

6-22-2017

**FIRST AMENDMENT TO  
CENTRAL DELTA-MENDOTA REGION  
SUSTAINABLE GROUNDWATER MANAGEMENT ACT  
SERVICES ACTIVITY AGREEMENT  
AND CONSENT OF SS-MOA PARTICIPANTS**

1. RECITALS

A. The San Luis & Delta-Mendota Water Authority ("Authority") and 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, its members who have executed that certain Central Delta-Mendota Region Sustainable Groundwater Management Act ("SGMA") Services Activity Agreement (the "Activity Agreement Members" and "Activity Agreement," respectively contemplated participation by the Oro Loma Water District, which initially authorized execution of the Activity Agreement and was included as an Activity Agreement Member on the Final 2-10-2017 Agreement executed by the other parties.

B. Oro Loma Water District subsequently rescinded that authorization and never executed the Activity Agreement.

C. The Activity Agreement imposed a deadline of February 28, 2017, as the date by which all Activity Agreement Members and SS-MOA Participants must execute their respective agreements or receive additional approvals to participate.

D. Not all of the contemplated initial Activity Agreement Members were able to act by the February 28, 2017 deadline for participation as initial members.

E. The Activity Agreement also contemplated participation through Memoranda of Agreement by an initial group of SS-MOA Participants, including Fresno County; Merced County; and Santa Nella County Water District, all of whom have executed Memoranda of Agreement but some of whom were not able to act by the February 28, 2017, deadline for participation by initial members.

6-22-2017

F. The Authority and Activity Agreement Members desire to amend the Agreement so that the Oro Loma Water District is not mentioned in the Activity Agreement; is omitted from the Exhibit "A" map describing the boundaries of the Activity Agreement Participants; and is not assigned a Participation Percentage under Exhibit "C" to the Activity Agreement so that the Participation Percentages are allocated only to the Activity Agreement Members and SS-MOA Participants.

G. The Authority and the Activity Agreement Members desire to amend the Agreement so that Activity Agreement Members and SS-MOA Participants who have approved and executed their respective forms of Agreement prior to April 30, 2017, are treated as initial Activity Agreement Participants and not as parties who may be admitted to participation only through Amendment of the Activity Agreement, special recommendation of the Management Committee and additional approval by the Board of Directors.

H. The Authority and the Activity Agreement Members also desire to correct a clerical error by eliminating the signature block on the Activity Agreement for the Santa Nella County Water District, which is not an Activity Agreement Member but has signed a Memorandum of Agreement and is a SS-MOA Participant.

I. Section 19.1 of the Activity Agreement authorizes an amendment in writing by the Authority and the Activity Agreement Members, with approval of the SS-MOA Participants.

#### AGREEMENT

NOW, THEREFORE, in consideration of the true and correct facts recited above, the Activity Agreement Members and the Authority agree as follows:

2. AMENDMENTS TO REMOVE PARTICIPATION BY ORO LOMA WATER DISTRICT.

2.1. Introductory Paragraph of Activity Agreement. The name "Oro Loma Water District" is omitted from the listing of Authority Members who execute this Agreement.

2.2. Oro Loma Signature Block. The signature block for Oro Loma Water District is deleted from the Activity Agreement.

6-22-2017

2.3. Exhibit "A" Replaced. The map attached to the Activity Agreement as Exhibit "A" that included Oro Loma Water District is hereby replaced with Exhibit "A" attached to this First Amendment.

2.4 Exhibit C, Participation Percentages Replaced. The Participation Percentages attached to the Activity Agreement as Exhibit "C" is hereby superseded and replaced by Exhibit "C" attached to this First Amendment, omitting Oro Loma Water District and reallocating participation percentages among the remaining Activity Agreement Participants.

3. AMENDMENTS TO TREAT AS INITIAL ACTIVITY AGREEMENT PARTICIPANTS ACTIVITY AGREEMENT MEMBERS AND SS-MOA PARTICIPANTS WHO EXECUTED THEIR RESPECTIVE FORMS OF AGREEMENT PRIOR TO APRIL 30, 2017

3.1 Date Change in Section 4.4(b). In Section 4.4(b) of the Activity Agreement, the date "February 28, 2017" is hereby replaced with the date "April 30, 2017."

3.2. Date Changes in Section 15. In Section 15 of the Activity Agreement, the date "February 28, 2017" is hereby replaced each time it occurs with the date "April 30, 2017," for a total of 3 replacements.

