



**MADERA IRRIGATION DISTRICT
BOARD OF DIRECTORS
GROUNDWATER SUSTAINABILITY AGENCY
MEETING
AGENDA**

Members of the public can participate *in-person* or in the following ways:

1. Zoom Meeting

<https://us02web.zoom.us/j/86059194180?pwd=bUtXOEM3TmtlU25Fdk9aMFo3YjJVZz09>

Meeting ID: 860 5919 4180

Passcode: 092257

2. Conference Call-In: +1 669 900 9128 or +1 346 248 7799

Meeting ID: 860 5919 4180

Passcode: 092257

3. Email: You may submit comments on a specific agenda item via email to asandoval@madera-id.org. We request emails be sent at least two hours prior to the start of the meeting.

If Members of the public have any problems accessing the meeting, please contact the District office at 559-673-3514. For a copy of the Board Packet, please contact Board Secretary Andrea Sandoval at asandoval@madera-id.org.

MISSION STATEMENT

To obtain and manage affordable surface water and groundwater supplies in a manner which will ensure the long-term viability of irrigated agriculture in the District.

Meeting Date:
Tuesday, August 15, 2023
1:00 p.m.

Madera Irrigation District
12152 Road 28 ¼
Madera, California 93637

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Administration Office at 559-673-3514, ext. 215. Notification in advance of the meeting will enable MID to make reasonable arrangements to ensure accessibility to this meeting.

In compliance with the California Government Code, members of the public may inspect the agenda and any associated writings, including documents delivered after the 72-hour advance posting of the agenda during regular business hours at the Madera Irrigation District Office, located at 12152 Road 28 1/4, Madera, California 93637.

CALL TO ORDER / ROLL CALL

APPROVAL OF AGENDA

PUBLIC COMMENT: Closed Session

The first fifteen minutes of this portion of the meeting are reserved for members of the public to address the Board of Directors on Closed Session items listed on the Agenda. Speakers seeking to comment on other items are requested to make those comments during the Public Comment portion of the meeting at 2:00 p.m. Speakers shall be limited to three minutes. Speakers will be asked to identify themselves and state the subject of their comment. The Board is prohibited by law from taking any action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the Board does not respond to public comment at this time.

POTENTIAL CONFLICTS OF INTEREST: Closed Session

Any Board Member who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter. (*Govt. Code, § 87105.*)

1. CLOSED SESSION Closed Session items not concluded prior to Regular Session may be continued at the end of the Regular Session.

- 1a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9 (3 potential cases)
- 1b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Potential initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 (2 potential cases)
- 1c. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9; Petition for the Adjudication of Rights to the Fresno River, before the State Water Resources Control Board
- 1d. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; Madera Irrigation District v. Smith-Adobe Ranch Family Limited Partnership, Case No. MCV081757
- 1e. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; Jose Hernandez v. Madera Irrigation District, et. al., Case No. MCV084802 and consolidated cases
- 1f. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; Madera Irrigation District and Madera Irrigation District Groundwater Sustainability Agency v. Madera County Groundwater Sustainability Agency, Madera County Board of Supervisors, County of Madera, Case No. MCV086277

- 1g. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; Madera Irrigation District and Madera Irrigation District Groundwater Sustainability Agency v. Madera County Groundwater Sustainability Agency, Madera County Board of Supervisors, County of Madera, Case No. MCV087598
- 1h. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; *NRDC v. Rogers*, U.S. District Court, Eastern District of California (Sacramento Division), Case No. 88-CV-1658-JAM-GGH
- 1i. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Government Code Section 54956.8
 - Property: 047-060-018 and 047-060-006
 - Agency Negotiator: Thomas Greci and Dina Nolan
 - Negotiating Party: Shawn Lilles
- 1j. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Government Code Section 54956.8
 - Property: 031-173-001, 031-173-002, 031-173-003, and 031-161-012
 - Agency Negotiator: Thomas Greci and Dina Nolan
 - Negotiating Party: Taisto Smith

2:00 p.m. CALL TO ORDER REGULAR SESSION/ PLEDGE OF ALLEGIANCE

REPORT ON CLOSED SESSION

POTENTIAL CONFLICTS OF INTEREST

Any Board Member who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter. (*Govt. Code, § 87105.*)

PUBLIC COMMENT: MID Groundwater Sustainability Agency & Regular Session

The first fifteen minutes of the meeting are reserved for members of the public to address the MID Board on items which are within the subject matter jurisdiction of the Board. Speakers shall be limited to three minutes. Speakers will be asked to identify themselves and state the subject of their comment. If the subject is an item on the Agenda, the President of the Board has the option of asking the speaker to hold the comment until that item is called. The Board is prohibited by law from taking any action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the Board does not respond to public comment at this time.

ADJOURN AS MID BOARD OF DIRECTORS & CONVENE AS MID GROUNDWATER SUSTAINABILITY AGENCY

- a. Update on MID Groundwater Sustainability Agency (GSA)

ADJOURN AS MID GROUNDWATER SUSTAINABILITY AGENCY & RECONVENE AS MID BOARD OF DIRECTORS

2. CONSENT AGENDA

- 2a. Approval of June 6, 2023 Special Board Meeting Minutes
- 2b. Approval of June 13, 2023 Special Board Meeting Minutes
- 2c. Approval of June 16, 2023 Special Board Meeting Minutes
- 2d. Discussion / possible action on approval of warrant list payments through July 31, 2023
- 2e. Discussion / possible action on monthly financial reports for May and June 2023

3. DEPARTMENT REPORT – DISTRICT OPERATIONS

4. GENERAL MANAGER’S REPORT

- 4a. Update of Activities
 - Madera-Chowchilla Water & Power Authority Update
 - ACWA JPIA Wellness Grant
 - Water Supply Update

5. NEW BUSINESS

- 5a. Presentation from the Department of Water Resources on the San Joaquin River Watershed Studies – **Timed Item 2:30 p.m.**
- 5b. Discussion / possible action on surplus of equipment, Resolution No. 2023-25
- 5c. Discussion / possible action on approving the Human Resources Technician job description and filling of position, Resolution No. 2023-26
- 5d. Discussion / possible action on Soquel Letter Agreement Extension with Pacific Gas & Electric, Resolution No. 2023-27
- 5e. Discussion / possible action on adoption responsible agency findings pursuant to the California Environmental Quality Act and approving the Cooperative Agreement for implementation of the new guidelines for accepting water in the Friant-Kern Canal, Resolution No. 2023-28

5f. Discussion / possible action on Ad Hoc Groundwater Sustainability Plan Facilitation Committee, Resolution No. 2023-29

6. **DIRECTOR REPORTS, COMMITTEE REPORTS, FUTURE AGENDA ITEMS**

- Director DaSilva
- Director Davis
- Director Janzen
- Director Loquaci
- Director Erickson

7. **ADJOURNMENT**

AGENDA ITEM 2a.



**MADERA IRRIGATION DISTRICT
BOARD OF DIRECTORS SPECIAL MEETING
JUNE 6, 2023**

MINUTES

Directors Present: Tim DaSilva
Carl Janzen, Vice President
David Loquaci

Directors Absent: James Erickson, President
Brian Davis

Staff Present: T. Greci, General Manager (GM Greci)
D. Cadenazzi Nolan, Assistant General Manager (AGM Nolan)
A. Kwock Sandoval, Secretary to the Board

Others Present: General Counsel John Kinsey via Zoom, Wanger Jones Helsley; others on the Zoom or in-person that did not identify themselves.

CALL TO ORDER / ROLL CALL

Vice President Janzen called the meeting to order at 2:00 p.m. at the business office of the District at 12152 Road 28 ¼, Madera, California 93637.

APPROVAL OF AGENDA

MOTION: Director DaSilva / Director Janzen to approve the agenda as presented.

VOTE: ROLL CALL

AYES: Directors Loquaci, Janzen, and DaSilva

NOES:

ABSTAIN:

ABSENT: Directors Erickson and Davis

POTENTIAL CONFLICTS OF INTEREST:

General Counsel Kinsey stated that Directors Erickson and Davis have elected to voluntarily recuse themselves from the Closed Session out of an abundance of caution because of their relationships to some of the respondents to the RFP.

1. CLOSED SESSION

1a. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Government Code Section 54956.8**

Property: 047-060-018 & 047-060-006
Agency Negotiator: Thomas Greci and Dina Nolan
Negotiating Party: Shawn Lilles

Property: 040-021-001
Agency Negotiator: Thomas Greci and Dina Nolan
Negotiating Party: La Vina Ag, LLC

Property: 035-191-015
Agency Negotiator: Thomas Greci and Dina Nolan
Negotiating Party: D-F Properties LLC (Nat Dellavalle and Joan Dellavalle Tyndal)

Property: 035-191-054
Agency Negotiator: Thomas Greci and Dina Nolan
Negotiating Party: D-F Properties LLC

Property: 035-191-017
Agency Negotiator: Thomas Greci and Dina Nolan
Negotiating Party: D-F Properties LLC

Property: 028-152-007
Agency Negotiator: Thomas Greci and Dina Nolan
Negotiating Party: Gurdeep S. Johal and Manpreet Kaur, Kuldeep Johal and Harpreet Chhina, Jagraj Singh and Baljit Kaur, Parjmeet Hans and Gian Hans, Preetkamal Hans, and Jasbir Singh and Swaranjit Kaur

Property: 044-282-011
Agency Negotiator: Thomas Greci and Dina Nolan
Negotiating Party: Avtar Billing and Tarlochan Kaur

Property: 027-212-002

Agency Negotiator: Thomas Greci and Dina Nolan
Negotiating Party: APC Avenue 20, LLC

Property: 028-020-001
Agency Negotiator: Thomas Greci and Dina Nolan
Negotiating Party: APC Avenue 20, LLC

2. **REPORT ON CLOSED SESSION**

There was no reportable action taken during Closed Session.

3. **ADJOURNMENT**

President Erickson adjourned the meeting at 2:20 p.m.

APPROVED FOR THE BOARD:

James Erickson
President

Andrea Kwock Sandoval
Secretary to the Board

Date: _____

AGENDA ITEM 2b.



**MADERA IRRIGATION DISTRICT
BOARD OF EQUALIZATION
BOARD OF DIRECTORS
GROUNDWATER SUSTAINABILITY AGENCY
SPECIAL MEETING
JUNE 13, 2023**

MINUTES

Directors Present: James Erickson, President
Tim DaSilva
Brian Davis entered at 1:15 p.m.
Carl Janzen, Vice President
David Loquaci

Directors Absent: None

Staff Present: T. Greci, General Manager (GM Greci)
D. Cadenazzi Nolan, Assistant General Manager (AGM Nolan)
A. Kwock Sandoval, Secretary to the Board
J. Furstenburg, Controller
C. Contreras, Operations & Maintenance Manager (OMM Contreras)

Others Present: General Counsel John Kinsey, Wanger Jones Helsley; Jennifer and Robert Markarian; Joel Hastings; Roy Catania; Sean Smith; and others in-person or on Zoom that did not identify themselves

CALL TO ORDER / ROLL CALL

President Erickson called the meeting to order at 1:00 p.m. at the business office of the District at 12152 Road 28 ¼, Madera, California 93637.

APPROVAL OF AGENDA

MOTION: Director Loquaci / Director DaSilva to approve the agenda as presented.

VOTE: ROLL CALL

AYES: Directors Loquaci, Janzen, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT: Director Davis

POTENTIAL CONFLICTS OF INTEREST: Closed Session

There were no potential conflicts noted.

PUBLIC COMMENT: Closed Session

President Erickson opened and closed public comment due to no public in attendance.

Director Davis entered the meeting at 1:15 p.m. during Closed Session

1. CLOSED SESSION Closed Session items not concluded prior to Regular Session may be continued at the end of the Regular Session.

- 1a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9 (3 potential cases)
- 1b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Potential initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 (2 potential cases)
- 1c. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9; Petition for the Adjudication of Rights to the Fresno River, before the State Water Resources Control Board
- 1d. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; Madera Irrigation District v. Smith-Adobe Ranch Family Limited Partnership, Case No. MCV081757
- 1e. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; Jose Hernandez v. Madera Irrigation District, et. al., Case No. MCV084802 and consolidated cases
- 1f. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; Madera Irrigation District and Madera Irrigation District Groundwater Sustainability Agency v. Madera County Groundwater Sustainability Agency, Madera County Board of Supervisors, County of Madera, Case No. MCV086277
- 1g. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; Madera Irrigation District and Madera Irrigation District Groundwater Sustainability Agency v. Madera

County Groundwater Sustainability Agency, Madera County Board of Supervisors,
County of Madera, Case No. MCV087598

- 1h. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; *NRDC v. Rogers*, U.S. District Court, Eastern District of California (Sacramento Division), Case No. 88-CV-1658-JAM-GGH
- 1i. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Paragraph (1) of subdivision (b) of Government Code Section 54957
Title: Assistant General Manager

CALL TO ORDER REGULAR SESSION/ PLEDGE OF ALLEGIANCE

President Erickson called regular session to order at 2:07 p.m. with staff in attendance and the public in attendance.

REPORT ON CLOSED SESSION

There was no reportable action taken during Closed Session and the Board will reconvene to Closed Session for item 1i.

There were audio issues from 2:10 p.m. – 2:19 p.m. and no District business was discussed.

POTENTIAL CONFLICTS OF INTEREST

General Counsel Kinsey stated Director Erickson will voluntarily recuse himself from item 6c. due to his relationship with the property owner.

PUBLIC COMMENT: MID Groundwater Sustainability Agency & Regular Session

Jennifer and Robert Markarian commented on the basin they built. Comments were held until the item has been called under 5a.

RECESS AS MID BOARD OF DIRECTORS & CONVENE AS BOARD OF EQUALIZATION – TIMED ITEM – 2:20 P.M.

The Board of Directors, acting as the Board of Equalization will hear and determine objections to the valuation, acreage, or any other matter pertaining to assessments.

Controller Furstenburg stated the Board of Directors (BOD) will convene as a Board of Equalization (BOE) pursuant to California Water Code Section 25550 to hear and determine objections to the valuations, acreage, and/or any matter pertaining to assessments coming before the BOE. The BOE meetings begin today and end on Friday, June 16, 2023.

The annual unequalized assessment roll was presented to the Board Secretary on Thursday, May 11, 2023 as required by the California State Water Code. This roll provides the total assessed value of properties within the Madera Irrigation District boundaries for city, city ag, and rural parcels and is used as a base for computation of the ad valorem assessment rate for the assessment year. Besides the assessments that are collected annually, the District collects other revenues in the form of crop water tolls, standby fees, and other miscellaneous charges that are allocated in addition to those assessments toward District

expenditures such as Transmission and Distribution, General and Administrative, Interest, and Source of Supply expenses.

The approximate assessment revenue based on the unequalized roll for 2024 is \$6,269,736.62, which is shown on “Exhibit A”. This is determined by using the current assessment rate of \$.449769 per \$100 of the full cash value of city parcels; \$9.43683 per \$100 of the assessed District valuation of rural parcels; and the additional 9d benefit assessment rate of \$16.683692 per \$100 of assessed District valuation for rural parcels. The 9d benefit assessment is covenanted by the Water Revenue Refunding Bonds, Series 2015. As part of the Board of Equalization process, parcels are updated when new parcel maps are received from the County of Madera. These changes could consist of lot line adjustments, parcel splits, category changes and subdivision changes. Those changes are shown on “Exhibit B”, Listing of Individual Parcel Changes.

“Exhibit C” identifies those parcels partaking in the District’s Non-Irrigated Lands Program.

“Exhibit D” provides the current definitions of the District categories.

“Exhibit E” is informational as it shows the assessment rates for the period 2014 through 2024 and the average increase each year.

Due to the passage of Proposition 218 in 1996, the District cannot increase the original assessment rate without the majority vote of the District landowners. With the passage of the rural landowner majority vote on March 15, 2011 for bonding of the 9d capital repayment obligation with the United States Bureau of Reclamation (“USBR”), the District was allowed to increase the 9d benefit assessment by 3% per year for a period of 10 years. The final 3% increase occurred in 2021 for the 2022 assessments. The assessment rates have not changed.

Controller Furstenburg stated approval of the assessment rates will occur at the meeting on Friday, June 16, 2023. Director Janzen stated it is interesting the parcel splits and changes that happen every year. Director Janzen stated everyone needs to understand under Prop 218 what MID is valuating the land at, he would buy it all.

