



San Gorgonio Pass Water Agency

A California State Water Project Contractor
1210 Beaumont Avenue • Beaumont, CA 92223
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June 9, 2017

President: Mark Nordberg, GSA Project Manager
David Fenn Senior Engineering Geologist
California Department of Water Resources
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Sacramento, CA 94236
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Leonard Stephenson

Directors: Subject: Notice of Election to Jointly Form and Become a Groundwater
Dr. Blair M Ball Sustainability Agency for the "Verbenia Area" Portion of the San Gorgonio Pass
David Castaldo Subbasin
Stephen Lehtonen
Michael Thompson Dear Mr. Nordberg:

General Manager
& Chief Engineer:
Jeff Davis, PE

Legal Counsel:
Jeffrey Ferre

Pursuant to California Water Code Section 10723.8 of the Sustainable Groundwater Management Act (SGMA), the San Gorgonio Pass Water Agency (SGPWA), on behalf of itself and the Mission Springs Water District (MSWD), hereby provides notice to the Department of Water Resources (DWR) regarding the joint formation of the Groundwater Sustainability Agency (GSA) referred to as the "Verbenia-GSA" pursuant to a Memorandum of Agreement (MOA) between SGPWA and MSWD, as expressly authorized by SGMA Section 10723.6. A copy of the MOA is included as **Attachment A**. As further described below and as set forth in the documentation and electronic files submitted herewith, the boundaries of the Verbenia-GSA cover an approximate one-square mile portion of the San Gorgonio Pass Subbasin (Basin), designated by DWR as Subbasin No. 7-21.04 of the Coachella Valley Groundwater Basin in Riverside County. Also described below, the remaining portions of the Basin that are subject to SGMA are covered by two other GSAs.¹ Pursuant to SGMA, SGPWA and MSWD intend to ensure sustainable groundwater management within the boundaries of the Verbenia-GSA and coordinated groundwater management throughout the Basin.

As reflected in the MOA and information submitted herewith, the boundaries of the Verbenia-GSA cover an approximately one-square mile portion of the Basin that falls within the service areas of both SGPWA and MSWD. The remainder of the entire Basin, except for the adjudicated portion, is covered by two other GSAs that already have been formed, namely the Desert Water Agency GSA ("DWA-GSA") pursuant to SGMA Section 10723(c)(1)(C), and the San Gorgonio Pass GSA

¹ Pursuant to SGMA Section 10720.8(a)(1), the portion of the Basin that is subject to the Beaumont Basin adjudication and Judgment in the case referred to as *San Timoteo Watershed Management Authority v. City of Banning, et al.* (Riverside County Superior Court Case No. RIC 389197) generally is not subject to the requirements of SGMA.

("SGP-GSA") as jointly formed in April 2017 by the City of Banning, Cabazon Water District, Banning Heights Mutual Water Company, and SGPWA. Notably, the boundaries of the Verbenia-GSA, the DWA-GSA, and the SGP-GSA do not overlap, and as set forth in the MOA the three GSAs will coordinate and cooperate with each other in preparing and implementing one or more Groundwater Sustainability Plans to carry out the policy, purposes, and requirements of SGMA to sustainably manage the Basin.

As indicated above, this notice pertains specifically to the joint formation of the Verbenia-GSA, the members of which are SGPWA and MSWD. Each of these entities has followed the requirements of SGMA and other applicable law to adopt a Resolution and enter the MOA to jointly form the Verbenia-GSA.

Boundaries of the Verbenia-GSA. In accordance with guidance materials published by DWR, various GIS shape files are being submitted electronically with this notice to depict (i) the respective service area boundaries of SGPWA and MSWD, (ii) the portion of the Basin to be covered and managed within the boundaries of the Verbenia-GSA, and (iii) the portions of the Basin to be covered and managed by two other GSAs formed in the Basin by other agencies, as further described in the MOA. In addition to the GIS shape files submitted herewith, the materials included as **Attachment B** hereto also depict (i) the overall boundaries of the Basin, (ii) the portion of the Basin that is covered by the Verbenia-GSA, and (iii) the boundaries of the Verbenia-GSA relative to the boundaries of the DWA-GSA, the SGP-GSA, and the adjudicated portion of the Basin. As noted above, the collective boundaries of the Verbenia-GSA, the DWA-GSA, and the SGP-GSA will cover the entire portion of the Basin that is subject to SGMA.

SGPWA Process. SGPWA is a special act agency of the State of California, organized and operating under the San Geronio Pass Water Agency Act, California Water Code Appendix, Chapter 101. The boundaries of SGPWA encompass virtually the entire Basin. SGPWA has water supply and water management responsibilities within its jurisdictional boundaries, and is a local agency as defined by SGMA Section 10721(n). In accordance with SGMA Section 10723(b) and Government Code Section 6066, SGPWA caused notices of its public hearing to be published in a newspaper of general circulation regarding SGPWA's consideration to approve a Resolution to enter the MOA and jointly form the Verbenia-GSA as specified in the MOA. Proof of the notices published by SGPWA are included herewith in **Attachment C**. On May 15, 2017, the SGPWA Board of Directors held its public hearing. No written comments were received prior to the public hearing, and no written comments or objections were received at the public hearing. Following the public hearing, the SGPWA Board of Directors adopted Resolution No. 2017-07, electing to enter the MOA with MSWD and jointly form and establish the Verbenia-GSA as specified in the MOA. A copy of SGPWA's Resolution No. 2017-07 is included herewith in **Attachment C**.

MSWD Process. MSWD is a County Water District organized and operating under the County Water District Law, California Water Code section 30000 et seq. MSWD overlies a portion of the Basin and has water supply and water management responsibilities within its jurisdictional boundaries, and is a local agency as defined by SGMA Section 10721(n). In accordance with SGMA Section 10723(b) and Government Code Section 6066, MSWD caused notices of its public hearing to be published in a newspaper of general circulation regarding MSWD's

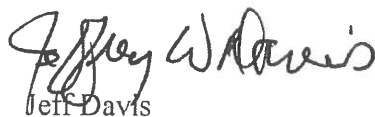
consideration to approve a Resolution to enter the MOA with SGPWA and jointly form the Verbenia-GSA as specified in the MOA. Proof of the notices published by MSWD are included herewith in **Attachment D**. On May 16, 2017, the MSWD Board of Directors held its public hearing. No written comments were received prior to the public hearing, and no written comments or objections were received at the public hearing. Following the public hearing, the MSWD Board of Directors adopted Resolution No. 2017-12, electing to enter the MOA and jointly form and establish the Verbenia-GSA as specified in the MOA. A copy of MSWD's Resolution No. 2017-12 is included herewith in **Attachment D**.

The Verbenia-GSA is not proposing any new bylaws, ordinances, or other authorities at this time in connection with the formation of the Verbenia-GSA.

Pursuant to SGMA Section 10723.8, an initial list of interested parties developed pursuant to SGMA Section 10723.2 and an explanation of how their interests will be considered in the development and operation of the Verbenia-GSA and the development and implementation of a Groundwater Sustainability Plan that will be adopted by the Verbenia-GSA is provided in **Attachment E**. As specifically provided in the MOA, SGPWA and MSWD have agreed to work together in ensuring public outreach and involvement of the public and other interested stakeholders throughout the SGMA process, including but not limited to all beneficial uses and users of groundwater within the Verbenia-GSA, and those responsible for implementing Groundwater Sustainability Plans in the Basin, as provided in SGMA Section 10723.2. SGPWA and MSWD will continue to consider and involve the interests of all entities and stakeholders within the Verbenia-GSA to the extent practicable by establishing a collaborative, open, and inclusive process for implementing the requirements of SGMA. Among other things, in accordance with SGMA Section 10723.4, the Verbenia-GSA will establish and maintain a list of persons interested in receiving notices regarding the preparation of any Groundwater Sustainability Plan applicable to the Verbenia-GSA, meeting announcements, and the availability of draft plans, maps, and other relevant documents.

If you have any questions or require additional information, please contact me immediately at (951) 845-2577.

Sincerely,



Jeff Davis
General Manager

Attachments A-E
Electronic Submittals: GIS Shape Files

cc: Arden Wallum, Mission Springs Water District (via email)
Jeff Ferre, Best Best & Krieger LLP

Notice of Election to Jointly Form and Become a
Groundwater Sustainability Agency for the Verbenia
Area of the San Gorgonio Pass Subbasin

ATTACHMENT A

**MEMORANDUM OF AGREEMENT TO FORM A GROUNDWATER SUSTAINABILITY
AGENCY FOR THE VERBENIA AREA OF THE SAN GORGONIO PASS SUBBASIN**

This 2017 Memorandum of Agreement (MOA) is entered into by and between the Mission Springs Water District (MSWD) and the San Gorgonio Pass Water Agency (SGPWA), which may be referred to herein individually as a "Party" and collectively as the "Parties."

Pursuant to the Sustainable Groundwater Management Act (SGMA), and as further set forth herein, the purpose of this MOA is for MSWD and SGPWA to form a Groundwater Sustainability Agency (GSA) for an approximately one-square mile portion of the San Gorgonio Pass Subbasin referred to herein as the "Verbenia Area."

