

MEMORANDUM



FROM: Mark Larsen

DATE: October 16, 2025

SUBJECT: Technical Advisory Committee Notes

(Not intended to be Minutes but a summary of the general discussion)

CC:

Key Discussion Items:

Water Transfer Rule Changes and Monitoring:

The Committee reviewed recent Board-approved revisions allowing sustainable yield transfers anywhere within the GKGSA boundary without losses or distance limitations. Members emphasized the importance of robust monitoring to identify potential problem areas, especially those with known overdraft or domestic well vulnerabilities. Discussion included the potential to flag "sensitive zones" for future management and control of transfers.

Transfer Requirements and Data Tracking:

Members considered the need for detailed transfer documentation, including well inventories and pumping data, to ensure accurate tracking and accountability. There was consensus to improve real-time data management to better understand water movement across the subbasin.

Five-Year Carryover and Legal Clarification:

The Board attorney clarified that sustainable yield remains valid for five years and, if resold, the five-year clock resets. The Committee discussed potential implications for long-term accumulation and overuse of carried-over allocations, recognizing the risk of inflated accounting relative to actual groundwater storage.

Removal of Annual Losses:

The removal of annual "loss" deductions on unused sustainable yield was confirmed. Members discussed how this could allow accumulation and potential over-allocation of groundwater during dry years if not monitored carefully.

Groundwater Modeling and Data Gaps:

Updates were provided on the ongoing model recalibration and efforts to address data gaps. Calibration challenges persist due to limited information on subsidence and aquifer-layer contributions. The model's expanded scope now extends beyond the subbasin to improve boundary condition accuracy.

Well Inventory, Registration, and Monitoring:

Staff reported progress on the well registration initiative, with notices sent to landowners and efforts underway to verify locations via aerial imagery and field surveys. Installation of new

monitoring wells continues, with ongoing challenges related to site selection and landowner access.

Water Quality and Sampling:

Sampling difficulties persist due to well construction, requiring specialized methods to obtain representative samples. A draft report on the next round of water quality sampling is in preparation.

State Board and DWR Review Process:

General Manager Larsen provided an update on the State Board's GSP review, noting six key recommendations, including improved monitoring and refinement of undesirable result definitions. The Committee expects the plan to transition to DWR review in early 2026, with a six-month evaluation period anticipated. Members agreed on the importance of proactive engagement with DWR staff during this review period.

Land Subsidence and Infrastructure Protection:

The group discussed current monitoring of land subsidence, coordination with consultants to re-evaluate critical head thresholds, and risks to infrastructure such as flood channels. Recent events at Cross Creek were cited as a priority for reassessment and planning.

Dry Well Mitigation Program:

Updates were provided on ongoing dry well mitigation challenges, including lengthy case processing and reliance on third-party organizations. The TAC considered whether GKGSA should assume more direct management to expedite resolution.

Groundwater Accounting Framework:

The groundwater accounting system is being updated to align with model recalibrations and balance inflows and outflows across basin boundaries. Revised framework data is expected by spring 2026.

Next Steps:

- Staff to prepare a report on initial water transfers for TAC and Board review.
- Continue updating groundwater model calibration and report progress to TAC.
- Accelerate well registration efforts and field verification.
- Issue draft report on groundwater quality monitoring results.
- Install and activate new surface water monitoring transducers at Kaweah Oaks Preserve and Artesia – Dry Creek Preserve.
- Complete work with Montgomery & Associates to reassess critical head thresholds and subsidence risk areas.
- Review subsidence data for key infrastructure corridors such as Cross Creek.
- Evaluate efficiency of dry well mitigation program and potential internal management options.



MEMORANDUM

FROM: Mark Larsen

DATE: October 27, 2025

SUBJECT: Combined Committee Summary

CC:

1. Approval of Previous Meeting Minutes

The committee reviewed and approved the August 25, 2025, meeting minutes with corrections to attendance. Following discussion, a motion was made, seconded, and approved to accept the minutes as amended.

2. Invoicing and Lien Process Update

Staff provided an update on the status of 2023 and 2024 invoicing. The Board of Directors approved moving forward with the lien process for unpaid 2023 invoices, which is expected to begin within the next week. Approximately 60% of 2024 invoices have been collected, and staff will evaluate starting collections earlier in future years.

