

COMMISSION ON STATE MANDATES

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January 15, 2014

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Alexis K. Stevens
Somach Simmons & Dunn
500 Capitol Mall, Suite 1000
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And Parties, Interested Parties, and Interested Persons (See Mailing List)

Re: Notice of Substitution of Parties and Notice of Hearing

Water Conservation, 10-TC-12 and 12-TC-01

Water Conservation Act of 2009 et al.

South Feather Water & Power Agency, Paradise Irrigation District, Glenn-Colusa
Irrigation District, and Oakdale Irrigation District, Co-Claimants

Dear Mr. Cooper, Mr. Harman, and Ms. Stevens:

On June 30, 2011, the South Feather Water and Power Agency, Paradise Irrigation District, Richvale Irrigation District, and Biggs-West Gridley Water District filed a joint test claim, *Water Conservation Act of 2009*, 10-TC-12, with the Commission on State Mandates (Commission), which was deemed complete. On February 28, 2013, Richvale Irrigation District and Biggs-West Gridley Water District filed a joint test claim, *Agricultural Water Measurement*, 12-TC-01, which was also deemed complete. The two test claims were consolidated and renamed *Water Conservation*, 10-TC-12 and 12-TC-01, on March 6, 2013.

Commission staff began analysis of these consolidated test claims, and, it became apparent that the Commission did not have jurisdiction over the *Agricultural Water Measurement*, 12-TC-01 claim, because the claimants, Richvale Irrigation District and Biggs-West Gridley Water District are not eligible to claim for state-mandated costs. Consequently, on November 12, 2013 the executive director issued a *Notice of Pending Dismissal of Test Claim and Notice of Opportunity for a Local Agency, Subject to the Tax and Spend Limitation of Article XIII A and B of the California Constitution and Subject to the Requirements of the Alleged Mandate to Take Over the Test Claim by a Substitution of Parties*. The notice provided that, within 60 days, a local agency subject to the tax and spend limitations of article XIII A and B, and subject to the alleged mandate in 12-TC-01, could submit a request to take over the claim. The last day to take over the claim was January 13, 2014.

Substitution of Parties

On January 13, 2014, the Glenn-Colusa Irrigation District and Oakdale Irrigation District submitted individual requests to take over the test claim from Richvale Irrigation District and Biggs-West Gridley Water District. The requests were timely filed and the parties requesting substitution have met the filing requirements of Government Code section 17553 as well as the section 17564 requirement of alleging increased costs in excess of \$1,000.

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Section 1183.09 of the Commission's regulations provide for the substitution of parties to a test claim and pursuant to those regulations, Glenn-Colusa Irrigation District and Oakdale Irrigation District are hereby substituted as test claimants on 12-TC-01 and are therefore co-claimants in the consolidated test claim, *Water Conservation*, 10-TC-12 and 12-TC-01.

Appeal of Executive Director's Decision

The eligibility of Richvale Irrigation District and Biggs-West Gridley Water District will be addressed in the analysis of this consolidated test claim. Since this issue will be decided by the Commission, the appeal of the executive director's decision filed on November 22, 2013 is moot. Therefore the appeal will not be heard at the March 28, 2014 meeting of the Commission, as all parties, interested parties, and interested persons will have the opportunity to comment on the analysis of the consolidated test claim when the draft staff analysis is issued and to provide testimony at the hearing on the test claim.

Hearing

This consolidated test claim is set for hearing on **May 30, 2014**, at 10:00 a.m., State Capitol, Room 447, Sacramento, California. A draft staff analysis will be issued approximately 8-10 weeks prior to the hearing and all parties, interested parties, and interested persons will have the opportunity to file comments.

Please contact Jason Hone at (916) 323-3562 if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Halsey", with a long, sweeping underline that extends to the right.

Heather Halsey
Executive Director

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Yolo 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 January 15, 2014, I served the:

**Glenn-Colusa Irrigation District Request to Take Over Test Claim;
Oakdale Irrigation District Request to Take Over Test Claim; and
Notice of Substitution of Parties and Notice of Hearing**

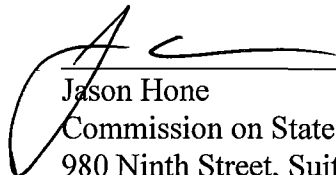
Water Conservation, 10-TC-12 and 12-TC-01

Water Conservation Act of 2009 et al.

South Feather Water & Power Agency, Paradise Irrigation District, Glenn-Colusa Irrigation District, and Oakdale Irrigation District, Co-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 January 15, 2014 at Sacramento, California.



Jason Hone
Commission on State Mandates
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 1/15/14

Claim Number: 10-TC-12 and 12-TC-01

Matter: Water Conservation

Claimants: Glenn-Colusa Irrigation District
Oakdale Irrigation District
Paradise Irrigation District
South Feather Water and Power Agency

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, § 1181.2.)

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