ADJOURN AS BOARD OF EQUALIZATION & CONVENE AS MID GROUNDWATER SUSTAINABILITY AGENCY – 2:21 p.m.

- a. Update on MID Groundwater Sustainability Agency (GSA)

AGM Nolan provided an update on Madera Subbasin Joint GSP. She reported we are still waiting on a response from the Department of Water Resources (“DWR”) and/or the State Water Resources Control Board (“SWRCB”). We have not heard anything from them since April.

AGM Nolan stated the District put out a press release on May 3, 2023 related to the District and City partnership on recharge. At that time, it was reported that over 400 acre feet had been recharged in partnership with the City, currently over 675 acre feet has been recharged. AGM Nolan stated that shows what can be done when agencies cooperate and work together on these projects.

AGM Nolan noted agenda items 5a. and 5c. today are projects MID has listed in the GSP. This includes an incentive program for recharge and parcel purchase for recharge facilities.

ADJOURN AS MID GROUNDWATER SUSTAINABILITY AGENCY & RECONVENE AS MID BOARD OF DIRECTORS – 2:24 p.m.

2. CONSENT AGENDA

2a. Approval of April 18, 2023 Board Meeting Minutes

2b. Discussion / possible action on approval of warrant list payments through May 31, 2023

2c. Discussion / possible action on monthly financial reports for March and April 2023

MOTION: Director Loquaci / Director Davis to approve the Consent Agenda as presented.

DISCUSSION: There was no discussion.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

VOTE:

AYES: Unanimously approved
NOES:
ABSTAIN:
ABSENT:

3. DEPARTMENT REPORT – DISTRICT OPERATIONS

OMM Contreras reported an additional turnout was installed at Basin #9. The crop survey was completed by the Engineering Department. In addition, the Engineering Department has completed turnout reviews for turnouts with more than one user.

OMM Contreras reported the Emergency Action Plan for the Madera Lake Dam was approved by CalOES. OMM Contreras reported this year there are 38 new turnouts that have not ran between 2001 and 2023 or have no history of usage at all. AGM Nolan stated this is a really good thing and shows that people are seeing the value of surface water. It equates to hundreds of acres that are now using surface water and it shows the public outreach has worked. Director Loquaci stated that is just this year and a lot more growers are using surface water since the implementation of SGMA.

OMM Contreras reviewed the maintenance photos of recently completed work including Island Track repairs, seepage repairs, and pipeline repairs. OMM Contreras stated pipeline repairs and leaks are ongoing. Algae treatments have been ongoing and NPDES staff training was held.

AGM Nolan reported the District does have a new employee; an intern was hired from Fresno State to work in the Engineering Department for the summer.

OMM Contreras encouraged water users to call the District when they see algae problems. The sooner the better; the calls often occur after the grower has turned off.

AGM Nolan gave a shout out to Controller Furstenburg and her department for completion of the employees' beneficiary audit project. They went through all employees' personal files and had employees update their beneficiaries. It was a large project and meaningful for the employees and District.

4. GENERAL MANAGER'S REPORT

4a. Update of Activities

- Cancellation of July Regular Board Meeting
- Madera-Chowchilla Water & Power Authority
- Madera Lake Emergency Action Plan Approval
- Standard & Poor's Rating
- Water Supply

GM Greci reported the MID July regular board meeting will be cancelled. The Madera-Chowchilla Water & Power Authority ("MCWPA") meeting was cancelled due to a lack of quorum. The next regular MCWPA meeting is scheduled for July 26, 2023. The Madera Lake Emergency Action Plan was finally approved. It was originally submitted in 2017. GM Greci stated the District's Standard & Poor's Rating was improved to stable.

GM Greci provided an update on the District's water supply. The District hit capacity in May, usually we do not hit capacity until June or July. The uncontrolled season is expected to end in July. The residual Class 2 allocation may be reduced after the uncontrolled season ends. The District anticipates running water into the fall and will be looking at our revenues to determine if a reduced rate can be offered if the Board chooses.

Director Janzen questioned if Friant Power Authority generators have been full to allow control of the canal. GM Greci replied the power plants are pretty much running at capacity. They are all online as well as the MCWPA power plants.

GM Greci stated the District's recharge basins have been offline when the District is at capacity during peak demand periods. It is more important to turn off wells than recharge during the irrigation season.

The District participated in a Grower Experience Workshop put on by NRCS, Sustainable Conservation, and RCD. There is one scheduled for Chowchilla soon. The District was featured on NPR and other publications and highlighted for recharge.

GM Greci stated the California Farm Bureau organized a tour with Assemblymember Soria at several recharge locations including the Markarian basin.

5. NEW BUSINESS

5a. Discussion / possible action on 2023 Incentive Program for Dedicated Recharge Basins for Madera Irrigation District Landowners, Resolution No. 2023-19

MOTION: Director Janzen / Director Loquaci to approve Resolution No. 2023-19 to provide a 2023 incentive program for dedicated recharge basins for MID landowners.

DISCUSSION /PUBLIC COMMENT: AGM Nolan stated in 2022 the Board approved an incentive program for those landowners that were participating in the NRCS pilot program, which consisted of recharge and on-farm recharge. The Board approved a 15% cost share that was shown as an offset on those growers' accounts. It was 15% of the NRCS project cost. The Board approved \$100,000 in 2022 for the program with everyone that applied and was approve \$62,000 was utilized.

Staff is proposing utilizing the remaining funds of \$38,000 to fund a 2023 incentive program for dedicated recharge basins only. AGM Nolan stated in the Board Packet there was a draft flyer included for the 2023 incentive program. The requirements for the incentive program would be: must be a NRCS approved, fully constructed dedicated recharge basin (no dual use facilities will be eligible), must have a dedicated MID turnout and meter for the basin (no shared turnouts or meters will be eligible), and basin must be ready, and landowner must be authorized, to receive District water in 2023. The due date for applying for the program would be June 30, 2023 with the same submittal requirements as previously. AGM Nolan stated rather than the offset be to a specific account, the offset will go to the specific turnout.

Jennifer and Robert Markarian commented they are grateful for the offset, but they currently have a dry basin because the cost of water is \$72.50. Ms. Markarian stated it does not work economically for them to fill the basin. She stated the District can take over the basin.

Director Loquaci stated we are currently in irrigation season, and it is better to service growers than put water in a basin. He added this year is an anomaly because there is so much water and decisions cannot be made on an anomaly.

Ms. Markarian stated she can fill the basin if she is willing to pay \$72.50 per acre foot. Director Loquaci questioned if it was ever implied the District would fill the Markarian basin. The District provided the offset for the 2022 incentive program.

Director Loquaci stated maybe the District needs a wet year policy for recharge water. GM Greci stated the District has been handling it when there is extra water available for recharge the Board of Directors set a reduced or zero water rate. GM Greci stated it has worked well and is equitable. Ms. Markarian stated when the water is available at a lower cost, they will fill it. Director Loquaci stated most years we would not be having this conversation because it is dry.

AGM Nolan stated there were two dedicated recharge basins approved by the NRCS, however, the status of the other basin is unknown. GM Greci stated any programs the District develops we leave it up to the grower to decide, we do not force decisions. GM Greci stated he hopes the District has a fall recharge program, but it is up to the grower to participate or not.

AGM Nolan stated 15% of the project cost would be available to the Markarians, not the entire \$38,000. Ms. Markarian stated she appreciates what everyone at the District does for the growers and SGMA. Mr. Markarian stated he never thought he would agree to put in a basin, but he has gotten on board with the concept of recharge.

Director Davis stated he is a “recharger” and it can be challenging. Director Loquaci stated recharging is only part of the solution and we also need to ensure growers are not turning on their wells by utilizing surface water during the irrigation season. AGM Nolan stated these things continue to evolve and have evolved since the District starting on-farm recharge programs 8 years ago.

VOTE: ROLL CALL

AYES: Directors Loquaci, Janzen, Davis, DaSilva, and Erickson
NOES:
ABSTAIN:
ABSENT:

5b. Discussion / possible action on revised 2023 Budget, Resolution No. 2023-20

MOTION: Director Janzen / Director Davis to approve the revised 2023 Budget as presented, Resolution No. 2023-20.

DISCUSSION: Controller Furstenburg reviewed the proposed budget increases due to additional water supplies this year. GM Greci stated we did not expect this water season in December 2022. The water cost budget was increased to \$17 million, the meter budget to \$70,000, distribution System Maintenance and Repairs to \$150,000, vehicle maintenance and repairs to \$110,000, equipment maintenance and repairs to \$120,000, outside equipment rental to \$40,000, gas and electric to \$120,000 and overtime expenses increased to \$60,000. Also, included is a transfer of \$75,000 from consulting to groundwater management to fund, in part, the incentive program just approved.

For Capital Expenses, \$140,000 was added for the Adobe property purchase from the Board approval on March 2, 2023. Also added, a 2015 Cat Excavator engine repair for \$65,000 and 2009 John Deere tractor for \$20,000. A vehicle for the Operations and Maintenance Manager was also included for \$65,000.

Director Davis questioned if the revenue has increased. GM Greci stated we anticipate increased revenues from water sales and power generation. AGM Nolan stated, we believe that the District can stay at \$72.50, the lowest in the County, and still close the budget.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

VOTE: ROLL CALL

AYES: Directors Loquaci, Janzen, Davis, DaSilva, and Erickson
NOES:
ABSTAIN:
ABSENT:

Director Erickson voluntarily recused himself from the dais and participated as a member of the public 3:25 p.m. – 3:35 p.m.

5c. Discussion / possible action on approval of Purchase and Sale Agreement for Madera County APN 047-060-018 and 047-060-006, Resolution No. 2023-21

MOTION: Director Loquaci / Director Davis to approve the Purchase and Sale Agreement for Madera County APN 047-060-018 and 047-060-006, Resolution No. 2023-21.

DISCUSSION: AGM Nolan stated the District released an RFP for potential property purchase similarly to what the District did a few years ago successfully. Two parcels were purchased and developed into basins through the process.

The proposals were due by May 26, 2023 and 10 were received. One proposal was withdrawn, so 9 were looked at by the Selection Committee. The Selection Committee included the Engineering and Operations Departments, GM Greci, and AGM Nolan. One property stood out above the rest based on the selection criteria.

The properties are located off the MC&I system and surrounded by District facilities. The District does not have any basins or regulation off the system. The soil and location look good. The Purchase Agreement includes APNs 047-060-018 and 047-060-006, which are adjacent to each other. There are currently crops on the parcels that will need to be removed.

The parcels are 44.62 acres together and the asking price is \$1,428,000. The District had \$200,000 budgeted for 2023 and \$615,000 in carryover for recharge basins. Staff is requesting the Board authorize taking \$1,000,000 from reserves for the remaining needed funds for the purchase and improvements.

Director Loquaci stated the parcels are exactly where the District needs a basin and a better spot couldn't be picked. OMM Contreras stated it is a great spot. GM Greci stated it shows the commitment of the Board to recharge and SGMA. AGM Nolan stated escrow will be opened tomorrow and it is a 75 day escrow.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

VOTE: ROLL CALL

AYES: Director Loquaci, Davis, Janzen, and DaSilva
NOES:
ABSTAIN:
ABSENT: Director Erickson (due to conflict of interest)

5d. Discussion / possible action on Regional Water Management Group revised Bylaws and Rules of Order, Resolution No. 2023-22

MOTION: Director Janzen / Director Davis to approve the revised RWMG bylaws, Resolution No. 2023-22.

DISCUSSION: Director Janzen stated the Regional Water Management Group has been a group since 2008. RWMG had more participation during COVID due to remote meetings being an option. The revisions to the Bylaws include the ability for the group to continue meeting via Zoom by removing the Brown Act requirements. The group is not a public agency and is only a group, so they do not need to follow the Brown Act.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

VOTE: ROLL CALL

AYES: Director Loquaci, Janzen, Davis, DaSilva, and Erickson
NOES:
ABSTAIN:
ABSENT:

5e. Discussion / possible direction on handling of requests for out-of-District facilities

MOTION: Director Loquaci / Director DaSilva to provide direction that the District will not approve or enter into agreements for permanent facilities with private landowners to serve land outside of the District, although it would consider that potentially with other public agencies, such as GSAs. However, because the District has an interest in providing water supplies to the subbasin generally, the District will consider annual agreements for temporary facilities.

DISCUSSION / PUBLIC COMMENT: GM Greci stated the District continuously receives requests for out-of-District turnouts and facilities, especially since the implementation of SGMA. GM Greci explained these are growers who would like to connect to MID facilities to service property outside of the District boundary. Most of the District facilities near the border of the District are owned by the Bureau of Reclamation.

In the past, growers wanting to install out-of-District facilities were hung up by the USBR process, which included an environmental review. That is where these projects have stayed historically.

There have been growers that have come before the Board to complain about the USBR permitting process. The issue that hung it up was USBR would want to study a water supply with the project, and most do not have one. The District does not support providing a permanent MID supply to these out-of-District facilities. GM Greci stated recently USBR has approved one of these permits and it caught us off guard. It sets a precedent especially with SGMA. The goal for MID is to bring as much water as possible to the Madera Subbasin and a draft document was started.

This is a policy decision, and an Ad Hoc Committee meeting was held to discuss. The Ad Hoc Committee consists of Directors Erickson and Loquaci. It was determined that the process to approve out-of-District facilities is too complicated and would create a liability for the District. From a lengthy discussion with the Ad Hoc Committee, it was recommended the District continue only allowing, as it has, one year agreements with temporary facilities.

Director Erickson stated looking at what we have been doing the past several years and the number of District growers starting to use water each year, it is difficult to commit to anything. The District cannot commit to out-of-District growers on a permanent basis. Director Loquaci stated just looking at the current climate our water rights are being threatened every day. Our mission is to provide surface water to our growers. Director Loquaci stated he has a problem entering into a long term agreement into perpetuity. Director Loquaci stated he is not opposed to providing water on an annual basis. Director Loquaci stated he does not have an issue entering into an agreement with another public agency. GM Greci stated allowing temporary facilities on an annual basis has worked well for the District.

Roy Catania commented he does not have any intent on trying to acquire a new water right, he understands water is only available on wet years. GM Greci stated the opportunity for one year agreements and facilities is still available.

Director Janzen stated the other issue is the realtors that will try to sell the land later down the road. They are trying to make a deal. Director DaSilva stated he agrees with Directors Loquaci and Janzen. Director Davis stated the temporary facilities will get the job done. Director Davis stated conditions may change and the Board later down the road may not want to be in a long term agreement if they were approved. GM Greci stated the Ad Hoc Committee did not reach this recommendation lightly. Director DaSilva stated we are at capacity at it's a wet year.

Sean Smith, Provost & Pritchard commented that the Dalena turnout NEPA has been pending since 2022. Mr. Smith clarified the Country Club Orchards project was approved by USBR and the Dalena project was right behind it. Mr. Smith stated the Dalena project would likely receive the same consideration as the Country Club Orchards project.

VOTE:

AYES: Unanimously approved

NOES:

ABSTAIN:

ABSENT:

6. DIRECTOR REPORTS, COMMITTEE REPORTS, FUTURE AGENDA ITEMS

Director DaSilva reported on the RMC meeting.

Director Davis reported on the ACWA conference.

Director Janzen reported on the RWMG meeting and Friant Power Authority meetings.

Director Loquaci commented the City of Madera has been working great with MID and he cannot say enough about the team work we have with the City. The District has the Ellis Street Basin in cooperation with the County of Madera and not a drop has been put into it due to the County. AGM Nolan stated we have offered.

Director Erickson reported on ACWA and the Friant Water Authority meetings.

The Board reconvened to Closed Session at 4:10 p.m.

There was no reportable action taken during Closed Session.

7. ADJOURNMENT

President Erickson adjourned the meeting at 4:50 p.m.

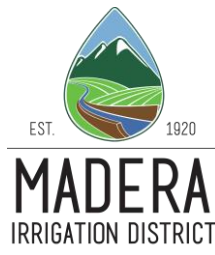
APPROVED FOR THE BOARD:

James Erickson
President

Andrea Kwock Sandoval
Secretary to the Board

Date: _____

AGENDA ITEM 2c.



