections 54900 to 54903, inclusive, of the Government Code.

§ 41. Annexation of territory; Proceedings

Any portion of a county or of any municipality, or both, consisting of lands susceptible to service of water or power from the works of the district or which will be benefited by its inclusion within the district and which may consist of several parcels which need not be contiguous with each other or with the boundaries of the district, may be added to the district in the following manner.

A petition, which may consist of any number of separate instruments, shall be filed with the secretary, signed by voters residing within the boundaries of the area proposed to be annexed, equal in number to at least 10 per centum of the number of such voters voting for all candidates for the office of Governor of this State at the last general election prior to the filing of such petitions. Such petition shall set forth and describe the boundaries of the area proposed to be annexed and shall contain a prayer that such area be annexed to the district. Within 10 days after the filing of the petition, the secretary shall examine the same and ascertain whether it is signed by the required number of voters, and he may employ persons especially for that purpose in addition to persons regularly employed in his office. When the secretary has completed his examination, he shall attach to the petition his certificate, properly dated, showing the result thereof; and if he shall find that said petition is signed by the requisite number of voters, or is not so signed, he shall certify that the same is sufficient or insufficient, as the case may be. If it be found to be insufficient, he shall also certify the number of voters required to make such petition sufficient, and it may be amended by filing a supplemental petition or petitions within 10 days of the date of such certificate. The secretary shall, within 10 days after the filing of such supplemental petition or petitions, make like examination of the same and certify to the result thereof, as hereinabove provided.

If a certificate shall show such petition or such petition as amended to be insufficient, it shall be filed by him with the board and kept as a public record, without prejudice however, to the filing of a new petition to the same effect. But if the petition, or petition as amended, is shown by said certificate to be sufficient, the secretary shall present the same to the board without delay. The sufficiency or insufficiency of such petition shall not be subject to review by the board. The secretary shall fix the time when he will present the same to the board and shall cause the text of such petition, together with a notice stating the time of the meeting at which he will present the same, to be published once a week for at least two weeks before the time at which he will present the same in one newspaper of general circulation, printed and published in each county within which any portion of the district lies. When contained in one or more instruments, one copy only of such petition need be published, and no more than five of the names attached thereto need appear in said publication, but the number of signers shall be stated.

The petition may be granted by ordinance of the board, and in granting such petition the board may fix in said ordinance the terms and conditions upon which such annexation may occur, and

such terms and conditions may provide, among other things, for the levy by the district of special taxes upon the lands within such annexed area or areas in addition to the taxes elsewhere in this act authorized to be levied, and as a part of such conditions, said board may, in its discretion, provide that the lands, or any portion thereof so added shall be added to and form a part of any improvement district then existing within the district or shall constitute one or more additional improvement district or districts, and may provide for the incurring of a bonded indebtedness by such or any additional improvement district or districts as a condition for such annexation, and may provide for the submission of the proposition of incurring such bonded indebtedness at the election held with respect to such annexation, and may further provide, that, if such bonded indebtedness shall not be authorized, the proposition for annexation of the area contained in such improvement district or districts shall likewise fail. Such conditions may also provide for priority of right to water for the lands theretofore in the district or for the payment of special rates for water or power served the area proposed to be annexed or for such other conditions as to the board seem just. In the event the board should provide for the levy of special taxes, it shall specify the aggregate amount to be raised by such special taxes and the number of years within which the same shall be raised and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed.