3. Updates to Water Transfer Rules and Regulations

The committee discussed recent Board-approved modifications to water transfer rules:

- Sustainable Yield Transfers: Sustainable yield transfers are now permitted without leave-behind requirements across GSA boundaries, beginning with the 2025 water year.
- Tiered Transfers: Tier 1 and Tier 2 water transfers will remain allowed under existing policy due to limited activity.
- Monitoring: Staff and committee members emphasized ongoing monitoring, especially in areas experiencing water level declines or subsidence, and will revisit restrictions if necessary.

Questions were raised regarding cross-boundary transfers; current policy allows them if the receiving GSA has a compatible policy. The expiration date of transferred water credits remains unchanged.

4. 2025 Fallowing Program Update

Staff reported that 16 of 29 contracts have been signed, totaling just under 4,000 acres enrolled in the 2025 Fallowing Program. Discussions included:

- Economic Impact: Members reviewed potential employment and economic effects, referencing studies by UC Berkeley and other researchers.
- Program Rules: Grazing is permitted, but irrigated crop harvests are not. Dryland farming and cover cropping were discussed as options to control dust and preserve land health.
- Monitoring: Remote sensing and daily monitoring tools will be used to ensure compliance and evaluate program effectiveness.

5. Land IQ Daily ET Monitoring Tool Presentation

Joel Kimmelshue (Land IQ) presented a new daily evapotranspiration (ET) monitoring tool designed to provide real-time field-level water consumption data.

- Tool Features: Utilizes satellite imagery and ground-based calibration for high accuracy ($\sim 0.95 R^2$).
- Cost: \$0.55 per managed acre annually, intended for GSA-wide adoption.

- Next Steps: Committee members discussed piloting the tool with a small group of growers and gathering feedback from Mid-Kaweah GSA before recommending full implementation.

6. Mitigation Plan and Water Credit Strategies

The committee reviewed current mitigation activities, including well claims, recharge projects, and the use of mitigation funds.

- Well Claims: Five claims were submitted by Self-Help Enterprises; three approved for pre-drilling, two under review.
- Recharge Projects: A recharge basin project was approved to benefit impacted communities.
- Mitigation Funding: \$2 million per year is allocated for water purchases or credit extinguishment. The committee discussed potential strategies to maximize benefit to the basin, including open purchase offers and prioritizing high-impact projects.

7. 2026 Water Allocation Approval

The Board approved maintaining the sustainable yield allocation at 0.83 AF/acre for the 2026 water year, with Tier 1 set at 0.31 AF/acre and Tier 2 at 0.23 AF/acre. Precipitation credits will continue to be adjusted by township and range.

8. Monitoring Wells and Well Registration

Staff reported ongoing challenges securing sites for new monitoring wells but noted progress with two transducers scheduled for installation. All three GSAs have launched well registration programs using satellite imagery and field verification to improve data accuracy. The committee stressed the importance of registration for effective water management and potential allocation eligibility.

9. Sustainability Plan and State Oversight Update

The State Water Resources Control Board staff intends to recommend returning the Kaweah Subbasin's plan to DWR for oversight, with a review period of up to two years. The State Board is expected to consider this recommendation on December 2, 2025. Fall groundwater sampling and transducer installations for surface water monitoring are currently underway.

Follow-Up Tasks

- Report any issues with the GKGSA website.
- Proceed with the lien process for unpaid 2023 invoices.
- Continue monitoring water transfers and explore potential localized restrictions.
- Research transfer policies of adjacent GSAs (Aubrey).
- Analyze following program economic impacts using existing studies.
- Gather feedback from Mid-Kaweah on Land IQ's daily ET tool.
- Conduct pilot testing of the ET tool with growers.
- Evaluate the most effective use of mitigation funds for the basin.



MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS HELD OCTOBER 13, 2025

At approximately 1:00 p.m. on October 13, 2025, at GKGSA, 227 N. West Street, Visalia, California, Chairman Chris Tantau of the Greater Kaweah GSA called to order a meeting of the Board of Directors of the Greater Kaweah Groundwater Sustainability Agency Joint Powers Authority (“GKGSA”).

Directors

Chris Tantau
Pete Vander Poel
Andrew Brazil
Eric Shannon
Joe Cardoza
Stephen Johnson

David Van Groningen

Clinton Church
Paul Boyer
Rolland Rosas (alt)

Directors Absent:

Brian Watte

Jared De Groot

Also Present:

Mark Larsen
Aubrey Mauritsen
Shawn Corley
Rachel Glauser
John Gailey
Andrew Hart
Geoff Vanden Heuval
Don Tucker
Tom Harder

Dennis Mills
Tammy McVay
Steve Jackson
Gene Kilgore
Lance Mouw
Scott Rogers

PUBLIC COMMENT:

Chairman Tantau opened the meeting for public comment. No comment was presented.