**MADERA IRRIGATION DISTRICT
BOARD OF EQUALIZATION
BOARD OF DIRECTORS
SPECIAL MEETING
JUNE 16, 2023**

MINUTES

Directors Present: James Erickson, President
Tim DaSilva
Brian Davis
Carl Janzen, Vice President

Directors Absent: David Loquaci

Staff Present: T. Greci, General Manager (GM Greci)
A. Kwock Sandoval, Secretary to the Board
J. Furstenburg, Controller

Others Present: Others on the Zoom that did not identify themselves

CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE

President Erickson called the meeting to order at 2:00 p.m. at the business office of the District at 12152 Road 28 ¼, Madera, California 93637.

APPROVAL OF AGENDA

MOTION: Director Janzen / Director Davis to approve the agenda as presented.

VOTE: ROLL CALL

AYES: Directors Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT: Director Loquaci

POTENTIAL CONFLICTS OF INTEREST

There were no potential conflicts of interest noted.

PUBLIC COMMENT: Regular Session

President Erickson opened and closed public comment due to no comments from the public in attendance.

RECESS AS MID BOARD OF DIRECTORS / CONVENE AS BOARD OF EQUALIZATION

- Discussion / possible action to approve and accept the parcel changes identified in Exhibit “A” and Exhibit “B” 2024 Parcel Changes as part of the 2024 Unequalized Roll

MOTION: Director Janzen / Director Davis to approve the parcel changes in Exhibit “A” and Exhibit “B” and any parcel land changes required by Madera County as part of the 2024 unequalized roll.

DISCUSSION: Director Davis questioned why the land assessment values are set so low. GM Greci responded because of Prop 218 and in order to change any of the land values or assessments there would need to be a vote by the landowners. GM Greci stated they are based on criteria from the early 1990’s. Director Davis stated 30 years ago the values were set and they do not go up over time by a multiplier. Controller Furstenburg stated they were set in 1996. Director Janzen stated the value of the property is likely what Madera County was utilizing at the time. Director Janzen stated if we increased the land value by 10x. we not necessarily want to collect that much in assessments. There is no inflationary rate.

Controller Furstenburg stated the parcel land changes were presented to the Board of Equalization (BOE) at its meeting held June 13, 2023. Since that time, there have not been additional changes made to the 2024 Unequalized Assessment Roll as outlined at the June 13, 2023 BOE meeting. Additional changes may be required by Madera County.

The recommendation from staff is to approve and accept the parcel changes identified in Exhibit “A” and Exhibit “B” 2024 Parcel Changes and any other parcel land changes required by Madera County as part of the 2024 unequalized roll.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to comments from the public in attendance.

VOTE:

AYES: Directors Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT: Director Loquaci

ADJOURN AS BOARD OF EQUALIZATION / RECONVENE AS MID BOARD OF DIRECTORS

1. NEW BUSINESS

- 1a. Discussion / possible action on setting the 2024 Assessment Rates, Resolution No. 2023-23

MOTION: Director Davis / Director DaSilva to approve setting the 2024 Assessment Rates, Resolution No. 2023-23.

DISCUSSION: Controller Furstenburg stated there are no changes. There was a net increase of approximately \$2,212.00 in assessment revenue for 2024 due to lot line adjustments, parcel splits, category changes. Controller Furstenburg stated other than that there are no other changes.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

VOTE: ROLL CALL

AYES: Directors Janzen, Davis, DaSilva, and Erickson
NOES:
ABSTAIN:
ABSENT: Director Loquaci

1b. Discussion / possible action on reauthorizing Standby Charges for the 2023 fiscal year, Resolution No. 2023-24

MOTION: Director Janzen / Director Davis to reauthorize Standby Charges for the 2023 fiscal year, Resolution No. 2023-24.

DISCUSSION: Controller Furstenburg stated standby charges have stayed the same. The standby charges for Category 2 lands, Subordinate Category 2, and Flat Rate Users are levied at \$15 per acre. The standby charges for Category 7 Lands in the waiver program are levied at \$10 per acre. It generates approximately \$1.6 million for the District.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

VOTE: ROLL CALL

AYES: Directors Janzen, Davis, DaSilva, and Erickson
NOES:
ABSTAIN:
ABSENT: Director Loquaci

2. **ADJOURNMENT**

President Erickson adjourned the meeting at 2:15 p.m.

APPROVED FOR THE BOARD:

James Erickson
President

Andrea Kwock Sandoval
Secretary to the Board

Date: _____

DRAFT

AGENDA ITEM 2d.

MADERA IRRIGATION DISTRICT

12152 ROAD 28¼ ▪ MADERA ▪ CA 93637

Phone (559) 673-3514

FAX (559) 673-0564

Board of Directors

♦ Carl Janzen ♦ Tim DaSilva ♦ Brian Davis ♦ Jim Erickson ♦ Dave Loquaci

General Account

♦ Warrant No. 46336 thru 46576 Dates 6/8/2023 thru 7/20/2023 Total \$6,067,978.52

\$6,738,655.14

Approved for payment by the Board of Directors

August 15, 2023

James Erickson, President

Andrea Kwock Sandoval, Secretary

WARRANT LIST
Through July 31, 2023

CHECK NUMBER	CHECK DATE	VENDOR NAME	DESCRIPTION	ADDITIONAL DETAIL	CHECK AMOUNT
46336	6/8/2023	A T & T	Office Phones, Fax, Alarms, Tablets		2,176.97
46337	6/8/2023	PG&E	Office, Shop, Control Gates, Ag Pumps		3,384.24
46338	6/8/2023	MADERA COUNTY RECORDER	Deed-CD	May 2023	25.00
46339	6/8/2023	BUREAU OF RECLAMATION	20-WC-20-5460 URF Tier 1,Blk 3 13,987 AF		321,701.00
46340	6/8/2023	GEORGE'S AUTO SUPPLY	Filter: (14) Oil, (10) Panel Air, (19) Cabin Air		921.74
46341	6/8/2023	NAPA-GENUINE PARTS COMPANY	(24) Brake Cleaner		81.36
46342	6/8/2023	SPARKLETTTS	Water: (86) 24pk, (41) 5 Gal		1,376.45
46343	6/8/2023	MID EMPLOYEES ASSOCIATION	Employee Payroll Deductions		247.50
46344	6/8/2023	TECHNOFLO SYSTEMS	8" Seametrics AG3000 Meter		2,615.32
46345	6/8/2023	SIMPLOT GROWER SOLUTIONS	(480 Gal) Invaide		9,826.80
46346	6/8/2023	S & J LUMBER, INC	(640 MBF) Douglas Fir		57.54
46347	6/8/2023	AANONSON SPRINKLER COMPANY	Pipes, Couplers, Seal Lube, Glue, Elbow, PVC Caps		2,746.20
46348	6/8/2023	PAPE' MACHINERY, INC	Hydraulic Cylinder #4-16, Window Switch #2-23		2,164.45
46349	6/8/2023	FRESNO TRUCK CENTER	Engine Oil Pressure Gauge #10-17, Hood Latch #1-23		140.15
46350	6/8/2023	FRIANT WATER AUTHORITY	Recaptured Water	April WY 2023	15,660.00
46351	6/8/2023	HYDRAULIC CONTROLS, INC.	Hydraulic Boom Motor #8-20		742.40
46352	6/8/2023	PRE-EMPLOYMENT INVESTIGATIONS	Pre-Employment Records Search		47.00
46353	6/8/2023	ACWA/JPIA	Monthly Medical, Dental & Vision Insurance Premiums	July	36,753.90
46354	6/8/2023	POWER BUSINESS TECHNOLOGY	Maintenance Contract: 2 Printers		237.78
46355	6/8/2023	KLINGSPOR ABRASIVES, INC.	Specialty Abrasives, Flap Discs		310.49
46356	6/8/2023	BIG W SALES	(4) Flat Spray Nozzle, (4) BoomJet Spray Nozzle		408.60
46357	6/8/2023	HARBOR FREIGHT TOOLS USA, INC.	Tool Box, Diesel Barrel Pump, Pistol Grip Blow Guns, Mortar Mix		222.90
46358	6/8/2023	HOME DEPOT CREDIT SERVICES	Misc Plants, PreMix Fuel, Spray Paint, Misc Tools & Supplies		1,485.11
46359	6/8/2023	MIDLAND TRACTOR	Fuel Pump #2-07		179.77
46360	6/8/2023	CONCENTRA MEDICAL CENTERS	DOT Physical: R. Mendoza		103.00
46361	6/8/2023	LOWE'S COMPANIES INC.	Misc Plants, Soil, Plier & Cutter Set, Misc Tools & Supplies		692.98
46362	6/8/2023	SPECIAL DISTRICT RISK	Workers Compensation	2023-2024	108,538.47
46363	6/8/2023	BSK & ASSOCIATES	Water Testing: NPDES Permit		702.50
46364	6/8/2023	WESTERN AG & TURF	(2 Gal) PVC Glue, (2 Gal) Primer, Misc Supplies		659.25
46365	6/8/2023	MARK DUARTE	Pesticide Spraying: Office		40.00
46366	6/8/2023	NORTHERN SAFETY CO.,INC.	Gatorade: (5 Gal) Mix, (24) Powder Stick; (24) Neck Shades		564.36
46367	6/8/2023	SEBASTIAN - ALARM MONITORING	Monthly Alarm Monitoring		204.85
46368	6/8/2023	WANGER JONES HELSLEY PC	Legal Fees through 05/15/23		25,666.74
46369	6/8/2023	CAROLLO ENGINEERS, INC.	Professional Services - FRAM	May	2,077.50
46370	6/8/2023	COVERALL NORTH AMERICA, INC	Monthly Janitorial Services	June	778.00
46371	6/8/2023	MID-VALLEY PIPE & STEEL, INC	Misc Pipe & Metal Parts		1,466.08
46372	6/8/2023	REAL-TIME INFORMATION SERVICES, INC.	SmartOptions, Sophos/MTR, Backups, After Hours Consulting		2,881.25
46373	6/8/2023	NUTRIEN AG SOLUTIONS, INC.	(795 Gal) Roundup Custom, (360 Gal) Forfeit 280		51,390.29
46374	6/8/2023	HI TOUCH BUSINESS SERVICES	Misc. Office Supplies		247.47
46375	6/8/2023	VAN DE POL, INC.	Cardlock Fuel		17,074.12
46376	6/8/2023	ROBERSON, JACOB	RWMG - Admin Duties	May	2,362.00
46377	6/8/2023	UMPQUA BANK	Travel, Travel BOD, Safety, Software, Public Relations	Admin	4,220.58
			Vehicle R&M, Office Supplies, Safety	Operations	434.74
			Materials & Supplies, Travel, Software	Engineering	138.48
			Materials & Supplies, Safety, Building Maintenance	Shop	3,722.43
46378	6/8/2023	GEOTAB USA, INC.	ProPlus Plan - Fleet Track	May	1,244.25
46379	6/8/2023	REY'S GARDEN SERVICES INC	Monthly Lawn Service		300.00
46380	6/8/2023	CINTAS CORP	Uniforms & Supplies		280.94
46381	6/12/2023	CITY OF MADERA	Annual Transportation Permit		90.00
46382	6/14/2023	CHICAGO TITLE COMPANY	3% Deposit: 047-060-006 & 047-060-018		42,840.00
46383	6/14/2023	COUNTRY CLUB ORCHARDS	Refund: Deposit for Job# 02-23-4 C.C.O. Turnout Project		10,000.00
46384	6/20/2023	STEVE'S CHEVROLET OF CHOWCHILLA	#13 2023 Chevy Silverado 1500		58,539.23
46385	6/22/2023	A T & T	Office Phones & Internet		978.39
46386	6/22/2023	PG&E	Office, Control Gates, Gate Actuator, Ag Pumps		10,996.50
46387	6/22/2023	AFLAC AMERICAN FAMILY LIFE	Employee Payroll Deductions		707.69
46388	6/22/2023	BUREAU OF RECLAMATION	I75R-2891D: Recirculated Recaptured Water	2023	6,026.20
46389	6/22/2023	BUREAU OF RECLAMATION	I75R-2891D: Class 1 Water	2023	4,480,350.00
46390	6/22/2023	GEORGE'S AUTO SUPPLY	(12) 10W30 Oil, (16) Filters, (6) Flood Lights, (2) Clearance Lights		505.29
46391	6/22/2023	MADERA CHOWCHILLA WATER &	Call for Funds #430	May	39,085.44
46392	6/22/2023	MADERA TRIBUNE	Public Notice: Board of Equalization		649.35
46393	6/22/2023	NAPA-GENUINE PARTS COMPANY	Brake Pads, Wheel Bearing & Hub Assembly, Engine Water Pump		549.71
46394	6/22/2023	QUINN COMPANY	Housing Assembly, (4) Filters		437.84
46395	6/22/2023	BIOWORLD USA INC	(96 Gal)Liq. Optimizer,(40 lbs) Microbes		5,942.00
46396	6/22/2023	I.H. AUTO PARTS, LLC	Thermostat, Radiador Cap, Thermostat Gasket		48.79
46397	6/22/2023	TECO	Misc Tools & Supplies		324.59
46398	6/22/2023	ALERT-O-LITE INC.	Stihl Concrete Saw & 1" Bushing		1,350.10
46399	6/22/2023	MID EMPLOYEES ASSOCIATION	Employee Payroll Deductions		247.50
46400	6/22/2023	TECHNOFLO SYSTEMS	(9)Meters,(4)Digital Conversion Kit,Misc		24,091.63
46401	6/22/2023	SILVA FORD MADERA	(2) Tire Pressure Monitor System #2-16		157.50
46402	6/22/2023	UNITED RENTALS NORTHWEST,INC.	Rental: Excavator & 60" Bucket, Inflatable Plug & Rope w/Gauge		8,251.14
46403	6/22/2023	AANONSON SPRINKLER COMPANY	Valve, Nuts, Bolts, Washers, PVC Flange, Elbow, 36" Extension		816.06
46404	6/22/2023	FRESNO VALVES & CASTINGS INC.	(5) Couplers		64.65
46405	6/22/2023	SCHOETTLER TIRE	(8) Tires, Flat Repair		2,274.51
46406	6/22/2023	FRESNO WIRE ROPE AND RIGGING, INC.	(2) 1/4" Chain, (5) 1/4" Shackles		436.78
46407	6/22/2023	FASTENAL COMPANY	Bolts, Nuts, Washers, Misc. Supplies		1,684.92
46408	6/22/2023	J W MYERS INC	(39.8 LPG) Propane		94.35
46409	6/22/2023	CALTECH WEB LLC	RWMG: Monthly Website Maintenance		99.00
46410	6/22/2023	ASBURY ENVIRONMENTAL SERVICES	Disposal: (180 Gal) Used Oil, Used Gas Filters		150.00
46411	6/22/2023	LINDE GAS & EQUIPMENT INC.	Rental: Welding Tank, Welding Gases		496.58
46412	6/22/2023	STERICYCLE, INC.	Document Management Services		149.70
46413	6/22/2023	BRADY INDUSTRIES	3 Cases of Paper Towels		304.75
46414	6/22/2023	CALMAT CO DBA VULCAN MATERIALS CO	(5.96 Ton) Rip Rap Rock		299.76
46415	6/22/2023	BOOT BARN	(3) Work Boots		481.41
46416	6/22/2023	PPLSI	Employee Payroll Deductions		302.05
46417	6/22/2023	HARBOR FREIGHT TOOLS USA, INC.	5 Gal Oil Pump, (2) 6" Magnetic Holder		27.03
46418	6/22/2023	SAFEWARE, INC.	30 Min Oxygen Cylinder		686.37
46419	6/22/2023	VERIZON WIRELESS	Data Plan: Cell Service, Tablets, Sim Cards, Rubicon Gates		2,382.28