WHEREAS, on September 16, 2014, Governor Jerry Brown signed into law Senate Bills 1168 and 1319, and Assembly Bill 1739, collectively known as the Sustainable Groundwater Management Act, codified in certain provisions of the California Government Code, commencing with Section 65350.5, and in certain provisions of the California Water Code, including but not limited to, Sections 5200 et seq. and 10720 et seq.; and

WHEREAS, SGMA went into effect on January 1, 2015, and thereafter various clarifying amendments to SGMA were signed into law in 2015, including Senate Bills 13 and 226, and Assembly Bills 617 and 939; and

WHEREAS, the San Gorgonio Pass Subbasin (Basin), as further depicted in **Exhibit A** to this MOA, is identified by the California Department of Water Resources (DWR) Bulletin 118 as Subbasin No. 7-21.04 of the Coachella Valley Groundwater Basin, and is designated by DWR as medium priority, and therefore, except as provided by SGMA, the Basin is subject to the requirements of SGMA; and

WHEREAS, the Parties recognize and agree that a portion of the Basin (herein, the Adjudicated Area) is subject to the Beaumont Basin adjudication and Judgment in the case referred to as *San Timoteo Watershed Management Authority v. City of Banning, et al.*, Riverside County Superior Court Case No. RIC 389197, and that pursuant to SGMA Section 10720.8(a)(1), said portion of the Basin generally is not subject to the requirements of SGMA; and

WHEREAS, SGMA Section 10720.7 requires the Basin, as a medium priority basin which is not designated by DWR as being subject to critical conditions of overdraft, to be managed by a Groundwater Sustainability Plan (GSP) or coordinated GSPs by January 31, 2022; and

WHEREAS, SGMA Section 10727(b) authorizes (1) a single GSP covering the entire Basin developed and implemented by one GSA, (2) a single GSP covering the entire Basin developed and implemented by multiple GSAs, or (3) multiple GSPs developed and implemented by multiple GSAs and coordinated pursuant to a single coordination agreement that covers the entire Basin; and

WHEREAS, SGMA Section 10735.2 requires the formation of a GSA or multiple GSAs for the Basin by June 30, 2017; and

WHEREAS, SGMA Section 10723.6(a) authorizes a combination of local agencies to form a GSA pursuant to a joint powers agreement, a memorandum of agreement, or other legal agreement; and

WHEREAS, pursuant to SGMA, the City of Banning, Banning Heights Mutual Water Company, Cabazon Water District, and SGPWA each have adopted Resolutions of their respective governing boards to jointly form and establish a GSA (referred to as the SGP-GSA) for a certain portion of the Basin, as further depicted in **Exhibit B** to this MOA; and

WHEREAS, pursuant to SGMA Section 10723(c)(1)(C), Desert Water Agency has been designated as the exclusive GSA for a certain portion of the Basin (referred to as the DWA-GSA), in which DWA's boundaries overlap the MSWD service area, as further depicted in **Exhibit C** to this MOA; and

WHEREAS, on or about September 28, 2016, MSWD filed an amended notice of intent to be a GSA for an approximately one-square mile portion of the Basin that lies within the service areas of MSWD and SGPWA, which one-square mile area is further specified and depicted in **Exhibit D** to this MOA, and is referred to herein as the "Verbenia Area"; and

WHEREAS, on or about January 10, 2017, SGPWA also filed a notice of intent to be a GSA for the Verbenia Area; and

WHEREAS, on or about January 13, 2017, DWR designated the Verbenia Area to be in overlap for purposes of the competing GSA notices filed by MSWD and SGPWA, and thus MSWD and SGPWA have worked together to prepare this MOA to establish a separate GSA for the Verbenia Area (herein, the Verbenia-GSA); and

WHEREAS, both MSWD and SGPWA overlies the Verbenia Area and each has respective water supply and water management responsibilities within the Verbenia Area, and thus each is authorized by SGMA to become part of the Verbenia-GSA; and

WHEREAS, in accordance with the terms of this MOA, the Parties agree that the Verbenia-GSA formed by this MOA will cover the Verbenia Area of the Basin, and the Parties mutually desire and intend that the Verbenia-GSA, the SGP-GSA, and the DWA-GSA will cooperate and coordinate in subsequently preparing and implementing one or more GSPs for sustainable management of the Basin; and

WHEREAS, in entering into the Verbenia-GSA MOA, MSWD makes no admission or agreement that DWA is the exclusive GSA over any part of MSWD's service area, including the area designated herein or in the Verbenia-GSA MOA as the DWA-GSA.

WHEREAS, the Parties mutually desire and intend to work with local stakeholders and interested entities within the Verbenia-GSA to carry out the policy, purposes, and requirements of SGMA in the Verbenia Area.

NOW, THEREFORE, in consideration of the terms, conditions, and covenants contained herein, it is mutually understood and agreed as follows:

I. Incorporation of Recitals

The Recitals stated above are incorporated herein by reference.

II. Purpose

The purpose of this MOA is to form the Verbenia-GSA for an approximately one-square mile portion of the Basin as specified herein and as depicted in **Exhibit D** to this MOA pursuant to applicable provisions and requirements of SGMA, including but not limited to SGMA Sections 10723 and 10723.6.

III. Approval of MOA and Formation of the Verbenia-GSA

Approval of this MOA and formation of the Verbenia-GSA shall be accomplished as follows:

- A. MSWD and SGPWA each will hold its own noticed public hearing pursuant to SGMA Section 10723(b) and Government Code Section 6066 and at such hearing will consider approval of a Resolution by its governing board to enter this MOA and jointly form the Verbenia-GSA as specified in this MOA;
- B. Upon the foregoing respective approvals by MSWD and SGPWA, there shall be established the Verbenia Area Groundwater Sustainability Agency (Verbenia-GSA), the members of which shall be MSWD and SGPWA as provided in this MOA.

IV. Definitions

The following terms, whether used in the singular or plural, and when used with initial capitalization, shall have the meanings specified herein. The Parties agree that any definitions set forth herein are intended to be consistent with SGMA, and in the event of any discrepancy between a defined term in this MOA and a defined term in SGMA, the terms of SGMA shall control.

- A. **Adjudicated Area** refers to that portion of the Basin that is subject to the Beaumont Basin adjudication and Judgment in the case referred to as *San Timoteo Watershed Management Authority v. City of Banning, et al.*, Riverside County Superior Court Case No. RIC 389197.
- B. **Basin** refers to the San Geronio Pass Subbasin, designated by the California Department of Water Resources Bulletin 118 as Subbasin No. 7-21.04, as further specified and depicted in **Exhibit A** to this MOA.
- C. **DWR** means the California Department of Water Resources.
- D. **DWA-GSA** refers to the GSA that is currently designated for a certain portion of the Basin pursuant to SGMA Section 10723(c)(1)(C), wherein DWA has been designated as the exclusive GSA, as further depicted in **Exhibit C** to this MOA. The portion of the Basin, depicted in **Exhibit C** as the DWA-GSA, overlaps with MSWD's service area; and DWA's exclusive GSA designation over the DWA-GSA is subject to litigation between MSWD and DWA.
- E. **GSA** means Groundwater Sustainability Agency, as defined by SGMA.
- F. **GSP** means Groundwater Sustainability Plan, as defined by SGMA.

- G. **Memorandum of Agreement** or **MOA** refers to this Memorandum of Agreement.
- H. **MSWD** means the Mission Springs Water District.
- I. **Party** or **Parties** refers individually or collectively to Mission Springs Water District and San Gorgonio Pass Water Agency, as signatories to this MOA.
- J. **SGMA** refers to the Sustainable Groundwater Management Act.
- K. **SGP-GSA** refers to the San Gorgonio Pass Subbasin GSA being formed for a certain portion of the Basin by the Cabazon Water District, City of Banning, Banning Heights Mutual Water Company, and SGPWA, as further depicted in **Exhibit B** to this MOA.
- L. **SGPWA** means the San Gorgonio Pass Water Agency.
- M. **Verbenia-GSA** refers to the GSA being formed by MSWD and SGPWA pursuant to this MOA for an approximately one-square mile portion of the Basin that lies within the respective service areas of MSWD and SGPWA, as further specified and depicted in **Exhibit D** to this MOA.

V. Boundaries of the Verbenia-GSA

The boundaries of the Verbenia-GSA shall be the approximately one-square mile portion of the Basin that lies within the respective service areas of MSWD and SGPWA, as further specified and depicted in **Exhibit D** to this MOA.

VI. Coordination and Cooperation

- A. Continued Cooperation. The Parties to this MOA will continue to meet, confer, coordinate, and collaborate to discuss and develop technical, managerial, financial, and other criteria and procedures applicable to the Verbenia Area, and to cooperate with the SGP-GSA and DWA-GSA regarding the preparation, governance, and implementation of a GSP or coordinated GSPs in the Basin pursuant to SGMA.
- B. Points of Contact. Each Party shall designate a principal contact person for that Party, who may be changed from time to time at the sole discretion of the designating Party. The principal contact person for each Party shall be responsible for coordinating with the principal contact persons for the other Party in scheduling meetings and other activities under this MOA.
- C. Management Areas. The Parties acknowledge that SGMA, and provisions of the SGMA regulations promulgated by DWR, including but not limited to Section 354.20 (23 C.C.R. § 354.20), authorize the establishment of management areas for the development and implementation of sustainable groundwater management within the Basin, and accordingly the Parties acknowledge and agree that the establishment of management areas within the Basin is a governance alternative that the Parties may explore with the SGP-GSA and DWA-GSA.

VII. Roles and Responsibilities

- A. The Parties agree to jointly establish their roles and responsibilities for SGMA compliance relating to the Verbenia Area.
- B. The Parties shall coordinate with each other to cause all applicable noticing and submission of required information to DWR regarding formation of the Verbenia-GSA.

VIII. Funding and Budgeting

The Parties shall mutually develop reasonable budgets and cost sharing agreements or arrangements for work to be undertaken for SGMA compliance relating to the Verbenia Area.

IX. Stakeholder Access

The Parties agree to work together in ensuring public outreach and involvement of the public and other interested stakeholders within the Verbenia Area throughout the SGMA process, including but not limited to all beneficial uses and users of groundwater as provided in SGMA Section 10723.2.

X. Term, Termination, and Withdrawal

- A. Term. This MOA shall continue and remain in effect unless and until terminated by the unanimous written consent of the Parties, or as otherwise provided in this MOA, or as authorized by law.
- B. Withdrawal. Either Party may decide, in its sole discretion, to withdraw from this MOA by providing ninety (90) days written notice to the other Party. A Party that withdraws from this MOA shall remain obligated to pay its share of costs and expenses incurred or accrued under this MOA and any related cost sharing agreement or arrangement up to the date the Party provides its notice of withdrawal as provided herein. Withdrawal by a Party shall cause the termination of this MOA, in which case MSWD and SGPWA shall meet and confer regarding: (i) ongoing compliance with SGMA for purposes of the Verbenia Area; (ii) whether either Party or both of the Parties may desire to retain GSA status over the Verbenia Area; and (iii) notices and information to be submitted to DWR and/or the State Water Resources Control Board. The Parties agree to undertake the resolution of such issues in a manner that satisfies all requirements of SGMA.

