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May 12, 2022  
Commission on  
State Mandates

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12 May 2022

Ms. Heather Halsey, Executive Director  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814

*Subject:* Additional Documentation re: Response of Turlock Irrigation District and Modesto Irrigation District to Proposed Dismissal of 21-TC-02

Dear Ms. Halsey:

In their opposition to the proposed dismissal of their joint test claim, Claimants Turlock Irrigation District (TID) and Modesto Irrigation District (MID) noted that “Although ‘a local government may be subject to the Article XIII B appropriations limit even if it is not currently receiving any *ad valorem* property taxes’ [citation], TID does currently also receive property tax revenues from Stanislaus and Merced Counties.” (Opposition at n.1, quoting *Paradise Irrigation District v. Commission on State Mandates*, Ruling on Submitted Matter & Statement of Decision (8 February 2016), Sacramento County Superior Court case no. 34-2015-80002016, *aff’d* 33 Cal.App.5th 174.) In support, that opposition attached a declaration from TID’s Accounting and Finance Department Manager, Jesse Kirschner, describing the property tax revenues TID received from Stanislaus and Merced Counties from 2018-2021.

This letter is submitted to update the Commission that, earlier this month, TID received \$723,805.15 in additional property tax revenues from Stanislaus County. A copy of the check and payment voucher from the County to TID is attached as **Exhibit 3**.

I certify that the facts stated in this letter are true and correct to the best of my knowledge based on my personal knowledge, information, or belief.

BRISCOE IVESTER & BAZEL LLP

Ms. Halsey

12 May 2022

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Sincerely,

BRISCOE IVESTER & BAZEL LLP

*/s/ Peter Prows*

Peter Prows

Claimants' Representative

**Exhibit 3--2022 Stanislaus County  
Property Tax Payment to TID**

DATE: May 6, 2022

SUPPLIER NAME: TURLOCK IRRIGATION DISTRICT

SUPPLIER NO: 4557

INVOICE NO	DATE	DESCRIPTION	DISCOUNT AMOUNT	NET AMOUNT
02-MAY-2022	02-May-22	CS, CU, DIRECTS, DU, UNITARY, SUPP,	.00	723,805.15

PLEASE DETACH AND RETAIN THIS STATEMENT AS YOUR RECORD OF PAYMENT

.00

723,805.15

THIS IS WATERMARKED PAPER - DO NOT ACCEPT WITHOUT NOTING WATERMARK - HOLD TO LIGHT TO VERIFY WATERMARK



### STANISLAUS COUNTY

1010 10<sup>th</sup> STREET, SUITE 5100  
MODESTO, CA 95354-0872

90-78  
1211

THE TREASURER OF  
STANISLAUS COUNTY  
MODESTO, CALIFORNIA  
BANK OF THE WEST  
1-800-488-2265

990724173

CHECK DATE:

May 6, 2022

CHECK AMOUNT:

\$723,805.15\*\*

PAY Seven Hundred Twenty-Three Thousand Eight Hundred Five Dollars And Fifteen Cents\*\*\*\*\*

TO THE ORDER OF  
TURLOCK IRRIGATION DISTRICT  
PO BOX 819007  
TURLOCK, CA 95381-9007

VOID SIX MONTHS AFTER DATE

*Kathleen Dine*  
COUNTY AUDITOR-CONTROLLER

**COUNTY OF STANISLAUS  
EXPENDITURE VOUCHER**

CLAIM OF: Turlock Irrigation District  
P. O. Box 949  
Turlock, CA 95381-0949

DATE: 02-May-22

DATE OF CLAIM	DESCRIPTION	AMOUNT OF WARRANT	
02-May-22	Disbursement of property tax apportionment proceeds to agencies who do not have their funds on deposit with the County Treasurer:	\$723,805.15	
	Revenue Description		Amount
	Current Secured Taxes		736,763.96
	Current Unsecured Taxes		2,135.08
	Direct Assessments		0.00
	Delinquent Unsecured Taxes		160.25
	Homeowners Property Tax Relief		0.00
	RPTTF Allocation		
	Racehorse Taxes		
	Tax Deeded Land Sales		
	Delinquent Secured Taxes (Redemptions)		
	Unitary		8,359.76
	SB813 Supplemental Taxes		4,232.93
	FHA In-Lieu Taxes		733.04
	Property Tax Administration Fee		(28,579.87)
	Direct Assessment Administration Fee		
	ERAF III Adjustment		
	Refuge Revenue		
	CHECK# <u>990724173</u>		
	Reference: <u>JV 502300 502428 502324 502437 502310 502311 502241 502240 502448 502174</u>		
	TOTAL:	\$723,805.15	

Shaded areas for Auditors use only

ORACLE ACCOUNT CODING STRIP	
BATCHNAME: <u>AC # 05/03/22 02</u>	PREPARED BY: <u>Allan Roy</u> DEPT: <u>Auditor-Controller</u>
KEYED BY:	DATE: <u>02-May-22</u> PHONE: <u>5-6517</u>
DATE:	INV# <u>11</u>

LINE	PO#	AMOUNT	FUND	ORG	ACCOUNT	DESCRIPTION
1	P/F	723,805.15	6769	0064100	62400	CS, CU, DIRECTS, DU, UNITARY, SUPP, PTAF, FHA
2	P/F					
3	P/F					

5/3/22 [Signature] DATE AUTHORIZED DEPARTMENTAL SIGNATURE

5/3/22 [Signature] DATE AUDITOR APPROVING SIGNATURE  
 (Exceeding \$75,000)

REPORTABLE Y or N	BOX#	SUPPLIER: <u>4557</u>	SITE NAME: <u>TURLOCK 819087</u>
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**DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On May 12, 2022, I served the:

- **Current Mailing List dated May 12, 2022**
- **Claimant's Late Comments on the Notice of Proposed Dismissal of Test Claim filed May 12, 2022**

*Floodplain Restoration Condition (no. 12) of Water Quality Certification for Turlock Irrigation District and Modesto Irrigation District – Don Pedro Hydroelectric Project and La Grange Hydroelectric Project, 21-TC-02*

Turlock Irrigation District and Modesto Irrigation District, Claimants

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on May 12, 2022 at Sacramento, California.



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Lorenzo Duran  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814  
(916) 323-3562

# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 5/12/22

**Claim Number:** 21-TC-02

**Matter:** Floodplain Restoration Condition (no. 12) of Water Quality Certification for Turlock Irrigation District and Modesto Irrigation District - Don Pedro Hydroelectric Project and La Grange Hydroelectric Project

**Claimants:** Modesto Irrigation District  
Turlock Irrigation District

### TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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