WARRANT LIST
Through July 31, 2023

CHECK NUMBER	CHECK DATE	VENDOR NAME	DESCRIPTION	ADDITIONAL DETAIL	CHECK AMOUNT
46420	6/22/2023	BLACKBURN MFG. CO.	(1,000) Marking Flags		147.10
46421	6/22/2023	BSK & ASSOCIATES	Water Testing: Office, NPDES Permit		934.50
46422	6/22/2023	WESTERN AG & TURF	4" Coupler, 2" PVC Ball Valve		14.25
46423	6/22/2023	SIGNMAX	(20) 12" x 10.5" Vehicle Decals		173.36
46424	6/22/2023	H.T. HARVEY & ASSOCIATES	Project# 4523-02: FR Weir Construction		361.00
46425	6/22/2023	KELLY-MOORE PAINT COMPANY, INC	(4 Sets) Dev Bar-Rust, Epoxy Mix		353.13
46426	6/22/2023	LANDMARK IRRIGATION, INC.	SS Strap, PVC Stub Saddle,Bolted Coupler		1,820.06
46427	6/22/2023	RUBICON SYSTEMS AMERICA, INC	Slipgate Shaft & Labor		643.10
46428	6/22/2023	RED ROCK ENVIRONMENTAL	Trash to Landfill		301.94
46429	6/22/2023	ROSENBALM ROCKERY, INC	(1.50 yd) 6 Sack Concrete		326.80
46430	6/22/2023	COUNTY OF MADERA -	Trash to Landfill		563.93
46431	6/22/2023	TOSHIBA FINANCIAL SERVICES	Copier Lease Payment		727.09
46432	6/22/2023	REAL-TIME INFORMATION SERVICES, INC.	Consulting: Setting up new PC's		396.00
46433	6/22/2023	TRUCK PRO, LLC	Differential, Axle Shaft,U Joint, Gasket		3,358.00
46434	6/22/2023	UPL NA INC	(750 Gal) Teton		77,786.16
46435	6/22/2023	BLANKINSHIP & ASSOCIATES, INC	Aquatic Weed NPDES Permit	2023	852.50
46436	6/22/2023	CAPITAL ONE TRADE CREDIT	(24) Tape Measure		102.34
46437	6/22/2023	WEST SIDE WATER CONDITIONING	2022 Electronic Annual Report, Well Service		465.00
46438	6/22/2023	JACKSON-HIRSH, INC	Laminating Supplies		78.89
46439	6/22/2023	HI TOUCH BUSINESS SERVICES	Misc. Office Supplies		401.28
46440	6/22/2023	DAVIDS ENGINEERING, INC.	Prof. Services: Madera Basin	April - May	394.00
46441	6/22/2023	VAN DE POL, INC.	Cardlock Fuel		8,568.53
46442	6/22/2023	WIENHOFF DRUG TESTING	Excessive Collection Fee: D. Rodriguez		30.00
46443	6/22/2023	CINTAS CORP	Uniforms & Supplies		280.94
46444	7/7/2023	A T & T	Office Phones, Fax, Alarms, Tablets		2,631.97
46445	7/7/2023	PG&E	Monthly Service Ag Pump		72.76
46446	7/7/2023	MADERA COUNTY RECORDER	Deed-CD	June 2023	25.00
46447	7/7/2023	A & E BEARING & SUPPLY	(2) Plug #6-10		25.86
46448	7/7/2023	GENERAL BUILDERS SUPPLY CO.	61 pc. Bit Set, (61) Bolts, (4) Keys, White Caulk, Charge Cable		78.67
46449	7/7/2023	GEORGE'S AUTO SUPPLY	(6) On/Off Toggle Switch, (9) Push/Pull Switch		146.92
46450	7/7/2023	NAPA-GENUINE PARTS COMPANY	Brake Pads & Calipers #12-11		233.07
46451	7/7/2023	SPARKLETTS	Water: (10) 5 Gal		105.89
46452	7/7/2023	CLAWSON AUTOMOTIVE EQUIPMENT & SERVICE, INC.	Annual Crane Safety Inspection		89.00
46453	7/7/2023	L.H. AUTO PARTS, LLC	Poly Belt & Tensioner, Idler Pulley#2-13		155.53
46454	7/7/2023	CREATIVE COPY	Envelopes		465.48
46455	7/7/2023	FEDEX	Shipping		40.77
46456	7/7/2023	MID EMPLOYEES ASSOCIATION	Employee Payroll Deductions		247.50
46457	7/7/2023	ROTORC CONTROLS INC	Rotork Gate Repair		2,098.15
46458	7/7/2023	TECHNOFLO SYSTEMS	12" Open Flow Propeller Meter		3,360.30
46459	7/7/2023	SIMPLOT GROWER SOLUTIONS	(2,000 lbs) Copper Sulfate, (180 Gal) Reglone		16,570.70
46460	7/7/2023	UNITED RENTALS NORTHWEST,INC.	Rental: Yard Filter Pipe Threader, Excavator & 60" Bucket		7,275.18
46461	7/7/2023	CALIFORNIA INDUSTRIAL RUBBER	(2) 3" Narrow Strainer		104.15
46462	7/7/2023	AANONSON SPRINKLER COMPANY	1" PVC Nipple, 1" Ball Valve, 4" Coupler, (8) 4" CL 100 Pipe		55.69
46463	7/7/2023	PAPE' MACHINERY, INC	Solenoid Valve #2-23		108.42
46464	7/7/2023	SCHOETTLER TIRE	Tire #8-18, Flat Repair #9-17		319.27
46465	7/7/2023	FRIANT WATER AUTHORITY	SLDMWA: July Estimate WY23 & WY22 Adj		108,209.76
46466	7/7/2023	FRIANT WATER AUTHORITY	GSA	March - June	489.58
46467	7/7/2023	MADERA COUNTY FARM BUREAU	RWMG: 2016 Prop 1 IRWM DAC Grant		5,192.71
46468	7/7/2023	HYDRAULIC CONTROLS, INC.	Hydraulic Boom Motor & Reservoir		791.96
46469	7/7/2023	PRE-EMPLOYMENT INVESTIGATIONS	(2) Pre-Employment Records Search		94.00
46470	7/7/2023	MADERA CHAMBER OF COMMERCE	Annual Membership	July 2023 - June 2024	250.00
46471	7/7/2023	GRAINGER, INC.	(4) Directional Lamps		501.79
46472	7/7/2023	ACWA/JPIA	Monthly Medical, Dental & Vision Insurance Premiums	August	36,662.62
46473	7/7/2023	KLINGSPOR ABRASIVES, INC.	(125) Cutoff Wheel, (10) Jumbo Flap Disc		371.74
46474	7/7/2023	BIG W SALES	Air Induction Tips, Seat Gaskets, Caps		55.62
46475	7/7/2023	CAL-PACIFIC SUPPLY INC.	Poly Barb,Bushing,Mender, Valve, Coupler, TeeJet Clamp, Misc.		145.65
46476	7/7/2023	KAISER FOUNDATION HEALTH PLAN	Monthly Medical Insurance Premiums	July	32,130.25
46477	7/7/2023	HOME DEPOT CREDIT SERVICES	Chainsaw Chain, Cordless Rotary Hammer, Misc Tools & Supplies		1,215.48
46478	7/7/2023	MIDLAND TRACTOR	Various Filters, Air Cleaners, Hydraulic Coupler, Roller Bearing		1,384.45
46479	7/7/2023	SUN LIFE AND HEALTH INSURANCE	Monthly Life Insurance Premiums	July	2,719.66
46480	7/7/2023	CONCENTRA MEDICAL CENTERS	(2) Pre-Employment Exam		390.00
46481	7/7/2023	SUN LIFE AND HEALTH INSURANCE	Employee Payroll Deductions		314.30
46482	7/7/2023	LOWE'S COMPANIES INC.	(224)60 lb Concrete,(35)94 lb Plastic Cement,Misc Tools & Supplies		2,065.61
46483	7/7/2023	BOGIE'S PUMP SYSTEMS	Pump: Impeller, Grease Seal,Gasket, Misc		972.86
46484	7/7/2023	BSK & ASSOCIATES	Water Testing: Office, NPDES Permit		647.50
46485	7/7/2023	WESTERN AG & TURF	(5 ft) 1" Tubing, 2" Strainer, 2" Nipple		36.50
46486	7/7/2023	AUTO ZONE, INC	(2) 30 lb Refrigerant		627.83
46487	7/7/2023	NORTHERN SAFETY CO.,INC.	(5) 10 pk Zero Sugar Gatorade Sticks		28.60
46488	7/7/2023	SIERRA HYDROGRAPHICS	Hydrographic Services, NFW Antenna		12,381.68
46489	7/7/2023	CAL VALLEY PRINTING	(210) MID Printed Shirts		2,522.44
46490	7/7/2023	LANDMARK IRRIGATION, INC.	2" Camlock		52.40
46491	7/7/2023	SEBASTIAN - ALARM MONITORING	Monthly Alarm Monitoring		204.85
46492	7/7/2023	RUBICON SYSTEMS AMERICA, INC	Micron Level Kit, Loom,PCB Metred Outlet, Misc Parts for Gates		5,159.08
46493	7/7/2023	MAMMOTH OXYGEN	(2) Bash Hammers		167.85
46494	7/7/2023	SC FUELS	(3,965.20 Gal) Clear Diesel		14,790.58
46495	7/7/2023	ULINE	(5) 7 Gal Pail with Lids, Disposable Gloves: (3) Large, (3) X-Large		255.10
46496	7/7/2023	REAL-TIME INFORMATION SERVICES, INC.	(50) Pre-Paid Block Hours		6,000.00
46497	7/7/2023	UPL NA INC	(250 Gal) Teton		25,928.72
46498	7/7/2023	GLOBAL INDUSTRIAL AND	2 Step Rolling Ladder		274.64
46499	7/7/2023	NUTRIEN AG SOLUTIONS, INC.	(180 Gal) Choice Weather Master, (500 Gal) Symmetry NXG		16,518.08
46500	7/7/2023	WASP BARCODE TECHNOLOGIES	(3) Asset-Cloud Plus Annual Renewal		1,877.91
46501	7/7/2023	HI TOUCH BUSINESS SERVICES	Misc. Office Supplies		551.34
46502	7/7/2023	VAN DE POL, INC.	Cardlock Fuel		8,603.52
46503	7/7/2023	ROBERSON, JACOB	RWMG - Admin Duties	Aug - Oct 2022	500.00
46504	7/7/2023	UMPQUA BANK	Computer Replacement, Travel, Software, Gasoline	Admin	7,541.79
			Telephone, Safety	Operations	406.63
			Materials & Supplies	Engineering	502.17

WARRANT LIST
Through July 31, 2023

CHECK NUMBER	CHECK DATE	VENDOR NAME	DESCRIPTION	ADDITIONAL DETAIL	CHECK AMOUNT
			Materials & Supplies, Safety, Uniforms	Shop	4,118.76
46505	7/7/2023	GEOTAB USA, INC.	ProPlus Plan - Fleet Track	June	1,244.25
46506	7/7/2023	REY'S GARDEN SERVICES INC	Monthly Lawn Service		300.00
46507	7/7/2023	CINTAS CORP	Uniforms & Supplies		280.94
46508	7/7/2023	CINTAS	Service & Refill First Aid Kits		202.67
46509	7/20/2023	PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC	Postage Machine Lease	May, June, July	442.61
46510	7/20/2023	A T & T	Office Phones & Internet		970.13
46511	7/20/2023	AT&T MOBILITY	Data Plan: 5 Tablets		38.70
46512	7/20/2023	PG&E	Office, Shop, Control Gates, Ag Pumps, Gate Actuator		12,076.02
46513	7/20/2023	AFLAC AMERICAN FAMILY LIFE	Employee Payroll Deductions		707.69
46514	7/20/2023	JAYMOR ENTERPRISES, INC	(36) Synthetic Lubricant		373.49
46515	7/20/2023	GENERAL BUILDERS SUPPLY CO.	(2) Graffiti Remover, Cooler Float, (7) Mosquito Spray		88.06
46516	7/20/2023	GEORGE'S AUTO SUPPLY	Filter: (6) Cabin, (6) Oil, (10) Air; Disc Brake Pads & Rotors #1-16		742.53
46517	7/20/2023	MADERA CHOWCHILLA WATER &	Call for Funds #432	June	61,642.39
46518	7/20/2023	BIOWORLD USA INC	(96 Gal)Liq. Optimizer,(40 lbs) Microbes		5,890.00
46519	7/20/2023	KROEGER EQUIPMENT & SUPPLY CO	(6) Air Hose Fitting 3/8"		51.36
46520	7/20/2023	L.H. AUTO PARTS, LLC	Hub Assembly w/ Wheel Bearing #4-10		208.13
46521	7/20/2023	TECO	Misc Tools & Supplies		1,135.66
46522	7/20/2023	M I D EMPLOYEES ASSOCIATION	Employee Payroll Deductions		247.50
46523	7/20/2023	TECHNOFLO SYSTEMS	(20) Seametrics Battery Replacement Kits, (5) Sensor Assembly		2,919.71
46524	7/20/2023	SILVA FORD MADERA	Steering Column Housing Replacement		572.28
46525	7/20/2023	AQUACALC LLC	Water Screen Gauging Equipment Repair		501.75
46526	7/20/2023	CALIFORNIA INDUSTRIAL RUBBER	(4) 2" Nipple, (4) 2" Strainer		238.47
46527	7/20/2023	PAPE' MACHINERY, INC	High Pressure Switch #2-23		125.76
46528	7/20/2023	SCHOETTLER TIRE	Flat Repair #2-07 & #4-23		529.02
46529	7/20/2023	FRIANT WATER AUTHORITY	Final Call for Funds	July	51,994.00
46530	7/20/2023	ACWA/JOINT POWERS	Property Liability Insurance	7/1/23 - 6/30/24	41,762.73
46531	7/20/2023	ACWA/JOINT POWERS	Cyber Liability Program	7/1/23 - 6/30/24	4,327.00
46532	7/20/2023	FASTENAL COMPANY	Brass Dot Union,Hose Clamp,Misc Supplies		833.57
46533	7/20/2023	CALTECH WEB LLC	RWMG: Monthly Website Maintenance		99.00
46534	7/20/2023	LINDE GAS & EQUIPMENT INC.	Welding Gases, Rental: Welding Tank		530.10
46535	7/20/2023	STERICYCLE, INC.	Document Management Services		149.94
46536	7/20/2023	POWER BUSINESS TECHNOLOGY	Maintenance Contract: 2 Printers + Usage		290.40
46537	7/20/2023	MICHAEL A. JERZYKOWSKI	Scada Programming / Upgrades		5,250.00
46538	7/20/2023	BOOT BARN	(3) Work Boots		525.00
46539	7/20/2023	PPLSI	Employee Payroll Deductions		302.05
46540	7/20/2023	WATERMAN VALVE LLC	Canal Gates: (3) 15" x 7', (2) 15" x 8'		6,066.80
46541	7/20/2023	HARBOR FREIGHT TOOLS USA, INC.	4 Outlet Power Strip, 25' Extension Cord, Cargo Net		12.97
46542	7/20/2023	CAL-PACIFIC SUPPLY INC.	2" Dust Cap, 2" Camlock Adapter		19.51
46543	7/20/2023	MIDLAND TRACTOR	Idler Roller Kit, Hitch Module, Rocker Arm Shaft, Handle		760.75
46544	7/20/2023	SUN LIFE AND HEALTH INSURANCE	Monthly Life Insurance Premiums	August	2,868.62
46545	7/20/2023	CONCENTRA MEDICAL CENTERS	(6) DOT Screenings		354.00
46546	7/20/2023	SUN LIFE AND HEALTH INSURANCE	Employee Payroll Deductions		314.30
46547	7/20/2023	MADERA PUMPS, INC.	Island Tract Pump Repair		284.96
46548	7/20/2023	PURL'S SHEET METAL	R&M: A/C Not Cooling		989.98
46549	7/20/2023	VERIZON WIRELESS	Data Plan: Cell Service, Tablets, Sim Cards, Rubicon Gates		2,382.27
46550	7/20/2023	DON'S MOBILE GLASS, INC.	Windshield Replacement #3-13		245.00
46551	7/20/2023	BSK & ASSOCIATES	Water Testing: NPDES Permit		100.00
46552	7/20/2023	WESTERN AG & TURF	Nipple, Bee Valve, Cam Lock, Bushing		66.57
46553	7/20/2023	MARK DUARTE	Pesticide Spraying: Office		40.00
46554	7/20/2023	NORTHERN SAFETY CO.,INC.	(30) Gatorade Powder Sticks		171.60
46555	7/20/2023	H.T. HARVEY & ASSOCIATES	Project# 4523-02: FR Weir Construction		308.00
46556	7/20/2023	COSTCO MEMBERSHIP	Annual Membership Renewal		60.00
46557	7/20/2023	RED ROCK ENVIRONMENTAL	Trash to Landfill		346.10
46558	7/20/2023	WANGER JONES HELSLEY PC	Legal Fees through 06/15/23		15,573.82
46559	7/20/2023	O'REILLY AUTO PARTS	(2) Headlight Bulb		9.31
46560	7/20/2023	ROSEBALM ROCKERY, INC	(2.50 yd) 5 Sack Concrete		446.24
46561	7/20/2023	COVERALL NORTH AMERICA, INC	Monthly Janitorial Services	July	778.00
46562	7/20/2023	COUNTY OF MADERA -	Trash to Landfill		299.21
46563	7/20/2023	TOSHIBA FINANCIAL SERVICES	Copier Lease Payment		727.09
46564	7/20/2023	REAL-TIME INFORMATION SERVICES, INC.	SmartOptions, Sophos/MTR, Backups, Set up 3 PC's		3,539.50
46565	7/20/2023	DIAMOND MOWERS, INC	(12) Brush Blade		1,133.75
46566	7/20/2023	ADVANCED DISTRIBUTION CO.	Hydraulic Power Unit		1,777.61
46567	7/20/2023	WEST SIDE WATER CONDITIONING	Well Service		195.00
46568	7/20/2023	NUTRIEN AG SOLUTIONS, INC.	(795 Gal) Roundup Custom		26,041.02
46569	7/20/2023	HI TOUCH BUSINESS SERVICES	Misc. Office Supplies		166.84
46570	7/20/2023	VAN DE POL, INC.	Cardlock Fuel		8,280.61
46571	7/20/2023	HUDSON HENDERSON & COMPANY, INC.	Financial Statement Audit	2022	19,400.00
46572	7/20/2023	ROBERSON, JACOB	RWMG - Admin Duties	June	2,362.00
46573	7/20/2023	WIENHOFF DRUG TESTING	Drug Testing Program Fees		1,577.50
46574	7/20/2023	MULTIQUIP INC. (FILE 2368)	2" Trash Pump		1,377.98
46575	7/20/2023	CINTAS CORP	Uniforms & Supplies		140.47
46576	7/20/2023	FAMILY FARM ALLIANCE	Annual Contribution	Fiscal Year 2023	2,000.00
					6,067,978.52
			* Payroll Ending 06/03/23	104,997.63	
			Payroll Ending 06/17/23	98,279.60	
			Payroll Ending 07/01/23	100,170.41	
			* Payroll Ending 07/15/23	107,010.96	
					410,458.60
			Tax Transfers 06/03/23	40,278.88	

