

**RECORDING REQUESTED BY,
AND WHEN RECORDED MAIL TO:**

BALLICO CORTEZ WATER DISTRICT
1067 East Olive Avenue
Merced, CA 95340

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**RESOLUTION OF APPLICATION BY BALLICO CORTEZ WATER DISTRICT
REQUESTING LOCAL AGENCY FORMATION COMMISSION TO TAKE PROCEEDINGS
FOR THE BRADEN-SEVERSON ANNEXATION PROJECT, AND ASSOCIATED
AMENDMENT TO THE DISTRICT'S SPHERE OF INFLUENCE, AND APPROVING FILING
OF NOTICE OF EXEMPTION UNDER CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**BALLICO CORTEZ WATER DISTRICT
RESOLUTION NO. 24-01**

**RESOLUTION OF APPLICATION BY BALLICO CORTEZ WATER DISTRICT
REQUESTING LOCAL AGENCY FORMATION COMMISSION TO TAKE
PROCEEDINGS FOR THE BRADEN-SEVERSON ANNEXATION PROJECT, AND
ASSOCIATED AMENDMENT TO THE DISTRICT'S SPHERE OF INFLUENCE, AND
APPROVING FILING OF NOTICE OF EXEMPTION UNDER CALIFORNIA
ENVIRONMENTAL QUALITY ACT**

WHEREAS, the Ballico Cortez Water District ("District") desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with section 56000 of the California Government Code, to expand its sphere of influence and to annex approximately 138 acres into the boundaries of the District, consisting of two Assessor's Parcels; and

WHEREAS, the properties proposed to be included into the District's expanded sphere of influence and annexed to the District are depicted in **EXHIBIT "A"** attached hereto and incorporated herein by reference (hereafter the proposed Annexed Lands); and

WHEREAS, pursuant to Government Code Section 56700(a) one hundred percent (100%) of the affected landowners and registered voters within the proposed Annexed Lands have petitioned for a change in organization. here, the expansion of the District's sphere of influence and annexation of the proposed Annexed Lands into the District and such annexations will not affect the boundaries, service areas, responsibilities, or revenues of any other agencies; and (said Landowner Petition is included with the District's LAFCO Application); and

WHEREAS, the purpose of annexation is to allow groundwater recharge efforts on the proposed Annexed Lands through application of already accessible surface water or flood water supplies to benefit the District directly; and

WHEREAS, Government Code Section 56428(a) authorizes local agencies to initiate and request an amendment to its sphere of influence by request; and

WHEREAS, Government Code Section 56654(a) authorizes local agencies to initiate and request an annexation of lands by the adoption of a Resolution of Application; and

WHEREAS, the District has determined the proposed sphere of influence amendment and annexation is categorically exempt from the requirements of the California Environmental Quality Act pursuant to 14 California Code of Regulations Sections 15061(b)(3) and 15319.

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

1. The Local Agency Formation Commission of Merced County is hereby requested to undertake sphere of influence amendment and annexation proceedings for the Braden-Severson Annexation Project pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

2. The lands proposed to be added to the sphere of influence and annexed into the District are depicted in **EXHIBIT "A"** attached to this Resolution and incorporated herein.
3. The District desires to complete such expansion of its sphere of influence to include within the District boundaries all lands that currently receive benefits from the District's operations and that currently benefit the District directly.
4. The proposed boundaries of the expanded sphere of influence of the District are shown on the map attached as **EXHIBIT "B"** to this Resolution.
5. District staff is hereby authorized to prepare and submit to the Local Agency Formation Commission of Merced County this Resolution of Application, and all materials necessary and relevant for the reorganization and annexation of the proposed Annexed Lands to the Ballico Cortez Water District.
6. That the District finds annexation of the proposed Annexed Lands and amendment to the District's sphere of influence categorically exempt from the requirements of the California Environmental Quality Act; and staff is hereby authorized to file the Notice of Exemption attached as **EXHIBIT "C"** with the County of Merced County Clerk.