If such petition is granted, the proposition of such annexation, subject to the terms and conditions so fixed, shall be submitted to the vote of the voters in the area proposed to be annexed at an election called by the board and held as herein provided within 70 days after the effective date of such ordinance. Notice of such election shall be given by publication in one newspaper of general circulation, printed and published in each county within which any portion of the area proposed to be annexed lies once a week for three successive weeks prior to the date fixed for such election. Such notice shall describe the boundaries of the area or areas proposed to be annexed and shall designate such territory by some appropriate name or other words of identification by which such territory may be referred to and indicated upon the ballot to be used at the election at which the question of such annexation is submitted, and shall also contain the substance of the terms and conditions fixed by the board as herein provided and may also, in the event the incurring of a bonded indebtedness is one of the conditions of the granting of such petition, submit the proposition of incurring such bonded indebtedness to the voters within the area in which such bonded indebtedness is to be incurred as prescribed by the board. The proposition so submitted at such election shall be stated on the ballot substantially as follows: "Shall (giving name or other designation of the territory proposed to be annexed as stated in the notice of election) be annexed to Kings River Conservation District, subject to the terms and conditions fixed by the Board of Directors of said District?" At the right of such proposition shall be printed the words "Yes" and "No" with voting squares. In the event the question of incurring a bonded indebtedness is to be submitted, the same shall be submitted in like manner as herein provided for the submission of the incurring of a bonded indebtedness by the district or an improvement district therein. The board shall canvass the votes cast at such election, and if such proposition is approved by a majority of voters voting thereon at such election, the president and the secretary of the board shall certify that fact to the Secretary of State and to the county recorder of each county within which any portion of said district is located; provided, however, that if said area, or any portion thereof, proposed to be annexed is required to incur a bonded

indebtedness, then, unless such bonded indebtedness be authorized by a two-thirds vote of the voters thereof, such area so failing to incur such bonded indebtedness shall be excluded from the certificate submitted to the Secretary of State and to the county recorder and shall not be certified as having been annexed to the district. Upon receipt of the certificate, the Secretary of State shall, within 10 days, issue his certificate reciting the passage of the ordinance and the addition of the area or areas to the district. A copy of said certificate shall be transmitted to and filed with the county clerk of each county in which any portion of the district is situated. From and after the date of such certificate the area or areas named therein shall be deemed added to and shall form a part of the district with all the rights, privileges and powers set forth in this act and necessarily incident thereto, and the taxable property therein shall be subject to taxation thereafter for the purposes of the district, including the payment of bonds and other obligations of such district at the time authorized or outstanding, except bonds for indebtedness previously incurred by an improvement district, unless such liability therefor is imposed by the board as a condition to such annexation. The board shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized.

§ 42. Exclusion of territory from district; Proceedings

(1) Any territory within the district and now or hereafter embraced within the boundaries of an incorporated city and not substantially benefited by being within the district or by continued inclusion therein, may be excluded by order of the board upon the verified petition of the owner or owners in fee of lands whose area is in excess of one-half of the area of all lands held in private ownership in such territory.

The petition shall describe the territory sought to be excluded, and generally describe the land of each petitioner sought to be excluded, and the land sought to be excluded of each owner of record who does not sign the petition together with the name of its owner according to the records of the county recorder of the county in which the land is situated and shall set forth the reasons why it is claimed that such territory should be excluded and taken from said district. It shall be filed with the secretary.

Upon the filing of the petition, the secretary shall fix a time when the petition will be presented to the board, which shall be not less than 25 days nor more than 50 days after the filing of the petition, and shall cause notice of the filing thereof to be published once a week for at least two weeks in one newspaper of general circulation printed and published in each county within which any portion of the district lies. Such notice shall also state the date of the filing of the petition, a description of the land proposed to be excluded, the names of the petitioners, the time when the secretary will present the petition to the board and that it will come for hearing before the board at such time and shall state the place where the board will meet for the purpose of holding such hearing, and such notice shall also contain an announcement that any persons interested in the proposed exclusion may appear at the time of the hearing and file objections in writing showing cause, if any they have, why the land or any of it should not be excluded. Any landowner or taxpayer or other interested person within the district shall have the right to appear at said hearing either in behalf of said petition or in behalf of said written objections. At the time and place mentioned in the notice or at the time to which the hearing of the petition may be