CORRESPONDENCE AND ANNOUNCEMENTS:

Miscellaneous Items

General Manager Larsen reported the State of the Subbasin will be held at the Ag Expo on October 21, 2025.

GSA REPORTS AND COMMITTEE DISCUSSION:

*(*all reports are located in the agenda packet.)*

Water Forum Update

General Manager Larsen provided a report.

Committees and Activities

Technical Advisory Committee

September 18, 2025- Canceled

General Manager Larsen advised that the Technical Advisory Committee met this past month.

Discussion ensued.

Next Meeting Scheduled for October 16, 2025 at 1:30 p.m.

General Manager Larsen advised that the next Technical Advisory Meeting will be held on October 16, 2025 at 1:30 p.m.

Combined Rural Communities & Stakeholder Committees

September 22, 2025 – Canceled

General Manager Larsen advised that the Combined Rural Communities and Stakeholder Committees scheduled for September 22, 2025 was canceled.

Next Meeting Scheduled for October 27, 2025 at 1:30 p.m.

The next meeting of the combined committees will be held on October 27, 2025, at 1:30 p.m.

Kaweah Subbasin Management

Grants Status

General Manager Larsen provided a status report on the MLRP application process.

LandIQ/Water Dashboard Status

General Manager Larsen had no report.

MLRP Development Funding Availability Application

General Manager Larsen reported efforts are underway for scoring of various projects.

CONSENT CALENDAR:

Consider Approval of Minutes for the September 8, 2025, Board Meeting

General Manager Larsen referred the Board to Agenda Item #5a, a copy of the September 8, 2025, minutes, which are attached hereto and incorporated by reference.

Director Shannon moved and Alt. Director Rosas seconded to approve the September 8, 2025, minutes. The Board unanimously approved the motion.

FINANCIAL

Consider Approval of Financial Report for the Third Quarter ending September 30, 2025

General Manager Larsen provided a report. Attached hereto and incorporated by reference as Agenda Item #6a is a copy of the Financial Report.

**Director Vander Poel arrived at this time.*

Director Shannon moved and Director Van Groningen seconded to approve the Financial Report for the Third Quarter as presented in the agenda packet. The Board unanimously approved the motion.

Preview draft 2026 Budget elements

General Manager Larsen referred the board to Agenda Item #6b, a copy of a proposed FY 2026 Budget.

Discussion ensued.

Public comment from Geoff Vanden Heuvel.

Discussion continued.

Public comment from Scott Rogers.

Discussion continued.

Public comment from Dennis Mills.

Discussion ensued.

Public comment from Gene Kilgore.

Discussion ensued.

DASHBOARD GROUNDWATER INVOICING

Status Report on 2023 Water Year

Chairman Tantau reported the topic will be reported on in the next agenda item.

Status Report on 2024 Water Year

General Manager Larsen had no report.

TIER 1 & 2 PENALTY ENFORCEMENT:

Staff Report on Delinquent Tier Penalty Accounts.

General Manager Larsen provided a report on the Tier Penalty Accounts.

Public Hearing on Tier Penalties. Written protests by individuals will be accepted up until the end of the Hearing.

Chairman Tantau opened the public hearing at 1:41 p.m.

No comments received.

Close Public Hearing.

Chairman Tantau closed the public hearing 1:41 p.m.

ACTION – Consider Approval of Resolution 2025- [6] authorizing staff to record certificates of lien for delinquent Tier Penalties.

Attached hereto and incorporated by reference as Agenda Item #8d is a copy of Resolution 2025-06.

Director Shannon moved and Director Van Groningen seconded to approve Resolution 2025-06. The Board unanimously approved the motion.

Discussion ensued.

LAND IQ ET:

Presentation of Daily Irrigation Management Tool

General Manager Larsen a report on the possibility of a daily irrigation management tool from Land IQ.

Discussion ensued.

Public comment from Geoff Vanden Heuvel and Gene Kilgore.

Discussion ensued.

Public comment from Dennis Mills.

Board directed the concept to the stakeholder committee for further discussion.

GREATER RULES AND REGULATIONS

Transfer Policy status report

General Manager Larsen provided a report.