CERTIFICATION

I hereby certify that the foregoing Resolution 2024-01 was duly and regularly adopted by the Board of Directors of the Ballico Cortez Water District at the meeting thereof held on the 24th day of January, 2024, motion by Member Dennis Yotsuya and seconded by Member Jay Fiorini motion passed by the following vote:

AYES: Jay Fiorini, Bill Reichle, Taj Samran, Dirk Ulrich, and Dennis Yotsuya.

NOES: None.

ABSTENTIONS: None.

ABSENT: Larry Bettencourt and Scott Severson.




Dirk Ulrich, Chairman of the
Ballico Cortez Water District

ATTEST:



Karen L. Whipp, Secretary of the
Ballico Cortez Water District

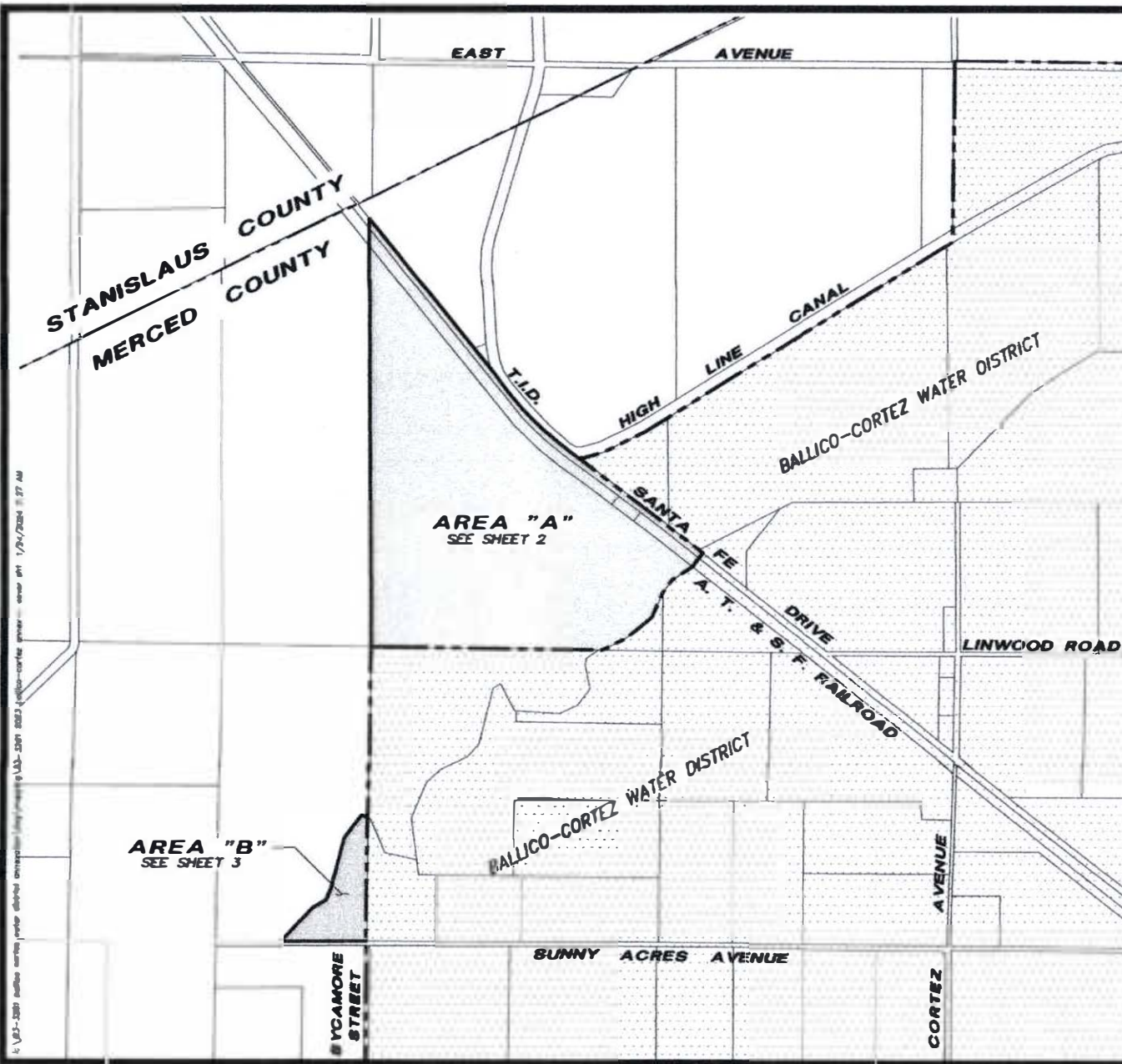
I, KAREN L. WHIPP, Secretary of the Board of Directors of BALLICO CORTEZ WATER DISTRICT, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by said Board of Directors of said District at a regular meeting of the Board held on January 24, 2024.



Karen L. Whipp, Secretary of the
Board of Directors of the Ballico Cortez
Water District

EXHIBIT "A"
PROPOSED LANDS TO BE ANNEXED

Parcel 041-100-099-000 128 acres
Parcel 041-130-054-000 10 acres



**CHANGE OF ORGANIZATION TO THE
BALICO-CORTEZ WATER DISTRICT**

VICINITY MAP AND INDEX SHEET
SITUATE IN PORTIONS OF SECTIONS 22 & 28,
TOWNSHIP 5 SOUTH, RANGE 11 EAST, M.D.M.
IN MERCED COUNTY, CALIFORNIA
OCTOBER, 2023

NORTHSTAR ENGINEERING GROUP, INC.

620 12th Street, Modesto, CA 95354
(209) 524-3525



- LEGEND:**
- BALICO-CORTEZ WATER DISTRICT BOUNDARY
 - UNRECORDED BOUNDARY
 - SECTION LINE
 - EXISTING BALICO-CORTEZ WATER DISTRICT AREA
 - PROPOSED ANNEXATION AREA
 - NUMBERED COURSES MATCHING WRITTEN LEGAL DESCRIPTION
 - P.M. PARCEL MAP
 - R.S. RECORD OF SURVEY
 - A.P.N. ASSESSOR'S PARCEL NUMBER
 - M.C.R. MERCED COUNTY RECORDS



JANUARY 24, 2024

Nicole Cannella
NICOLE CANNELLA, PLS 8089

STANISLAUS COUNTY
MERCED COUNTY












CHANGE OF ORGANIZATION TO THE BALICO-CORTEZ WATER DISTRICT

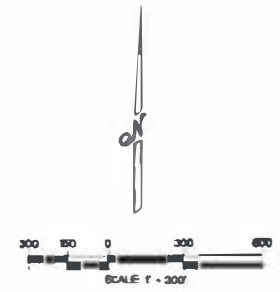
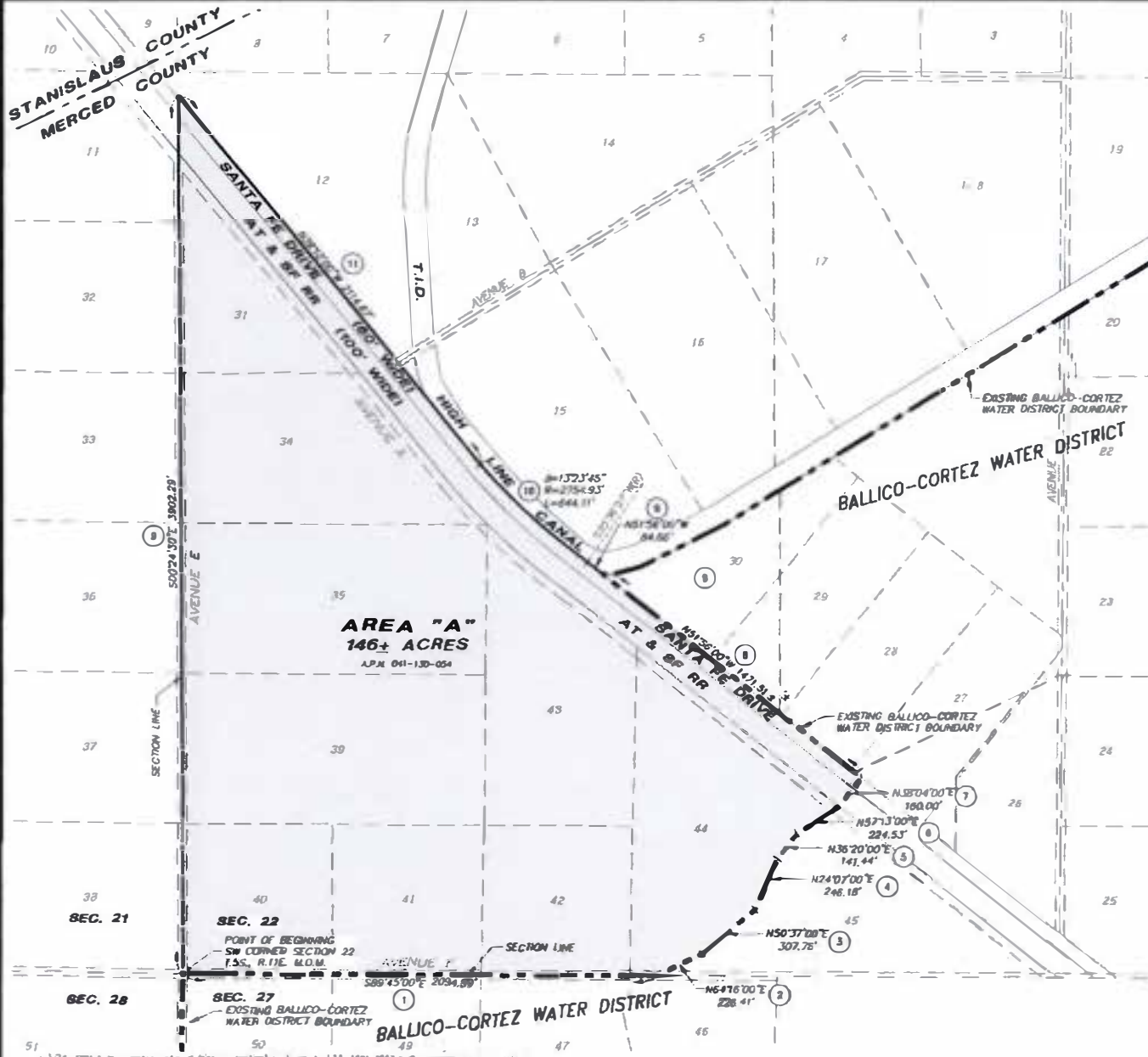
AREA "A"
SITUATE IN THE SECTION 22,
TOWNSHIP 5 SOUTH, RANGE 11 EAST, M.D.M.
IN MERCED COUNTY, CALIFORNIA
OCTOBER, 2023

NORTHSTAR ENGINEERING GROUP, INC.

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LEGEND:

-  BALICO-CORTEZ WATER DISTRICT BOUNDARY
-  UNDEVELOPED BOUNDARY
-  SECTION LINE
-  EXISTING BALICO-CORTEZ WATER DISTRICT AREA
-  PROPOSED ANNEXATION AREA
-  NUMBERED COURSES MATCHING WRITTEN LEGAL DESCRIPTION
-  PARCEL MAP
-  RECORD OF SURVEY
-  OFFICIAL PLATS
-  ASSESSOR'S PARCEL NUMBER
-  MERCED COUNTY RECORDS














CHANGE OF ORGANIZATION TO THE BALICO-CORTEZ WATER DISTRICT

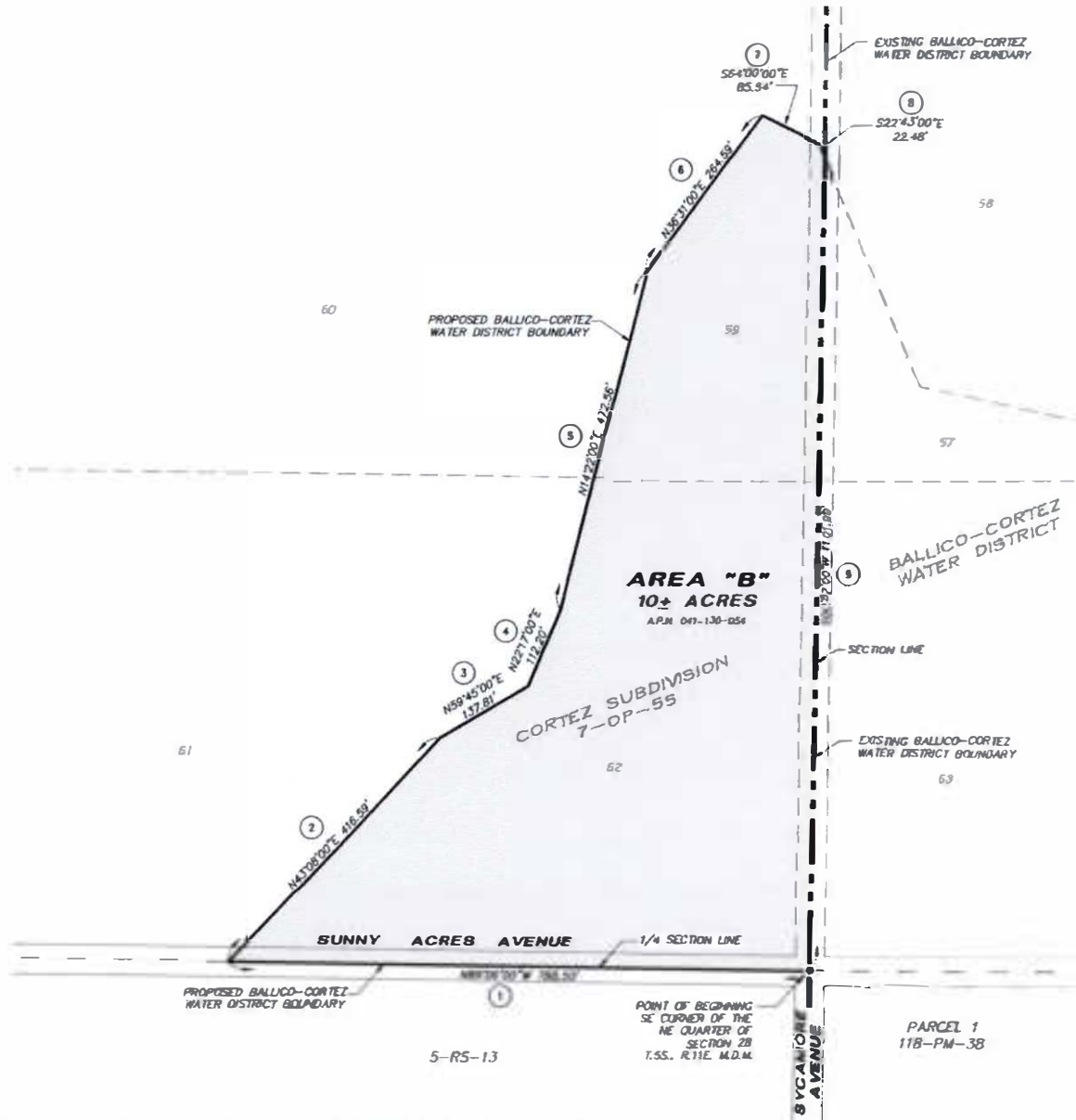
AREA "B"
SITUATE IN THE NORTHEAST QUARTER OF
SECTION 28,
TOWNSHIP 5 SOUTH, RANGE 11 EAST, M.D.M.
IN MERCED COUNTY COUNTY, CALIFORNIA
OCTOBER, 2023

NORTHSTAR ENGINEERING GROUP, INC.

620 12th Street, Modesto, CA 95354
(209) 524-3525

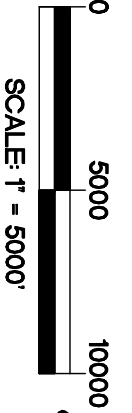
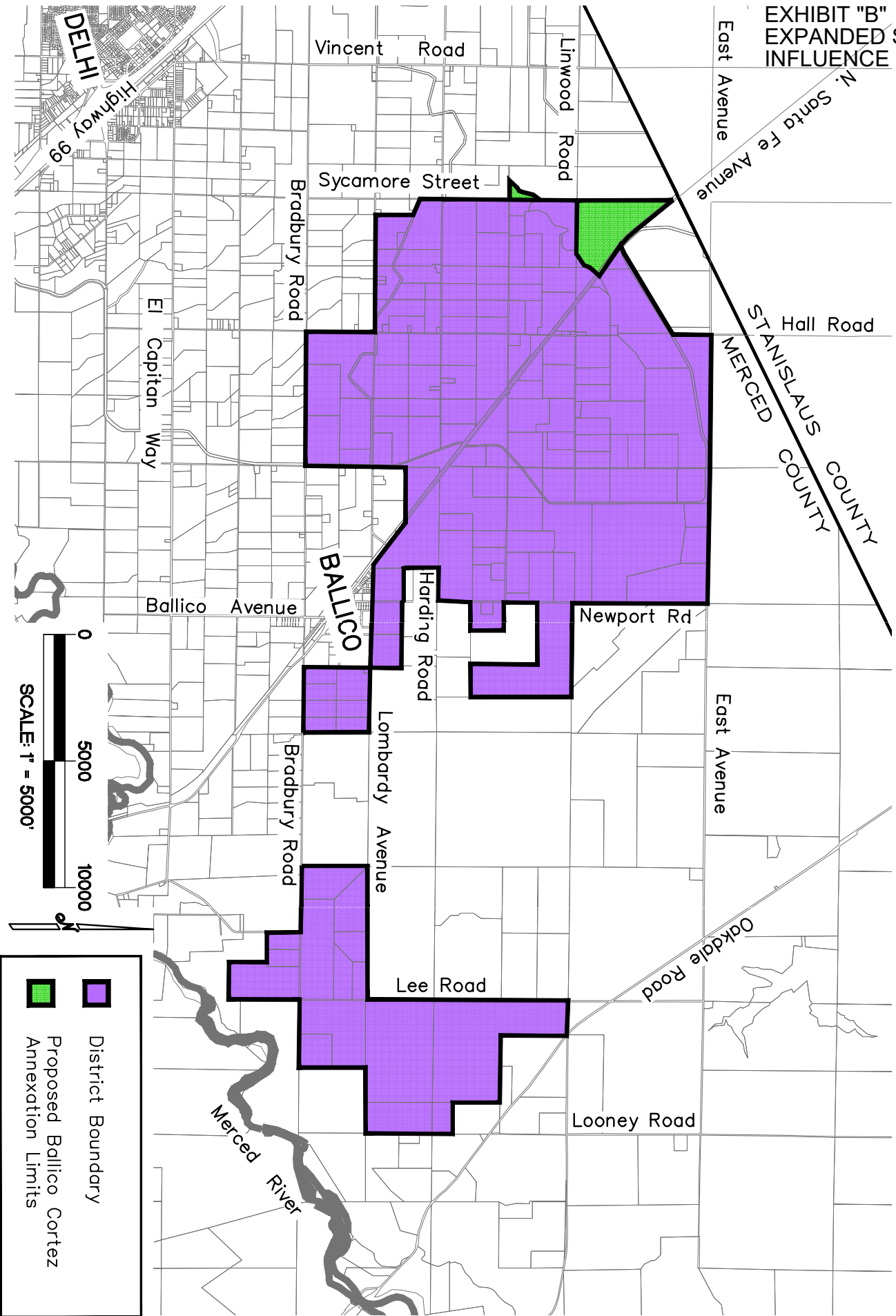
LEGEND:

-  BALICO-CORTEZ WATER DISTRICT BOUNDARY
-  ANNEXATION BOUNDARY
-  SECTION LINE
-  EXISTING BALICO-CORTEZ WATER DISTRICT AREA
-  PROPOSED ANNEXATION AREA
-  ① NUMBERED COURSES MATCHING WRITTEN LEGAL DESCRIPTION
-  PM PARCEL MAP
-  RS RECORD OF SURVEY
-  OP OFFICIAL PLATS
-  A.P.N. ASSESSOR PARCEL NUMBER
-  M.C.R. MERCED COUNTY RECORDS



BALLICO-CORTEZ WATER DISTRICT PROPOSED ANNEXATION

EXHIBIT "B"
EXPANDED SPHERE OF
INFLUENCE BOUNDARY





	District Boundary
	Proposed Ballico Cortez Annexation Limits

EXHIBIT "C"

NOTICE OF EXEMPTION

To: Merced County Clerk
2222 M Street
Merced, CA 95340

From: Ballico Cortez Water District
1067 East Olive Avenue
Merced, CA 95340

Project Title: Ballico Cortez Water District ("BCWD") – Braden-Severson Annexation Project

Project Location-Specific: The Project is located immediately adjacent to the existing geographical boundaries of BCWD, within Merced County. The Braden Property (Merced County APN 041-100-009-000) is located on the south side of Santa Fe Drive, just south of the Stanislaus-Merced County line. The Severson Property (Merced County APN 041-130-054-000) is located in the northwest corner of Sycamore Street and Sunny Acres Avenue.

Project Location – City: Turlock

Project Location – County: Merced

Description of Nature, Purpose, and Beneficiaries of Project: Reorganization of BCWD's sphere of influence and annexation of approximately 138 acres into BCWD. The purpose of the annexation is to allow groundwater recharge efforts on the annexed properties through application of already accessible surface water or flood water supplies to benefit BCWD directly.

Name of Public Agency Approving Project: Ballico Cortez Water District, Local Agency Formation Commission of Merced County

Name of Person or Agency Carrying Out Project: Ballico Cortez Water District

Exempt Status: (check one)

- Ministerial** (section 21080(b)(1); 15268);
- Declared Emergency** (Section 21080(b)(3); 15269(a));
- Emergency Project** (Section 21080(b)(4); 15269(b)(c));
- Categorical Exemption.** State type and section number: Section 15061(b)(3) (common sense exemption for project with no potential for causing significant effect on environment); Section 15319 (annexation to special district)
- Statutory Exemption.** State code number:

Reasons why project is exempt: This Project consists of the annexation of existing agricultural parcels into a special district which does not involve any change in land use, construction, alterations, or any potential or possibility for causing a significant effect to the environment.

Lead Agency Contact Person: Karen Whipp

Area Code/Telephone: (209) 626-5523

If filed by the applicant:

1. **Attach certified document of exemption finding.** N/A
2. **Has a Notice of Exemption been filed by the public agency approving the project?** Yes

Signature: 
Dirk Ulrich, Chairman
BCWD Board of Directors

Date: January 24, 2024

- Signed by Lead Agency**
- Signed by Applicant**