adjourned the board shall hear the petition, all of the objections to it presented in writing, and all evidence introduced in support of the petition and objections. The evidence at such hearing shall be taken down in shorthand and a record made of it and filed with the board. If upon such hearing the board determines that the petition complies with the provisions of this section and determines either that it is for the best interests of the district that the lands mentioned in the petition, or some portion thereof, be excluded from the district or if it determines that such lands, or some portion thereof, will not be substantially benefited by their continued inclusion in the district, the board shall make an order that such lands, or such portion thereof, be excluded from the district, such order to describe specifically the land so excluded. From the time of making such order, the lands so excluded shall be deemed no longer included in the district, but such order of exclusion shall not invalidate in any manner any taxes or assessments theretofore levied or assessed against the lands so excluded, nor shall it in any way limit the authority of the board to levy taxes for the payment of principal and interest under the terms of any contract approved by the voters or of bonds theretofore voted or issued by the district or any improvement district embracing such lands so excluded. The president and secretary of the board shall certify that such order has been adopted to the Secretary of State and to the county recorder of each county within which any portion of said district is located. Upon receipt of the certificate, the Secretary of State shall, within 10 days, issue his certificate reciting the adoption of such order and the exclusion of the area from the district. A copy of such certificate shall be transmitted to and filed with the county clerk of each county in which any portion of the district is situated.

The expense of giving the notice and of the aforesaid proceedings on exclusion shall be paid by the persons filing the exclusion petition.

(2) Any other territory within the district and not substantially benefited by being within the district or by continued inclusion therein, may be excluded by order of the board upon the verified petition of the owner or owners in fee of lands whose assessed valuation is in excess of one-half of the assessed valuation of all lands held in private ownership in such territory as shown by the last equalized assessment roll.

The petition shall describe the territory sought to be excluded and shall set forth that such territory is not substantially benefited by being in the district or its continued inclusion therein and shall pray that such territory be excluded and taken from said district. It shall be filed with the secretary and accompanied by a deposit with the secretary of the sum of five hundred dollars (\$500), to meet expenses of advertising and costs incident to the proceedings, any unconsumed balance to be returned to the petitioner or petitioners.

Upon the filing of the petition, the secretary shall transmit a copy thereof to the Department of Water Resources which shall make an investigation and determine whether the lands proposed to be excluded, or some portion thereof, will not be substantially benefited by their continued inclusion in the district. In making a determination upon any such petition for exclusion of lands the department shall exercise his own independent judgment as to whether the lands described in the petition for exclusion will be substantially benefited by remaining in the district, and the department shall not be bound by the findings of the Legislature in this act with respect thereto. Upon completing such investigation, the department shall file its report with the secretary, which

shall describe specifically the lands, if any, which will not be so benefited. The cost and expense of such investigation and report shall be a charge against the district and against the deposit made by the petitioners.

Upon the filing of the report, the secretary shall fix a time when the petition and report will be presented to the board, which shall be not less than 25 days nor more than 50 days after the filing of the report, and shall cause a notice of the filing thereof to be published once a week for at least two weeks in one newspaper of general circulation printed and published in each county within which any portion of the district lies. Such notice shall also state the date of the filing of the petition and the date of the filing of the report and the time when he will present them to the board and that they will come on for hearing before the board at such time and shall state the place where the board will meet for the purpose of holding such hearing. Any landowner or taxpayer or other person interested within the district shall have the right to appear at said hearing either in behalf of or in opposition to the granting of said petition. If upon such hearing the board determines that the petition complies with the provisions of this section and determines either that it is for the best interests of the district that the lands mentioned in the petition, or some portion thereof, be excluded from the district or if it determines that such lands, or some portion thereof, will not be substantially benefited by their continued inclusion in the district (and lands which the report of the Department of Water Resources states will not be so benefited shall be included as such lands by the board in making its determination), the board shall make an order that such lands, or such portion thereof, be excluded from the district, such order to describe specifically the land so excluded. From the time of making such order, the lands so excluded shall be deemed no longer included in the district, but such order of exclusion shall not invalidate in any manner any taxes or assessments theretofore levied or assessed against the lands so excluded, nor shall it in any way limit the authority of the board to levy taxes for the payment of principal and interest under the terms of any contract approved by the voters or of bonds theretofore voted or issued by the district or any improvement district embracing such lands so excluded. The president and secretary of the board shall certify that such order has been adopted to the Secretary of State and to the county recorder of each county within which any portion of said district is located. Upon receipt of the certificate, the Secretary of State shall, within 10 days, issue his certificate reciting the adoption of such order and the exclusion of the area from the district. A copy of such certificate shall be transmitted to and filed with the county clerk of each county in which any portion of the district is situated.