WARRANT LIST
Through July 31, 2023

CHECK NUMBER	CHECK DATE	VENDOR NAME	DESCRIPTION	ADDITIONAL DETAIL	CHECK AMOUNT
			Tax Transfers 06/17/23	39,308.88	
			Tax Transfers 07/01/23	37,520.04	
			Tax Transfers 07/15/23	39,472.16	
					156,579.96
			Employee Benefits 06/03/23	25,539.53	
			Employee Benefits 06/17/23	25,642.82	
			Employee Benefits 07/01/23	25,636.91	
			Employee Benefits 07/15/23	26,818.80	
					103,638.06
				GRAND TOTAL	6,738,655.14
			Per Diems Included in above *		
			Director DaSilva		
	5/9-5/11/23	\$300.00	ACWA Spring Conference		
	6/6/2023	\$65.00	MID Special Board Meeting		
	6/13/2023	\$100.00	MID - GSA BOE Meeting		
	6/16/2023	\$65.00	MID Special Board Meeting		
			Director Davis		
	5/9-5/11/23	\$300.00	ACWA Spring Conference		
	6/13/2023	\$100.00	MID - GSA BOE Meeting		
	6/16/2023	\$65.00	MID Special Board Meeting		
			Director Erickson		
	5/1/2023	\$65.00	SLDMWA Los Banos		
	5/9-5/11/23	\$300.00	ACWA Spring Conference		
	5/15/2023	\$65.00	FWA EC Lindsay		
	5/25/2023	\$80.00	FWA Regular Board Meeting		
	6/12/2023	\$65.00	FWA EC		
	6/13/2023	\$100.00	MID BOE Meeting		
	6/16/2023	\$65.00	MID BOE Meeting		
	6/22/2023	\$80.00	FWA Regular Board Meeting		
	6/1/2023	\$65.00	Ad Hoc Strategic Planning Meeting		
			Director Janzen		
	5/3/2023	\$65.00	SJ River Conservancy		
	5/8/2023	\$65.00	ACWA JPIA		
	5/9-5/11/23	\$300.00	ACWA Spring Conference		
	5/22/2023	\$65.00	RWMG		
	6/6/2023	\$65.00	MID Special Meeting		
	6/13/2023	\$100.00	MID Special Board Meeting		
	6/16/2023	\$65.00	MID Special Board Meeting		
	6/26/2023	\$65.00	RWMG Meeting		
	6/28/2023	\$65.00	ACWA Region & Nomination Conference		
			Director Loquaci		
	5/9-5/11/23	\$300.00	ACWA Spring Conference		
	6/1/2023	\$65.00	Ad Hoc Strategic Planning Meeting		
	6/6/2023	\$65.00	MID Special Board Meeting		
	6/13/2023	\$100.00	MID - GSA BOE Meeting		

AGENDA ITEM 2e.

MADERA IRRIGATION DISTRICT
2023 Expenses - Budget vs. Actual
5/31/2023

Description	2023 Budget	Actual through 5/31/2023	% of Budget Used
Water Costs	\$ 8,500,000	\$ 3,174,305	37%
System Operations - Excluding Water Costs	\$ 100,000	\$ 41,091	41%
System Maintenance	\$ 817,000	\$ 305,753	37%
General Services	\$ 179,000	\$ 75,134	42%
Vehicles and Equipment	\$ 468,000	\$ 201,605	43%
Office and Administrative Services	\$ 947,000	\$ 389,731	41%
Professional Services	\$ 974,000	\$ 296,797	30%
Public and Employee Relations	\$ 16,000	\$ 856	5%
Non-Operating Expenses	\$ 628,000	\$ 160,395	26%
Bonds	\$ 4,229,000	\$ 709,375	17%
Capital Expenditures and Capital Improvement Projects	\$ 4,825,000	\$ 493,974	10%
Salaries and Benefits	\$ 5,933,000	\$ 2,022,740	34%
Total	\$ 27,616,000	\$ 7,871,756	29%

Less: 2022 Budget Funds Carryover	\$ (2,215,000)	\$ -	
2023 Approved Budget	\$ 25,401,000	\$ 7,871,756	31%

MADERA IRRIGATION DISTRICT
2023 Other Revenues - Budget vs. Actual
5/31/2023

Description	2023 Budget	Actual through 5/31/2023	% of Budget Received
Water Supply Agreements	\$ 1,162,100.00	\$ 955,473.25	82%
Assessments and Standby Fees	\$ 8,016,000.00	\$ 7,472,249.22	93%
Power Generation	\$ 1,810,000.00	\$ 230,025.25	13%
Land Leases	\$ 412,803.00	\$ 412,802.64	100%
Interest Income	\$ 1,453,000.00	\$ 272,219.77	19%
Billable Jobs	\$ 250,000.00	\$ 49,588.40	20%
Surplus Soil	\$ -	\$ -	0%
Grants	\$ -	\$ -	0%
Miscellaneous	\$ 107,000.00	\$ 86,497.35	81%
Total	\$ 13,210,903.00	\$ 9,478,855.88	72%

NOTE: Water sales not included

**MADERA IRRIGATION DISTRICT
CASH BALANCE SUMMARY REPORT
6/30/2023 AND 5/31/2023**

<u>CASH ACCOUNTS (RESTRICTED & UNRESTRICTED)</u>	<u>6/30/2023</u>	<u>5/31/2023</u>	<u>Interest Rate</u>
CITIZENS BANK			
SWEEP ACCOUNT #1859	\$ 7,334,264.73	\$ 10,099,167.06	0.10%
PAYROLL ACCOUNT #4092	\$ 7,927.58	\$ 7,927.58	
REVOLVING CHECKING FUND #1794	\$ 1,786.82	\$ 1,505.83	
PETTY CASH AND CHANGE DRAWER	\$ 400.00	\$ 400.00	
L.A.I.F. #90-20-003	\$ 35,954,698.50	\$ 34,597,698.50	3.17%
CACCLASS #0001	\$ 5,062,815.12	\$ 5,041,158.27	5.23%
TOTAL CASH ACCOUNTS (RESTRICTED & UNRESTRICTED)	<u>\$ 48,361,892.75</u>	<u>\$ 49,747,857.24</u>	

UNRESTRICTED CASH

CITIZENS BANK			
SWEEP ACCOUNT #1859	\$ 7,326,135.02	\$ 10,091,037.35	0.10%
PAYROLL ACCOUNT #4092	\$ 7,927.58	\$ 7,927.58	
REVOLVING CHECKING FUND #1794	\$ 1,786.82	\$ 1,505.83	
PETTY CASH AND CHANGE DRAWER	\$ 400.00	\$ 400.00	
L.A.I.F. #90-20-003	\$ 32,228,234.91	\$ 30,871,234.91	3.17%
CACCLASS #0001	\$ 5,062,815.12	\$ 5,041,158.27	5.23%
TOTAL UNRESTRICTED CASH	<u>\$ 44,627,299.45</u>	<u>\$ 46,013,263.94</u>	

RESTRICTED CASH (218 ASSESSMENTS)

CITIZENS BANK			
SWEEP ACCOUNT #1859	\$ 8,129.71	\$ 8,129.71	0.10%
L.A.I.F. #90-20-003	\$ 3,726,463.59	\$ 3,726,463.59	3.17%
TOTAL RESTRICTED CASH	<u>\$ 3,734,593.30</u>	<u>\$ 3,734,593.30</u>	

TOTAL CASH ACCOUNTS (RESTRICTED & UNRESTRICTED)	<u>\$ 48,361,892.75</u>	<u>\$ 49,747,857.24</u>
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* District's investments are in compliance with the Investment Guidelines Policy for Madera Irrigation District.

* There are sufficient funds available for the District to meet its expenditures for the next six months.

* Citizens Business Bank Interest Rate is based on Annual Percentage Yield Earned and interest is paid monthly.

* L.A.I.F. interest rate is based on L.A.I.F.'s apportionment rate and interest is paid quarterly.

* CACCLASS interest rate is based on the average daily dividend factor multiplied by the number of days in the year multiplied by 100 divided by the NAV (Net Asset Value).

MADERA IRRIGATION DISTRICT
2023 Expenses - Budget vs. Actual
6/30/2023

Description	2023 Revised Budget ¹	Actual through 6/30/2023	% of Budget Used
Water Costs	\$ 17,000,000	\$ 7,801,067	46%
System Operations - Excluding Water Costs	\$ 130,000	\$ 81,541	63%
System Maintenance	\$ 867,000	\$ 441,391	51%
General Services	\$ 179,000	\$ 93,949	52%
Vehicles and Equipment	\$ 573,000	\$ 254,821	44%
Office and Administrative Services	\$ 1,067,000	\$ 428,044	40%
Professional Services	\$ 899,000	\$ 351,212	39%
Public and Employee Relations	\$ 16,000	\$ 856	5%
Non-Operating Expenses	\$ 628,000	\$ 189,861	30%
Bonds	\$ 4,229,000	\$ 709,375	17%
Capital Expenditures and Capital Improvement Projects	\$ 5,116,000	\$ 598,553	12%
Salaries and Benefits	\$ 5,968,000	\$ 2,442,863	41%
Total	\$ 36,672,000	\$ 13,393,534	37%

Less: 2022 Budget Funds Carryover	\$ (2,215,000)	\$ -	
2023 Revised Budget	\$ 34,457,000	\$ 13,393,534	39%

¹ The 2023 adopted budget was revised at the June 13, 2023 Board Meeting.

MADERA IRRIGATION DISTRICT
2023 Other Revenues - Budget vs. Actual
6/30/2023

Description	2023 Budget	Actual through 6/30/2023	% of Budget Received
Water Supply Agreements	\$ 1,162,100.00	\$ 1,032,173.25	89%
Assessments and Standby Fees	\$ 8,016,000.00	\$ 7,649,397.08	95%
Power Generation	\$ 1,810,000.00	\$ 302,000.73	17%
Land Leases	\$ 412,803.00	\$ 412,802.64	100%
Interest Income	\$ 1,453,000.00	\$ 569,797.48	39%
Billable Jobs	\$ 250,000.00	\$ 49,588.40	20%
Surplus Soil	\$ -	\$ -	0%
Grants	\$ -	\$ -	0%
Miscellaneous	\$ 107,000.00	\$ 95,442.09	89%
Total	\$ 13,210,903.00	\$ 10,111,201.67	77%

NOTE: Water sales not included

Finance Department Activities
August 15, 2023

Approximately 139,000 acre-feet of water was delivered from January - July 2023 for total water sales of approximately \$9.7 million.

The assessments for 2024 and the standby charges for 2023 have been sent to the County for inclusion in the County's property tax bills. The total assessments and standby charges are \$7,893,911.24.

The Semi-annual bond payments in the amount of \$2,228,875 and \$1,290,550 for the 2015 and 2016 bonds respectively, for a total amount of \$3,519,425, are due September 1st.

Accounting

Madera Irrigation District

- monthly financial reports
- accounts payable and warrant lists
- bank reconciliations
- CIP/Project tracking and updates

Madera-Chowchilla Water and Power Authority

- monthly financial reports
- accounts payable and warrant lists
- bank reconciliations
- call for funds

Storm/Assessments

- Extract Madera Irrigation District deed transfers from Madera County
- Process Grant Deed changes
- Assessment searches as requested by the public
- Redemption documentation

Payroll

- Madera Irrigation District payroll processing
- Madera Irrigation District payroll tax transfers
- Compilation of payroll data for employees and third-party requests
- Madera-Chowchilla Water and Power Authority payroll processing
- Madera-Chowchilla Water and Power Authority payroll tax transfers

AGENDA ITEM 3.

MID Engineering, Operations and Maintenance Report

August 15, 2023

Technicians Report:

- SCADA Integrator – Update setpoints, battery voltage, template Rubicon sites, and fix SDR totalizer flows.
- FirstNet Phone Service – Update phone service, replaced phones, and tablets.
- Merging WASP (inventory management) Meter accounting into STORM (accounting software).
- Stage Discharge Recorder – Collecting data flows for tracking ongoing.
- Rubicon Gate Maintenance – Ongoing maintenance and monitoring for irrigation season.
- National Pollutant Discharge Elimination System (NPDES) – sample collection weekly.
- Tesoro Viejo 6.2 Pipeline – Construction Package Completed – Landscape Design ongoing.
- California High Speed Rail (CHSR) – No current changes.
- Capital Improvement Plan – Stockton/Roberts Pipeline Replacement Design 100% design under review.
- Internal GIS Development – Engineering Staff is continuing with right-of-way mapping and facility mapping updates.
- New Engineering Building – Delivered.
- Underground Service Alerts (USA) daily review and marked.

Work Completed

- Burgess Turnout #12 repaired gate.
- Dixieland Turnout #64 installed new Waterman C-10 15-inch gate.
- Island Track Turnouts #1A and 1B repaired leaking boxes.
- Cleaned up weeds along the Main I head just north of Avenue 15 ½.
- Crews cleaned up weeds at Franchi weir just north of Highway 145.
- Turnout #32 on the 32.2-16.9 Canal removed gate and installed concrete plug due to leakage and not in use.

Pipeline Repairs Completed

- Island Track just west of Turnout # 1A repaired leaking inline gate.
- Improvement Lateral along Avenue 18 ½ crews repaired fifteen pipeline leaks due to several parallel cracks along the top of the pipeline.

- 24.2-13.2 at Road 20 and north of Avenue 15, repaired four leaks on pipeline.
- 24.2-17.0-2.3 at Road 20 and Avenue 14, repaired two leaks on pipeline.
- 6.2-16.9 at Turnout #15A west of Highway 145 and north Avenue 7, repaired leak in pipeline.

Canal Mowing Completed

- 32.2-99W Canal along Avenue 18 ½ to Avenue 21 ½.
- 32.2-8.9-1.0 Canal along Avenue 20 and Road 24.