XI. Notice Provisions

All notices required by this MOA shall be made in writing and delivered to the respective representatives of the Parties using the following contact information:

Mission Springs Water District
General Manager
66575 Second Street
Desert Hot Springs, CA 92240
Fax: (760) 329-2482

San Geronio Pass Water Agency

General Manager
1210 Beaumont Avenue
Beaumont, CA 92223
Fax: (951) 845-0281

Either Party may change its contact information for which notices are to be given under this MOA by providing the other Party with written notice of such change at least fifteen (15) calendar days prior to the effective date of the change. All notices shall be effective upon receipt and shall be deemed received upon confirmed personal service, confirmed facsimile delivery, confirmed courier service, or on the fifth (5th) calendar day following deposit of the notice in registered first class mail.

XII. General Terms

- A. Amendments. Amendments to this MOA require unanimous written consent of each Party and approval by the Parties' respective governing boards.
- B. Successors and Assigns. The terms of this MOA shall be binding upon all successors in interest and assigns of each Party; provided, however, that no Party shall assign its rights or obligations under this MOA without the signed written consent of the other Party to this MOA.
- C. Waiver. No waiver of any provision of this MOA by either Party shall be construed as a further or continuing waiver of such provision or any other provision of this MOA by the waiving Party or the other Party.
- D. Authorized Representatives. Each person executing this MOA on behalf of a Party hereto affirmatively represents that such person has the requisite authority to sign this MOA on behalf of the respective Party.
- E. Exemption from CEQA. The Parties recognize and agree that, pursuant to SGMA Section 10728.6 and Public Resources Code Section 21065, neither this MOA nor the preparation or adoption of a GSP constitutes a "project" or approval of a project under the California Environmental Quality Act (CEQA) or the State CEQA Guidelines, and therefore this MOA is expressly exempt from CEQA review.
- F. Governing Law and Venue. This MOA shall be governed by and construed in accordance with the laws of the State of California. Any suit, action, or proceeding brought under the scope of this MOA shall be brought and maintained to the extent allowed by law in the County of Riverside, California.
- G. Attorney's Fees, Costs, and Expenses. In the event of a dispute between the Parties arising under this MOA, each Party shall assume and be responsible for its own attorney's fees, costs, and expenses.
- H. Construction and Interpretation. The Parties agree and acknowledge that this MOA has been developed through a negotiated process between the Parties, and that each Party has had a full and fair opportunity to review the terms of this MOA with the advice of its own legal counsel and to revise the terms of this MOA, such that each Party constitutes a drafting Party to this MOA. Consequently, the Parties understand and

agree that no rule of construction shall be applied to resolve any ambiguities against either Party as the drafting Party in construing or interpreting this MOA.

- I. Force Majeure. No Party shall be liable for the consequences of any unforeseeable force majeure event that (1) is beyond its reasonable control, (2) is not caused by the fault or negligence of such Party, (3) causes such Party to be unable to perform its obligations under this MOA, and (4) cannot be overcome by the exercise of due diligence. In the event of the occurrence of a force majeure event, the Party unable to perform shall promptly notify the other Party in writing to the extent practicable. It shall further pursue its best efforts to resume its obligations under this MOA as quickly as possible and shall suspend performance only for such period of time as is necessary as a result of the force majeure event.
- J. Execution in Counterparts. This MOA may be executed in counterparts, each of which shall be deemed an original and all of which when taken together shall constitute one and the same instrument.
- K. No Third Party Beneficiaries. This MOA is not intended, and will not be construed, to confer a benefit or create any right on a third party or the power or right of any third party to bring an action to enforce any of the terms of this MOA.
- L. Timing and Captions. Any provision of this MOA referencing a time, number of days, or period for performance shall be measured in calendar days. The captions of the various articles, sections, and paragraphs of this MOA are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, terms, or intent of this MOA.

IN WITNESS WHEREOF, the Parties hereto have approved and executed this MOA as of the respective dates specified in the adopting Resolution of each Party as provided above in Article III of this MOA.

[Signature Pages to Follow]

IN WITNESS WHEREOF, the Parties hereto have approved and executed this MOA as of the respective dates specified in the adopting Resolution of each Party as provided above in Article III of this MOA.

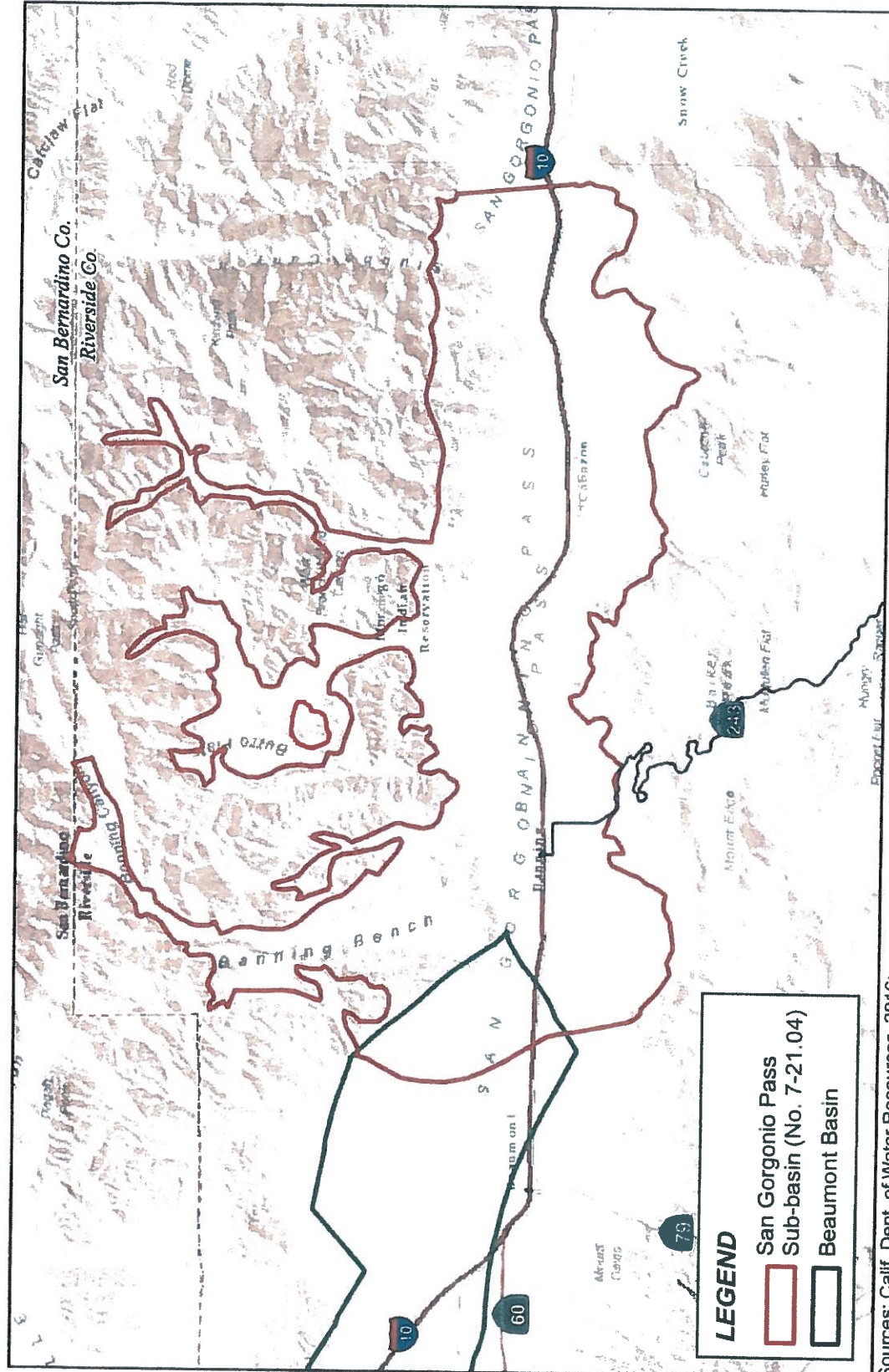
MISSION SPRINGS WATER DISTRICT

By:  _____

IN WITNESS WHEREOF, the Parties hereto have approved and executed this MOA as of the respective dates specified in the adopting Resolution of each Party as provided above in Article III of this MOA.