Consider approval of revisions to Rules and Regulations

General Counsel Mauritson reviewed the draft Rules and Regulations. Attached hereto and incorporated by reference as Agenda Item #10b is a copy of the draft Fourth Amended Rules and Regulations.

Discussion ensued.

Public comment from Dennis Mills, Gene Kilgore, Scott Rogers, Andrew Hart, Johnny Gailey, and other unidentified members of the public.

Director Vander Poel moved and Director Cardoza seconded to approve the revisions to Rules and Regulations as presented in the Agenda Packet, with the exception that on page 15, subsection (2), the effective date for such revisions shall begin with Water Year 2025's Allocation. The Board unanimously approved the motion.

Public comment from Carlos Cervantes.

Discussion ensued.

The board unanimously approved.

WY 2026 ALLOCATION

Status Report

General Manager Larsen provided a report.

Review Technical Memorandum from 4Creeks setting Water Year 2026 Allocations

Don Tucker, 4Creeks, provided a report. Attached hereto and incorporated by reference as Agenda Item #11b is a copy of his PowerPoint presentation. He noted precipitation was slightly down from the prior year's allocation. For the following year, Mr. Tucker noted the allocations will be as follows:

- Native Sustainable Yield 0.83 ac-ft/acre
- Tier 1 Penalty Allocation 0.31 ac-ft/acre
- Tier 2 Penalty Allocation 0.23 ac-ft/acre
- Precipitation Range East-West from 11.0 inches to 3.0 inches.

Discussion ensued.

Review September 8, 2025, approved Resolution setting Water Year 2026 Penalty Rate for Tier 1, Tier 2, and Tier 3 Water

General Manager Larsen reported current penalty rates are: \$150.00 for Tier 1; \$250.00 for Tier 2; and \$500.00 for Tier 3 as established by the board on September 8, 2025.

MITIGATION PLAN

Status Report

General Manager Larsen did not have a general status report.

Haul Water Supply and access site update

General Manager Larsen provided a status report.

Consider Approval of Current Pilot – Dry Well Mitigation Claim(s)

Don Tucker, 4Creeks, provided a status report. No claims were ready for approval.

Public comment from Tami McVay.

Discussion ensued.

GREATER KAWEAH LAND FOLLOWING PROGRAM

2025 Program status report

General Manager Larsen provided a report. Sierra Rodriguez provided a summary. The GSA has received \$1.6 million in applications. Only one landowner has opted out and several have signed contracts.

Discussion ensued.

Public comment from Geoff Vanden Heuvel.

GREATER KAWEAH MONITORING WELL NETWORK

Status Report

General Manager Larsen did not have a status report.

Update from Thomas Harder & Company on Priority Monitoring Well Locations

Tom Harder from Thomas Harder and Company provided a report. He reported a preferred site had been identified.

KAWEAH SUBBASIN GROUNDWATER SUSTAINABILITY PLANS (GSPs)

Status Report

General Manager Larsen reported a rumor that state board staff will be recommending to the board to refer the Kaweah Subbasin back to DWR.

Update on Core Team activity

General Manager Larsen provided a report on the following core team activity:

- Water quality. Work continues on replacing wells and RMS sites.
- Interconnected surface waters. There has been some activity to install transducers on existing wells.
- Land subsidence. The team is still digesting the BMPs by DWR.
- Regional strategy. RMS map is still proceeding.
- Mitigation core team. The subbasin continues to coordinate.
- Small community well group. Not much activity the past month.
- Water accounting frame work. Continue to adjust the numbers and be a work in progress.
- Well inventory. Continue to locate wells via satellite and visual inspections.

Discussion ensued.

Public comment received from unidentified individual.

KAWEAH SUBBASIN WELL INVENTORY AND WELL REGISTRATION

Status Report

General Manager Larsen nothing further to report.

NEXT MEETING DATE

Scheduled Meeting November 10, 2025 at 1:00 p.m.

Chairman Tantau announced that the next regular meeting of the Groundwater Sustainability Agency will commence on Monday, November 10, 2025, at 1:00 p.m.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

[Government Code Section 54956.9(d)(2)]

Number of Potential Cases: Two

The Board of Directors, while in closed session pursuant to Government Code Section 54956.9(d)(2), met with General Counsel Aubrey Mauritsen regarding two potential items of anticipated litigation.

CLOSED SESSION ITEMS

Report Action Taken in Closed Session Required by Government Code 54957.1

The Board of Directors returned to open session. Chairman Tantau advised that there was no reportable action.

