

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



4/11/2022

Mr. Michael Barkowski
United States Fish and Wildlife Service
Realty Office
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

Dear Mr. Barkowski:

The State of California Department of Water Resources (DWR) is proposing to implement the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project (Big Notch Project), which has been developed to improve fish passage and increase floodplain fisheries rearing habitat in the Yolo Bypass and the lower Sacramento River basin. The Big Notch Project will require flowage easements to be acquired over several properties.

Our records indicate that United States Fish and Wildlife Service (USFWS) holds a conservation easement identified as Document No. 1996_0021259 in the Official Records of Yolo County (attached) upon property identified as Yolo County Assessor's Parcel No. 033-220-054, also known as DWR Parcel No. YBSH-137. DWR Parcel No. YBSH-137 is owned by EIP California LLC, a California Limited Liability Company (EIP), and is within the Big Notch Project area, and DWR is proposing to acquire a flowage easement over the entire property in conjunction with the Big Notch Project. A copy of the right of way appraisal map and easement deed depicting the DWR Parcel No. YBSH-137 containing your conservation easement, and copy of the inundation modeling impacts, is attached to this letter.

This project is needed because substantial changes have been made to the historical floodplain of California's Central Valley for water supply and flood control purposes. These activities have resulted in losses of rearing fish habitat, migration corridors, and food web production for fish, negatively affecting native fish species that rely on a floodplain habitat.

The restored habitat will support the growth of a healthy population of salmon and improve conditions for survival of the endangered Delta Smelt and Green Sturgeon native-fish species by improving migration pathways through the Sacramento River, the floodplains of the Yolo Bypass, and the Sacramento-San Joaquin Delta.

As part of DWR outreach activities, DWR and USFWS previously met to introduce the Project to USFWS on February 19, 2021. Now that the Project is progressing into the

land acquisition phase, DWR would like to discuss this specific proposed acquisition with you and any public agencies that funded, or required for permitting, the conservation easement. In addition, you may submit written comments on the acquisition, including identifying any potential conflict between the public use proposed for the property and the purposes and terms of the conservation easement, to DWR at the P.O. Box 942836, Sacramento, CA 94236-0001, Attn: Ashley Wilson, Right of Way Agent, within 45 days from the date this notice.

As the easement holder, the California Code of Civil Procedure Section 1240.055 requires, under certain circumstances (see Code of Civil Procedure Section 1240.055(c)(2)[(A) and (B)], that you do the following within 15 days of receipt of this notice:

(1) Forward a copy of this notice by first-class mail to each public entity that provided funds for the purchase of the easement or that imposed conditions on approval or permitting of a project that were satisfied, in whole or in part, by the creation of the conservation easement;

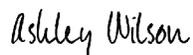
(2) Inform each public entity that it may also submit written comments, including identifying any potential conflict between the public use proposed for the property and the purposes and terms of the conservation easement, within 45 days from the date of this notice, and that any comments should be submitted to DWR at the address provided on the previous page;

(3) If forwarding this notice to another public entity (as stated above), please notify DWR of the entity name and contact information.

Thank you for your cooperation. If you have any comments or questions regarding the Big Notch Project or proposed acquisition, or if providing public entity contact information, you may contact me telephone at (916) 902-6718, by email at Ashley.Wilson@water.ca.gov, or at the address provided on the previous page.

Sincerely,

Ashley Wilson
Right of Way Agent



Attachments

YOLO Co Recorder's Office
Tony Bernhard, County Recorder

RECORDING REQUESTED; WHEN RECORDED
MAIL TO: Attn: Stephen M. Dyer
U.S. Fish and Wildlife Service
Sacramento Realty Field Office
2233 Watt Avenue, Suite 375
Sacramento, California 95825-0509

DOC - 96-0021259-00
Acct 104-Placer Title
Friday, AUG 30, 1996 15:55:00
Ttl Pd \$31.00 Nbr-0000028843
VRB/R6/9

319 10/12/11

UNITED STATES DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

GRANT OF EASEMENT

THIS GRANT OF EASEMENT, Made this 29th day of August, 1996 between Laurel G Ranch Corporation, a California corporation, its successors and assigns, hereinafter referred to as Grantor, and the UNITED STATES OF AMERICA and its assigns, hereinafter referred to as Grantee,

WHEREAS the Migratory Bird Conservation Act of February 18, 1929, (16 U.S.C. 715 et seq), as amended, and since August 1, 1958, authorizes the Secretary of the Interior to acquire certain lands or interests therein for waterfowl habitat;

AND ALSO WHEREAS, the easement interest rights in the following described lands are being acquired for administration by the Secretary of the Interior (Secretary) through the United States Fish and Wildlife Service, and the use, occupation and operation of the reservations retained herein shall be subordinate to and subject to such rules and regulations as may be prescribed by the Secretary governing the use, occupation, protection and administration of units of the National Wildlife Refuge System under and in compliance with provisions of Section 6 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), as amended by Section 301 of the Refuge Revenue Sharing Act of June 15, 1935, (49 Stat. 381).

NOW THEREFORE, For and in consideration of ONE HUNDRED TWENTY-TWO THOUSAND FOUR HUNDRED THIRTY AND 00/100 DOLLARS (\$122,430.00), the Grantor hereby grants to the UNITED STATES OF AMERICA, Grantee, a perpetual conservation easement for the maintenance and use of the land and waters described below (hereinafter referred to as "Easement Lands" and "Easement Waters") for the management of migratory birds on the terms and conditions stated herein. There is included in this Grant of Easement a right of access by designated representatives of the U.S. Fish and Wildlife Service over any and all Easement Lands and those lands described as excluded from the Easement Lands described below, as reasonably necessary for the limited purposes of entering the Easement Lands to verify compliance by the Grantor with the terms and conditions of this easement and exercising Grantee's rights under this Grant of Easement. Said lands contain 122.43 acres, more or less, all being located in Yolo County, State of California described as follows:

TRACT 16C:

Parcel One: All that portion of Section 3, T. 6N., R. 3E, M.D.B. & M., that lies West of the following described line:

North Central Valley WMA (16C)

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BEGINNING at a point on the North line of said Section 3, which point bears North 88° 40' 26" West 518.32 feet from the Northeast corner of said Section 3; thence from said point of beginning South 19° 47' 18" West 5610.39 feet to a point on the South line of said Section 3.

EXCEPTING THEREFROM an undivided 1/4 interest in and to all oil, gas, hydrocarbon substances, minerals and other gaseous materials, in and under the above described property as reserved by James Iriart and Jean Iriart, his wife, in Deed to Woodland Title Guaranty Company dated January 13, 1962, Recorded February 1, 1962 in Book 663 of Official Records at page 404 and in Deed to Y.C. Soda and Helen C. Soda, his wife, dated January 13, 1962, Recorded February 1, 1962 in Book 663 of Official Records at page 406.