§ 43. Findings by secretary or board on sufficiency of petition for annexation or exclusion, etc., final and conclusive evidence; Exception; Time for filing suit

A finding by the secretary in favor of the genuineness and sufficiency of any petition for annexation or a finding by the board in favor of the sufficiency of any petition for exclusion of land from the district or in favor of the sufficiency of the notice of hearing of such petition shall be final and conclusive against all persons, except the State of California, upon suit by the Attorney General. Any such suit must be commenced within six months after the adoption of the ordinance or order adding land to or excluding land from the district, and not thereafter.

§ 44. Property of district not subject to tax

No property of the district used for the purpose of the district and belonging to it shall be taxed or assessed for state, county, municipal or any district purposes.

§ 45. Establishment of district or enactment of act not to affect, etc., existence, property, etc., of municipality, etc.; Intent of Legislature; What not purpose of act

The establishment of the district or anything in this act contained shall not affect, restrict, nor supersede the existence, property, right or power of any municipality, public district or public agency now or hereafter established in or partially within the boundaries of the district. The Legislature, because of conditions special to the district hereby created, declares its intent to permit within its limits the existence of more than one district and/or municipality having similar powers over similar territory. It is not the purpose of this act to allow the district to claim any underground waters lying within the boundaries of any incorporated municipality therein or to control the use thereof.

§ 46. Formation of district or enactment of act not to impair vested right of person, association, etc.

The formation of the district or the enactment of this act or any provision hereof shall not impair the vested right of any person, association, corporation, municipality or public district in or to water or power or the use thereof; and, notwithstanding any other provision of this act, with respect to the waters of the Kings River, the district shall have no power to condemn the works, water, water rights, rights to divert, or rights to the use of water belonging to any public district, mutual water company, or landowner, or stockholder therein.

§ 47. Determination of legality of district; Suit in superior court; Complaint; Filing; Contents; Publication of summons; Contents of answer; Proceeding in rem; Nature of judgment; Procedure cumulative

The district, in order to determine the legality of its existence in addition to any other remedy it may have for that purpose, may institute a suit therefor in the superior court of any county within which any portion of its territory is situated, by filing a complaint setting forth its name and exterior boundaries, the date of its organization and a prayer that it be adjudged a legal district formed under this act and shall be entitled "Kings River Conservation District, plaintiff, vs. All Persons, defendants." The summons in such proceedings shall be served by publishing a copy thereof once a week for four successive weeks in some newspaper of general circulation published in the county where such action is pending. Within 30 days after the last publication of said summons shall have been completed, any property owner or resident or elector in the district or any person interested may appear and answer said complaint, in which case said answer shall set forth the facts relied upon to show the invalidity of the district and shall be filed in such proceeding. Such proceeding is hereby declared to be a proceeding in rem, and the judgment rendered therein shall be conclusive against all persons whomsoever and against the State of California. Appeals may be taken from said judgment in the same manner as in other civil cases. The procedure provided in this section shall be cumulative and not exclusive.

§ 48. Action to determine validity of bonds, tax levy, or contract; Applicable procedural provisions

An action to determine the validity of bonds, tax levy, or a contract may be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.

§ 49. [Section repealed 1961.]

§ 50. Unconstitutionality of section or sections; Remainder of act not invalidated

In case any section or sections or part of any section of this act shall be found to be unconstitutional or invalid for any reason, the remainder of the act shall not thereby be invalidated, but shall remain in full force and effect.

§ 51. Dissolution proceedings

The district may be dissolved in the manner provided for dissolution of districts by the District Reorganization Act of 1965 and pursuant to the dissolution provisions contained therein. Any resolution of application, adopted under Section 56195 of the Government Code, shall not be effective to initiate proceedings for dissolution of the district and shall not be filed with the local agency formation commission unless it has first been adopted by the legislative bodies of any two affected counties. The district shall be considered a district within the meaning of all such dissolution provisions of the District Reorganization Act of 1965.