ADJOURNMENT

As there was no further business to come before the Board of Directors, the meeting was concluded.

Mark Larsen, Secretary



Greater Kaweah GSA
Proposed FY 2026 BUDGET
November 10, 2025

GENERAL REVENUE SUMMARY	
4000	Assessments (90% collection) Tulare County (\$10.00/ac) Kings County (\$10.00/ac)
4100	Grant Income
4150	Misc Income
4200	Penalty Fund
4210	Overdraft Penalty Fund
4220	Carryover Water Fund

2025 Projected Revenue	2026 Estimated Revenue
\$ 1,865,000	\$ 1,865,000
1,375,000	1,375,000
490,000	490,000
1,000,000	500,000
30,000	400,000
14,000,000	10,000,000
9,100,000	6,500,000
4,900,000	3,500,000
\$ 16,895,000	\$ 12,765,000

EXPENSE	2021 Budget	2022 Budget	2023 Budget	2024 Budget	2025 Budget
GSA Administration	\$ 348,700	\$ 546,922	\$ 574,000	\$ 856,000	\$ 807,000
5100 Payroll (fully burdened)	245,000	398,922	380,000	460,000	483,000
5110 Office Administration	11,700	16,500	17,000	26,000	28,000
5111 Supplies, Equipment, Postage	1,700	4,500	5,000	14,000	8,000
5112 Publications, Notices, Website	10,000	12,000	12,000	12,000	20,000
5113 Rent	0	0	0	0	0
5114 Utilities	0	0	0	0	0
5115 Equipment, Computers, Furniture	0	0	0	0	0
5116 Repair & Maintenance	0	0	0	0	0
5117 Employee Training & Travel	0	0	0	0	0
5120 Communication, Outreach, Media, Events	0	15,000	20,000	40,000	20,000
5200 Insurance	7,000	15,000	20,000	10,000	11,000
5300 Professional Services	85,000	101,500	137,000	320,000	265,000
5310 Legal	70,000	85,000	120,000	305,000	250,000
5320 Audit	15,000	16,500	17,000	15,000	15,000

2025 YTD	2025 Projected	2026 Budget
\$ 554,257	\$ 815,985	\$ 944,000
346,505	520,000	550,000
85,564	108,985	95,000
55,072	73,429	18,000
13,017	17,356	8,000
0	12,000	48,000
0	4,000	15,000
17,475	500	1,000
0	500	2,000
0	1,200	3,000
3,620	15,000	20,000
5,439	12,000	14,000
113,129	160,000	265,000
103,414	150,000	250,000
9,715	10,000	15,000

GSP Implementation	1,165,000	1,300,000	1,325,000	2,490,000	4,885,000
5400 GSP Development & Implementation	605,000	745,000	780,000	2,215,000	4,380,000
5401 Dashboard Development & Support	15,000	40,000	80,000	100,000	140,000
5402 GSP Development & Updates	200,000	250,000	100,000	100,000	200,000
5403 Projects and Management Actions	100,000	200,000	50,000	60,000	200,000
5404 DMS Update & Management	50,000	100,000	100,000	5,000	30,000
5405 Annual Reporting	40,000	55,000	50,000	30,000	40,000
5406 General Engineering	200,000	100,000	400,000	600,000	350,000
5407 Water Purchase	0	0	0	0	0
5408 GK Land Following Program	0	0	0	320,000	420,000
5409 Well Mitigation	0	0	0	1,000,000	3,000,000
5410 Subbasin / Interbasin Coordination	100,000	100,000	50,000	30,000	30,000
5420 Monitoring / Measurement / Data	460,000	455,000	495,000	245,000	475,000
5421 GW Level- Semi Annual	40,000	20,000	20,000	10,000	10,000
5422 GW Quality- Semi Annual (split 3 ways)	120,000	60,000	60,000	20,000	20,000
5423 Subsidence	50,000	15,000	15,000	15,000	15,000
5424 Landowner Demand Tracking	100,000	160,000	200,000	200,000	130,000
5425 New Monitoring Wells	150,000	200,000	200,000	0	300,000
5426 Well Registration	0	0	0	0	0