Parcel Two: A portion of Section 3, T. 6N., R. 3E, M.D.B. & M., and being also a portion of Swamp Land Survey 793, Yolo County Surveys, and being more particularly described as follows: (basis and bearings and coordinates is California State Coordinate System for Zone II):

BEGINNING at a point on the North line of said Section 3, which point bears North 88° 40' 26" West 291.65 feet from the Northeast corner of said Section 3, coordinates of said point of beginning being North 267,626.73 East 2,108,932.33; thence from said point of beginning South 19° 47' 18" West 5609.54 feet to a point on the South line of said Section 3; thence along said South line North 88° 52' 14" West 226.93 feet; thence leaving said South line North 19° 47' 18" East 5610.39 feet to a point on the North line South 88° 40' 26" East 226.67 feet to the point of beginning.

EXCEPTING THEREFROM an undivided 1/2 interest in all oil, gas and mineral rights in and to said property as reserved by James Iriart and Jean Iriart, his wife, in Deed to Sacramento-Yolo Port District, a California river port district, dated January 13, 1958, Recorded March 24, 1958 in Book 537 of Official Records at page 548.

Assessors Parcels No. 033-220-52 and 033-220-54

EXCEPTING THEREFROM the above described parcels all that portion of Section 3, T. 6N., R. 3E, M.D.B. & M.; beginning at a point in said Section 3, from which point of beginning the Northeast corner of said Section 3 bears the following two courses: (1) North 70° 21' 24" East 33.14 feet and (2) South 88° 40' 26" East 518.32 feet; thence from said point of beginning South 19° 53' 36" West 5447.85 feet; thence North 89° 56' 04" West 1373.79 feet; thence North 00° 06' 35" East 2521.95 feet; thence North 89° 51' 01" West 1460.62 feet; thence North 00° 05' 49" East 2676.16 feet; thence South 89° 00' 42" East 4679.48 feet to the point of beginning; containing 361.4 acres more or less, and leaving a residual acreage of 124.43 acres, more or less, for this conveyance.

Excluding except for the purpose of access to and over the Easement Lands the following lands:

TRACT (16Cz-1):

The following described tract of land is located in Yolo County, California, situate approximately 8 miles South of the City of Davis, California, and being a part of the land described in the Grant Deed from Laurel G Ranch, a partnership, to Laurel G Ranch Corporation, recorded in the Official Records of Yolo County, California, December 6, 1990 in Book 2184, Page 372, said tract being more particularly described as follows;

All bearings and distances are based on the Lambert State Plane Coordinate System, NAD 83/91, California Zone 2; divide distance by 0.99998 for ground distance.

Township 6 North, Range 3 East, Mount Diablo Meridian:

A portion of the Southwest 1/4 of the Southwest 1/4 of section 3, above said Township and Range, more particularly described as follows:

BEGINNING at a 3 1/4" U.S. Fish and Wildlife Service aluminum monument marked "100, 1996", said point marking the Southwest corner of this tract, and which point bears North 78° 13' 59" East, 31.23 feet from the section corner common to sections 3, 4, 9, 10 of T. 6 N., R. 3 E., said section corner's position determined from ties per that certain Record of Survey recorded on May 3, 1963, in Drawer 1, Book 1 at Page 45, in the Official Records of Yolo County; thence, North 0° 01' 10" West, 350.00 feet to a 3 1/4" U.S. Fish and Wildlife Service aluminum monument marked "101, 1996"; thence, North 89° 58' 50" East, 248.91 feet to a 3 1/4" U.S. Fish and Wildlife Service aluminum monument marked "102, 1996"; thence, South 0° 01' 10" East, 350.00 feet to a 3 1/4" U.S. Fish and Wildlife Service aluminum monument marked "103, 1996"; thence, South 89° 58' 50" West, 248.91 feet to the point of BEGINNING, containing 2.00 acres, more or less, leaving a balance of 122.43 acres, more or less, for the purpose of this conveyance.

The above-described tract of land, containing 2.00 acres, more or less, is delineated on a map tracing designated LAUREL G. RANCH TRACT (16Cz-1) bearing the date of April 5, 1996, of record in the files of the Department of the Interior.

1. There are excepted and reserved from this Grant of Easement all minerals, including gas, oil, and other hydrocarbon substances, underlying the Easement Lands, and this Grant of Easement is subject to all existing easements and rights-of-way of record held by third parties, and to all outstanding mineral rights, including all oil and gas leases of record, held by third parties.

2. The Easement Waters consist of (i) any riparian water rights appurtenant to the Easement Lands, (ii) any appropriative water rights to the extent those rights are appurtenant to the Easement Lands, (iii) any waters, the rights to which are secured under contract between the Grantor and any irrigation or water district, to the extent such waters are customarily applied to the Easement Lands, and (iv) any water from wells that are in existence or may be constructed in the future on the Easement Lands or on

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those lands described as excepted from the Easement Lands in the legal description and that are capable of being used by the Grantor to maintain the Easement Lands in a flooded condition. The Easement Waters are limited to the amount of Grantor's water reasonably required to maintain the Easement Lands in a flooded condition to the elevation not to exceed the historical fall and winter seasonal level.

3. Grantor is not obligated to take any action or to incur any expense related to the maintenance of the Easement Lands as waterfowl habitat. Nor is Grantor obligated to apply water to the Easement Lands or to maintain, repair, or construct any water distribution facilities to serve the Easement Lands. However, in any year that the Grantor does not flood the Easement Lands to the determined elevation or the historical fall and winter seasonal levels, Grantee shall have, at its sole discretion, the nonexclusive right and option, but not the obligation, to flood the Easement Lands from September 1st through March 1st of the following year. In this connection, Grantee shall have, at its sole discretion, the right and option, but not the obligation, to use any and all of the Easement Waters that Grantee deems suitable for waterfowl habitat purposes and to place on the Easement Lands and convey through Grantor's water distribution facilities any other waters Grantee may acquire or have available to it.

In connection with any flooding done by Grantee pursuant to this paragraph, (i) Grantee shall have the right to make full use of Grantor's water distribution facilities, including both existing facilities and any facilities constructed in the future and including all water wells and pumps, to the extent those facilities are capable of serving the Easement Lands, on the condition that Grantee shall pay the expenses of operating Grantor's pumps, exclusive of maintenance costs, during any period of such uses by Grantee, and (ii) Grantor shall pay any taxes, assessments, or other charges, excluding actual water costs, due to any water or irrigation district on account of the use by Grantee of Easement Water supplied by such district.

4. (a) Grantor shall not, except as provided in 5(c) below, (i) alter the existing topography of or cultivate agricultural crops on the Easement Lands, (ii) otherwise alter or use or permit the use by third parties of the Easement Lands for any purpose, including the exploration or development of any reserved minerals, or (iii) place any structures on the Easement Lands other than hunting blinds without the prior written authorization of Grantee given through the Fish and Wildlife Service. Such authorization will only be given if the Secretary or his designated representative determines that the proposed activity will not change the character of the Easement Lands or adversely affect the use of the Easement Lands as habitat suitable for migratory birds.

(b) Grantor and Grantee agree that the exploration, development, and production of reserved oil and gas deposits by the Grantor or authorized third parties shall be considered compatible with maintenance and use of the Easement Lands and Waters for the management of migratory birds and shall be authorized by the Fish and Wildlife Service provided (i) all exploration and development operations and, in particular, all drilling and workover activities, are conducted after June 1st and prior to September 1st of each

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year and (ii) Grantee, through the Fish and Wildlife Service shall have the right to approve the locations and methods of all proposed exploration, development and production operations to insure such operations are carried out in a manner that is compatible with protection of Grantee's easement interest.