SAN GORGONIO PASS WATER AGENCY

By: David J. Fenn



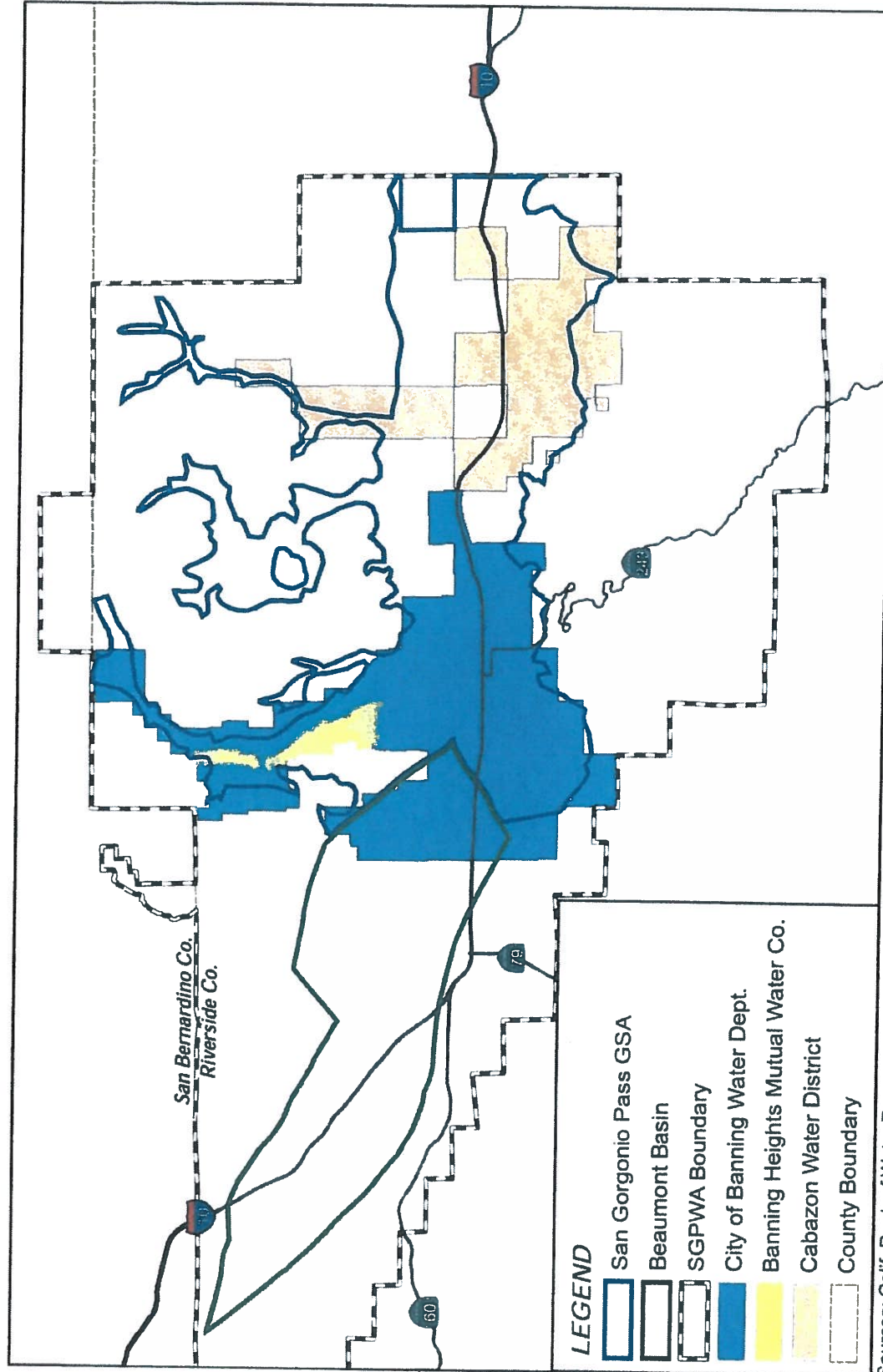
G:\2008\08-0007\GIS\SGMA Ex A.mxd; Map revised March 2, 2017.

Sources: Calif. Dept. of Water Resources, 2016; Riverside Co. GIS, 2016.



Exhibit A **San Geronimo Pass Sub-basin**

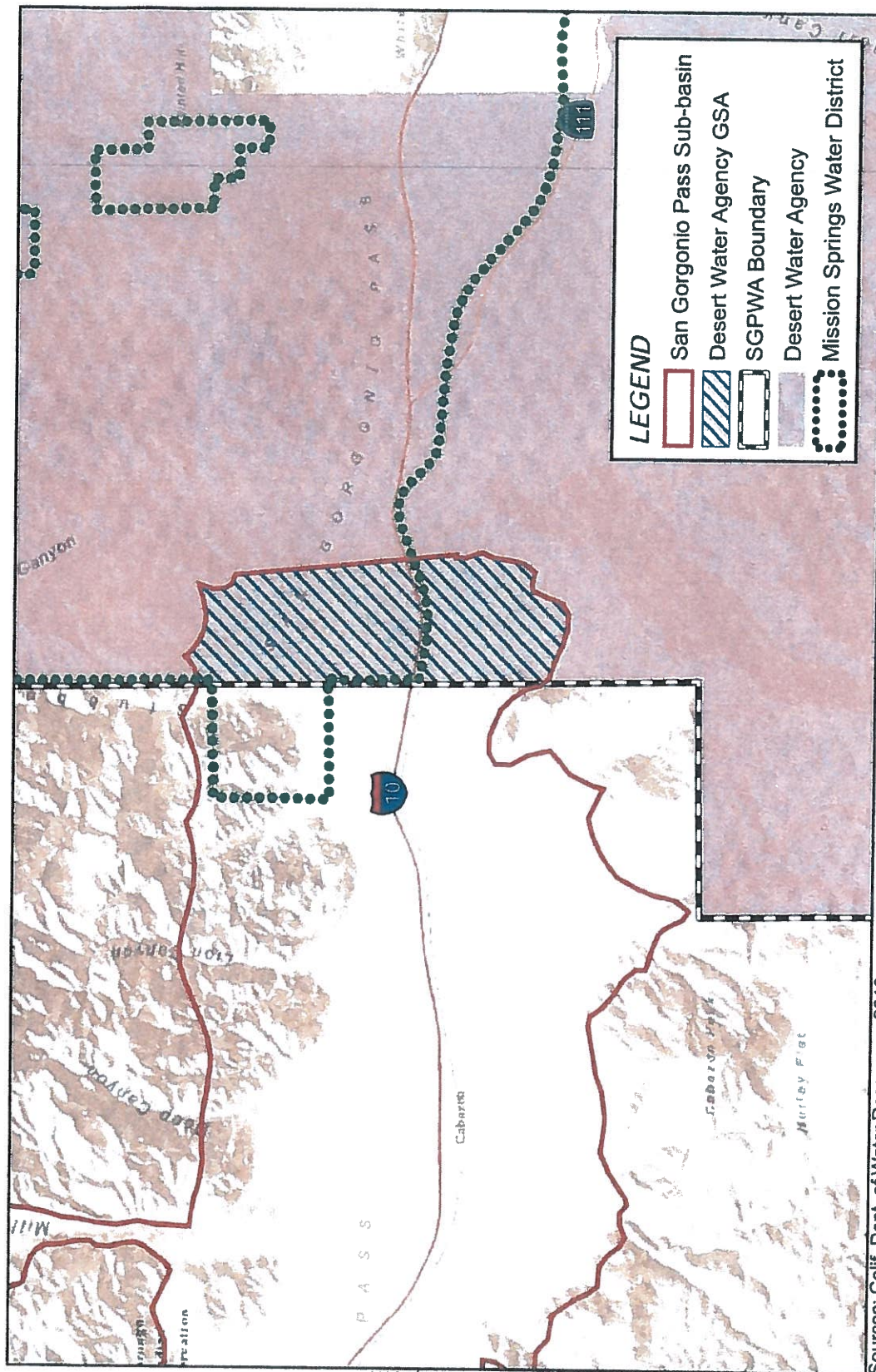




© 12008\08-0007\GIS\SGMA Ex B.mxd, Map revised March 2, 2017.

Sources: Calif. Dept. of Water Resources, 2016;
LAFCO 2010; Riverside Co. GIS, 2017.

Exhibit B SGP GSA Portion of Sub-basin



Sources: Calif. Dept. of Water Resources, 2016;
Riverside Co. GIS, 2016.