1,161,163	2,131,463	8,865,000
807,812	1,573,416	7,690,000
95,931	127,908	140,000
149,011	198,681	50,000
183,787	245,049	500,000
0	0	50,000
27,845	37,127	50,000
286,238	381,651	400,000
0	0	2,000,000
0	423,000	1,500,000
65,000	160,000	3,000,000
101,943	135,924	100,000
251,408	422,123	1,075,000
8,908	15,000	15,000
42,413	100,000	100,000
6,380	10,000	200,000
135,865	220,000	250,000
57,842	77,123	500,000
0	0	10,000

Funding Efforts	80,000	60,000	60,000	20,000	3,060,000
5430 Grant Writing	20,000	20,000	20,000	20,000	0
5440 Rate Studies, Prop 218, Prop 26 Elections	60,000	40,000	40,000	0	60,000
5525 Grant Payments (Imp Grant '25)	0	0	0	0	3,000,000

1,155	1,100,000	190,000
1,155	0	30,000
0	0	60,000
0	1,100,000	100,000

(additions from obsolete accounts) 405,000 435,000 100,000 3,200,000

\$ 1,998,700 \$ 2,341,922 \$ 2,059,000 \$ 6,566,000 \$ 8,752,000 \$ 1,716,575 \$ 2,059,890 \$ 9,999,000

Greater Kaweah GSA
Proposed FY 2026 RESERVES BUDGET
November 10, 2025

	Approved Reserves Budget 2025	Adjusted Reserves (+-)	Proposed Reserves Budget 2026	Reserves Target
RESERVES BUDGET FY 2026				
Mitigation Plan	\$ 3,500,000	-	\$ 3,500,000	\$ 3,500,000
Monitoring Wells	500,000	-	500,000	1,000,000
Projects	1,000,000	-	1,000,000	2,000,000
Water (import/retirement)	1,000,000	-	1,000,000	2,000,000
GK Following Program	1,000,000	1,000,000	2,000,000	2,000,000
Carryover Water Deposit	5,000,000	800,000	5,800,000	5,000,000
	\$12,000,000	\$1,800,000	\$13,800,000	\$15,500,000

BASIN LEASE AGREEMENT

This BASIN LEASE AGREEMENT (“Agreement”) is made this ____ day of _____, 2025, by and between GREATER KAWEAH GROUNDWATER SUSTAINABILITY AGENCY (“GKGSA”) and LISA ANN CARDOZA (“Owner”).

RECITALS

- A. WHEREAS, Owner is the fee title owner of that certain real property, located in Tulare County, a portion of APN 152-070-020, more particularly described in **Exhibit A** attached hereto and incorporated by reference (the “Property”);
- B. WHEREAS, the Property currently contains mature walnut trees;
- C. WHEREAS, the Property is located adjacent to the small community of Hypericum, a rural, disadvantaged community with no community water system, but only private wells;
- D. WHEREAS, numerous wells in Hypericum have gone dry, likely due to groundwater overdraft conditions;
- E. WHEREAS, in an effort to avoid continued well failure, GKGSA desires to lease the Property from Owner to construct and maintain a recharge basin.

AGREEMENT

NOW THEREFORE, in and for consideration of the mutual covenants, conditions, and promises hereinafter set forth, the Parties agree as follows:

- 1. **Payment.** GKGSA shall pay Owner annually the sum of ONE THOUSAND DOLLARS (\$1,000) per acre of land leased, for an annual total of \$11,820.
- 2. **Fallow Property.** GKGSA shall rip and chip the current mature walnut trees, and Owner shall not grow any crops on nor irrigate the property during the term of the Lease.
- 3. **Construct Recharge Basin.** GKGSA shall construct low levees around the Property and install a gate and conveyance to divert water off the Davis Slough and/or Sim-Davis ditch to the Property. Owner shall cooperate with GKGSA as necessary to allow construction to occur unimpeded.
- 4. **Recharge.** GKGSA shall take all actions necessary to supply water to the Property for recharge purposes, including but not limited to, diverting water from the Davis Slough, conveying water through Sim-Davis ditch, coordinating with ditch companies to provide flood waters, and applying regular surface water.
- 5. **Maintenance and Repair.** GKGSA shall be responsible for all operations, maintenance, repair, rehabilitation, and replacement of the excavation and improvements constructed on the Property.