4. AMENDMENT TO CORRECT CLERICAL ERROR

The signature block for Santa Nella County Water District was included because of clerical error and is hereby deleted from the Activity Agreement.

5. EFFECT & EFFECTIVE DATE OF FIRST AMENDMENT

5.1 Amendment *Ab Initio*. This First Amendment is intended to modify the Activity Agreement *ab initio* to remove any reference to participation by the Oro Loma Water District; to provide that any Activity Agreement Participant who has executed its respective form of Activity Agreement or Memorandum of Agreement prior to April 30, 2017, has timely acted such that no separate Amendment or procedure for recommendation and approval is required; and to remove the Santa Nella County Water District signature block.

6-22-2017

5.2 Modified Activity Agreement. The terms of the Activity Agreement as modified by this First Amendment remain in full force and effect.

F. Effective Date. This First Amendment shall become effective upon its execution by an authorized representative of the Water Authority and a majority of the Activity Agreement Members with the consent of the SS-MOA Participants, which consent may be accomplished by execution of the form attached hereto as Attachment 1.

**SAN LUIS & DELTA-MENDOTA WATER AUTHORITY**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ACTIVITY AGREEMENT MEMBERS**

Agency Name: **EAGLE FIELD WATER DISTRICT**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

6-22-2017

**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: \_\_\_\_\_

6-22-2017

Agency Name: **PANOCHÉ WATER DISTRICT**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Agency Name: **SAN LUIS WATER DISTRICT**

By: Lon M. Martin

Name: Lon M. Martin

Title: GENERAL MANAGER

Date: JULY 25, 2017

Agency Name: **TRANQUILLITY IRRIGATION DISTRICT**

By: \_\_\_\_\_

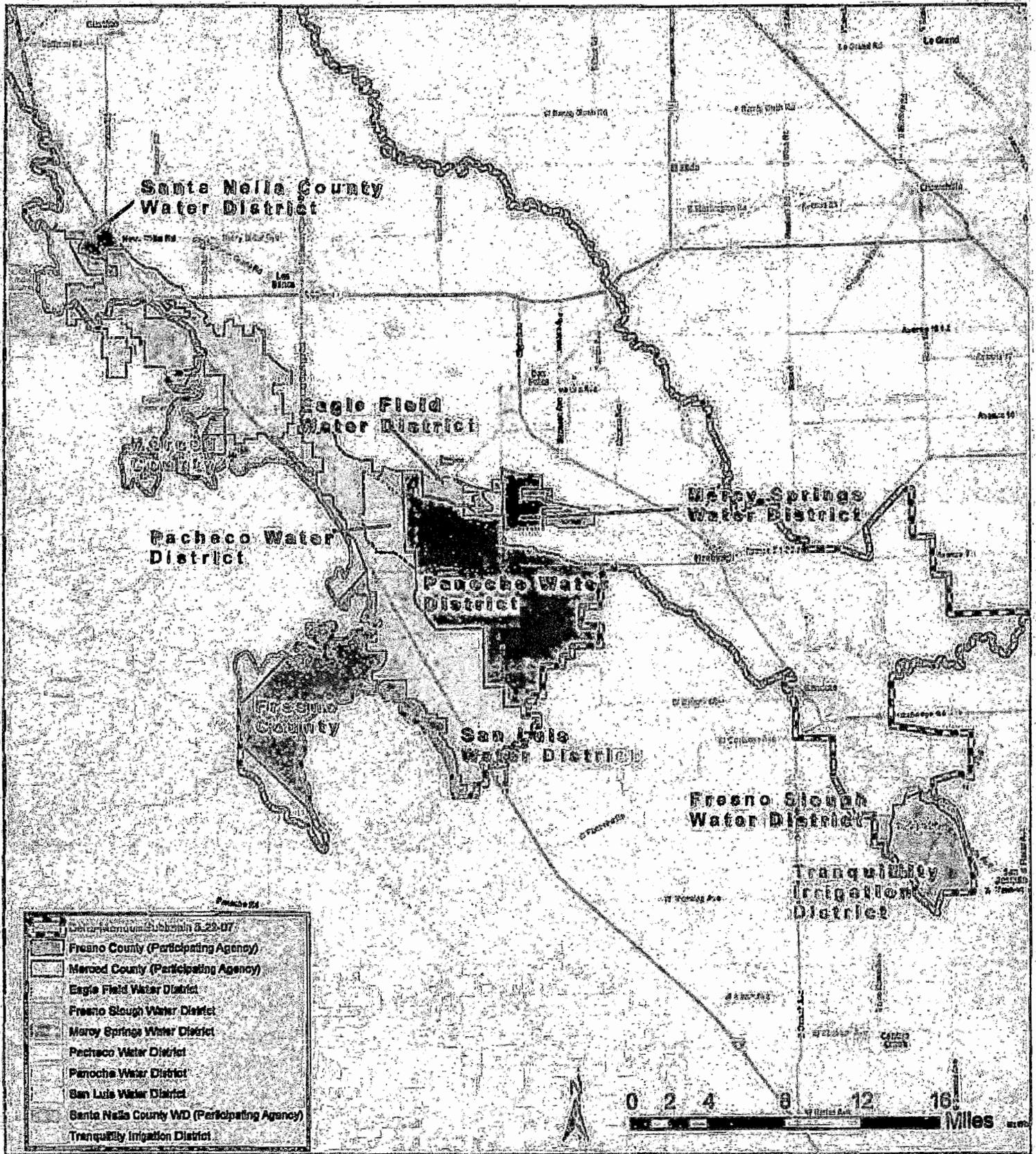
Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