Exhibit C

Desert Water Agency GSA



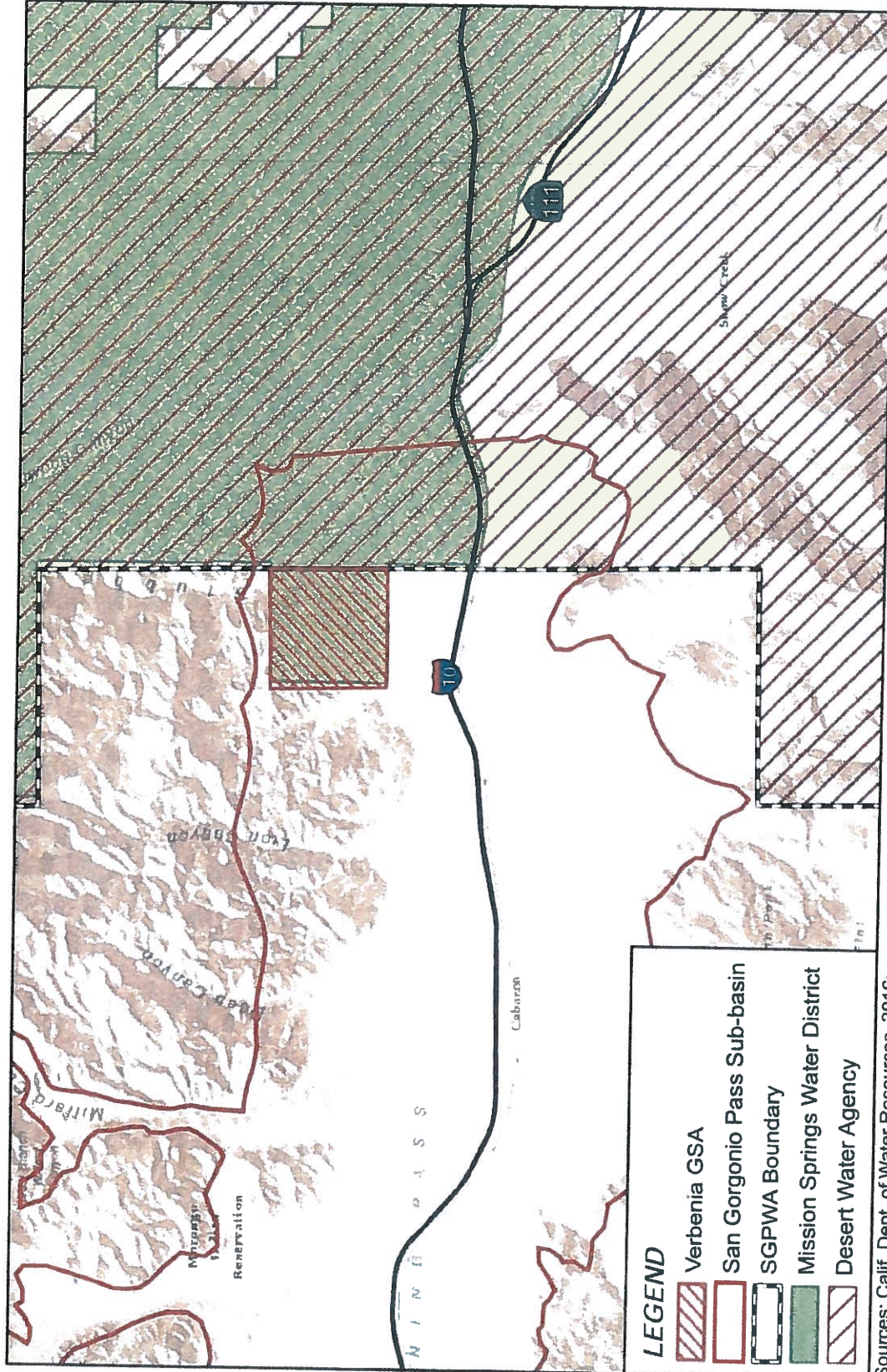
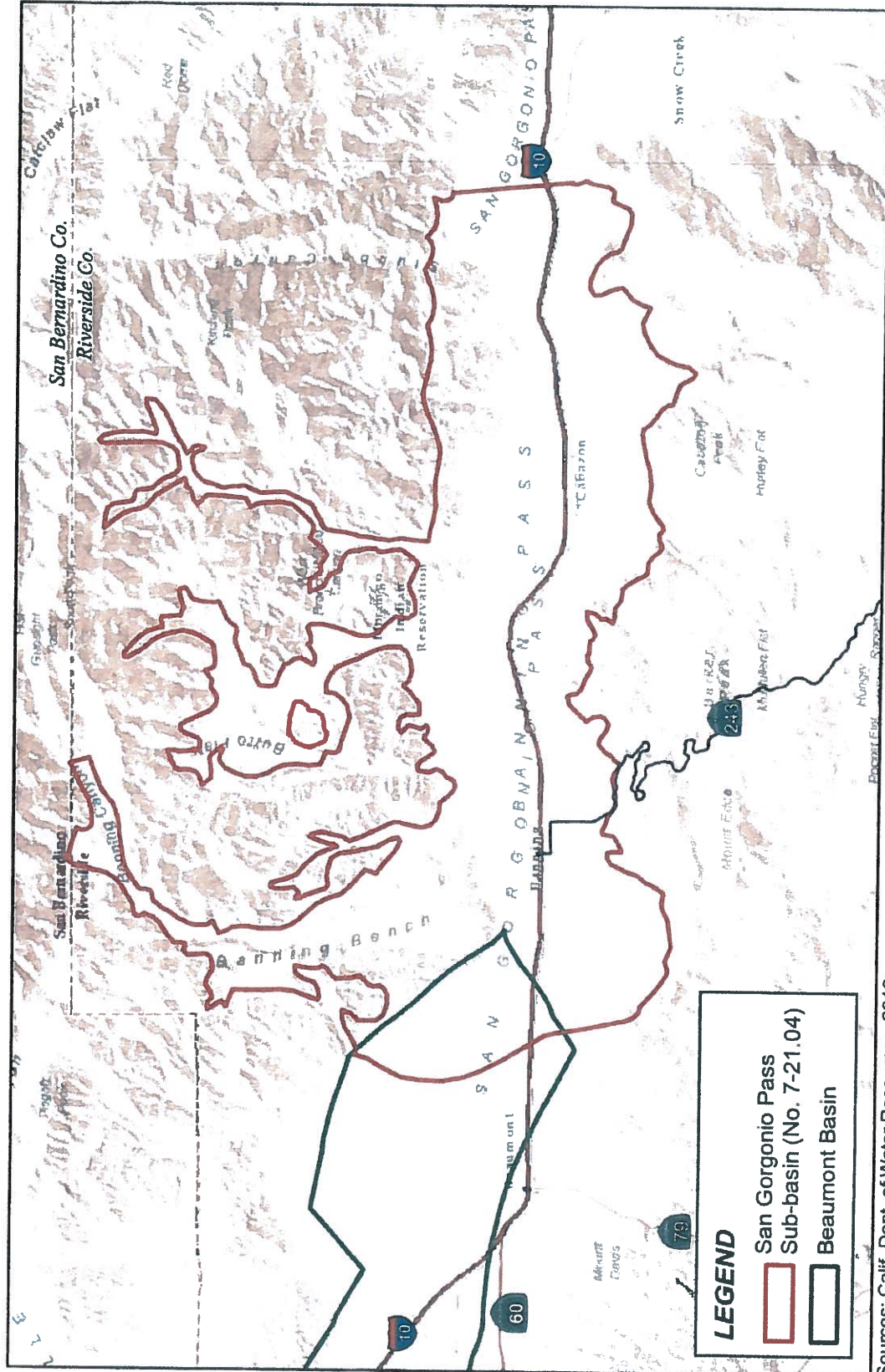


Exhibit D
Verbenia GSA



Notice of Election to Jointly Form and Become a
Groundwater Sustainability Agency for the Verbenia
Area of the San Gorgonio Pass Subbasin

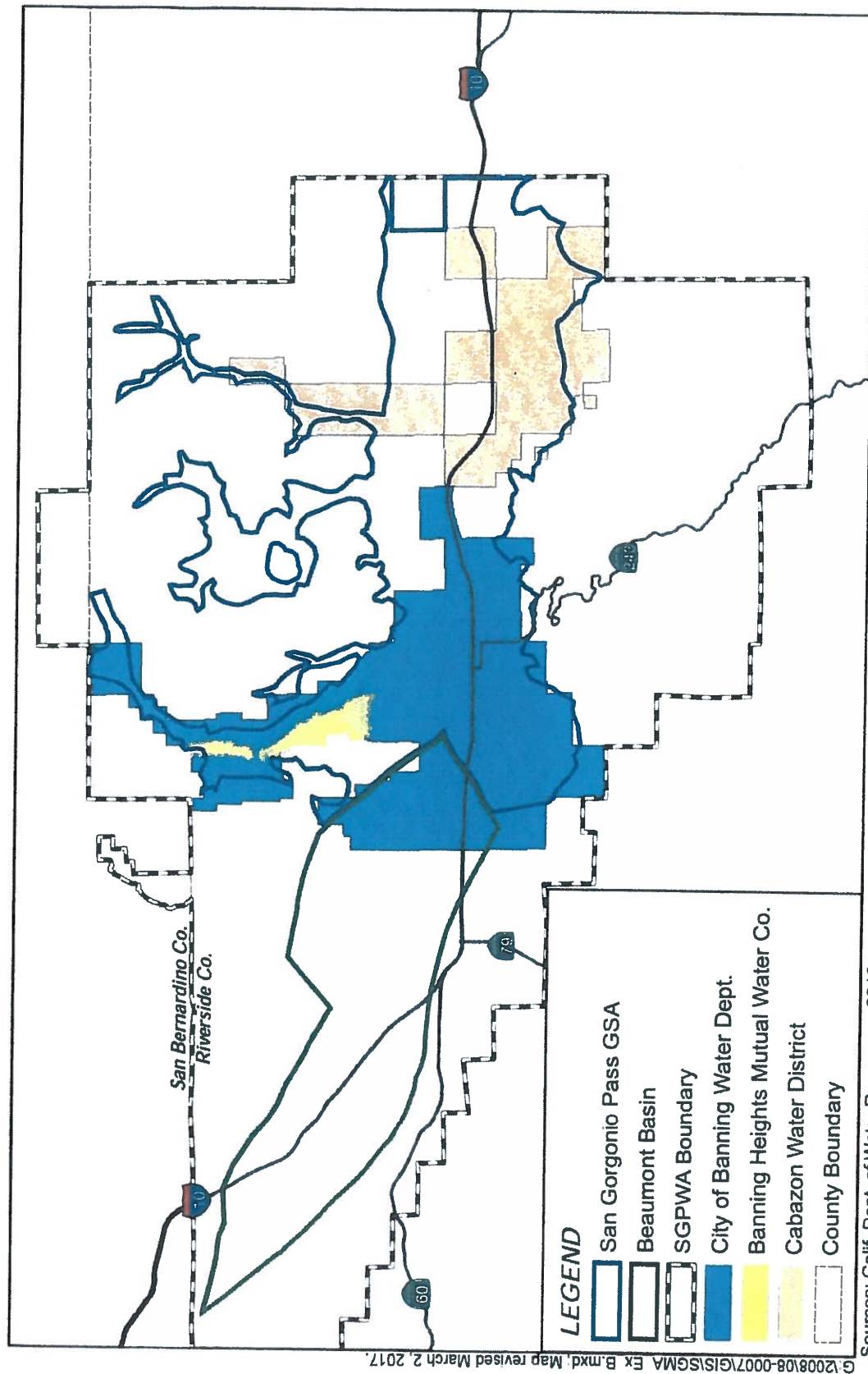
ATTACHMENT B



Sources: Calif. Dept. of Water Resources, 2016; Riverside Co. GIS, 2016.