Mowing on 32.2-9.9 West of Road 18



6.2 between Road 36 and 30.5



Pipeline Leaks Repaired

24.2 -17.0 Road 20



6.2-15.9 West of Highway 145



Improvement Lateral Road 18 ½



Cody Lateral Along Avenue 13



6.2- 14.5 Turnout Leak repaired



Cody Pipeline Avenue 13/Road 24 (Techite)



Canal Levee Repairs and Mowing

Repaired Washout on the Main I Spill on Road 23 just North of Avenue 10



Hargrove # 1 Pipeline Hit and Damaged by a Contractor on July 28th.



Welding Shop

- Installed metal staff gauge on Basin #9.
- Fabricated and installed weir board guides for Basin #9.
- Fabricated and installed small catwalk and safety railing on the 16.9 Canal for weir inlet to Basin #9.
- Cut and respooled steel cable on radial gate on the 6.2 Canal at weir #6.
- Fabricated and hard face new skid plates on flail mower #2.
- Fabricated and installed safety step box for Turnout #6 on the 17.0-2.3 Canal.
- Fabricated and installed safety ladder for Turnout #17-Z on the 32.2 Canal.
- Fabricated and installed safety ladder for Turnout #11 on the 6.2-14.9 Canal.
- Fabricated and installed trash screen on the Ripperdan pump Turnout #10 along Road 28.
- Repaired bent steel floor plate on lowboy trailer.
- Fabricated lock box temporary-stationary chemical containers on the Dixieland Canal just South of Road 18 ½.
- Fabricated and installed safety ladder for Turnout #5A on the 6.2-14.5 Canal.
- Rebuilt front hydraulic support bracket on spray truck boom #2-18.
- Fabricated and installed expanded metal protection cover for the parking brake sensor on backhoe #4-16.
- Installed hockey puck lock hasp on the Colony Extension recorder box.

6.2 – Safety Walkway



Fabricated Hydraulic Brace for Spray Truck



Pesticide Report

- Copper Sulfate Crystals – 150lbs. (Algae)
- Microbes Bio Treatments – 310 Gallons (Algae)
- Cutrine Plus – 300 Gallons (Algae)
- Teton – 250 Gallons (Algae and Aquatic)
- Forfeit – 165 Gallons (Herbicide)
- Invade – 85 Gallons (Herbicide)
- Roundup Custom – 285 Gallons (Herbicide)

On July 26th, all Pesticide Applicators attended Aquatic and Herbicide treatment updates and safety classes (Hours of Educational Units for licensing)

Algae Treatment on the Butin Canal Before and After

Before



After



Placing Totes with Non-Hazardous materials in Various Locations for Algae Treatment



Vehicles and Equipment Repaired or Serviced

- 8-15 – Excavator new engine (Quinn Caterpillar)
- 1-10 – John Deere Mower new engine (Midland Tractor)
- 6-11 – Gradall multiple repairs (Engine & Electrical repairs & Front-end Spring Repair)
- 1 – 6-inch Trailer Pump repaired
- 1 – 4- inch Trailer Pump repaired
- 15 Vehicles Serviced
- 14 Vehicles Repaired
- 5 Equipment Serviced
- 12 Equipment Repaired

90 Day DOT Inspections Completed

- #7-20 Maintenance Truck
- #7-11 Maintenance Truck
- #2-19 Maintenance Truck
- #11-11 Maintenance Truck
- #1-15 Trash Truck
- #6-10 Spray Truck
- #12-11 Spray Flatbed
- #4-21 Mechanic Service Truck
- #2-18 Big Spray Truck
- #1-18 Meter Truck
- #8-20 Spray Truck
- #1-21 Water Truck
- #1-19 Dump Truck

MCWPA Repairs and Services

- Truck 183 – Complete service, oil change, filters changed, replaced rear brake pads/rotors, checked fault code, low fuel pressure, cleared codes, and repaired bottom of left front bumper.
- Called out to Madera Canal to stop rodent leakage just north of Road 28 ½.

AGENDA ITEM 5b.

AUGUST 15, 2023
RESOLUTION NO. 2023-25

**RESOLUTION OF THE BOARD OF DIRECTORS,
MADERA IRRIGATION DISTRICT
TO DISPOSE OF SURPLUS PROPERTY**

RESOLVED by the Board of Directors of the Madera Irrigation District (“District”), at a regular meeting duly called and held on August 15, 2023 at the business office of the District, 12152 Road 28 1/4, Madera, California 93637 as follows:

WHEREAS, Water Code Section 22500 provides that the District’s board, “by resolution entered upon the minutes,” may determine “that any property of the [D]istrict is no longer necessary for [D]istrict purposes,” and thereafter for “valuable consideration sell or lease the property upon terms that appear to the board to be for the best interests of the District”; and

WHEREAS, the District is the owner of the following property (collectively, the “Surplus Property”):

- 3 – Dell Computers
- #5-09 2010 Ford F-150 VIN#1FTMF1CW3AKA16690

WHEREAS, the Surplus Property is not necessary to be retained by the District, and is no longer necessary for District purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Madera Irrigation District, that the facts contained in the recitals above are true and correct and that the Surplus Property is no longer necessary for District purposes, and is therefore declared to be surplus property pursuant to Section 22500 of the Water Code.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Madera Irrigation District Board of Directors, at a regular meeting of the Board held on the 15th day of August 2023 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Erickson, President

ATTEST: _____
Carl Janzen, Vice President

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Madera Irrigation District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2023-25 adopted August 15, 2023.

Andrea Kwock Sandoval, Secretary

AGENDA ITEM 5c.

AUGUST 15, 2023
RESOLUTION NO. 2023-26

**RESOLUTION OF THE BOARD OF DIRECTORS,
MADERA IRRIGATION DISTRICT
APPROVING THE HUMAN RESOURCES TECHICIAN
JOB DESCRIPTION AND FILLING OF POSITION**

RESOLVED by the Board of Directors of the Madera Irrigation District ("District"), at a regular meeting duly called and held on August 15, 2023 at the business office of the District, 12152 Road 28 1/4, Madera, California 93637 as follows:

WHEREAS, the District's Board of Directors has determined that there is a need to create a Human Resources Technician position at the District; and

WHEREAS, the District's Board of Directors reviewed the proposed Human Resources Technician job description, a copy of which is attached as Exhibit "A," at its August 15, 2023, Board Meeting.

NOW, THEREFORE, BE IT RESOLVED, that the facts contained in the recitals above are true and correct and that the Board of Directors of Madera Irrigation District hereby approves the job description attached hereto as Exhibit "A."

BE IT FURTHER RESOLVED, that the Board of Directors of Madera Irrigation District hereby authorizes staff to proceed with the filling of the Human Resources Technician position.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Board of Directors of the Madera Irrigation District, at a regular meeting of the Board held on the 15th of August, 2023 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Erickson, President

ATTEST: _____
Carl Janzen, Vice President

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Madera Irrigation District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2023-26 adopted August 15, 2023.

Andrea Kwock Sandoval, Secretary



Madera Irrigation District Job Description

JOB TITLE: HUMAN RESOURCES TECHNICIAN

DEPARTMENT: FINANCE

SUPERVISOR: CONTROLLER

FLSA STATUS: [] Exempt [X] Non-Exempt [X] At-Will

PURPOSE

Under supervision of the Controller and in consultation with the Administration Department, performs a variety of human resources, administrative, and clerical duties.

CLASS CHARACTERISTICS

This is a journey level position that assumes responsibility for a wide variety of activities related to Human Resources functions; this can include employee recruitment, hiring and orientation, employee relations, compensation, workplace safety, and staff training.

ESSENTIAL FUNCTIONS *(Duties may include, but are not limited to, the following):*

- Maintains complete confidentiality of employee files and personnel records
- Keeps employee records and files up to date
- Corresponds with personnel, candidates, consultants, general public, clients, and stakeholders of the District
- Assists with District's compliance with Federal, State, and Local laws pertaining to Human Resources
- Performs onboarding for employees, attends separation meetings, and assist with document preparation
- Maintains the Workers' Compensation Program, and State Disability Programs
- Performs functions relating to recruitment
- Performs functions related to employee benefit administration
- Disperses information to employees which may include emails, bulletin boards, and employee self-service cabinet documents
- Assists with employee trainings including document preparation
- Filing, record keeping, and data entry
- Operates a variety of office equipment
- Other duties as assigned

ESSENTIAL RESPONSIBILITIES

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

1. **General Knowledge** – Basic math; English grammar, spelling and punctuation; and general business and office procedures. Utilize all Microsoft software programs including Outlook, Word, Excel, and Access. Bilingual preferred.
2. **Specialized Knowledge** – Principles and practices associated with Human Resources administration; business practices; and office protocols. Providing professional customer service; coordinating between departments; determining priorities; and determining efficient work methods.
3. **Resources** – District's supplies and equipment used or available for use during employment such as: computer, telephone, and calculator.
4. **Communication** – Ability to communicate clearly with all District personnel, customers, general public, clients, and stakeholders of the District. Channels of communication may include phone, literary instructions, computer, and may also include the use of oral, written, auditory, and visual senses. Employees will display the ability to communicate with respect even in times of difficult matters. Employee will ensure confidentiality of all information within the HR Department.
5. **Safety** – Ability to work safely, following all District safety procedures and rules. Identify potential hazards and communicate them to authorized District safety representative. Pay close attention to working conditions and make every attempt to mitigate risk. Maintain office etiquette and safety guidelines as they pertain to working in an office environment.

WORKING CONDITIONS

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Exposure to the sun: Approximately 10% or less work time spent outside a building and exposed to the sun
- Irregular or extended work hours: Occasionally required to change working hours or work pre-approved overtime

PHYSICAL REQUIREMENTS

To perform this job effectively, there are physical demands that are required of the employee. The following items are examples of physical abilities that will be necessary to perform the essential functions of this position:

- Hearing and vision within normal ranges with or without correction
- Normal office hazards on a daily basis
- Occasionally expected to drive District vehicle
- Physical effort is non-strenuous, but continuous
- Regularly uses a telephone, calculator, computer, copier, and FAX machine
- Sufficient finger/eye coordination and dexterity
- Works in a controlled environment with very little adverse conditions
- Work in an office environment, lift and move objects up to approximately 25 pounds such as large binders, books, and small office equipment
- Works and sits at a desk for an extended period of time while requiring concentration for inputting data and writing

QUALIFICATIONS

Any combination of applicable experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities are:

Education – Graduation from high school supplemented by educational training in office practice and skills. College course work and Bilingual preferred.

Experience – Three years of experience in an office environment, receptionist, and clerical or similarly related field required. Human Resources experience desired.

Licenses, Registrations, Accreditation, etc. – Possession of a valid California Class C Driver’s License will be required at the time of appointment. Failure to obtain or maintain such required license(s) may be cause for disciplinary action. Employees who do not meet this requirement due to a physical disability will be considered for accommodation on a case-by-case basis. Possession and proof of a driving record free of multiple or serious traffic violations or accidents for two (2) consecutive years.

I have reviewed this Job Description and agree with its contents.

Employee Signature

Date

Supervisor Signature

Date

This job description may be edited or changed as management deems necessary and new responsibilities and tasks may be included.

AGENDA ITEM 5d.

AUGUST 15, 2023
RESOLUTION NO. 2023-27

**RESOLUTION OF THE BOARD OF DIRECTORS,
MADERA IRRIGATION DISTRICT
APPROVING AND AUTHORIZING EXECUTION OF
SOQUEL LETTER AGREEMENT EXTENSION WITH
PACIFIC GAS & ELECTRIC**

RESOLVED by the Board of Directors of the Madera Irrigation District (“District”), at a regular meeting duly called and held on August 15, 2023, at the business office of the District, 12152 Road 28 1/4, Madera, California 93637 as follows:

WHEREAS, the District entered into an Agreement dated November 1, 1977 (the “Agreement”) with Pacific Gas & Electric (“PG&E”) for the use of water by PG&E under rights owned by the District in connection with PG&E’s operation of its hydroelectric development on the North Fork Willow Creek; and

WHEREAS, the Agreement was originally scheduled to terminate September 30, 1981, although the District and PG&E agreed to an extended termination date of September 30, 1995; and

WHEREAS, since 1995, the District and PG&E have executed documents confirming Annual Extensions to the term of the Agreement, which have allowed the District to continue receiving payment from PG&E for the use of its surface water supplies for hydroelectric generation; and

WHEREAS, PG&E and the District have agreed to extend the term of the Agreement for the period covering October 1, 2023 through September 30, 2024; and

WHEREAS, the District has a proposed Extension Letter Agreement between the District and PG&E, a copy of which is attached hereto as Exhibit “A,” to effectuate an extension of the Agreement through and including September 30, 2024.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors that the facts contained in the recitals above are true and correct, and that the Madera Irrigation District, approves the proposed Extension Letter Agreement with Pacific Gas & Electric, a copy of which is attached hereto as Exhibit “A,” and authorizes General Manager Thomas Greci to execute the Extension Letter Agreement and all documentation necessary to effectuate the terms of that Extension Letter Agreement with Pacific Gas & Electric subject to such reasonable modifications, revisions, additions and deletions as he may approve prior to execution, and any other documentation necessary to effectuate the Agreement, said execution to provide conclusive evidence of such approval.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Board of Directors of the Madera Irrigation District, at a regular meeting of the Board held on the 15th of August 23 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Erickson, President

ATTEST: _____
Carl Janzen, Vice President

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Madera Irrigation District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2023-27 adopted August 15, 2023.

Andrea Kwock Sandoval, Secretary

Phone (559) 673-3514

www.madera-id.org

General Manager

Thomas Greci

Assistant

General Manager

Dina Cadenazzi Nolan

Legal Counsel

John P. Kinsey



12152 Road 28 1/4
Madera, CA 93637

Board of Directors

Division 1

David Loquaci

Division 2

Tim DaSilva

Division 3

Brian Davis

Division 4

James Erickson

Division 5

Carl Janzen

August 15, 2023

Aaron Cortes, Director
Hydro Operations & Maintenance South
Pacific Gas and Electric Company
12840 Bill Clark Way
Office 2105
Auburn, CA 93424-0056

Re: Extension of the 1984 Soquel Water Agreement – 2024 Water Year

Dear Mr. Cortes:

This letter agreement shall constitute an extension of the 1984 Soquel Water Agreement for the 2024 water year, covering the period October 1, 2023 through September 30, 2024. This simple letter extension is provided for under the Extension Agreement dated September 30, 1996 and signed by J.D. Butler of PG&E and H. Rocky Teranishi, Madera Irrigation District, President.

Aaron Cortes
Director, Hydro O&M South
Pacific Gas & Electric

Thomas Greci
General Manager
Madera Irrigation District

Date

Date

AGENDA ITEM 5e.

AUGUST 15, 2023
RESOLUTION NO. 2023-28

**RESOLUTION OF THE BOARD OF DIRECTORS,
MADERA IRRIGATION DISTRICT
ADOPTING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE
COOPERATIVE AGREEMENT FOR THE IMPLEMENTATION OF THE NEW
GUIDELINES FOR ACCEPTING WATER INTO THE FRIANT-KERN CANAL**

RESOLVED by the Board of Directors of the Madera Irrigation District (“District”), at a regular meeting duly called and held on August 15, 2023, at the business office of the District, 12152 Road 28 1/4, Madera, California 93637 as follows:

THE BOARD OF DIRECTORS OF THE MADERA IRRIGATION DISTRICT RESOLVES AS FOLLOWS:

SECTION 1. Findings. The Board of Directors finds as follows:

A. The United States Bureau of Reclamation (“Reclamation”) constructed and owns the facilities of the Friant Division of the Central Valley Project (“CVP” or “Project”), including the Friant Dam and the Friant-Kern Canal (“Canal” or “FKC”) which conveys water from Millerton Lake to municipalities and water agencies including the Madera Irrigation District (collectively, “Contractors”) along the 152-mile length of the Canal that have water delivery contracts with Reclamation for Project water.

B. The Madera Irrigation District (“District”) has entered into that certain *Contract Between the United States and the Madera Irrigation District Providing for Project Water Service from Friant Division and for Facilities Repayment* (Contract No. I75r-2891D) (“Water Service Contract”).

C. Article 17 of the Water Service Contract (Protection of Water and Air Quality), states in relevant part that “the United States does not warrant the quality of the water delivered to the Contractor and is under no obligation to furnish or construct water treatment facilities to maintain or improve the quality of water delivered to the Contractor.”

D. As the operations of the Friant Division have evolved, from time-to-time water is introduced into the FKC other than directly from Millerton Lake to the headworks of the FKC (collectively, “Non-Millerton water”). In general, such Non-Millerton water is of a lower quality than that conveyed directly from Millerton Lake.

E. In order to ensure that the quality of water conveyed through the FKC is protected for sustained domestic and agricultural use, the Friant Water Authority (“FWA”), the District and other Contractors have cooperatively developed certain *Guidelines for Accepting Water into the Friant-Kern Canal* (“Guidelines”) that define certain water quality thresholds and the required mitigation associated with the introduction of Non-Millerton water into the FKC, as well as establish methodologies, procedures and tools for forecasting, monitoring and managing water quality in the FKC.

F. Under the Guidelines, a public agency interested in participating in the Guidelines activities, including the introduction of Non-Millerton water into the FKC, is required to enter into a cooperative agreement (“Cooperative Agreement”) with FWA to implement the Guidelines.

G. Because the approval of Cooperative Agreement and participation in the Guidelines require the discretionary approval of the Board prior environmental review is required.

H. FWA served as the lead agency under the California Environmental Quality Act (“CEQA” - Public Resources Code sections 21000 and following) and the State CEQA Guidelines (14 CCR sections 15000 and following) for the environmental review of the Guidelines.

I. On December 6, 2022, FWA issued a Notice of Preparation (“NOP”) that an Environmental Impact Report (EIR) would be prepared for the Guidelines and filed such NOP with the California State Clearinghouse, which issued the Project State Clearinghouse (SCH) No. 2022120093.

J. On May 12, 2023, a Draft EIR was made available for public review and comment pursuant to State CEQA Guidelines section 15087. The public review period lasted from May 12, 2023 to June 26, 2023. Copies of the Draft EIR were made available for the public online at FWA’s website (<https://friantwater.org/projects>), and hard copies were made available for review at FWA’s Lindsay Office (854 N. Harvard Ave.).

K. FWA did not receive any comments on the Draft EIR during this 45-day public comment period.

L. A full copy of the Final EIR was posted on FWA’s website on July 21, 2023, at: <https://friantwater.org/projects>.

M. On July 27, 2023, the FWA Board of Directors conducted a duly noticed public hearing on the Final EIR. All interested parties were given full opportunity to be heard and to present evidence regarding the Final EIR and related actions and approvals, including the proposed CEQA “Findings” and a Mitigation Monitoring and Reporting Program (“MMRP”) as set forth in Appendix A of the Final EIR. These documents may be accessed via the following link (Agenda Item 3.A) and are incorporated by reference:

<https://static1.squarespace.com/static/58c2eccc15d5db46200ea426/t/64c142038d5c514fd39c9019/1690386956770/July+27+Meeting+Book+-+FWA+Board+of+Directors+Meeting+%284%29.pdf>

N. At the conclusion of the public hearing, the FWA Board of Directors certified that the Final EIR for the Guidelines was prepared in compliance with CEQA and the State CEQA Guidelines, adopted the Findings and the MMRP, and authorized FWA to enter into the Cooperative Agreement with participating Contractors.

SECTION 2. Compliance with CEQA. Pursuant to State CEQA Guidelines section 15096, the Board of Directors has considered the Final EIR prepared by FWA for the Guidelines and Cooperative Agreement along with the Findings, the MMRP, and the whole of the record of proceedings, and exercises its independent judgment to find that as to those potential impacts within the District’s powers and authorities as a responsible agency, that the Final EIR contains a complete, objective, and accurate reporting of the Guideline’s potential environmental impacts and that mitigation measures have been incorporated into the implementation of the Guidelines, including through the Cooperative Agreement, that avoid and/or substantially lessen any of the potentially significant effects of the implementation of the Guidelines. In

particular, the District is also adopting, as a requirement of the Cooperative Agreement, all applicable provisions of the MMRP pursuant to the District's jurisdictional authority.

SECTION 3. Approval of the Cooperative Agreement. The Board of Directors approves the Cooperative Agreement and directs District staff to proceed with all necessary actions to execute and enter into the Cooperative Agreement with the participating Contractors and FWA in order to implement the Guidelines.

SECTION 4. Filing of a Notice of Determination. The Board of Directors directs District staff to cause to be filed with the clerk of Madera County and the Office of Planning and Research in Sacramento a Notice of Determination in accordance with CEQA.

SECTION 5. Effective Date. This Resolution will take effect upon adoption.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Board of Directors of the Madera Irrigation District, at a regular meeting of the Board held on the 15th of August 23 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Erickson, President

ATTEST: _____
Carl Janzen, Vice President

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Madera Irrigation District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2023-28 adopted August 15, 2023.

Andrea Kwock Sandoval, Secretary

**COOPERATIVE AGREEMENT
FOR THE
FRIANT-KERN CANAL WATER QUALITY GUIDELINES**

This COOPERATIVE AGREEMENT FOR THE FRIANT-KERN CANAL WATER QUALITY GUIDELINES (“**Agreement**”) is effective as of _____, 2023 (“**Effective Date**”), and is by and between the FRIANT WATER AUTHORITY, a California joint powers authority (“**FWA**”), and the undersigned public agencies that are authorized to receive water directly from or introduce water directly into the Friant-Kern Canal (collectively, “**Contractors**”). FWA and the Contractors are individually referred to as a “**Party**” and collectively as the “**Parties.**”

RECITALS

A. The United States, acting through the Department of Interior, Bureau of Reclamation (“**Reclamation**”) has constructed and manages the Friant Division of the Central Valley Project (“**CVP**” or “**Project**”), for storage, diversion, carriage and distribution of water for agricultural, flood control, municipal, industrial, domestic and other beneficial uses and purposes.

B. The key facilities of the Friant Division include Friant Dam, Millerton Lake and the Friant-Kern Canal (“**FKC**”).

C. Reclamation has transferred the responsibility to operate and maintain certain Friant Division facilities, including the FKC, pursuant to that certain Agreement to Transfer the Operation, Maintenance, and Replacement and Certain Financial and Administrative Activities Related to the Friant-Kern Canal and Associated Works, Agreement No. 8-07-20-X0356-X (as amended, “**Transfer Agreement**”).

D. Under Article 30(a) of the Transfer Agreement, FWA is required to operate and maintain the FKC “in a manner that preserves the quality of the water at the highest feasible level” as determined by Reclamation.

E. The majority of the Contractors executing this Agreement have a long-term “water delivery contract” (as such term is defined in the Transfer Agreement) with Reclamation pursuant to which Project water is to be supplied from or through the CVP facilities, including the FKC.

F. In the recitals and substantive provisions of such water delivery contracts (i.e., the article entitled “Cooperation and Coordination”), Reclamation and the applicable Contractor acknowledge the shared goal to “pursue measures to improve ... water quality ... for all Project purposes,” including through the “implementation of partnerships.”

G. Nevertheless, each water delivery contract also includes a provision that states that “the United States does not warrant the quality of the water delivered to the Contractor and is under no obligation to furnish or construct water treatment facilities to maintain or improve the quality of water delivered to the Contractor.”

H. Certain other Contractors executing this Agreement have a legal or contractual right to convey, deliver, or receive water, including water other than Project water, through the

FKC such as contracts under the Warren Act (43 USC 523 and following), and Section 215 of the Reclamation Reform Act of 1982 (96 Stat. 1263), and under other pump-in, wheeling or conveyance agreements using the FKC that are binding on Reclamation. Similar to the water delivery contracts noted above, under these agreements, Reclamation also does not warrant the quality of the water delivered through the FKC.

I. As the operations of the Friant Division have evolved, from time-to-time water is introduced into the FKC other than directly from Millerton Lake to the headworks of the FKC (collectively, “**Non-Millerton water**”). In general, such Non-Millerton water is of a lower quality than that conveyed directly from Millerton Lake.

J. In order to ensure that the quality of water conveyed through the FKC is protected for sustained domestic and agricultural use, the Parties have cooperatively developed certain *Guidelines for Accepting Water into the Friant-Kern Canal* (“**Guidelines**”) that define certain water quality thresholds and the required mitigation associated with the introduction of Non-Millerton water into the FKC, as well as establish methodologies, procedures and tools for forecasting, monitoring and managing water quality in the FKC.

K. The Parties desire to voluntarily adopt and implement the Guidelines pursuant to the terms and conditions of this Agreement.

L. FWA, as the lead agency under the California Environmental Quality Act (“**CEQA**”), caused to be prepared a draft Environmental Impact Report (“**EIR**”) to analyze potentially significant impacts that may result from implementation of the proposed Guidelines.

M. FWA released the draft EIR for public review on May 12, 2023, and provided a 45-day public comment period on the draft EIR extending through June 26, 2023. The draft EIR was available for review on FWA’s website: <https://friantwater.org/public-notice>, and at the Friant Water Authority office at 854 N. Harvard Avenue, Lindsay, CA 93247.

N. FWA held a virtual public meeting on May 30, 2023, using the Zoom web conference application to provide information about the draft EIR, as well as provide an opportunity to submit comments regarding the draft EIR or learn how to subsequently submit comments.

O. At a public meeting held on July 27, 2023, the FWA Board of Directors (“Board”) considered the draft EIR together with all comments received, if any, during the public review process and responses to such comments (collectively, “Final EIR” or “FEIR”) and reviewed the FEIR for compliance with CEQA and the State CEQA Guidelines. After such review, the Board determined the FEIR reflects FWA’s independent judgment and analysis and found that the FEIR had been completed in compliance with CEQA, and that changes or alterations in the form of the proposed mitigation measures have been incorporated into the Guidelines project that avoid or substantially lessen all the potentially significant environmental effects identified in the FEIR and accordingly certified the FEIR and adopted a Mitigation Monitoring and Reporting Program (“MMRP”), as required by CEQA, which each Contractor must comply with when carrying out any new project subject to CEQA pursuant to the Guidelines.

P. Based on Recitals L through O above, no further environmental review is required to enter into this Agreement.

Q. Under the Guidelines, a public agency interested in participating in the Guidelines Activities (defined below), including the introduction of Non-Millerton water into the FKC and participation in mitigation programs, is required to enter into a cooperative agreement with FWA implementing the Guidelines. This Agreement is intended to satisfy that requirement.

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

1. EFFECTIVE DATE; TERM

1.1 **Effective Date.** This Agreement will become effective when it has been approved and signature pages delivered to FWA from the Contractors that meet the eligibility requirements of Section 3.1 below and are listed on Attachment No. 1.

1.2 **Term.** This Agreement will remain in effect from the Effective Date until the termination of the Agreement in accordance with Section 9.1 below.

2. PURPOSE

2.1 **Purpose.** The purpose of this Agreement is to provide a framework for the adoption, implementation, and modification of the Guidelines. The actions and activities provided for or required in furtherance of the implementation of the Guidelines are collectively referred to as the “**Guidelines Activities**.”

2.2 **No Implied Effect on Rights:** Except as expressly provided in the Guidelines, nothing in this Agreement may be construed as affecting the existing rights or obligations of the Parties, including but not limited to any rights or obligations pursuant to any water delivery contract, including but not limited deliveries under the CVP or contracts for water supplies from a State of California water facility described in California Water Code section 12934(d) (“**State Water Project**” or “**SWP**”), or any riparian or appropriative water rights.

3. PARTIES

3.1 **Eligible Agencies.** Any public agency (as defined in Government Code section 6500) that has a long-term “water delivery contract” (as such term is defined in the Transfer Agreement) with Reclamation pursuant to which Project water is to be supplied from or through the CVP facilities, including the FKC, or that has a legal or contractual right to convey, deliver, or receive water, including water other than Project water, through the FKC including pump-in, wheeling or conveyance agreements binding on Reclamation, is eligible to be a Party to this Agreement and upon execution of the Agreement will become a Party. Becoming a Party to this Agreement is a condition precedent to participation in the Guidelines Activities.

3.2 **Additional Parties:** Following the Effective Date, other public agencies may subsequently become a Party to this Agreement upon (a) approval of the FWA Board of

Directors and such new Party's execution of this Agreement, as it may be amended, and (b) the new Party's payment of such Guidelines Surcharges, mitigation water, and other capital costs of the Guidelines Activities as may have accrued to such agency under the Guidelines as of the effective date of becoming a Party.

4. **ADOPTION OF AND MODIFICATION TO THE GUIDELINES**

4.1 **Adoption.** The initial Guidelines attached as Exhibit A are hereby adopted by the Parties.

4.2 **Modification.** The Parties acknowledge and agree that the Guidelines are subject to periodic review and modification by FWA based on recommendations made by the "**Water Quality Advisory Committee**" (as such term is defined in the Guidelines), Reclamation, or as may be initiated by FWA. Any such modification to the Guidelines must occur at a public meeting of the FWA Board. FWA will provide all of the participating Contractors under this Agreement with at least 30 days' written notice of its intent to modify the Guidelines, including the proposed revisions, at a public meeting as specified in the notice.

4.3 **Right to Withdraw.** If following the adoption of any modification to the Guidelines, a Contractor no longer desires to be Party to this Agreement and be subject to the Guidelines, as amended, it may exercise its right to withdrawal under Section 9.2 below.

5. **ADMINISTRATION AND COORDINATION**

5.1 **Administrative Agency Duties.** Friant Water Authority will serve as the "**Administrative Agency**" for this Agreement. As the Administrative Agency, Friant Water Authority agrees to perform the following services:

5.1.1 Contracting. Negotiate and enter into contracts with the various individuals or entities providing services in furtherance of the Guidelines Activities.

5.1.2 Administration. Monitor and manage the Guidelines Activities, including providing necessary administrative and technical support to the Water Quality Advisory Committee.

5.1.3 Expenditures. Utilize the funds, including the Guidelines Surcharge (defined in Section 6.1.1 below) provided by the Parties for the administration of any contracts entered into, or other approved costs incurred, in furtherance of the Guidelines Activities.

5.1.4 Invoicing. Invoice the Parties for any contributions, including the Guidelines Surcharge, required in accordance with Section 6 (Financial Provisions) of this Agreement.

5.1.5 Accounting. Provide a quarterly report of all contract and other costs and expenditures under this Agreement to the Parties.

5.1.6 Reporting. Provide periodic reports concerning the status of the Guidelines Activities and the Project at such frequency as the Parties may mutually agree, including at meetings of the Water Quality Advisory Committee.

5.2 **Party Duties**. Each Party agrees to:

5.2.1 Compliance with Guidelines. Comply with all applicable provisions of the Guidelines and all decisions or direction of the Administrative Agency with respect to the implementation of the Guidelines subject to the dispute resolution provisions of Section 8 (Dispute Resolution). Such compliance includes all existing Reclamation approvals a Contractor may have for the introduction of Non-Millerton water into the FKC ("**Existing Approvals**"), which Existing Approvals are identified on each Parties' signature page.

5.2.2 Compliance with Mitigation Monitoring and Reporting Program. Each Party must comply with the applicable provisions of the Mitigation Monitoring and Reporting Program adopted as part of the certification of the Environmental Impact Report for the Guidelines when carrying out any new project subject to CEQA pursuant to the Guidelines.

5.2.3 Payments. Pay all Guidelines Surcharges imposed under the Guidelines upon invoice by the Administrative Agency in accordance with Section 6 (Financial Provisions).

5.2.4 Cooperate. Make good faith, commercially reasonable efforts to cooperate with the other Parties and the Administrative Agency to achieve the purposes of this Agreement.

5.2.5 Representatives. For those Parties that are members of the Water Quality Advisory Committee, such Party must designate a primary and alternate representative ("**Representative**") to represent the Party's interests on the Committee and provide the Administrative Agency with notice of such designated Representatives.

6. **FINANCIAL PROVISIONS**

6.1 **Funding**. The Parties agree to work together to provide adequate funding to carry out the Guidelines Activities.

6.1.1 Surcharge. The Parties acknowledge and agree that the costs for the Guidelines Activities will initially be paid out of the applicable annual FWA OM&R budget, and subsequently will be reimbursed by Contractors through the payment of a specified dollar per acre-foot (\$/acre-foot) surcharge ("**Guidelines Surcharge**") for all Non-Millerton water introduced into the FKC. All Guidelines Surcharge funds received will be credited back to the FWA OM&R budget. The Guidelines Surcharge will be adopted by the FWA Board of Directors at a regular meeting and will be based on an estimate of the total annual costs of the Guidelines Activities divided by the average annual deliveries of pump-in programs into the FKC. The Guidelines Surcharge will be applied to all introduced Non-Millerton water even if mitigation is not required, and will be paid by the Contractor introducing such Non-Millerton water into the FKC. The Guidelines Surcharge will be provided for budgeting purposes on an annual basis.

FWA will bill Contractors for the reimbursement of the costs of the Guidelines Activities based on actual volumes of Non-Millerton water introduced.

6.1.2 Federal and State Funding Assistance. The Parties agree to cooperate with the Administrative Agency in identifying and securing, where appropriate, federal and state funds to support the development and implementation of the Guidelines Activities.

6.2 **Special Account**. All funds collected under this Agreement will be held in a separate Administrative Agency account for Guidelines Activities, and will be subject to standard accounting and auditing requirements applicable to a California public agency. Periodic reports will be provided as set forth in Section 5.1.6. The records of all expenditures under this Agreement will be open to inspection by the Parties' employees or agents upon reasonable notice.

6.3 **Administrative Agency General and Administrative Costs**. The costs of Administrative Agency staff (including its independent contractors) for time expended on Guidelines Activities will be charged at their applicable hourly rate, including reimbursable costs.

7. **LIMITED WAIVER OF CLAIMS.**

7.1 **Waiver of Claims Related to the Delivery of Project Water**. In recognition of the voluntary nature of this Agreement and the associated benefits of participation in the water quality program under the Guidelines, each Party hereby agrees to waive all claims, including for monetary damages, against the United States, and all claims for monetary damages against FWA, arising from or related to any alleged reduction in the delivery of Project water or other water under its water delivery contract or other agreement for the conveyance or delivery of water with the United States due to imposition of any mitigation measure for water quality imposed under the Guidelines.

7.2 **Waiver of Claims Against FWA Related to Guidelines Activities**. In further recognition of the voluntary nature of this Agreement and the associated benefits of participation in the water quality program under the Guidelines as well as FWA's voluntary role in assuming responsibility as the Administrative Agency for the Guidelines, each Party waives all claims for monetary damages against FWA arising from or related to any alleged action, non-action, or decision arising from or related to FWA's management and implementation of the Guidelines as the Administrative Agency, excepting, however, any claims arising from or related to any misappropriation or misuse of any Guidelines Surcharges. Each Party further acknowledges and agrees that except as provided in the prior sentence, any legal action or proceeding brought against FWA will be limited to a writ of mandamus, or, as applicable, a claim for declaratory relief or specific performance under this Agreement or the Guidelines.

7.3 **Waiver of Claims Against Parties Related to Guidelines Activities**. In further recognition of the voluntary nature of this Agreement and the associated benefits of participation in the water quality program under the Guidelines, including the receipt of mitigation benefits, each Party waives all claims for monetary damages against all other Parties arising from or related to the implementation of the Guidelines, excepting, however, any claims for monetary

damages arising from or related to any noncompliance with the Guidelines or this Agreement brought in accordance with the procedures set forth in Section 8 (Disputes) below.

8. DISPUTES

8.1 General Non-Compliance.

8.1.1 Notice. Each Party, including FWA, has the right to assert in writing matters which it believes have not been undertaken in accordance with this Agreement or the Guidelines, to explain the basis for such assertion, and to receive from the other Party or Parties a written justification of its position on such matters. If, following its review of the written justification, FWA concludes that a Party is not in compliance with the terms of the Agreement or Guidelines, then FWA will issue a written "**Notice of Non-Compliance**" specifying the grounds and all facts demonstrating such non-compliance, which Notice must be provided to the alleged noncompliant Party along with all other Parties.

8.1.2 Period to Cure or Respond to Notice. The alleged noncompliant Party will have 15 days to cure or remedy the non-compliance identified in the Notice of Non-Compliance, or if such cure or remedy is not reasonably capable of being cured or remedied within such 15-day period, to commence to cure or remedy the non-compliance and to diligently and in good faith prosecute such cure or remedy to completion. If the Party receiving a Notice of Non-Compliance does not believe it is out of compliance and desires to contest the Notice, it must do so by filing a Notice of Dispute under Section 8.2.1 below with FWA within 15 days after receipt of the Notice of Non-Compliance; provided, however, that during the period of the dispute (i.e., until resolved pursuant to Sections 8.2.2, 8.2.3 or 8.3 below) the alleged noncompliant Party must comply with the directives provided by FWA in the Notice of Non-Compliance or with such other directives as may be mutually agreed in writing by FWA and the alleged noncompliant Party.

8.2 Administrative Dispute Resolution Process.

In the event a Contractor is dissatisfied with the application or interpretation of the Guidelines by FWA staff or consultants or contests a Notice of Non-Compliance pursuant to Section 8.1.2 above, the following administrative dispute resolution procedures will apply:

8.2.1. Notice. The Contractor must submit to FWA a written "**Notice of Dispute**" specifying the grounds and all facts relevant to the disputed action by FWA or its interpretation or application of the Guidelines or this Agreement.

8.2.2 Meet and Confer; Reclamation Review. Upon FWA's receipt of the Notice of Dispute, representatives of FWA (including technical staff and consultants) and representatives of the Contractor will then, at each party's expense, promptly schedule and attend such meetings as may be reasonably necessary to expeditiously resolve the dispute. At any time during this process, a Contractor may request FWA refer the dispute to Reclamation's Contracting Officer (i.e., Reclamation's Area Manager of the South-Central California Area Office or designee) for review. Upon notice of a request for dispute review by the Contracting Officer, FWA and the disputing Contractor will each prepare a written summary of the dispute

for joint submission to the Contracting Officer within 15 days of the request. The Contracting Officer will then confer with the representatives of FWA and the Contractor, and within a reasonable period thereafter issue a written, non-binding advisory opinion regarding the dispute.

8.2.3. FWA Board Review. If FWA and Contractor representatives are unable to resolve the dispute under the meet and confer process in Section 8.2.2 above, a Contractor may submit a written appeal to be heard by the FWA Board of Directors. The written appeal must be submitted to the office of the Chief Operating Officer, who will then place the dispute on the agenda of the Board of Directors for a hearing at a board meeting no later than 60 days from the date of receipt. The decision of the Board of Directors will be final and FWA and the other Party(ies) must promptly comply with such decision until the same is stayed, reversed, or modified by a decision of a court of competent jurisdiction.

8.3 **Judicial Review Process.**

8.3.1 Trial by Court. In the event that a dispute involving matters other than technical water quality issues under the Guidelines is not resolved under the procedures in Sections 8.1 or 8.2 above, and a Contractor desires to challenge the administrative decision of the FWA Board, a Contractor may file an action for writ of mandate under Code of Civil Procedure section 1085 or 1094.5, as applicable, in the Superior Court of any of the following counties other than the one in which Contractor maintains its principal office: Fresno, Kern, Kings, Madera or Tulare County.

8.3.2 Trial by Reference. In the event that a dispute involving technical water quality issues, including required mitigation, under the Guidelines is not resolved under the procedures in Sections 8.1 or 8.2 above, and a Contractor desires to challenge the administrative decision of the FWA Board, a Contractor may file suit in the Superior Court of any of the following counties other than the one in which Contractor maintains its principal office: Fresno, Kern, Kings, Madera or Tulare County. Such suit will be a proceeding by referee in accordance with Section 638 and following of the Code of Civil Procedure; provided, however, that the procedure for such reference will be modified as follows:

8.3.2.1 FWA and the Contractor will each name one person to serve as referee within 10 days of the date of the Court's order granting the petition for reference, and within 10 days of their selection, the two persons named will each name a third person to serve as referee. If they are unable to agree on a third person, the Court will appoint the third person. All referees must have general familiarity with water quality issues related to municipal and agricultural uses.

8.3.2.2 The hearing on the matter before the referees must be conducted as expeditiously as possible.

8.3.2.3 The referees will issue a draft report of their findings within 20 days after the testimony is closed.

8.3.2.4 Within 10 days after the release (i.e., mailing) of the draft report, any party may file objections to it with the referees.

8.3.2.5 If no objection is filed to the draft report, it will be promptly filed with the Court. If an objection to the draft report is filed, the referees will file their final report with the Court within 20 days of the date the objection is filed.

8.3.2.6 The report of the referees will be subject to review by the Court upon the objection being filed with the Court within 10 days after the filing of the final report by the referees; provided, however, no objection to the report may be considered unless it appears that any matter objected to was presented to the referees. The Court will hear the objection at the first available law and motion calendar at least 28 days after the objection is filed.

8.3.2.7 The report filed by the referees will be prima facie evidence of the facts stated in the report, but the Court may hear such evidence as may be offered by any party to rebut the report, and assist the Court in rendering its own decision.

8.3.2.8 If no objection to the referees' report is filed with the Court, the report of the referees upon the dispute will stand as the decision of the Court.

9. TERMINATION; WITHDRAWAL

9.1 **Mutual Termination.** This Agreement may be terminated upon the express written agreement of all Parties. If this Agreement is terminated, all outstanding expenses under this Agreement for the Guidelines Activities must be paid by the Parties using the remaining Guidelines Surcharge funds. Thereafter, the Administrative Agency will make an equitable redistribution of remaining funds, if any, in proportion to each Party's most recent annual Guidelines Surcharges.

9.2 **Withdrawal of a Party.**

9.2.1 Notice. A Party may withdraw from this Agreement by giving at least 30 days' written notice of its election to do so to the Administrative Agency ("**Notice of Withdrawal**").

9.2.2 Continuing Compliance with Guidelines until New Approval Granted. Any withdrawal from this Agreement will be prospective only and will not alter any Contractor's existing obligations to comply with the Guidelines under any existing approval by Reclamation to introduce Non-Millerton water into the FKC (or such Contractor may cease the introduction of Non-Millerton water into the FKC if it desires to cease all compliance with the Guidelines) unless and until such Contractor receives a new approval from Reclamation allowing the introduction of Non-Millerton water into the FKC following compliance with all applicable federal and state laws including NEPA and CEQA.

9.2.3 Cessation of Mitigation Benefits upon Withdrawal. A Party that is receiving mitigation benefits under the Guidelines will lose all rights to such benefits upon the effective date of its withdrawal from this Agreement.

10. NOTICES

10.1 **Designated Address.** All written notices required or permitted to be given under this Agreement will be deemed made when received by the Party at its respective address provided on its signature page.

10.2 **Effective Date.** Notice will be deemed effective on the date personally delivered or electronically transmitted by email. If the notice is mailed, notice will be deemed given three days after deposit of the same in the custody of the United States Postal Service, postage prepaid, for first class delivery, or upon delivery if using a major courier service with tracking capabilities. Any Party may change its notice information by giving notice to the Administrative Agency in compliance with this section.

11. GENERAL PROVISIONS.

11.1 **Authority to Execute; Counterparts.** Each Party represents and warrants that all necessary action has been taken by such Party to authorize the undersigned to execute this Agreement and to bind it to the performance of its obligations hereunder. This Agreement may be executed in counterparts, each of which will constitute one and the same instrument and will become binding upon the Parties.

11.2 **Entire Agreement.** This Agreement, including the attached Exhibits A through _____, is the entire, complete, final and exclusive expression of the Parties with respect to the matters addressed in this Agreement and supersedes all other agreements or understandings, whether oral or written, prior to the execution of this Agreement.

11.3 **Binding Effect.** This Agreement is binding upon the heirs, executors, administrators, successors and assigns of the Parties.

11.4 **Modification of Agreement.** No amendment to or modification of this Agreement will be valid unless made in writing and approved by the Parties. The Parties agree that this requirement for written modifications cannot be waived and that any attempted waiver will be void.

11.5 **Electronic Signatures.** This Agreement and any amendment will be considered executed when the signature page of a Party is delivered by electronic transmission. Such electronic signatures will have the same effect as an original signature.

11.6 **Waiver.** Waiver by any Party of any term, condition, or covenant of this Agreement will not constitute a waiver of any other term, condition, or covenant. Waiver by any Party of any breach of the provisions of this Agreement will not constitute a waiver of any other provision, or a waiver of any subsequent breach or violation of any provision of this Agreement.

11.7 **Interpretation.** This Agreement will be interpreted, construed and governed according to the laws of the State of California. Each party has had the opportunity to review this Agreement with legal counsel. The Agreement will be construed simply, as a whole, and in accordance with its fair meaning. It will not be interpreted strictly for or against any Party.

11.8 **Severability.** If any term, condition or covenant of this Agreement is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Agreement will not be affected, and the Agreement will be read and construed without the invalid, void or unenforceable provision.

11.9 **Venue.** In the event of litigation between the Parties, other than pursuant to Section 8.3 above or Section 11.10 below, venue in will be exclusively in a state court in the County of Tulare, California.

11.10 **Reclamation as a Third-Party Beneficiary.** The Parties acknowledge and agree that Reclamation is a third-party beneficiary of the duties and obligations of the Parties with respect to this Agreement and the implementation of the Guidelines. Reclamation may enforce its rights or pursue remedies under the Agreement pursuant to federal law and within a court of competent jurisdiction.

[Signatures on the following page.]

SIGNATURE PAGE
COOPERATIVE AGREEMENT
FOR THE
FRIANT-KERN CANAL WATER QUALITY GUIDELINES

IN WITNESS WHEREOF, the undersigned authorized representatives of the Parties have executed this Agreement as of the date provided below.

AGENCY: _____

Date: _____

By: _____

Name: _____

Title: _____

Notice Information:

Street Address:

Email Address:

List of Existing Approvals:

ATTACHMENT 1

Parties to the Agreement

As of _____, 2023

1. Arvin-Edison WSD
2. Cawelo WD
3. Chowchilla WD
4. Delano-Earlimart ID
5. Exeter ID
6. Fresno (City)
7. Fresno ID
8. Ivanhoe ID
9. Kaweah Delta WCD
10. Kern Tulare ID
11. Lindmore ID
12. Lindsay-Strathmore ID
13. Lower Tule River ID
14. Madera ID
15. North Kern WSD
16. Orange Cove ID
17. Pixley ID
18. Porterville ID
19. Saucelito ID
20. Shafter-Wasco ID
21. Southern San Joaquin MUD
22. Stone Corral ID
23. Tea Pot Dome WD
24. Terra Bella ID
25. Tulare ID

EXHIBIT A

Guidelines

AGENDA ITEM 5f.

AUGUST 15, 2023
RESOLUTION NO. 2023-29

**RESOLUTION OF THE BOARD OF DIRECTORS,
MADERA IRRIGATION DISTRICT
AD HOC GROUNDWATER SUSTAINABILITY PLAN
FACILITATION COMMITTEE**

RESOLVED by the Board of Directors of the Madera Irrigation District (“District”), at a regular meeting duly called and held on August 15, 2023 at the business office of the District, 12152 Road 28 1/4, Madera, California 93637 as follows:

WHEREAS, the District’s Board of Directors has determined the need to establish an Ad Hoc Groundwater Sustainability Plan (“GSP”) Facilitation Committee (the “Ad Hoc Committee”) for the limited purpose of (i) direction to District staff and the facilitator related to the GSP Facilitation process for the District, and (ii) providing its recommendations to the District’s Board of Directors;

WHEREAS, the District’s Board of Directors intends the Ad Hoc Committee will be advisory to the Board of Directors only, and the Ad Hoc Committee shall exercise no decision-making authority over any aspect of the District’s affairs; and

WHEREAS, the District’s Board of Directors intends the Ad Hoc Committee to be limited in duration, and dissolve without further action on December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors that the facts contained in the recitals above are true and correct, and that the District’s Board of Directors hereby establish an Ad Hoc GSP Facilitation Committee for the limited purpose of GSP Facilitation. Said Ad Hoc GSP Facilitation Committee shall dissolve without further action of the Board of Directors on December 31, 2024 unless terminated earlier by action of the Board of Directors.

BE IT FURTHER RESOLVED, that the Board of Directors hereby appoints Director _____ and Director _____ to the Ad Hoc GSP Facilitation Committee.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Madera Irrigation District Board of Directors, at a regular meeting of the Board held on the 15th day of August 2023 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

James Erickson, President

ATTEST: _____
Carl Janzen, Vice President

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Madera Irrigation District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2023-29 adopted August 15, 2023.

Andrea Kwock Sandoval, Secretary