6-22-2017

**AMENDED EXHIBIT "A"**  
**MAP OF CENTRAL DM REGION BOUNDARIES**



# Central Delta-Mendota Region GSA Local Agency Boundaries

**EXHIBIT "C"  
CENTRAL DM REGION  
ACTIVITY PARTICIPANT PARTICIPATION PERCENTAGES**

<b>Agency/GSA Name</b>	<b>Participation Status</b>	<b>Participation Percentage</b>	<b>GSA Total Allocation</b>
<b>Central DM Region Multi-Agency GSA</b>			<b>94%</b>
<b>Eagle Field Water District</b>	<b>Member</b>	<b>6% GSA Allocation</b>	
<b>Fresno County</b>	<b>SS-MOA Participant</b>	<b>13.5% GSA Allocation</b>	
<b>Fresno Slough Water District</b>	<b>Member</b>	<b>6% GSA Allocation</b>	
<b>Merced County</b>	<b>SS-MOA Participant</b>	<b>9.5% GSA Allocation</b>	
<b>Mercy Springs Water District</b>	<b>Member</b>	<b>7.6% GSA Allocation</b>	
<b>Pacheco Water District</b>	<b>Member</b>	<b>7.1% GSA Allocation</b>	
<b>Panoche Water District</b>	<b>Member</b>	<b>15.7% GSA Allocation</b>	
<b>San Luis Water District</b>	<b>Member</b>	<b>20.0% GSA Allocation</b>	
<b>Santa Nella County Water District</b>	<b>SS-MOA Participant</b>	<b>6% GSA Allocation</b>	
<b>Tranquillity Irrigation District</b>	<b>Member</b>	<b>8.6% GSA Allocation</b>	
		<b>100%</b>	
<b>Widren Water District GSA</b>			<b>6%</b>
<b>Widren Water District</b>	<b>SS-MOA Participant</b>	<b>100% GSA Allocation</b>	
			<b>100%</b>

**Dated Effective as of: March 1, 2017**



**Central Delta-Mendota Region  
SGMA Services Activity Agreement/MOA  
Cost Share April 2017 Amendment**

By: AIG  
CHID:  
Date: 4/3/2017

		Current Year Projected Costs					\$572,414.00
Central Delta-Mendota Region Cost Allocation	Central DM Multi-Agency GSA	Agency	Service Area (acres)	% of Central DM Region Acreage	GSA Total Allocation	Contribution %	Projected Costs
		Eagle Field Water District	1,325	0.81%	94%	6.0%	\$32,284.15
		Fresno County	29,728	18.07%		13.5%	\$72,445.42
		Fresno Slough Water District	1,459	0.89%		6.0%	\$32,284.15
		Merced County	14,176	8.62%		9.5%	\$51,039.20
		Mercy Springs Water District	6,945	4.22%		7.6%	\$41,077.46
		Pacheco Water District	4,999	3.04%		7.1%	\$38,398.17
		Panoche Water District	38,317	23.29%		15.7%	\$84,270.88
		San Luis Water District	55,316	33.63%		20.0%	\$107,675.35
		Santa Nella County Water District	1,488	0.90%		6.0%	\$32,284.15
		Tranquillity Irrigation District	10,750	6.53%		8.6%	\$46,316.23
<b>Central DM Multi-Agency GSA Total</b>		<b>164,503</b>	<b>100%</b>			<b>100%</b>	<b>\$538,059.16</b>
Widren GSA				6%			
<b>Widren GSA Total</b>		<b>877</b>	<b>0.53%</b>		<b>6%</b>	<b>\$34,345</b>	
<b>Central DM Sub-Basin Region Total</b>		<b>165,380</b>		<b>100%</b>		<b>\$572,414.00</b>	

6-22-2017

**ATTACHMENT 1**  
**SS-MOA PARTICIPANT CONSENT TO FIRST AMENDMENT**  
**TO THE CENTRAL DELTA-MENDOTA REGION**  
**SUSTAINABLE GROUNDWATER MANAGEMENT ACT**  
**SERVICES ACTIVITY AGREEMENT**

The undersigned duly authorized representative of the SS-MOA Participant that has entered into a Memorandum of Agreement for Central Delta-Mendota Region Sustainable Groundwater Management Act Services with the San Luis & Delta-Mendota Water Authority hereby consents on behalf of such SS-MOA Participant to the First Amendment to the Central Delta-Mendota Region Sustainable Groundwater Management Act Services Activity Agreement.

**SS-MOA PARTICIPANT**

By: Sal Quintero  
Name: Sal Quintero  
Title: Chairperson, Board of Supervisors  
Date: October 23, 2018

ATTEST:  
BERNICE E. SEIDEL  
Clerk of the Board of Supervisors  
County of Fresno, State of California

By: Sherry Lewis  
Deputy

**RESOLUTION NO. 17-1125**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN LUIS  
WATER DISTRICT, AUTHORIZING THE EXECUTION OF THE FIRST  
AMENDMENT TO CENTRAL DELTA-MENDOTA REGION  
SUSTAINABLE GROUNDWATER MANAGEMENT ACT SERVICES  
ACTIVITY AGREEMENT AND CONSENT OF SS-MOA PARTICIPANTS**

WHEREAS, on February 28, 2017 the San Luis Water District (District) Board of Directors authorized execution of the Central Delta-Mendota Region Sustainable Groundwater Management Act Services Activity Agreement; and

WHEREAS, Oro Loma Water District never executed the Activity Agreement; and

WHEREAS, the Activity Agreement also contemplated participation through Memoranda of Agreement by an initial group of SS-MOA Participants, including Fresno County; Merced County; and Santa Nella County Water District; and

WHEREAS, the Authority and the Activity Agreement Members desire to amend the Agreement so that Activity Agreement Members and SS-MOA Participants who have approved and executed their respective forms of Agreement, are treated as initial Activity Agreement Participants; and

WHEREAS, by omitting Oro Loma Water District, the participation percentages have been reallocated among the remaining Activity Agreement Participants.

NOW, THEREFORE, IT IS HEREBY RESOLVED, AS FOLLOWS:

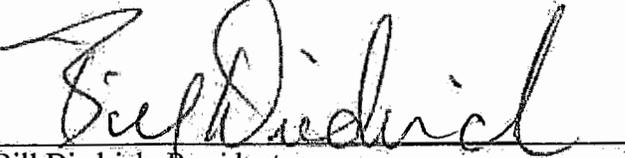
1. The facts stated in the recitals above are true and correct, and the Board so finds and determines.
  
2. The Board hereby authorizes the President of the District to execute the First Amendment to the Central Delta-Mendota Region Sustainable Groundwater Management Act Services Activity Agreement Activity in substantially the form

attached hereto as Exhibit A, subject to such non-substantial modifications as the executing officer shall approve prior to execution.

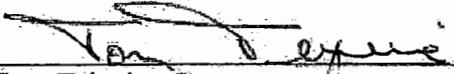
3. The District's officers, staff, and consultants are authorized and directed to take all additional actions they deem necessary or appropriate in order to carry out the intent of this resolution.

PASSED AND ADOPTED this 25<sup>th</sup> day of July, 2017, by the Board of Directors of the San Luis Water District, by the following vote:

<u>VOTE:</u>	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
President Diedrich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Craven	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director Hurd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Teixeira	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director Wood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

  
\_\_\_\_\_  
Bill Diedrich, President

Attest:

  
\_\_\_\_\_  
Tom Teixeira, Secretary