Exhibit A

San Geronimo Pass Sub-basin



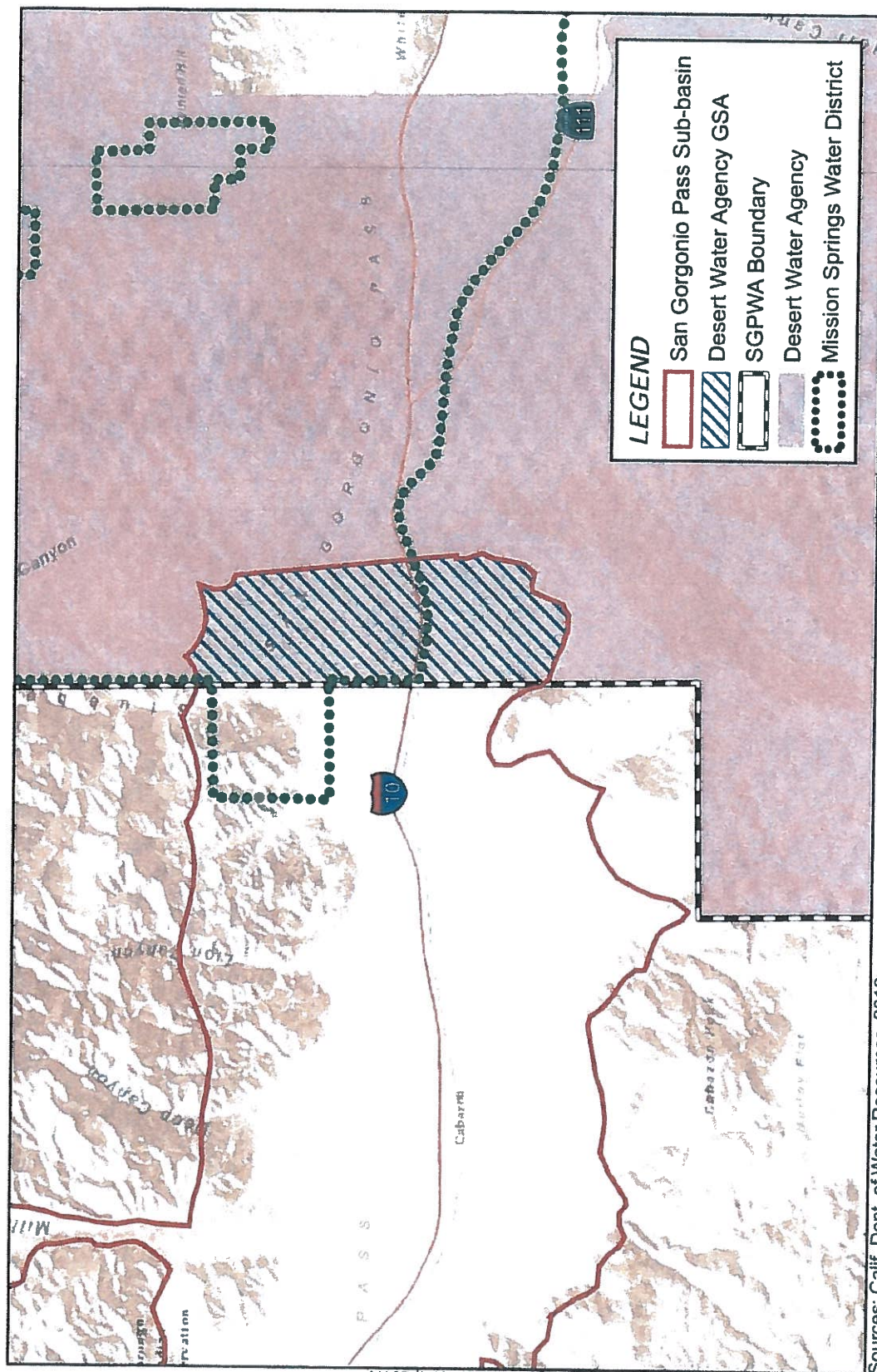
G:\2008\08-0007\GIS\SGMA Ex B.mxd; Map revised March 2, 2017.

Sources: Calif. Dept. of Water Resources, 2016;
LAFCO 2010; Riverside Co. GIS, 2017.

Exhibit B

SGP GSA Portion of Sub-basin

ALBERT A
WEBB
ASSOCIATES

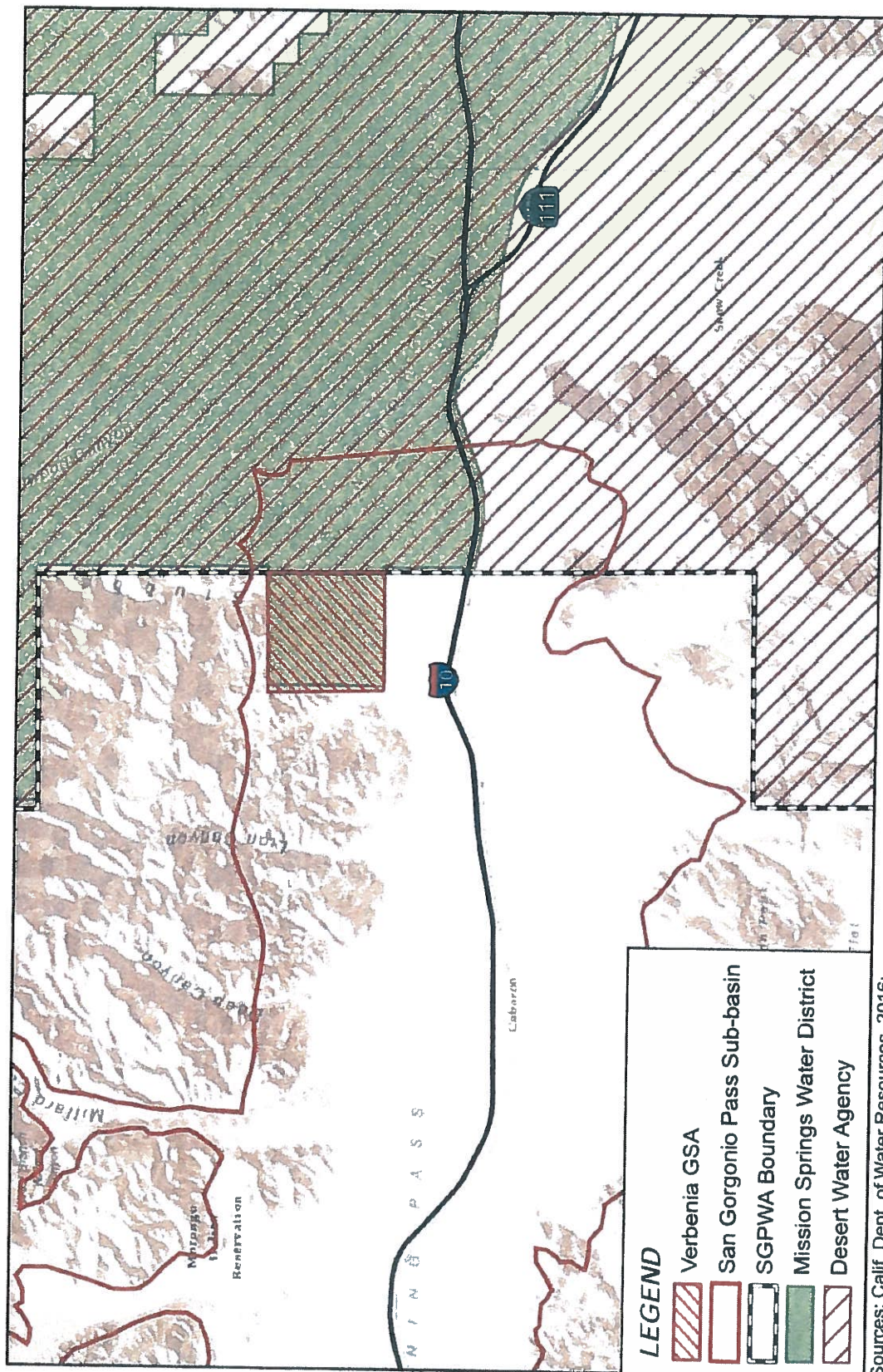


G:\2008\08-0007\GIS\SGMA Ex C.mxd Map revised Feb. 24, 2017.

Sources: Calif. Dept. of Water Resources, 2016;
Riverside Co. GIS, 2016.

Exhibit C
Desert Water Agency GSA





G:\2008\08-0007\GIS\SGMA Ex D.mxd: Map revised March 2, 2017.

Sources: Calif. Dept. of Water Resources, 2016;
LAFCO 2010; Riverside Co. GIS, 2017.



Notice of Election to Jointly Form and Become a
Groundwater Sustainability Agency for the Verbenia
Area of the San Gorgonio Pass Subbasin

ATTACHMENT C

Record Gazette
218 N. Murray St.
Proof of Publication
(2015.5 C.C.P.)

143372 SAN TIMOTEO & VERBENIA

State of California)
County of Riverside) ss.

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above matter. I am the principal clerk of the printer and publisher of Record Gazette, a newspaper published in the English language in the City of Banning, County of Riverside, and adjudicated a newspaper of general circulation as defined by the laws of the state of California by the Superior Court of the County of Riverside, under the date October 14, 1966, Case No. 54737. That the notice, of which the annexed is a copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

April 28, May 5, 2017

Executed on: 05/05/2017

At Banning, CA

I certify (or declare) under penalty of perjury that the foregoing is true and correct.



Signature

NOTICE OF SEPARATE PUBLIC HEARINGS FOR THE SAN GORGONIO PASS WATER AGENCY TO CONSIDER APPROVALS OF TWO SEPARATE MEMORANDA OF AGREEMENT TO FORM A GROUNDWATER SUSTAINABILITY AGENCY WITH THE MISSION SPRINGS WATER DISTRICT FOR A PORTION OF THE SAN GORGONIO PASS SUB-BASIN AND TO FORM A GROUNDWATER SUSTAINABILITY AGENCY WITH OTHER AGENCIES FOR A PORTION OF THE SAN TIMOTEO SUB-BASIN
NOTICE IS HEREBY GIVEN pursuant to Section 10723(b) of the California Water Code and Section 6086 of the California Government Code that the Board of Directors of the San Gorgonio Pass Water Agency (Agency) will hold two separate public hearings to consider, in the first hearing, approval of a Memorandum of Agreement between the Agency and the Mission Springs Water District pursuant to the Sustainable Groundwater Management Act to establish a Groundwater Sustainability Agency for a portion of the San Gorgonio Pass Subbasin in Riverside County referred to as the Verbenia Area, and to consider, in the second hearing, approval of a Memorandum of Agreement between the Agency, Beaumont Cherry Valley Water District, Yucaipa Valley Water District, and the City of Redlands pursuant to the Sustainable Groundwater Management Act to establish a Groundwater Sustainability Agency for a portion of the San Timoteo Subbasin in Riverside County and a portion of San Bernardino County. The two separate public hearings of the Agency to consider approving the two separate Memoranda of Agreement will take place on May 15, 2017 at 7:00 p.m., in the meeting room of the Board of the Directors of the San Gorgonio Pass Water Agency located at 1210 Beaumont Avenue, Beaumont, California 92223.
The purpose of the public hearings will be to hear and receive comments from the public and interested stakeholders regarding the Agency's proposed approval of the two separate Memoranda of Agreement.
The two proposed Memoranda of Agreement and related documentation are on file with the Secretary of the Agency and are available for inspection during regular business hours, Monday through Friday, 7:30 a.m. to 4:30 p.m. at the offices of the Agency located at 1210 Beaumont Avenue, Beaumont, California 92223.
To publish April 28, 2017 and May 5, 2017.
Published in
The Record Gazette
No. 143372
4/28, 5/05, 2017

Record Gazette
218 N. Murray St.
Proof of Publication
(2015.5 C.C.P.)