6. **Insurance.** GKGSA shall add Owner as an additional insured on all insurance policies covering their work at the Property.
7. **Time for Construction.** The Parties contemplate that the obligations described in this Agreement shall occur in November and December of 2025. However, the Parties mutually acknowledge and agree that these dates are uncertain and may be delayed. Any such delay shall not constitute a breach of this Agreement, provided, however, that at all times each Party must take all reasonable efforts to fulfill its obligations under this Agreement.
8. **Term.** This Agreement shall be effective as of the date first written above, and shall continue in full force and effect for five years.
9. **Ownership.** Owner presently holds fee simple title to the Property, and shall continue to hold fee simple title to the Property throughout the term of this Agreement. the Parties agree that GKGSA is not, and shall not become, entitled to any fee simple ownership interest in the Property.
10. **Access.** GKGSA shall have the right to use existing roads, paved or unpaved, and the right of ingress and egress over and across Owner's land for the purpose of accessing the Property and fulfilling their obligations under this Agreement.
11. **Indemnification.** To the fullest extent permitted by law, each Party shall indemnify, hold harmless and defend the other parties, its directors, officers, employees, consultants, agents or authorized volunteers, and each of them, from and against any and all claims (including, without limitation, claims for bodily injury, death, or damage to property), demands, damages, causes of action, costs, expenses, losses, fines, penalties, forfeitures, or liabilities, in law or in equity, of every kind and nature whatsoever (collectively, "Claims"), which may arise from or in any manner directly or indirectly connected with the performance of any action under this Agreement. Provided, however, that this Section shall not apply to Claims that arise from the gross negligence or reckless or willful misconduct of a Party.
12. **Notice.** All notices or other communications required or desired to be given under this Agreement shall be given in writing and mailed, delivered or transmitted to the other party at the address indicated below:

Owner

9988 Avenue 152
Tipton, CA 93272

GKGSA

227 N West St
Visalia, CA 93291
Attn: Mark Larsen, General Manager

Each such notice or other communication shall be deemed effective and given (i) upon receipt, if personally delivered; (ii) two (2) business days after deposit in the United

States mail, postage prepaid, properly addressed to the Party to be served; or (iii) upon receipt, if sent in any other way, including email. Either Party may from time to time, by written notice, designate a different address than that set forth above for the purpose of notice, provided, however, that no notice of change of address shall be effective until actual receipt of the notice

13. **Representations and Warranties.** Each Party represents to the other Party that such Party has the full power and authority to enter into this Agreement, that the execution and delivery thereof will not affect any agreement to which such Party is a Party or by which such Party is bound, and that this Agreement, as executed and delivered, constitutes a valid and binding obligation of such Party enforceable in accordance with its terms.
14. **Duty to Cooperate.** Each Party shall cooperate so as to facilitate the other Party's efforts to carry out its obligations under this Agreement.
15. **Assignment.** No Party shall assign its rights and obligations under this Agreement without the express written consent of the other Party; provided, however, that GKGSa may hire contractors or subcontractors to fulfill its obligations under this Agreement.
16. **Amendment and Modification.** This Agreement may not be altered, modified or otherwise changed in any respect except by writing, duly executed by the parties and their authorized representatives.
17. **Binding Effect.** The obligations and benefits of this Agreement are binding upon and inure to the benefit of any successors and assigns to the parties hereto.
18. **Waiver.** A waiver or breach of a covenant or provision in this Agreement shall not be deemed a waiver of any other covenant or provision in this Agreement, and no waiver shall be valid unless in writing and executed by the waiving Party. Any extension of time for performance of any obligation or act shall not be deemed an extension of time for performance of any other obligation or act.
19. **Attorney's Fees.** If any legal action or proceeding arising out of or relating to this Agreement is brought by either party to this Agreement, the prevailing party shall be entitled to receive from the other party, in addition to any other relief that may be granted, the reasonable attorney fees, court costs and other expenses incurred in the action or proceeding by the prevailing party.
20. **Lawful Conduct.** Each party to this Agreement hereby covenants to obey all applicable laws, including all relevant regulations and other administrative directives and orders, in carrying out their respective activities under this Agreement.
21. **Counterparts.** This Agreement may be executed in counterparts, all of which, when taken together, shall be deemed one original Agreement. A signed copy of this Agreement delivered by facsimile or email (in PDF format or other electronic form) shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date set forth above.

OWNER:

GREATER KAWEAH GROUNDWATER
SUSTAINABILITY AGENCY:

Lisa Ann Cardoza

By: _____
Mark Larsen, General Manager

EXHIBIT A

[Property Description]

That portion of the South half of the Northeast quarter of Section 24, Township 19 South, Range 25 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof, illustrated in the below diagram:

