

May 12, 2022

To the Greater Kaweah GSA board of directors.

RE: Comments regarding the proposed pumping cap.

After thoughtful consideration, I ask the board to consider comments regarding the proposed pumping cap for the Greater Kaweah GSA. These comments pertain to the following:

- restrictive distance of water transfer, availability, and proposed solution
- native yield, water loss, and disparity in reporting
- disconnect from mission and objectives, future ramifications

The proposed 3-mile limit for transferring water is restrictive with detrimental impact. The 3-mile limit picks winners and losers, which is a disservice to landowners and our agriculture community. I believe that the limit should be 10 miles minimum. This would give prospective buyers and sellers a bigger pool to draw from and sell to. A bigger market with buyers and sellers provides more liquidity. This also provides those in need of additional water more sources for accessing and trading water. Additionally, the 3-mile or 6-mile radius in certain areas poses a challenge of varying degrees including, but not limited to, available water to trade. A 10-mile radius would provide more balance to the available water, and further support landowners efforts to continue agriculture operations.

The 10 inches of native yield imposed has implications of catastrophic proportions. This calculation, in the opinion of many, is understated and the accuracy of it has been challenged. Recently, a local (and well regarded) water engineer calculated the native yield to be 18 inches. It is the benefit of all to ensure the correct and up to date data is relied upon in decision-making. There is an obvious and undeniable disconnect with the 10 inches and credits the water districts and ditch companies are claiming. They are claiming all the water lost in the channels as channel loss. This water was and has never been used by the respective water companies. This is abandoned water, just as water lost in streams and rivers. The water companies have never been able to pump that water. This water has been used for the beneficial use by all in the GSA.

A local ditch company in our area came out with a 10-acre foot allocation per share. The maximum water that has been actually delivered has been 6-acre feet per share. The water lost in the channels should not be credited to the water companies. This calculation alone would add 35%-40% more water to the native yield number.

To charge for water that rightfully belongs to the GSA goes beyond the intent of forming the GSA. Given the local and regional nuance and benefit to the Ag community, SGMA provides GSA's the opportunity and responsibility to self-govern.

By allocating the channel loss water to the water companies the GSA has in essence taken water that should have been allocated to the entire GSA. This is a taking or condemnation which requires just compensation to cure the issue of water taken from the entire GSA.

Respectfully submitted,

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