5. The provisions of Paragraph 3 hereof shall not prohibit hunting or operation of a hunting club on the Easement Lands and such use shall be deemed to be consistent with maintenance of the Easement Lands as waterfowl habitat so long as such use is in accordance with all applicable state and federal laws and regulations regulating hunting on privately owned lands. In this connection, Grantor may take such actions as they may deem appropriate to improve the Easement Lands as waterfowl habitat and to facilitate the operation of any hunting club on the Easement Lands, including building or relocating blinds, excavating channels to blinds, irrigating vegetation, fertilizing, planting native trees and wetland vegetation, provided that such trees and vegetation are included in Exhibit 1 attached to and incorporated herein by reference, removing trees and vegetation to the extent they encroach on the open marsh and interfere with the use of the Easement Lands as waterfowl habitat, and removing brush to the extent it encroaches on dikes and impedes access thereto for hunting and maintenance purposes.

6. Grantor shall not grant any additional easements, rights-of-way, or other interests in the Easement Lands, other than a fee or leasehold interest, or grant or otherwise transfer to any other person or entity or to other lands or otherwise abandon or relinquish any Easement Waters without the prior written authorization of Grantee given through the U.S. Fish and Wildlife Service. Such authorization will be given unless the Secretary or his designated representative determines that the proposed interest or transfer will interfere with the use of the Easement Lands as waterfowl habitat suitable for migratory birds or interfere with the availability of Easement Waters for the Easement Lands. This paragraph shall not prohibit the transfer of a fee title or leasehold interest in the Easement Lands that is subject to the terms of this Grant of Easement.

7. Upon acceptance of this Grant, the easement interest acquired by the United States shall become a component part of the National Wildlife Refuge System and shall be subject to those laws and regulations pertaining to the National Wildlife Refuge System that are applicable to the easement interests being acquired. Violation of those applicable laws and regulations may subject the violator to civil and/or criminal penalties. Laws and regulations that regulate conduct that does not affect the property interests conveyed to the United States through this Grant of Easement are not applicable. For example, regulations controlling hunting and fishing or any public use are not applicable since these rights have not been conveyed.

8. The Grantee acknowledges that adoption of laws or regulations that prohibit hunting of all migratory waterfowl on the property for a continuous period of thirty-six (36) months shall deprive the Grantor of the primary economic beneficial use of the fee estate in the property. Therefore, the Grantee, and its assigns, reserves the first right of refusal to acquire the remaining fee interest in the Grantor's property in the event that waterfowl

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hunting seasons in the State of California are stopped for a period of three consecutive years without the likelihood of reinstatement. The acquisition of these remaining rights is contingent upon Congressional, State, and County approvals where applicable, and the appropriation of sufficient funds. This right of first refusal is contingent upon the receipt of a written offer to sell this remaining interest from the individual landowner, and the value for this remaining interest will be based upon an approved fair market value appraisal at the time of purchase.

9. This Grant of Easement shall be binding upon, and shall inure to the benefit of, the Grantor, its successors and assigns and Grantee and its assigns.

10. This Grant of Easement imposes no other obligations or restrictions on the Grantor and neither them nor their successors, nor any other person or entity claiming under them, shall be in any way restricted from using all of the subject lands in the customary manner except as provided herein.

11. This Grant is made in compliance with Yolo County Resolution No. 95-185, passed November 21, 1995, and shall not otherwise limit the control and management over resident wildlife species vested under law in the California Fish and Game Commission and the Department of Fish and Game.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands as of the day and year above written.

[Signature]
LAUREL-G RANCH CORPORATION, a California corporation
Steve Gidaro, Secretary

[Signature]
John D. Reynen, President

ACKNOWLEDGMENT

STATE OF California)
) ss
COUNTY OF Sacramento)

On 8-29-96, before me, the undersigned, personally appeared John D. Reynen, President and Steve Gidaro, Secretary for the Laurel G Ranch, a California corporation, personally known to me or proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Signature [Signature]

(Notarial Seal)



North Central Valley WMA (16C)

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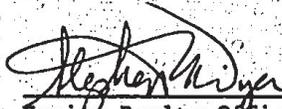
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CERTIFICATE OF ACCEPTANCE
State of California Code Section 27281

This is to certify that the Secretary of the Interior, acting by and through his authorized representative, the Senior Realty Officer, U.S. Fish and Wildlife Service, hereby accepts on behalf of the United States of America, the real property described within the Grant of Easement and consents to recordation thereof.

August 28, 1996
Date



Senior Realty Officer
U.S. Fish and Wildlife Service

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EXHIBIT A

The following list contains most of the plants considered desirable for waterfowl and other wildlife in the North Central Valley Wildlife Management Area. This list is not intended to be all-inclusive, and other species may be desirable under some circumstances. Plants not on this list may not be introduced on the Easement Land without written permission from the Grantee.

Scientific Name

Common Name

Trees, shrubs, and vines:

Salix gooddingii	Black willow
Salix hindsiana	Sandbar willow
Populus fremontii	Fremont cottonwood
Alnus rhombifolia	White alder
Elaeagnus angustifolia	Russian olive

Aquatic-floating and submerged:

Lemna minor	Duckweed
Potamogeton pectinatus	Sego pondweed
Potamogeton species	Other pondweeds
Zannichellia palustris	Horned pondweed
Najas guadalupensis	Southern naiad
Chara species	Muskgrass

Aquatic-emergent:

Scirpus acutus	Hardstem bulrush (tule)
Scirpus robustus	Alkali bulrush
Scirpus fluviatilis	River bulrush
Carex species	Sedges
Heleocharis palustris	Spike rush
Cyperus species	Flat sedges (nutgrass)
Echinodorus berteroi	Burhead
Sagittaria latifolia	Wapato, duck potato
Sagittaria species	Arrowhead
Typha species	Cattails

Moist soil:

Echinochloa crusgalli
Leptochloa fascicularis
Heleochoa schoenoides
Crypsis niliaca
Polygonum species
Ammannia coccinea
Paspalum distichum
Cynodon dactylon

Watergrass
Sprangletop
Swamp timothy
Prickle grass
Smartweeds
Redstem
Joint grass
Bermuda grass

Uplands:

Phalaris tuberosa var. stenoptera
Phalaris tuberosa var. hirtiglumis
Phalaris arundinacea
Sorghum halepense
Setaria species
Distichlis spicata
Agropyron elongatum
Melilotus species
Astragalus cicer
Lotus corniculatus

Harding grass
Perla grass
Reed canary grass
Johnson grass
Bristle grass
Saltgrass
Tall wheatgrass
Sweetclovers
Cicer milkvetch
Birdsfoot trefoil

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO:

DEPARTMENT OF WATER RESOURCES

Division of Engineering
Real Estate Branch
715 P Street, #5
Sacramento, CA 95814

SPACE ABOVE THE LINE FOR RECORDER'S USE

APNs: 033-440-006, 033-450-001,
033-190-010 033-450-002, 033-220-054,
033-220-052

Project: Bypass Salmonid Habitat Restoration & Fish Passage

Parcel No. SH-148

EASEMENT
(TO THE STATE)

EIP CALIFORNIA LLC, a California limited liability company, GRANTS to the STATE OF CALIFORNIA, its successors and assigns, hereinafter called STATE, an EASEMENT and right of way, upon, over, and across that real property in the County of Yolo, State of California, identified in the records of the Department of Water Resources as:

<u>DWR Parcel No.</u>	<u>Area</u>	<u>Estate</u>
Unit A	160.00 AC	Flowage Easement
Unit B	138.14 AC	Flowage Easement
Unit C	320.00 AC	Flowage Easement
Unit D	624.20 AC	Flowage Easement
Unit E	208.93 AC	Flowage Easement
Unit F	276.90 AC	Flowage Easement

Described as follows:

See EXHIBIT "A" attached hereto and made a part hereof.

(In the event of any discrepancy between the above identification and the real property described herein, the real property described will control.)

This Easement Deed is granted effective of the State of California's acceptance of this deed, by EIP CALIFORNIA LLC, a California Limited Liability Company ("Grantor") to the Department of Water Resources of the State of California, a public agency, ("Grantee"),

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and pursuant to the laws of the State of California, Grantor grants and conveys to Grantee the perpetual right-of-way and easement in the real property ("Property") situated in the County of Yolo, State of California, more specifically described in Exhibit A, attached and incorporated by this reference, for the purposes of seasonal floodplain fisheries rearing habitat and fish passage in the Yolo Bypass.

Grantee has the right for the flowage of water over and upon the Property as may be required for the present and future permitted construction and operation of fish passage and floodplain restoration projects, including the right of access by authorized representatives of the Grantee. The flowage right includes the right to flow water and materials and by said flow erode; or place or deposit earth, debris, sediment, or other material.

The covenants, terms, conditions, and restrictions of this Easement shall be binding upon, and inure to the benefit of, the parties and their respective personal representatives, heirs, successors, and assigns, and shall constitute a servitude running in perpetuity with the property.

DRAFT

For discussion purposes only

Executed on _____

GRANTOR(S)

STATE OF CALIFORNIA }

SS

County of _____

On _____, 20____, before me, _____

personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person or the entity on behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of the document.

[SEAL]

NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA

(CERTIFICATE OF ACCEPTANCE, GOVERNMENT CODE, SECTION 27281)

This Is To Certify, That the State of California, grantee herein, acting by and through the Department of Water Resources, hereby accepts for public purposes the real property, or interest therein, described in the within deed and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20_____

Director of Water Resources

By _____

Attorney in Fact

EXHIBIT "A"

All that real property situated in portions of Sections 26, 27, 33, 34 and 35, Township 7 North, Range 3 East, a portion of Section 3, Township 6 North, Range 3 East, MDM, in the unincorporated area of the County of Yolo, State of California, described as follows:

YBSH-148

UNIT A

A portion of Parcel 1 per DEED 2019-0001933
160 ACRES, MORE OR LESS
APN 033-440-006

UNIT B

A portion of Parcel 1, all of Parcels 2, 3 and 4 per DEED 2019-0001933
138 ACRES, MORE OR LESS
APN 033-450-001

UNIT C

A portion of Parcel 1 per DEED 2019-0001933
320 ACRES, MORE OR LESS
APN 033-190-010

UNIT D

A portion of Parcel 1 per DEED 2019-0001933
624 ACRES, MORE OR LESS
APN 033-440-002

UNIT E

A portion of Parcel 1 per DEED 2000-0005643
208 ACRES, MORE OR LESS
APN 033-220-054

UNIT F

A portion of Parcel 1 per DEED 2000-0005643
276 ACRES, MORE OR LESS
APN 033-220-052

As shown on EXHIBIT "B" attached hereto

KRISTOPHER KLIMA, PLS

DRAFT

YBSH-148 FLOWAGE EASEMENT EIP CALIFORNIA LLC

UNIT A
033-440-006
PORTION OF PARCEL 1 OF DEED
2019-0001933
160 AC. +/-

UNIT C
033-190-010
PORTION PARCEL 1 OF DEED
2019-0001933
320 AC. +/-

UNIT E
033-220-054
PORTION PARCEL 1 OF DEED
2000-0005643
208 AC. +/-

UNIT B
033-450-001
PORTION PARCEL 1, ALL OF
PARCELS 2, 3 & 4 OF DEED
2019-0001933
138 AC. +/-

UNIT D
033-450-002
PORTION PARCEL 1 OF DEED
2019-0001933
624 AC. +/-

UNIT F
033-220-052
PORTION PARCEL 1 OF DEED
2000-0005643
276 AC. +/-

Note: Information shown on this map is compiled from numerous sources and may not be complete or accurate. This includes Assessor parcel lines and numbers provided by Yolo county. DWR makes no claims, representations, or warranties (express or implied) concerning the validity, reliability, or accuracy of the GIS data contained herein. All areas shown are approximations based on GIS calculations. Each user is responsible for determining its suitability for his or her intended use or purpose. This exhibit does not represent a survey and is for informational purposes only.

YOLO BYPASS SALMONID HABITAT AND FISH RESTORATION PROGRAM
BIG NOTCH PROJECT - PHASE 3 PARCELS

FLOWAGE EASEMENT EXHIBIT "B"

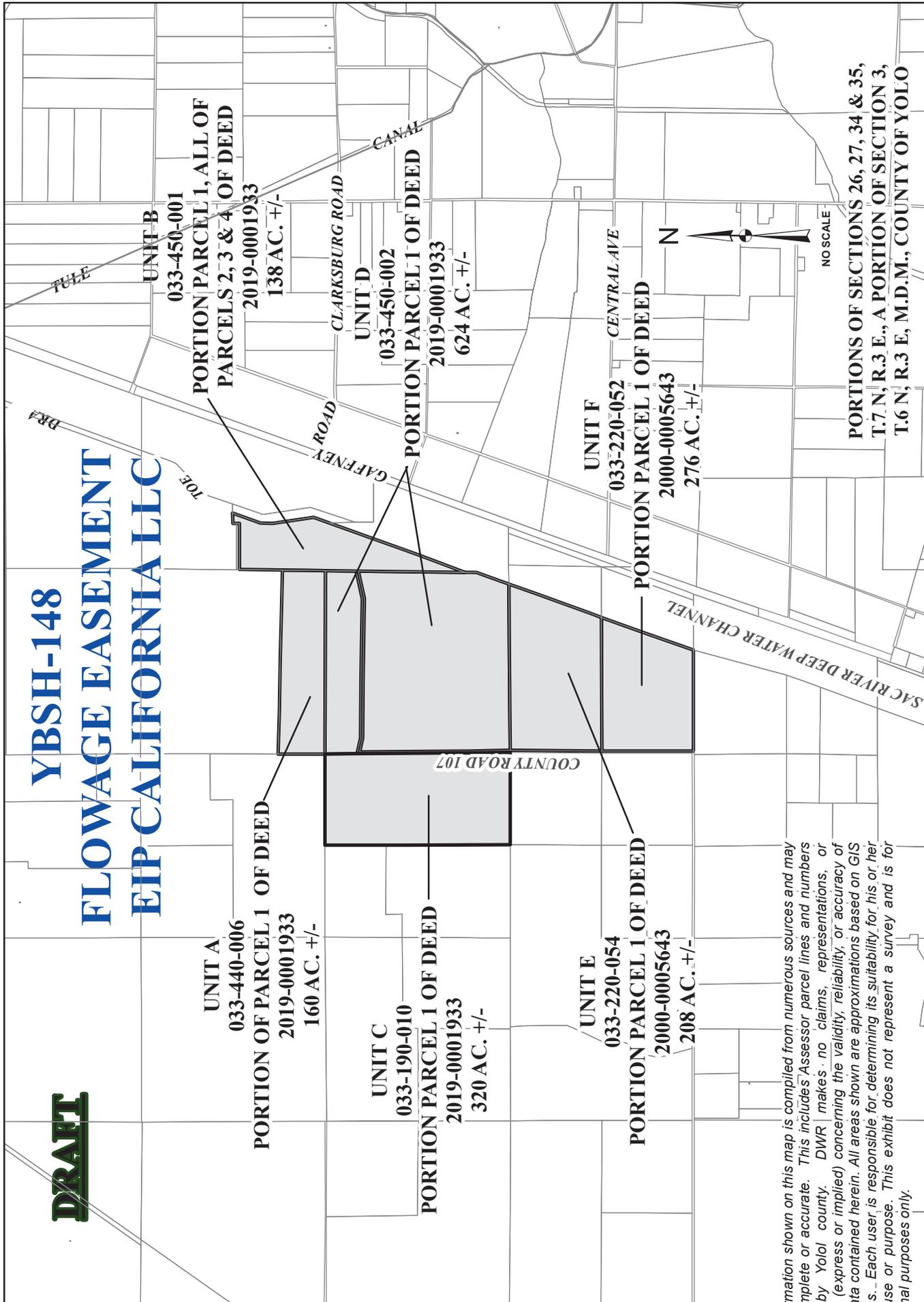
This exhibit does not represent a survey and is for informational purposes only.

STATE OF CALIFORNIA
THE RESOURCES AGENCY

DEPARTMENT OF WATER RESOURCES

DIVISION OF ENGINEERING - GEOMATICS BRANCH

01/21/2022



PORTIONS OF SECTIONS 26, 27, 34 & 35,
T.7 N., R.3 E., A PORTION OF SECTION 3,
T.6 N., R.3 E., M.D.M., COUNTY OF YOLO

Yolo Bypass Big Notch Project

APN: 033-450-001_01

Owner: RONALD D. SMITH AND
CLOVER A. SMITH

Parcel area: 135.7 acres

Area within YB: 135.7 acres

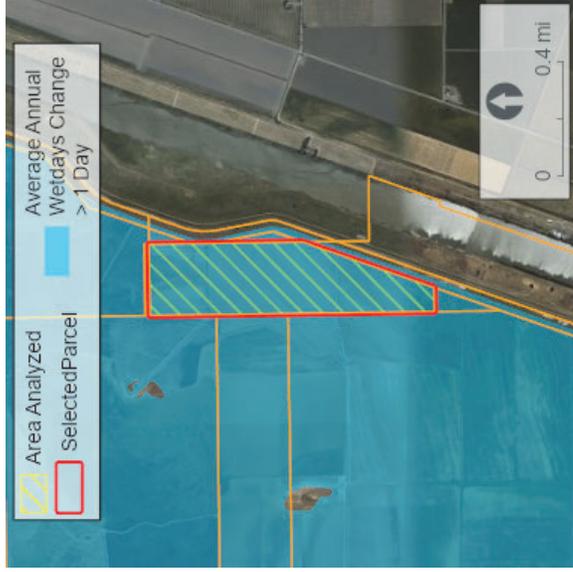
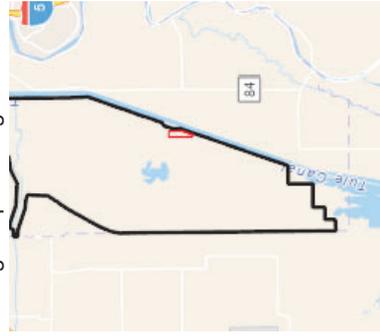
Annual wetted-days

Current: 42.9

Project: 52.9

Change: 10.1

Average depth change: 0.5



Water Year	Last Day Wet'		Wetdays ¹		Average Depth (ft)	
	Current	Project	Current	Project	Daily Change ²	Project
1997	02-25	02-28	69	76	0.4	6.7
1998	06-18	06-18	122	134	0.2	5.2
1999	04-22	04-23	63	98	0.6	3.4
2000	03-28	03-31	42	53	0.2	6.0
2001	03-13	03-16	4	12	0.9	0.3
2002	01-19	01-20	18	20	0.7	2.1
2003	05-13	05-15	54	77	0.9	1.4
2004	03-22	03-25	49	58	0.6	4.0
2005	05-31	06-02	48	56	0.6	1.2
2006	05-18	05-28	132	141	0.3	5.5
2007			0	0	0.0	0.0
2008	02-12	02-13	15	16	0.8	0.8
2009		03-13	0	14	0.8	0.0
2010	02-11	04-22	19	31	1.1	0.7
2011	04-20	04-23	51	61	0.6	4.3
2012			0	0	0.0	0.0

¹ Parcels are classified wet if 30% or more of a parcel area is wet to ignore shallow standing water

² Daily change is calculated for pixels and then averaged and may not be equal to project - current

	Depth (ft)		Wetdays		Dry		Monthly Average Percent Area (%)											
	Current	Project	Current	Project	Current	Project	< 6 in		6-12 in		12-18 in		18-24 in		24-36 in		>36 in	
	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project
November	0.1	0.0	0.0	0.0	99.9	99.9	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
December	2.5	2.3	2.4	4.2	92.4	86.3	1.8	2.2	0.9	1.4	0.8	1.7	0.7	1.7	1.0	2.4	2.4	4.3
January	4.5	4.3	11.5	12.9	68.2	60.5	4.1	2.7	3.5	2.9	2.8	3.4	2.1	3.7	3.4	5.9	16.0	21.0
February	5.5	4.6	8.5	11.7	72.3	62.9	3.0	4.5	1.8	3.3	1.4	2.8	1.3	2.2	2.0	3.7	18.3	20.6
March	4.7	4.3	10.2	12.0	69.0	64.0	2.0	3.2	1.9	2.7	1.8	2.3	1.6	1.9	3.0	3.8	20.7	22.1
April	4.3	4.0	6.8	7.4	80.7	78.5	2.4	2.8	1.9	2.2	1.4	1.8	1.0	1.3	1.8	2.4	10.8	11.0
May	1.9	1.6	2.4	3.5	94.0	90.9	1.5	2.8	1.0	1.5	0.7	1.1	0.6	0.7	0.8	1.2	1.6	1.8
June	1.9	1.9	1.1	1.2	96.9	96.7	0.9	1.0	0.4	0.5	0.3	0.3	0.2	0.3	0.5	0.5	0.8	0.8

All information provided by the Department of Water Resources made available to provide immediate access for the convenience of interested persons. While the Department believes the information to be reliable, human or mechanical error remains a possibility. Therefore, the Department does not guarantee the accuracy, completeness, timeliness, or correct sequencing of the information. Neither the Department of Water Resources nor any of the sources of the information shall be responsible for any errors or omissions, or for the use or results obtained from the use of this information.

Yolo Bypass Big Notch Project

APN: 033-440-006

Owner: RONALD D. SMITH AND
CLOVER A. SMITH

Parcel area: 163.5 acres

Area within YB: 163.5 acres

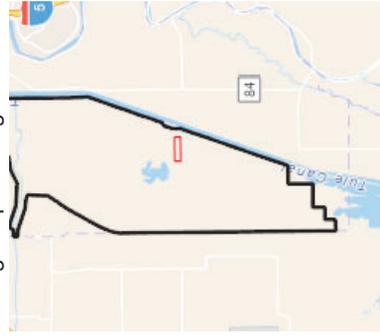
Annual wetted-days

Current: 39.4

Project: 48.4

Change: 9.0

Average depth change: 0.6



Water Year	Last Day Wet'		Wetdays ¹		Average Depth (ft)	
	Current	Project	Current	Project	Daily Change ²	Project
1997	02-25	02-27	68	74	0.4	6.2
1998	06-15	06-15	116	120	0.1	5.1
1999	04-20	04-23	60	92	0.5	2.6
2000	03-27	03-29	40	43	0.2	5.5
2001	03-17	03-17	0	9	0.9	0.9
2002	01-20	01-21	17	19	0.7	2.4
2003	05-13	05-15	46	71	0.9	1.3
2004	03-21	03-23	46	56	0.6	4.0
2005	06-01	06-01	37	45	0.6	1.4
2006	05-14	05-19	127	137	0.2	5.2
2007			0	0		
2008	02-11	02-14	13	16	0.7	0.8
2009	03-14	03-14	0	10	0.8	0.8
2010	02-07	02-18	13	26	1.2	0.7
2011	04-19	04-21	48	57	0.6	4.2
2012			0	0		

¹ Parcels are classified wet if 30% or more of a parcel area is wet to ignore shallow standing water

² Daily change is calculated for pixels and then averaged and may not be equal to project - current

	Monthly Average		Monthly Average Percent Area (%)															
	Depth (ft)		Wetdays		Dry		< 6 in		6-12 in		12-18 in		18-24 in		24-36 in		>36 in	
	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project
November			0.0	0.0	100.0	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
December	2.6	2.4	2.2	3.9	93.7	88.6	0.8	1.1	0.9	1.1	0.9	1.5	0.7	1.7	1.2	3.3	1.8	2.8
January	4.6	4.2	10.5	12.4	70.6	62.2	3.5	2.1	3.3	2.7	2.9	3.7	2.1	3.6	2.6	8.1	14.9	17.6
February	5.5	4.6	8.1	10.8	73.9	65.6	2.2	3.2	2.1	3.0	1.4	2.8	1.2	2.4	1.4	4.0	17.9	19.0
March	4.6	4.3	9.6	11.1	70.4	66.3	1.4	2.3	1.7	2.1	2.0	2.4	1.8	2.2	3.4	4.2	19.3	20.5
April	4.2	4.0	6.2	6.7	81.9	80.0	2.0	2.1	1.7	2.1	1.6	1.9	1.2	1.6	1.5	2.1	10.2	10.2
May	1.9	1.7	1.9	2.7	94.9	93.3	1.1	1.5	0.9	1.2	0.6	0.9	0.5	0.8	0.6	0.9	1.4	1.5
June	1.9	1.9	0.9	0.9	97.6	97.5	0.5	0.6	0.3	0.3	0.3	0.3	0.3	0.2	0.4	0.4	0.7	0.7

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Yolo Bypass Big Notch Project

APN: 033-450-002

Owner: RONALD D. SMITH AND
CLOVER A. SMITH

Parcel area: 647.9 acres

Area within YB: 647.9 acres

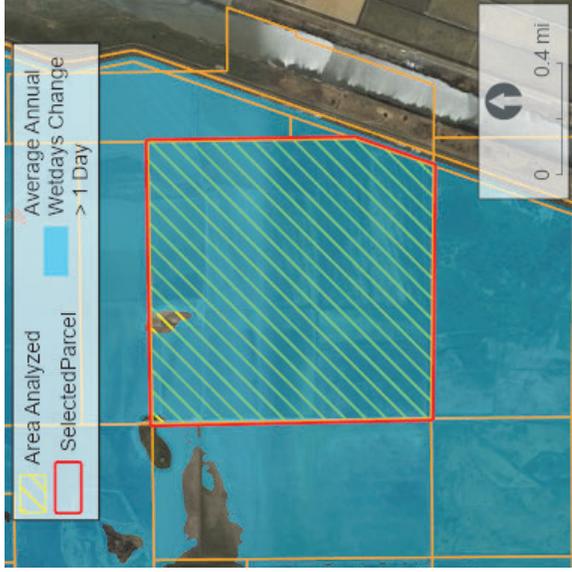
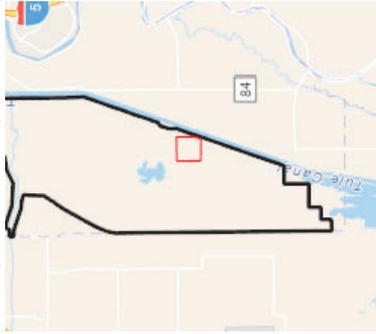
Annual wetted-days

Current: 41.8

Project: 51.1

Change: 9.3

Average depth change: 0.6



Water Year	Last Day Wet ¹		Wetdays ¹		Average Depth (ft)	
	Current	Project	Current	Project	Daily Change ²	Project
1997	02-24	02-27	68	75	0.4	6.4
1998	06-16	06-16	118	127	0.2	5.3
1999	04-21	04-23	61	95	0.6	3.4
2000	03-27	03-31	41	53	0.2	6.1
2001	03-12	03-16	3	10	1.0	0.3
2002	01-19	01-20	17	20	0.7	2.2
2003	05-13	05-15	55	74	0.9	1.5
2004	03-22	03-25	49	58	0.6	4.1
2005	05-31	06-01	44	50	0.6	1.3
2006	05-17	05-20	130	139	0.3	5.6
2007			0	0	0.0	0.1
2008	02-11	02-13	14	16	0.8	0.9
2009		03-13	0	14	0.9	0.1
2010	02-11	02-18	19	27	1.2	0.9
2011	04-19	04-22	49	59	0.6	4.3
2012			0	0	0.0	0.1

¹ Parcels are classified wet if 30% or more of a parcel area is wet to ignore shallow standing water

² Daily change is calculated for pixels and then averaged and may not be equal to project - current

Monthly Average	Monthly Average Percent Area (%)																	
	Depth (ft)		Wetdays		Dry		< 6 in		6-12 in		12-18 in		18-24 in		24-36 in		>36 in	
	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project
November	0.1	0.0	0.0	0.0	99.6	99.6	0.3	0.3	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
December	2.6	2.4	2.4	4.2	92.0	86.2	2.0	2.4	0.9	1.3	0.8	1.2	0.7	1.4	1.3	3.1	2.4	4.5
January	4.6	4.4	11.3	12.7	67.9	60.9	3.8	2.9	3.1	2.1	2.9	2.5	2.5	2.9	3.9	7.2	16.0	21.4
February	5.5	4.7	8.4	11.3	72.0	62.9	2.9	4.4	1.8	2.7	1.6	2.5	1.4	2.3	1.9	4.5	18.4	20.7
March	4.8	4.4	10.1	11.8	69.1	64.1	2.0	3.2	1.5	2.1	1.6	2.0	1.7	2.1	3.6	4.4	20.6	22.1
April	4.4	4.2	6.4	6.9	80.6	78.6	2.2	2.4	1.7	1.8	1.4	1.7	1.2	1.6	2.1	2.8	10.7	11.0
May	1.9	1.7	2.3	3.0	93.5	90.8	1.7	2.5	1.0	1.6	0.7	1.1	0.6	0.8	0.8	1.3	1.7	1.8
June	2.0	1.9	0.9	1.1	96.5	96.2	1.1	1.2	0.5	0.5	0.3	0.4	0.3	0.3	0.5	0.5	0.8	0.9

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Yolo Bypass Big Notch Project

APN: 033-190-010

Owner: RONAL D. SMITH AND CLOVER
A. SMITH

Parcel area: 317.3 acres

Area within YB: 317.3 acres

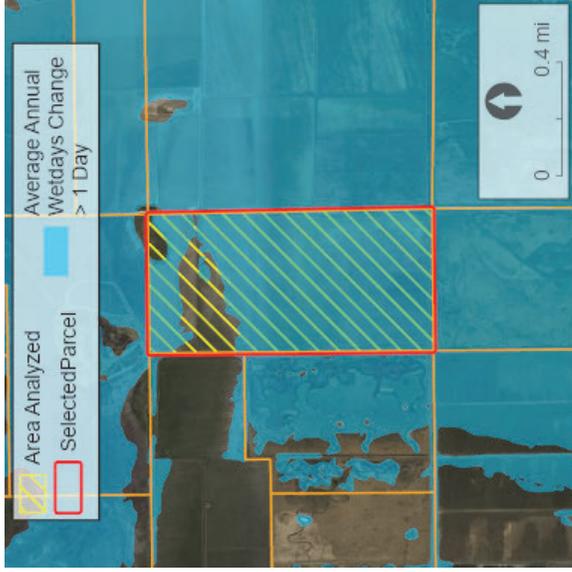
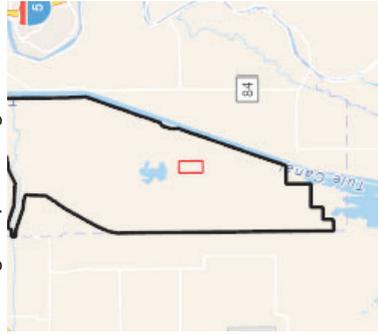
Annual wetted-days

Current: 25.4

Project: 33.8

Change: 8.4

Average depth change: 0.2



Water Year	Last Day Wet'		Wetdays ¹		Average Depth (ft)	
	Current	Project	Current	Project	Daily Change ²	Project
1997	02-17	02-21	56	68	0.1	5.7
1998	06-09	06-09	93	96	0.1	4.5
1999	04-01	04-03	37	53	0.2	2.5
2000	03-20	03-20	33	34	0.1	4.8
2001			0	0	0.3	0.5
2002	01-14	01-16	10	13	0.5	1.2
2003	01-22	02-01	14	36	0.4	0.8
2004	03-15	03-17	26	42	0.3	4.1
2005	05-27	05-27	5	17	0.2	1.2
2006	05-08	05-08	104	119	0.1	4.3
2007			0	0	0.1	0.2
2008		02-08	0	9	0.3	0.4
2009			0	0	0.3	0.3
2010		02-03	0	10	0.6	0.3
2011	04-13	04-14	29	44	0.2	4.2
2012			0	0	0.0	0.2

¹ Parcels are classified wet if 30% or more of a parcel area is wet to ignore shallow standing water

² Daily change is calculated for pixels and then averaged and may not be equal to project - current

	Depth (ft)		Wetdays		Dry		Monthly Average Percent Area (%)											
	Current	Project	Current	Project	Current	Project	< 6 in		6-12 in		12-18 in		18-24 in		24-36 in		>36 in	
	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project
November	0.3	0.3	0.0	0.0	99.9	99.9	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
December	2.6	1.8	1.3	2.8	96.9	93.7	0.8	1.8	0.5	1.5	0.2	0.9	0.1	0.4	0.3	0.4	1.2	1.3
January	4.9	3.8	5.8	10.1	82.2	74.3	1.7	4.1	1.0	3.6	0.8	2.3	0.8	1.5	1.7	2.1	11.7	12.1
February	5.0	4.4	5.7	7.4	80.6	76.9	0.9	2.3	0.7	1.7	0.7	1.1	0.7	1.0	1.5	1.8	14.9	15.1
March	3.7	3.5	7.8	8.3	77.2	75.3	2.0	2.3	1.6	1.9	1.2	1.6	1.4	1.6	2.9	3.2	13.7	14.1
April	4.0	3.9	3.6	3.9	88.2	87.6	0.9	1.3	0.6	0.8	0.6	0.6	0.6	0.6	1.5	1.5	7.6	7.6
May	1.5	1.4	0.8	0.8	97.8	97.4	0.5	0.6	0.4	0.5	0.3	0.3	0.3	0.3	0.6	0.6	0.2	0.3
June	1.2	1.3	0.4	0.4	98.8	98.7	0.3	0.3	0.2	0.2	0.2	0.2	0.2	0.2	0.3	0.3	0.1	0.1

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Yolo Bypass Big Notch Project

APN: 033-220-054_01

Owner: PFC, INC.

Parcel area: 205.8 acres

Area within YB: 205.8 acres

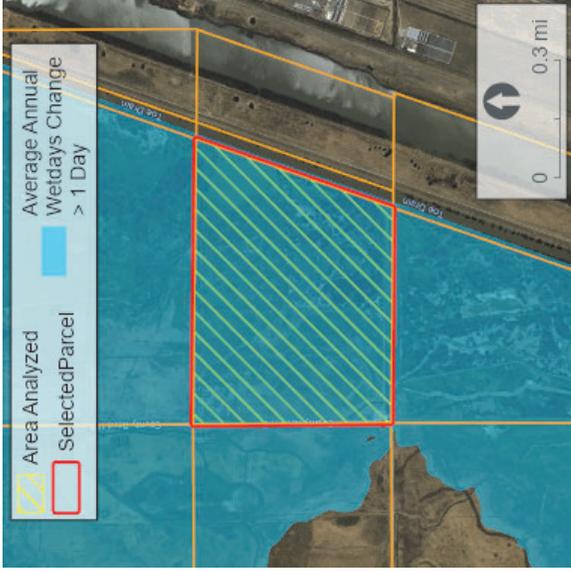
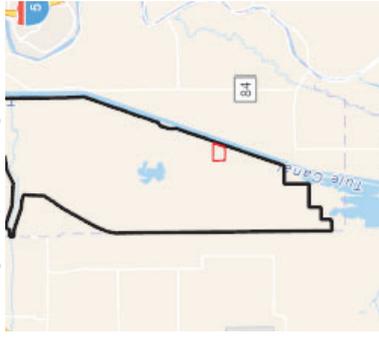
Annual wetted-days

Current: 46.0

Project: 55.6

Change: 9.6

Average depth change: 0.7



Water Year	Last Day Wet ¹		Wetdays ¹		Average Depth (ft)	
	Current	Project	Current	Project	Daily Change ²	Project
1997	03-01	03-03	76	78	0.4	6.7
1998	06-20	06-20	126	131	0.2	5.5
1999	04-24	04-27	67	108	0.6	2.9
2000	03-31	04-02	44	48	0.2	5.8
2001	03-21	03-21	0	13	0.9	0.1
2002	01-24	01-25	21	24	0.7	2.2
2003	05-17	05-19	62	83	1.0	1.5
2004	03-26	03-28	56	65	0.7	4.0
2005	06-05	06-06	51	58	0.7	1.6
2006	05-21	05-29	138	148	0.3	5.7
2007			0	0		
2008	02-15	02-18	17	20	0.9	0.7
2009	03-18	03-18	0	16	0.8	0.8
2010	02-14	02-22	20	30	1.2	0.8
2011	04-25	04-27	58	68	0.7	4.1
2012			0	0		

¹ Parcels are classified wet if 30% or more of a parcel area is wet to ignore shallow standing water

² Daily change is calculated for pixels and then averaged and may not be equal to project - current

	Monthly Average		Monthly Average Percent Area (%)															
	Depth (ft)		Wetdays		Dry		< 6 in		6-12 in		12-18 in		18-24 in		24-36 in		>36 in	
	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project
November			0.0	0.0	100.0	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
December	2.8	2.8	2.6	4.2	92.3	86.7	1.1	1.7	0.9	0.9	0.9	1.1	0.8	1.1	1.4	1.4	3.2	2.5
January	4.6	4.6	11.9	13.5	65.2	58.3	4.7	3.0	4.2	2.4	3.7	2.2	2.6	2.9	3.1	7.7	16.5	23.4
February	5.5	4.8	9.5	12.1	69.5	60.8	3.7	4.2	3.1	3.8	2.0	2.9	1.4	2.4	1.3	4.4	19.0	21.6
March	5.1	4.6	10.2	12.7	68.0	61.9	1.9	3.6	1.7	2.9	1.6	2.2	1.7	2.1	3.3	4.0	21.7	23.4
April	4.3	4.1	7.3	7.9	78.0	76.0	3.3	3.1	2.5	2.9	2.0	2.3	1.5	1.9	1.6	2.5	11.2	11.3
May	1.9	1.7	2.9	3.8	91.9	89.3	2.3	2.6	1.7	2.6	1.0	1.5	0.6	0.8	0.7	1.1	1.9	2.1
June	1.9	1.8	1.4	1.5	95.7	95.2	1.2	1.5	1.0	1.1	0.4	0.4	0.3	0.3	0.4	0.4	1.0	1.0

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Yolo Bypass Big Notch Project

APN: 033-220-052_01

Owner: PFC, INC.

Parcel area: 264.5 acres

Area within YB: 264.5 acres

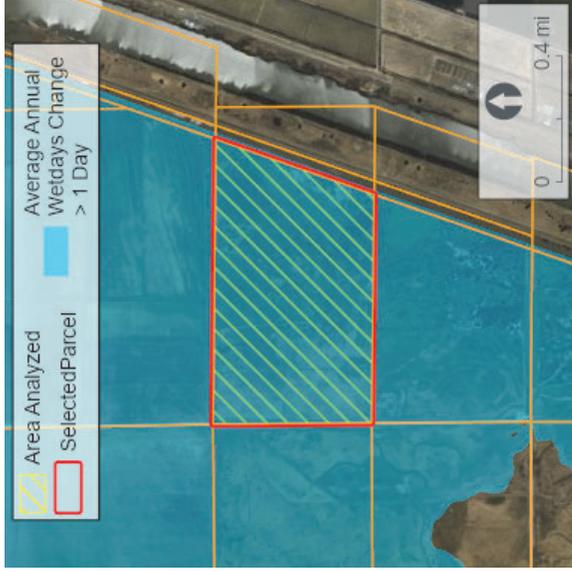
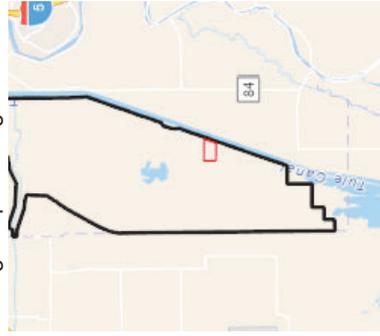
Annual wetted-days

Current: 39.1

Project: 47.8

Change: 8.7

Average depth change: 0.7



Water Year	Last Day Wet'		Wetdays ¹		Average Depth (ft)	
	Current	Project	Current	Project	Daily Change ²	Project
1997	02-25	02-27	69	74	0.4	6.9
1998	06-15	06-15	116	120	0.2	5.5
1999	04-08	04-23	56	90	0.5	3.6
2000	03-27	03-29	40	43	0.2	6.4
2001	03-17	03-17	0	8	0.8	0.8
2002	01-19	01-21	16	19	0.8	2.3
2003	05-13	05-14	46	67	1.0	1.5
2004	03-21	03-24	46	56	0.8	4.3
2005	06-01	06-01	35	45	0.8	1.2
2006	05-15	05-20	127	137	0.3	5.8
2007			0	0		
2008	02-10	02-13	12	15	1.0	0.5
2009	03-13	03-13	0	7	0.7	0.7
2010	02-08	02-18	13	26	1.3	0.6
2011	04-20	04-22	49	57	0.7	4.6
2012			0	0		

¹ Parcels are classified wet if 30% or more of a parcel area is wet to ignore shallow standing water

² Daily change is calculated for pixels and then averaged and may not be equal to project - current

	Monthly Average		Monthly Average Percent Area (%)															
	Depth (ft)		Wetdays		Dry		< 6 in		6-12 in		12-18 in		18-24 in		24-36 in		>36 in	
	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project	Current	Project
November			0.0	0.0	100.0	100.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
December	2.8	2.7	2.3	3.7	93.7	88.8	0.9	0.8	0.8	0.9	0.8	0.9	0.7	1.6	1.1	1.1	3.2	2.1
January	5.0	4.5	10.3	12.3	71.3	61.8	4.0	2.2	3.2	2.2	2.3	2.9	1.6	3.5	1.9	7.6	15.7	19.8
February	6.0	5.0	8.0	10.4	74.2	66.2	2.7	3.3	1.9	2.6	1.1	2.4	0.6	2.0	1.0	3.3	18.5	20.1
March	5.0	4.7	9.6	11.0	70.3	66.4	1.6	2.5	1.6	2.1	1.6	1.9	1.6	1.9	2.7	3.1	20.5	22.0
April	4.7	4.3	6.0	6.8	82.3	80.0	2.2	2.7	1.8	2.2	1.2	1.7	0.7	1.2	1.0	1.4	10.7	10.8
May	2.2	1.9	1.9	2.8	94.9	93.2	1.3	1.8	0.9	1.3	0.4	0.7	0.3	0.5	0.6	0.7	1.6	1.7
June	2.1	2.1	0.9	0.9	97.4	97.3	0.7	0.7	0.4	0.4	0.2	0.2	0.2	0.2	0.4	0.3	0.8	0.9

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