



**Special Joint Meeting of the Central Delta-Mendota Region Management Committee and Central
Delta-Mendota Groundwater Sustainability Agency
Thursday, June 26, 2025, 10:00 AM**

IN PERSON

**Board Room, San Luis & Delta-Mendota Water Authority
842 6th St., Los Banos, CA 93635**

Join Zoom Meeting

<https://us06web.zoom.us/j/88425499406>

Phone Number: 1-669-444-9171

Meeting ID: 818 156 3191

Passcode: fStpL9

June 23, 2025

TO: Central Delta-Mendota Region Management Committee, Central Delta-Mendota Groundwater Sustainability Agency, Alternates, and Interested Parties

FROM: Sam Cunningham, Provost & Pritchard Consulting Group

RE: SPECIAL JOINT MEETING OF THE CENTRAL DELTA-MENDOTA REGION MANAGEMENT COMMITTEE AND THE CENTRAL DELTA-MENDOTA GROUNDWATER SUSTAINABILITY AGENCY

THURSDAY, June 26, 2025, 10:00 AM

NOTICE IS HEREBY GIVEN that a Special Joint Meeting of the Central Delta-Mendota Region Management Committee and the Central Delta-Mendota Groundwater Sustainability Agency has been called for **Thursday, June 26, 2025, 10:00 AM**, on items listed on the attached agenda, which is incorporated by reference and made a part hereof.

Persons with a disability may request disability-related modification or accommodation by contacting Cheri Worthy or Sandi Ginda at the San Luis & Delta-Mendota Water Authority Office, 842 6th Street, P.O. Box 2157, Los Banos, California 93635, via telephone at (209) 826-9696, or via email at cheri.worthy@sldmwa.org or sandi.ginda@sldmwa.org. Requests should be made as far in advance as possible before the meeting date, preferably 3 days in advance of regular meetings or 1 day in advance of special meetings/workshops.



Special Joint Meeting of the Central Delta-Mendota Region Management Committee and the Central Delta-Mendota Groundwater Sustainability Agency

Thursday, June 26, 2025, 10:00 AM

AGENDA

1. Call to Order/Roll Call
2. Committee to Consider Corrections or Additions to the Agenda of Items, as authorized by Government Code Section 54950 et seq.
3. Opportunity for Public Comment

Central Management Committee Consent Calendar

4. Committee to Review and Take Action on Consent Calendar (Barcellos)
 - a. Minutes for the May 22, 2025 Special Joint Meeting of the Central Delta-Mendota Region Management Committee and Central Delta-Mendota GSA
 - b. Budget-to-Actual Report

Central GSA Consent Calendar

5. GSA to Review and Take Action on Consent Calendar (Montgomery)
 - a. Minutes for the May 22, 2025 Special Joint Meeting of the Central Delta-Mendota Region Management Committee and Central Delta-Mendota GSA

Action Items

6. Committee to Consider Appointing Chase Hurley (Pacheco Water District) as the Coordination Committee Representative for the Central Region (Layne)
7. Committee to Review and Consider Adopting a Draft MOU for Implementation of the Domestic Well Mitigation Plan (Layne)

Report Items

8. Committee/GSA to Discuss the Letter Regarding Confirmation of Participation Percentages under the Central Delta-Mendota Region Sustainable Groundwater Management Act ("SGMA") Services Activity Agreement (Layne/Petersen)
9. Report of the Representative to the Coordination Committee (Stadler/Hurley)

10. Committee/GSA to Discuss Administrative Program and Fiscal Management Structure for GSP Implementation in the Central Delta-Mendota Region in FY2027 (Petersen/Layne)
11. Committee/GSA to Discuss Implementation of Pumping Reduction Plans (Hurley/Mani)
12. Committee/GSA to Discuss Spring Water Level Data (Dumas)
13. Committee/GSA to Discuss SGMA Round 1 Implementation Grant Activities (Dumas)
14. Ad Hoc Committee to Discuss Findings of Potential Cost Savings for Implementing a Well Registration Platform or Software through a Third-Party Consultant (Montgomery)
15. Next Steps
16. Reports Pursuant to Government Code Section 54954.2(a)(3)

Closed Session

17. Conference with Legal Counsel – Existing Litigation (1 case)

The Committee will meet in closed session to confer with legal counsel pursuant to Paragraph (1) of Subdivision (d) of Government Code Section 54956.9.

California Sportfishing Protection Alliance v. All Persons Interested in the Matter of the Validity of the Northern and Central Delta-Mendota Regions Groundwater Sustainability Plan, et al., Stanislaus County Superior Court, Case No. CV-20-001748, Merced County Superior Court, Case No. 21CV-01691.

18. Conference with Legal Counsel – Anticipated Litigation (1 case)

The Committee will meet in closed session to confer with legal counsel on significant exposure to anticipated litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: (1 case).

Open Session

19. Report out of Closed Session (Layne)
20. Future Meetings
 - a. Central Delta-Mendota Region Management Committee
 - i. Thursday, July 24, 2025 at 10:00 AM (SLDMWA Board Room)
 - ii. Thursday, August 28, 2025 at 10:00 AM (SLDMWA Board Room)
 - b. Central Delta-Mendota GSA
 - i. Thursday, July 24, 2025 at 10:00 AM
 - ii. Thursday, August 28, 2025 at 10:00 AM (SLDMWA Board Room)
 - c. Delta-Mendota Subbasin Coordination Committee
 - i. Monday, July 14, 2025 at 1:00 PM
 - ii. Monday, August 11, 2025 at 1:00 PM
21. ADJOURNMENT



MEMORANDUM

TO: Central Delta-Mendota Management Committee
Agenda Item No. 4

FROM: Sam Cunningham, Provost & Pritchard Consulting Group

DATE: June 26, 2025

RE: Committee to Review and Take Action on Consent Calendar

ISSUE FOR DECISION

The consent calendar includes two items for consideration of approval:

1. Minutes for the May 22, 2025 Special Joint Meeting of the Central Delta-Mendota Region Management Committee and Central Delta-Mendota GSA
2. Budget-to-Actual Report

RECOMMENDATION

Staff recommends approval of the consent calendar

Minutes of the Special Joint Meeting of the Central Delta-Mendota Region Management Committee and Central Delta-Mendota Groundwater Sustainability Agency

Thursday, May 22, 2025, 10:00 AM **DRAFT**

Board Room, Santa Nella County Water District
12931 S Hwy 33, Santa Nella, CA 95322

Central Delta-Mendota Region Management Committee Members and Alternates Present

Augustine Ramirez*, Member – Fresno County
Amy Montgomery*, Member – Santa Nella County Water District (SNCWD)
Danny Wade*, Alternate – Fresno Slough Water District & Member – Tranquillity Irrigation District (FSWD/TQID)
Palmer McCoy*, Member – Mercy Springs Water District (MSWD)
Randy Miles*, Member – Eagle Field Water District (EFWD)
Wayne Western*, Member – Panoche Water District
*Indicates representative, alternate, or second alternate of Central Delta-Mendota GSA

Absent

Merced County
Oro Loma Water District
Pacheco Water District
San Luis Water District
Widren Water District

Others Present

Hugh Bennett – EFWD
Lauren Layne – Baker Manock & Jensen (BMJ)
Patrick McGowan – Panoche Water District
Sam Cunningham – Provost & Pritchard (P&P)
Tara Khan – MLJ Environmental

Others Present Via Zoom

Christian Santos – BIA of the Greater Valley
Jason Dean – Meyers Water Bank
Joe Hopkins – P&P
Leslie Dumas – Woodard & Curran
Amir Mani – EKI Environment & Water (EKI)
Juan Cadena – MSWD

1. Call to Order/Roll Call

Vice Chair Amy Montgomery/Santa Nella County Water District called the meeting to order at 10:02 AM.

2. **Committee to Consider Corrections or Additions to the Agenda of Items, as authorized by Government Code Section 54950 et seq.**

There were no corrections or additions to the agenda

3. **Opportunity for Public Comment**

No public comment was provided.

4. **Committee to Review and Take Action on Consent Calendar, Barcellos/Petersen**

- a. Minutes for the April 24, 2025 Special Joint Meeting of the Central Delta-Mendota Region Management Committee and Central Delta-Mendota GSA
- b. Budget-to-Actual Report

Wayne Western/Panoche Water District made a motion to approve the Consent Calendar for the Management Committee and Augustine Ramirez/Fresno County seconded. The motion was passed unanimously by those present.

GSA to Review and Take Action on Consent Calendar, Barcellos/Montgomery/Petersen

- a. Minutes for the April 24, 2025 Special Joint Meeting of the Central Delta-Mendota Region Management Committee and Central Delta-Mendota GSA

Augustine Ramirez/Fresno County made a motion to approve the Consent Calendar for the GSA and Danny Wade/TQID seconded. The motion was passed unanimously by the GSA members present.

5. **Committee to Review and Consider Adopting the “Oppose Unless Amended” Position on Legislation and Authorize the Chair to Sign Coalition Letters, Layne**

- a. AB 1413 (Papan), Sustainable Groundwater Management Act: Groundwater Adjudication
- b. AB 1466 (Hart), Groundwater Adjudication: Burden of Proof

Lauren Layne/BMJ noted that Cal Chamber drafted coalition letters “Oppose Unless Amended” to AB 1413 and AB 1466. ACWA has taken the same positions. Wayne Western/Panoche Water District made a motion to approve signing onto the Cal Chamber’s letters and Randy Miles/EFWD seconded. The motion was passed unanimously by those present. Lauren Layne and Amy Montgomery will work to get the GSA’s logo to the author.

6. **Committee to Review and Consider Adopting a Draft MOU for Implementation of the Domestic Well Mitigation Plan, Layne**

Lauren Layne brought this item to the Committee, in draft form, as requested at the previous meeting. The Committee discussed the lack of an enforcement mechanism and the current cost share, which is based on the number of seats on the Coordination Committee.

An electronic draft of the draft MOU will be distributed for comment and review.

No Action was taken on this item and it will be on the next meeting agenda.

7. **Report of the Representative to the Coordination Committee, Layne**

Lauren Layne reported that the Coordination Committee met and discussed the current process with the State Water Resources Control Board and the upcoming June meeting with the “Strike Team.” Drinking water quality mitigation is the remaining concerns for the Subbasin. The

Coordination Committee also discussed the importance of timely data submittal for monitoring and reporting.

Lauren Layne reported that the Coordination Committee is discussing the formation of a Joint Powers Authority for the Subbasin, to move the administrative responsibility away from the San Luis & Delta-Mendota Water Authority. A workshop will be held in June and a scheduling poll will be sent out.

Joe Hopkins/P&P commented that the Coordination Committee sent letters to the neighboring Subbasins regarding coordination on SGMA implementation. Groups were developed to have discussion with the neighboring Subbasins. The Central group is concerned with the Westside and Kings Subbasins and Steve Stadler and Chase Hurley are tentatively assigned to meet on behalf of Central-Delta Mendota.

8. Committee/GSA to Discuss Administrative Program and Fiscal Management Structure for GSP Implementation in the Central Delta-Mendota Region in FY2027, Petersen/Layne

This topic was addressed under Item 7, in the discussion regarding the potential formation of a Joint Powers Authority for the Subbasin.

9. Committee/GSA to Discuss Implementation of Pumping Reduction Plans, Mani

Amir Mani/EKI provided an update on the implementation of the Pumping Reduction Plans (PRPs) and current status based on reported data. Amir Mani reported that no PRP actions are currently required but the Central Group may need to reduce pumping in Water Year 2026. EKI recommends that a standing agenda item, ad hoc group, or regional subgroup be established to coordinate pumping reduction.

The Committee posed questions regarding the underlying data and the required reduction in pumping from the upper aquifer. Amir Mani clarified that the majority of the required reduction would be in lower aquifer wells and it is expected that reductions in pumping by composite wells would satisfy the upper aquifer requirements.

The Committee asked for clarification on what data is utilized to develop the pumping reduction numbers. Amir Mani clarified that the information is derived from the GSP modeling and water budgets. Amir Mani also stated that a dashboard will be developed to see if a PRP action is triggered.

10. Committee/GSA to Discuss Spring Water Level Data, Dumas

Leslie Dumas/W&C reported that all data for the entire Subbasin was not reported to the DMS until May. Member agencies are reminded to upload their data to the Subbasin DMS to allow timely review and response.

11. Committee/GSA to Discuss SGMA Round 1 Implementation Grant Activities, Dumas

Leslie Dumas reported that reimbursement requests have been submitted and that the Third Amendment is with DWR for review. This will include funding for Interconnected Surface Water Well 1. Members should plan to spend all funding by the end of December as the grant will expire.

12. **Next Steps**

- Staff to include an Action Item to appoint Chase Hurley as Coordination Committee representative
- Staff to include an Action Item on the Domestic Well Mitigation Program MOU
- Staff to include an Action Item on well metering and location
- Staff to include a future item regarding a water platform to collect data
- PRP discussions will continue

13. **Reports Pursuant to Government Code Section 54954.2(a)(3)**

Patrick McGowan introduced Tara Kahn of MLJ Environmental who discussed the possibility of incorporating a well registration program for the Central Group. The group is interested in considering potential cost savings and how a program like this could be implemented. An ad hoc committee of Amy Montgomery, Patrick McGowan and Augustine Ramirez was appointed to meet on this item.

14. **Future Meetings**

- a. **Central Delta-Mendota Region Management Committee**
 - i. Thursday, June 26, 2025 at 10:00 AM (SLDMWA Board Room)
 - ii. Thursday, July 24, 2025 at 10:00 AM (SLDMWA Board Room)
- b. **Central Delta-Mendota GSA**
 - i. Thursday, July 24, 2025 at 10:00 AM
- c. **Delta-Mendota Subbasin Coordination Committee**
 - i. Monday, June 9, 2025 at 1:00 PM
 - ii. Monday, July 14, 2025 at 1:00 PM

15. **Conference with Legal Counsel – Existing Litigation (1 case).**

There was no discussion on this item

California Sportfishing Protection Alliance v. All Persons Interested in the Matter of the Validity of the Northern and Central Delta-Mendota Regions Groundwater Sustainability Plan, et al., Stanislaus County Superior Court, Case No. CV-20-001748, Merced County Superior Court, Case No. 21CV-01691.

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The Committee went into closed session at 11:31 AM to confer with legal counsel on significant exposure to anticipated litigation.

17. **Report Out of Closed Session**

The Committee concluded the Closed Session at 12:18 PM with no reportable action taken.

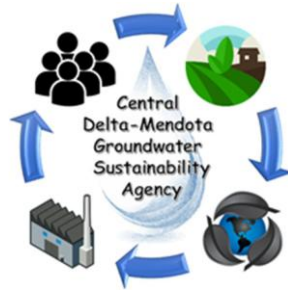
18. **ADJOURNMENT**

Amy Montgomery adjourned the meeting at 12:19 PM.

SAN LUIS & DELTA-MENDOTA WATER AUTHORITY
MARCH 1, 2025 - FEBRUARY 28, 2026
SUSTAINABLE GROUNDWATER MANAGEMENT ACT SERVICES AGREEMENT
ACTIVITY AGREEMENTS BUDGET TO ACTUAL
CENTRAL DELTA-MENDOTA REGION (FUND 65)

Report Period 3/1/25 - 04/30/25

EXPENDITURES	Annual Budget	Paid/ Expense	Amount Remaining	% of Amt Remaining	Expenses Through
<u>Legal:</u>					
Baker Manock & Jensen	\$ 35,000	\$ 6,425	\$ 28,575	82%	4/2/25
<u>Other Professional Services:</u>					
Contracts	\$ 363,028	\$ 10,483	\$ 352,545	97%	4/30/25
<u>Other:</u>					
Executive Director	\$ 500	\$ -	\$ 500	100%	
General Counsel	\$ 1,500	\$ -	\$ 1,500	100%	
Water Policy Director	\$ 20,000	\$ 4,386	\$ 15,614	78%	4/18/25
In-House Staff	\$ 2,500	\$ 382	\$ 2,118	85%	4/18/25
Hydrotech 3	\$ 24,423	\$ -	\$ 24,423	100%	
Conferences & Training	\$ 1,000	\$ -	\$ 1,000	100%	
Travel/Mileage	\$ 2,000	\$ -	\$ 2,000	100%	
Group Meetings	\$ 1,000	\$ -	\$ 1,000	100%	
Telephone	\$ 500	\$ -	\$ 500	100%	
Total Expenditures	\$ 451,451	\$ 21,676	\$ 429,775	95%	



MEMORANDUM

TO: Central Delta-Mendota Groundwater Sustainability Agency
Agenda Item No. 5

FROM: Sam Cunningham, Provost & Pritchard Consulting Group

DATE: June 26, 2025

RE: GSA to Review and Take Action on Consent Calendar

ISSUE FOR DECISION

The consent calendar includes one item for consideration of approval:

1. Minutes for the May 22, 2025 Special Joint Meeting of the Central Delta-Mendota Region Management Committee and Central Delta-Mendota GSA

RECOMMENDATION

Staff recommends approval of the consent calendar

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Absent

Merced County
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Pacheco Water District
San Luis Water District
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Others Present

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1. Call to Order/Roll Call

Vice Chair Amy Montgomery/Santa Nella County Water District called the meeting to order at 10:02 AM.

2. **Committee to Consider Corrections or Additions to the Agenda of Items, as authorized by Government Code Section 54950 et seq.**

There were no corrections or additions to the agenda

3. **Opportunity for Public Comment**

No public comment was provided.

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12. Next Steps

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There was no discussion on this item

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17. Report Out of Closed Session

The Committee concluded the Closed Session at 12:18 PM with no reportable action taken.

18. ADJOURNMENT

Amy Montgomery adjourned the meeting at 12:19 PM.



MEMORANDUM

TO: Central Delta-Mendota Management Committee
Agenda Item No. 6

FROM: Sam Cunningham, Provost & Pritchard Consulting Group

DATE: June 26, 2025

RE: Committee to Consider Appointing Chase Hurley (Pacheco Water District) as the
Coordination Committee Representative for the Central Region

ISSUE FOR DECISION

Whether the Management Committee should appoint Chase Hurley (Pacheco Water District) as the Delta-Mendota Subbasin Coordination Committee representative for the Central Region.

RECOMMENDATION

Staff recommends that the Committee discuss and appoint a representative to the Coordination Committee.



MEMORANDUM

TO: Central Delta-Mendota Management Committee
Agenda Item No. 7

FROM: Sam Cunningham, Provost & Pritchard Consulting Group

DATE: June 26, 2025

RE: Committee to Review and Consider Adopting a Draft MOU for Implementation of the Domestic Well Mitigation Plan

ISSUE FOR DECISION

Whether the Management Committee should adopt the MOU for the Implementation of the Domestic Well Mitigation Plan.

RECOMMENDATION

Staff does not have a recommendation on this item.

**MEMORANDUM OF UNDERSTANDING
REGARDING COSTS AND IMPLEMENTATION OF
THE DELTA-MENDOTA SUBBASIN WELL MITIGATION PROGRAM
WITHIN THE CENTRAL DELTA-MENDOTA GSA**

This Memorandum of Understanding (this “MOU”) is made effective as of this ____ day of _____, 2025 (the “Effective Date”), by and among Eagle Field Water District, Fresno Slough Water District, Mercy Springs Water District, Pacheco Water District, Panoche Water District, San Luis Water District, Santa Nella County Water District, Tranquillity Irrigation District, the County of Fresno, and the County of Merced, who are all members of the Central Delta-Mendota Groundwater Sustainability Agency (“CD-M GSA”), and each may be referred to herein as a “GSA Member.” GSA Members may be referred to herein individually as a “Party,” or collectively as the “Parties.”

RECITALS

- A. **WHEREAS**, effective August 28, 2019, the GSA Members formed a joint power authority known as the CD-M GSA; and
- B. **WHEREAS**, the CD-M GSA replaced the multi-agency GSAs formed pursuant to a prior memorandum of agreement amongst the same Parties; and
- C. **WHEREAS**, the CD-M GSA, Widren Water District (“Widren”), and Oro Loma Water District (“Oro Loma”) share one seat as a “GSA Group” on the Delta-Mendota Subbasin (the “Subbasin”) Coordination Committee; and
- D. **WHEREAS**, the Coordination Committee for the Subbasin developed a Domestic Well Mitigation Policy (the “Policy”) and corresponding funding structure, including a prudent reserve for mitigation activities, which was approved by all of the GSAs in the Subbasin as part of the adoption of a single Groundwater Sustainability Plan (“GSP”); and
- E. **WHEREAS**, the purpose of the Policy is to mitigate the effects that may be felt by domestic water users whose wells have gone dry or are in imminent threat of going dry due to groundwater levels dropping as a result of groundwater management in the Subbasin; and
- F. **WHEREAS**, the Policy is intended to serve as a last line of defense to protect domestic groundwater users in the unlikely event that the Subbasin GSAs’ efforts fail to maintain those Minimum Threshold (“MT”) groundwater levels set in the single GSP; and
- G. **WHEREAS**, the San Luis & Delta-Mendota Water Authority (the “Authority”), the GSA Members, Widren, and Oro Loma have executed that certain Central Delta-Mendota Region Sustainable Groundwater Management Act (“SGMA”) Services Activity Agreement (“Activity Agreement”), made effective as of February 15, 2017, that certain First Amendment, made effective as of November 17, 2017 (the “First Amendment”), that certain Second Amendment, made effective November 1, 2018 (the “Second Amendment”), that certain Third Amendment, made effective August 30, 2021 (the “Third Amendment”), and that certain Fourth Amendment, made effective _____, 202____ (the “Fourth Amendment”); and

H. **WHEREAS**, the Fourth Amendment to the Activity Agreement established the authority to create a Joint Cost Sharing Account to fund the Policy; and

I. **WHEREAS**, the Parties are also signatories to that certain Memorandum of Agreement Among the Delta-Mendota Subbasin Groundwater Sustainability Agencies; and

J. **WHEREAS**, the GSA Members desire to enter into this MOU to outline the terms and procedures for cost sharing and implementing the Policy amongst the GSA Members of the CD-M GSA.

AGREEMENT

1. **Purpose and Scope.** This MOU governs the cost sharing and implementation of the Policy within the boundaries of the CD-M GSA in the Subbasin.

2. **Public Outreach.** Each GSA Member will conduct public education and outreach, at its own cost, to notify landowners about how and where to apply for assistance, and the information that the GSA will require to evaluate the mitigation application.

3. **Service Area and Initial Costs.** Pursuant to and in compliance with the terms of the Policy, each GSA Member will fund the investigation and mitigation of wells within their jurisdictional boundaries (the “Service Area”) upon determining whether or not “Mitigation Measures” defined in the Policy are appropriate and justified. All responsibility for conducting investigations and costs to mitigate claimed impacts at a well site will be initially allocated to the applicable GSA Member where the well is located.

4. **Field Investigation and Assessment.** Each GSA Member will be responsible for payment of and conducting any field investigations, as identified in the Policy, within their Service Area. A GSA Member may contract with a consultant who also works with the CD-M GSA, but such work must be done at that GSA Member’s sole cost and expense.

5. **Short-Term Emergency Water Supplies.** Each GSA Member shall provide short-term emergency water supplies at the location of the de-watered well. The GSA Member shall be responsible for providing the short-term emergency water supplies and the costs for the investigation of wells within its Service Area, in compliance with the Policy.

6. **Adaptive Management Framework.** If it is determined that over-pumping is the result of another GSA, that Party and any other GSA or GSA Member will follow the Adaptive Management Framework process regarding cost sharing. Interbasin or intra-basin disputes or disagreements over mitigation responsibility shall follow the Adaptive Management Framework.

7. **Prudent Reserve and Joint Cost Sharing Account.**

7.1 A Joint Cost Sharing Account (the “Reserve”) was created and is currently maintained by the Authority. The Reserve will total \$300,000 and be funded over three fiscal years (beginning March 1, 2025), with \$100,000 contributed annually. The Reserve will be contributed to equally by the seven GSA Groups of the Coordination Committee based on a one-seventh (1/7) cost split. As such, the CD-M GSA, Widren and Oro Loma each contribute their

proportionate share of the 1/7th cost, pursuant to their Activity Agreements or SS-MOA documents with the Authority.

7.2 This MOU is meant to address, among other things, the cost sharing between the GSA Members for any required investigations or mitigation that occur pursuant to the Policy. Although a GSA Member may pull from the Reserve, it must repay said Reserve for the costs of such Mitigation Measures (as defined by the Policy) within its Service Area within one year. This shall be the direct responsibility of the GSA Member and not of the CD-M GSA as a whole.

7.3 All other associated costs (e.g., preliminary reviews, professional well assessment reports, field investigations, emergency water deliveries) are the sole responsibility of the GSA Member with the Service Area where the well is located.

8. This MOU is not meant to change any provision of the Policy, but only to identify responsibilities of implementation and cost sharing as a result of the Policy by and among the GSA Members within the CD-M GSA.

9. Authority of Signers. The individuals executing this MOU represent and warrant that they have the authority to enter into this MOU and to legally bind the Party for whom they are signing to the terms and conditions of this MOU.

10. Governing Law. The validity and interpretation of this MOU will be governed by the laws of the State of California without giving effect to the principles of conflict of laws, with venue for all purposes to be proper only in the County of Fresno, California.

11. Severability. If any term, provision, covenant, or condition of this MOU is determined to be unenforceable by a court of competent jurisdiction, it is the Parties' intent that the remaining provisions of this MOU will remain in full force and effect and will not be affected, impaired, or invalidated by such a determination.

12. Counterparts. This MOU may be executed in any number of counterparts, each of which will be an original, but all of which will constitute one and the same agreement.

13. Good Faith. The Parties agree to exercise their best efforts and utmost good faith to effectuate all the terms and conditions of this MOU and to execute such further instruments and documents as are reasonably necessary, appropriate, expedient, or proper to carry out the intent and purposes of this MOU.

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14. Amendment. Any provision of this MOU may be amended only through a writing signed by all Parties.

IN WITNESS WHEREOF, the Parties have executed this MOU as of the Effective Date identified above, which shall be last of the dates appearing next to the Parties' respective signature lines.

Agency Name: **EAGLE FIELD WATER DISTRICT**

BY: _____

Name: _____

Title: _____

Date: _____

Agency Name: **FRESNO SLOUGH WATER DISTRICT**

BY: _____

Name: _____

Title: _____

Date: _____

Agency Name: **MERCY SPRINGS WATER DISTRICT**

BY: _____

Name: _____

Title: _____

Date: _____

Agency Name: **PACHECO WATER DISTRICT**

BY: _____

Name: _____

Title: _____

Date: _____

Agency Name: **PANOCHE WATER DISTRICT**

BY: _____

Name: _____

Title: _____

Date: _____

Agency Name: **SAN LUIS WATER DISTRICT**

BY: _____

Name: _____

Title: _____

Date: _____

Agency Name: **TRANQUILLITY IRRIGATION DISTRICT**

BY: _____

Name: _____

Title: _____

Date: _____

Agency Name: **SANTA NELLA COUNTY WATER DISTRICT**

BY: _____

Name: _____

Title: _____

Date: _____

Agency Name: **COUNTY OF FRESNO**

APPROVED AS TO FORM

BY: _____

BY: _____

Name: _____

Title: _____

Date: _____

Agency Name: **COUNTY OF MERCED**

APPROVED AS TO FORM

BY: _____

BY: _____

Name: _____

Title: _____

Date: _____

DRAFT

[On Water Authority Letterhead]

Date

VIA E-MAIL ONLY

[Insert Recipients]

Re: Confirmation of Participation Percentages under the Central Delta-Mendota Region Sustainable Groundwater Management Act (“SGMA”) Services Activity Agreement.

All:

The San Luis & Delta Mendota Water Authority (“Authority”) sends this letter (“Letter”) to memorialize the discussion and action taken during the Special Joint Meeting of the Central Delta-Mendota Region Management Committee and Central Delta-Mendota Groundwater Sustainability Agency (“CD-M GSA”) on February 27, 2025, regarding amendments to the Participation Percentages under the Central Delta-Mendota Region Sustainable Groundwater Management Act (“SGMA”) Services Activity Agreement (“Activity Agreement”), by and among the Authority, the Activity Agreement Members (Eagle Field Water District, Mercy Springs Water District, Pacheco Water District, Panoche Water District, San Luis Water District, Tranquillity Irrigation District; and Fresno Slough Water District), the SS-MOA Participants (Fresno County, Merced County, and Santa Nella County Water District), and Widren Water District and Oro Loma Water District (collectively, the “Parties”).

BACKGROUND

A. The Authority and its Activity Agreement Members executed that certain Activity Agreement, made effective as of February 15, 2017, that certain First Amendment, made effective as of November 17, 2017 (the “First Amendment”), that certain Second Amendment, made effective November 1, 2018 (the “Second Amendment”), that certain Third Amendment, made effective as of August 30, 2021 (the “Third Amendment”), and that certain Fourth Amendment, made effective as of [REDACTED], 2024 (the “Fourth Amendment”).

B. The SS-MOA Participants, are non-members of the Authority and have executed Memoranda of Agreement (“MOA”) to participate in the Activity Agreement as SS-MOA Participants.

C. Widren Water District joined as an SS-MOA Participant, but not as a Member of the CD-M GSA.

D. Oro Loma Water District is an Activity Agreement Member, but not a member of the CD-M GSA.

E. The First Amendment to the Activity Agreement removes mention of Oro Loma Water District from the Activity Agreement. Oro Loma Water District had rescinded its authorization and failed to execute the Activity Agreement. The Activity Agreement Participation

Percentages were superseded and replaced, omitting Oro Loma Water District and reallocating the Participation Percentages among the remaining Participants.

F. The Second Amendment to the Activity Agreement adds Oro Loma Water District as a Member of the Activity Agreement (“Second Amended Activity Agreement”). Oro Loma Water District agreed to execute the Second Amended Activity Agreement and to accept the benefits and obligations of the Activity Agreement. The Activity Agreement Participation Percentages were superseded and replaced to account for Oro Loma Water District’s contribution.

G. The Third Amendment to the Activity Agreement did not amend the Participation Percentages, but rather to allow the Members to delegate their voting authority to the Management Committee. The Third Amendment recitals also account for the creation of the CD-M GSA, replacing the multi-agency GSA formed pursuant to a prior MOA.

H. The Fourth Amendment to the Activity Agreement establishes the authority to create a Joint Cost Sharing Account to fund a Domestic Well Mitigation Policy, which was approved by all of the GSAs in the Delta-Mendota Subbasin as part of the adoption of the Single GSP. The Joint Cost Sharing Account is maintained in trust by the Authority and funded based on the Activity Participants’ Participation Percentages as set forth in the Activity Agreement. No amendments were made to the Participation Percentages.

I. To improve service efficiency and transparency for Activity Agreement members, particularly amid potential administrative changes, Water Authority Staff (“Staff”) reviewed budgets, coordinated with accounting, and proposed modifying the Participation Percentages found in Exhibit “C” in the Second Amendment to the Activity Agreement.

J. On February 27, 2025, during the Special Joint Meeting of the Central Delta-Mendota Region Management Committee and C-DM GSA, the Central Management Committee agreed not to implement a historical true-up of expenses. Beginning with the positive fund balance in the accounts for both Fund 63 and Fund 65, the Parties agreed to revise the table in Exhibit “C” of the Second Amendment of the Activity Agreement to allocate eighty-eight percent (88%) of all costs equally among the 10 Member Agencies of the CD-M GSA, with each being responsible for 8.8%, and the remaining 12% split evenly between Widren Water District and Oro Loma Water District, each contributing 6%.

Amendment to Participation Percentage

The Parties agreed to amend and confirm the Participation Percentages under the Central Delta-Mendota SGMA Services Activity Agreement. There will be no changes to contribution percentages for any prior fiscal year for any amounts contributed as of February 28, 2025. For the 2025-2026 fiscal year, beginning with the positive fund balance in the accounts for both Fund 63 and Fund 65, the Parties agreed to revise the table in Exhibit “C” of the Second Amendment of the Activity Agreement to allocate eighty-eight percent (88%) of all costs equally among the 10 Member Agencies of the CD-M GSA, with each being responsible for 8.8%, and the remaining 12% split evenly between Widren Water District and Oro Loma Water District, each contributing 6%.

The amended Participation Percentages are attached herein and incorporated by reference as **Exhibit “A”**. The amended Participation Percentages shall apply to all subsequent budgets and cost allocations under the Central Delta-Mendota SGMA Services Activity Agreement for the 2025-2026 fiscal year.

The CD-M GSA anticipates revising the cost share arrangement in the future to allocate the first 50% of the budget equally among all 10 Member Agencies, and the second 50% based on the percentage of the prior year’s pumping estimate for land within that Member Agency’s boundaries compared to total pumping within the CD-M GSA.

The terms of the Activity Agreement as modified by the First Amendment, the Second Amendment, the Third Amendment, and the Fourth Amendment remain in full force and effect, except as modified by this Letter.

Regards,

Scott Petersen, Water Policy Director
San Luis & Delta-Mendota Water Authority

EXHIBIT “A”

ACTIVITY PARTICIPANTS’ PARTICIPATION PERCENTAGES

GSA Name	Agency Name	Participation Status	Participation Percentage Sub- Allocation	Participation Percentage
Central Delta - Mendota GSA		--	--	88%
	Eagle Field Water District	Activity Agreement Member	8.8%	
	County of Fresno	SS-MOA Participant	8.8%	
	Fresno Slough Water District	Activity Agreement Member	8.8%	
	County of Merced	SS-MOA Participant	8.8%	
	Mercy Springs Water District	Activity Agreement Member	8.8%	
	Pacheco Water District	Activity Agreement Member	8.8%	
	Panoche Water District	Activity Agreement Member	8.8%	
	San Luis Water District	Activity Agreement Member	8.8%	
	Santa Nella County Water District	SS-MOA Participant	8.8%	

	Tranquillity Irrigation District	Activity Agreement Member	8.8%	
Widren Water District GSA	Widren Water District	SS-MOA Participant	6.0%	6.0%
Oro Loma Water District GSA	Oro Loma Water District	Activity Agreement Member	6.0%	6.0%
			TOTAL	100%