143671 SAN TIMOTEO & VERBENIA

State of California)
County of Riverside) ss.

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above matter. I am the principal clerk of the printer and publisher of Record Gazette, a newspaper published in the English language in the City of Banning, County of Riverside, and adjudicated a newspaper of general circulation as defined by the laws of the state of California by the Superior Court of the County of Riverside, under the date October 14, 1966, Case No. 54737. That the notice, of which the annexed is a copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 5, 12, 2017

Executed on: 05/12/2017

At Banning, CA

I certify (or declare) under penalty of perjury that the foregoing is true and correct.



Signature

NOTICE OF SEPARATE PUBLIC HEARINGS FOR THE SAN GORGONIO PASS WATER AGENCY TO CONSIDER APPROVALS OF TWO SEPARATE MEMORANDA OF AGREEMENT TO FORM A GROUNDWATER SUSTAINABILITY AGENCY WITH THE MISSION SPRINGS WATER DISTRICT FOR A PORTION OF THE SAN GORGONIO PASS SUB-BASIN AND TO FORM A GROUNDWATER SUSTAINABILITY AGENCY WITH OTHER AGENCIES FOR A PORTION OF THE SAN TIMOTEO SUB-BASIN

NOTICE IS HEREBY GIVEN pursuant to Section 10723(b) of the California Water Code and Section 6066 of the California Government Code that the Board of Directors of the San Gorgonio Pass Water Agency (Agency) will hold three separate public hearings to consider, in the first hearing, approval of a Memorandum of Agreement between the Agency and the Mission Springs Water District pursuant to the Sustainable Groundwater Management Act to establish a Groundwater Sustainability Agency for a portion of the San Gorgonio Pass Subbasin in Riverside County referred to as the Verbenia Area, and to consider, in the second hearing, approval of a Memorandum of Agreement between the Agency, Beaumont Cherry Valley Water District, Yucaipa Valley Water District, and the City of Redlands pursuant to the Sustainable Groundwater Management Act to establish a Groundwater Sustainability Agency for a portion of the San Timoteo Subbasin in Riverside County and San Bernardino County, and to consider, in the third hearing, approval of a Memorandum of Agreement between the Agency, Yucaipa Valley Water District, South Mesa Water Company, Western Heights Water Company, South Mountain Water Company, the City of Yucaipa, the City of Redlands, the City of Calimesa, and the San Bernardino Valley Municipal Water District pursuant to the Sustainable Groundwater Management Act to establish a Groundwater Sustainability Agency for the Yucaipa Subbasin in San Bernardino and Riverside Counties. The three separate public hearings of the Agency to consider approving the three separate Memoranda of Agreement will take place on May 15, 2017 at 7:00 p.m., in the meeting room of the Board of Directors of the San Gorgonio Pass Water Agency located at 1210 Beaumont Avenue, Beaumont, California 92223. The purpose of the public hearings will be to hear and receive comments from the public and interested stakeholders regarding the Agency's proposed approval of the three separate Memoranda of Agreement. The three proposed Memoranda of Agreement and related documentation are on file with the Secretary of the Agency and are available for inspection during regular business hours, Monday through Friday, 7:30 a.m. to 4:30 p.m. at the offices of the Agency located at 1210 Beaumont Avenue, Beaumont, California 92223.

To publish May 5, 2017 and May 12, 2017.
Published In
The Record Gazette
No. 143671
05/05, 12, 2017

RESOLUTION 2017-07

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN GORGONIO PASS WATER AGENCY TO APPROVE THE MEMORANDUM OF AGREEMENT TO JOINTLY FORM THE VERBENIA GROUNDWATER SUSTAINABILITY AGENCY FOR A PORTION OF THE SAN GORGONIO PASS SUBBASIN AND TO COORDINATE WITH OTHER GROUNDWATER SUSTAINABILITY AGENCIES

WHEREAS, the Sustainable Groundwater Management Act of 2014 (SGMA) was signed into law on September 16, 2014, went into effect on January 1, 2015, and has been subject to various amendments; and

WHEREAS, SGMA provides for the sustainable management of groundwater basins at the local level through the formation of Groundwater Sustainability Agencies (GSAs) and through preparation and implementation of Groundwater Sustainability Plans (GSPs); and

WHEREAS, the San Gorgonio Pass Subbasin (Basin) is identified by the California Department of Water Resources (DWR) Bulletin 118 as Subbasin No. 7-21.04 of the Coachella Valley Groundwater Basin, and is designated by DWR as medium priority, and therefore, except as provided by SGMA, the Basin is subject to the requirements of SGMA; and

WHEREAS, the San Gorgonio Pass Water Agency (Agency) is a special act agency of the State of California, organized and operating pursuant to the San Gorgonio Pass Water Agency Law, California Water Code Appendix, Chapter 101, and accordingly the Agency constitutes a local agency for all purposes under SGMA; and

WHEREAS, SGMA authorizes a combination of local agencies as defined by SGMA to form a GSA pursuant to a joint powers agreement, a memorandum of agreement, or other legal agreement, and SGMA also authorizes a water corporation regulated by the California Public Utilities Commission or a mutual water company to participate in a GSA through a memorandum of agreement or other legal agreement; and

WHEREAS, in accordance with SGMA, the Agency and the Mission Springs Water District have prepared a Memorandum of Agreement (MOA), attached hereto as **Exhibit A**, to jointly form a GSA for an approximately one-square mile portion of the Basin referred to in the MOA as the "Verbenia Area," which GSA is referred to as the Verbenia-GSA and the members of which are the Agency and Mission Springs Water District; and

WHEREAS, in addition to establishing the Verbenia-GSA for a portion of the Basin, the MOA between the Agency and Mission Springs Water District provides that the efforts of the Verbenia-GSA will be coordinated with the efforts of two other GSAs in the Basin, including the Desert Water Agency GSA (DWA-GSA), and the GSA formed by the City of Banning, Banning Heights Mutual Water Company, Cabazon Water District, and the Agency (SGP-GSA), to carry out the policy, purposes, and requirements of SGMA in the Basin; and

WHEREAS, the MOA provides that the Agency and Mission Springs Water District desire and intend that the Verbenia-GSA, the SGP-GSA, and the DWA-GSA will cooperate and coordinate in subsequently preparing and implementing one or more GSPs for sustainable management of the Basin in accordance with SGMA; and

WHEREAS, the Agency is committed to the sustainable management of groundwater resources within the Basin in accordance with SGMA; and

WHEREAS, pursuant to the requirements of SGMA, the Agency held a public hearing on this date after publications of notice pursuant to California Government Code Section 6066 to consider adoption of this Resolution; and

WHEREAS, pursuant to SGMA Section 10728.6 and Public Resources Code Section 21065, neither this Resolution, nor the MOA, nor the preparation or adoption of a GSP constitutes a project or approval of a project under the California Environmental Quality Act (CEQA) or the State CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN GORGONIO PASS WATER AGENCY THAT:

1. The San Gorgonio Pass Water Agency hereby approves the Memorandum of Agreement to Jointly Form the Verbenia Groundwater Sustainability Agency for a Portion of the San Gorgonio Pass Subbasin and to Coordinate with Other Groundwater Sustainability Agencies (MOA), a copy of which is attached hereto as **Exhibit A**.
2. Pursuant to the MOA and as authorized by SGMA, the San Gorgonio Pass Water Agency elects to jointly form and participate with the Mission Springs Water District as a member of the Verbenia Groundwater Sustainability Agency (Verbenia-GSA) for a portion of the Basin as further set forth and depicted in the MOA.
3. The General Manager of the San Gorgonio Pass Water Agency is hereby authorized and directed to coordinate with representatives of the Mission Springs Water District to submit a copy of this Resolution and other applicable information to the California Department of Water Resources regarding the formation of the Verbenia-GSA.

I HEREBY CERTIFY that the foregoing is a true, full and correct copy of Resolution 2017-07 that was duly introduced, passed and adopted at a regular meeting of the Board of Directors of the San Gorgonio Pass Water Agency, at its regular meeting on May 15, 2017.

ADOPTED this 15th day of May 2017, by the following vote:

Ayes: Directors Stephenson, Ball, Lehtonen, Castaldo, Duncan, Thompson and President Fenn

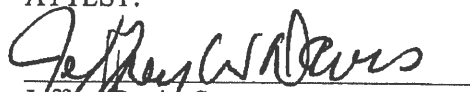
Noes:

Abstain:

Absent:


David L. Fenn, Board President
San Gorgonio Pass Water Agency

ATTEST:


Jeffrey Davis, Secretary

Notice of Election to Jointly Form and Become a
Groundwater Sustainability Agency for the Verbenia
Area of the San Gorgonio Pass Subbasin

ATTACHMENT D

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years and not a party to or interested in the above-entitled matter. I am the agent of the publisher of the

Desert Star Weekly

a newspaper of general circulation, published weekly in the City of Desert Hot Springs, County of Riverside, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Riverside, State of California that the notice, of which the annexed is a printed copy has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 3, 10, 2017

I certify (or declare) under penalty of perjury that the following is true and correct.

Dated May 10, 2017 at Desert Hot Springs, California.

Mindy Salas

Signature

Desert Star Weekly

13-279 Palm Drive Suite 5
Desert Hot Springs, CA 92240
(760) 671-6604 P
(760) 671-6730 F

PH GSA

NOTICE OF PUBLIC HEARING FOR THE MISSION SPRINGS WATER DISTRICT TO CONSIDER APPROVAL OF A MEMORANDUM OF AGREEMENT TO FORM A GROUNDWATER SUSTAINABILITY AGENCY WITH THE SAN GORGONIO PASS WATER AGENCY FOR A PORTION OF THE SAN GORGONIO PASS SUB-BASIN NOTICE IS HEREBY GIVEN pursuant to Section 10723(b) of the California Water Code and Section 6066 of the California Government Code that the Board of Directors of the Mission Springs Water District (District) will hold a public hearing to consider approval of a Memorandum of Agreement between the District and the San Gorgonio Pass Water Agency pursuant to the Sustainable Groundwater Management Act to establish a Groundwater Sustainability Agency for a portion of the San Gorgonio Pass Subbasin in Riverside County referred to as the Verbenia Area. A PUBLIC HEARING of the District to consider approving the Memorandum of Agreement will take place on May 16, 2017 at 3:00 p.m. in the meeting room of the Board of the Directors of the Mission Springs Water District located at 66575 2nd St, Desert Hot Springs, CA 92240. The purpose of the public hearings will be to hear and receive comments from the public and interested stakeholders regarding the District's proposed approval of the Memorandum of Agreement. The Memorandum of Agreement and related documentation are on file with the Secretary of the District and are available for inspection during regular business hours, Monday through Thursday, 7:30 a.m. to 5:00 p.m., and Friday, 7:30 a.m. to 4:30 p.m. at the offices of the District located at 66575 2nd St, Desert Hot Springs, CA 92240. Date: 5/1/2017 by Arden Wal-lum General Manager and Chief Engineer. PUB: 5/3 and 5/10 DSW17-5103

The Desert Sun
750 N Gene Autry Trail
Palm Springs, CA 92262
760-778-4578 / Fax 760-778-4731

Certificate of Publication

State Of California ss:
County of Riverside

Advertiser: MISSION SPRINGS WATER DIST.
66575 2ND ST
DESERT HOT SPR, CA 92240
Order # 0002110769

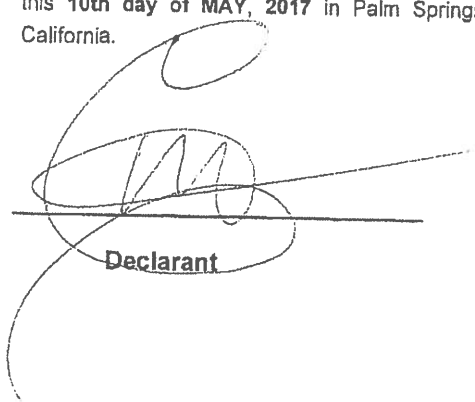
I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non paniel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: The Desert Sun

5/3/2017 5/10/2017

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 10th day of MAY, 2017 in Palm Springs, California.


Declarant

Proposals Bids and Proposals

NO 0627 NOTICE OF PUBLIC HEARING
FOR THE MISSION SPRINGS WATER DISTRICT TO CONSIDER APPROVAL OF A
MEMORANDUM OF AGREEMENT TO FORM A GROUNDWATER SUSTAINABILITY
AGENCY WITH THE SAN GORGONIO PASS WATER AGENCY FOR A PORTION OF
THE SAN GORGONIO PASS SUB-BASIN

NOTICE IS HEREBY GIVEN pursuant to Section 10723(b) of the California Water
Code and Section 6066 of the California Government Code that the Board of Di-
rectors of the Mission Springs Water District (District) will hold a public hearing
to consider approval of a Memorandum of Agreement between the District and
the San Gorgonio Pass Water Agency pursuant to the Sustainable Groundwater
Management Act to establish a Groundwater Sustainability Agency for a por-
tion of the San Gorgonio Pass Subbasin in Riverside County referred to as the
Verbenia Area.

A PUBLIC HEARING of the District to consider approving the Memorandum of
Agreement will take place on May 16, 2017 at 3:00 p.m. in the meeting room
of the Board of the Directors of the Mission Springs Water District located at
66575 2nd St. Desert Hot Springs, CA 92240.

The purpose of the public hearings will be to hear and receive comments from
the public and interested stakeholders regarding the District's proposed appro-
val of the Memorandum of Agreement.

The Memorandum of Agreement and related documentation are on file with
the Secretary of the District and are available for inspection during regular busi-
ness hours, Monday through Thursday, 7:30 a.m. to 5:00 p.m. and Friday, 7:30
a.m. to 4:30 p.m. at the offices of the District located at 66575 2nd St. Desert
Hot Springs, CA 92240.

Date: 5/1/2017 by Arden Wallum
General Manager and Chief Engineer

Published 5/03, 5/10/2017

Bids and Proposals Bids and Proposals

RESOLUTION NO. 2017-12

RESOLUTION OF THE BOARD OF THE DIRECTORS OF MISSION SPRINGS WATER DISTRICT TO APPROVE THE MEMORANDUM OF AGREEMENT TO FORM A GROUNDWATER SUSTAINABILITY AGENCY FOR THE VERBENIA AREA PORTION OF THE SAN GORGONIO PASS SUBBASIN

WHEREAS, Governor Jerry Brown signed into law Senate Bills 1168 and 1319 and Assembly Bill 1739, collectively comprising the Sustainable Groundwater Management Act (SGMA), which took effect on January 1, 2015; and,

WHEREAS, SGMA provides for the sustainable management of groundwater basins at the local level through the formation of Groundwater Sustainability Agencies (GSAs) and through preparation and implementation of Groundwater Sustainability Plans (GSPs); and

WHEREAS, SGMA requires all high and medium priority groundwater basins as designated by the California Department of Water Resources (DWR) to undergo a process leading to sustainable management; and,

WHEREAS, the San Gorgonio Pass Subbasin (Basin) is identified by the DWR Bulletin 118 as Subbasin No. 7-21.04 of the Coachella Valley Groundwater Basin, and is designated by DWR as medium priority, and therefore, except as provided by SGMA, the Basin is subject to the requirements of SGMA; and

WHEREAS, SGMA authorizes a combination of local agencies to form a GSA pursuant to a joint powers agreement, a memorandum of agreement, or other legal agreement; and,

WHEREAS, pursuant to SGMA, the Banning Heights Mutual Water Company, Cabazon Water District, City of Banning, and San Gorgonio Pass Water Agency (SGPWA) each have adopted Resolutions of their respective governing boards to jointly form and establish a GSA (referred to as the San Gorgonio Pass (SGP)-GSA) for a certain portion of the Basin, as further depicted in **Exhibit B** to the attached MOA; and,

WHEREAS, pursuant to SGMA, Desert Water Agency (DWA) has been designated as the exclusive GSA for a certain portion of the Basin (referred to as the DWA-GSA), in which DWA's boundaries overlap the Mission Springs Water District (MSWD) service area, as further depicted in **Exhibit C** to the attached MOA; and,

WHEREAS, pursuant to SGMA, both MSWD and SGPWA (Parties) desire to establish the Verbenia GSA for an approximately one-square mile portion of the Basin that lies within the service areas of MSWD and SGPWA, which one-square mile area is further specified and depicted in **Exhibit D** to the attached MOA, and is referred to herein as the "Verbenia Area"; and

WHEREAS, in accordance with the terms of the attached MOA, the Parties agree that the Verbenia-GSA formed by the attached MOA will cover the Verbenia Area of the Basin, and the Parties mutually desire and intend that the Verbenia-GSA, the SGP-GSA, and the DWA-GSA will cooperate and coordinate in subsequently preparing and implementing one or more GSPs for sustainable management of the Basin; and

WHEREAS, in entering into the Verbenia-GSA MOA, MSWD makes no admission or agreement that DWA is the exclusive GSA over any part of MSWD's service area, including the area designated herein or in the Verbenia-GSA MOA, as the DWA-GSA.

WHEREAS, the Parties mutually desire and intend to work with local stakeholders and interested entities within the Verbenia-GSA to carry out the policy, purposes, and requirements of SGMA in the Verbenia Area; and,

WHEREAS, MSWD is committed to the sustainable management of the groundwater resources within the Basin in accordance with SGMA; and,

WHEREAS, pursuant to SGMA, MSWD held a public hearing on this date after publications of notice pursuant to California Government Code Section 6066 to consider adoption of this Resolution; and

WHEREAS, pursuant to SGMA Section 10728.6 and Public Resource Code Section 21065, neither this Resolution, nor MOA, nor the preparation or adoption of a GSP constitutes a project or approval of a project under the California Environmental Quality Act (CEQA) or the State CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED AND HEREBY ORDERED that the Mission Springs Water District Board of Directors approves the following:

Section 1. Mission Springs Water District hereby approves the Memorandum of Agreement to Form a Groundwater Sustainability Agency for a Portion of the San Geronio Pass Subbasin and to Coordinate with Other Groundwater Sustainability Agencies (MOA), a copy of which is attached hereto as **Attachment A**.

Section 2. Pursuant to the MOA and as authorized by SGMA, Mission Springs Water District elects to jointly form and participate as a member of the Verbenia Groundwater Sustainability Agency (Verbenia-GSA) for a portion of the Basin as further set forth and depicted in the MOA.

Section 3. The General Manager of Mission Springs Water District is hereby authorized and directed to coordinate with the other members of the Verbenia-GSA to submit a copy of this Resolution and other applicable information to the California Department of Water Resources regarding the formation of the Verbenia-GSA.

ADOPTED this 16th day of May 2017, by the following vote:

Ayes: Duncan, Martin, Wright

Noes:

Abstain:

Absent: Bowman, Furbee



Russ Martin

President of Mission Springs Water District
and its Board of Directors

ATTEST:



Arden Wallum

Secretary of Mission Springs Water District
and its Board of Directors

CERTIFICATION OF ADOPTION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)

I, Arden Wallum, Secretary of the Board of Directors of Mission Springs Water District, certify that the foregoing is a full, true and correct copy of Resolution No. **2017-12**, which was adopted by the Board of Directors of said District at its regular meeting held May 16, 2017.

It has not been amended or repealed.

Dated May 17, 2017



Arden Wallum
Secretary of Mission Springs Water District
and its Board of Directors

Notice of Election to Jointly Form and Become a
Groundwater Sustainability Agency for the Verbenia
Area of the San Gorgonio Pass Subbasin

ATTACHMENT E

Pursuant to Section 10723.8(a)(4) of the Sustainable Groundwater Management Act (SGMA), following is an initial list of interested parties in the San Gorgonio Pass Subbasin (Basin) developed pursuant to SGMA Section 10723.2 and an explanation of how their interests will be considered in the development and operation of the Verbenia-GSA and the development and implementation of a Groundwater Sustainability Plan that will be adopted by the Verbenia-GSA as it applies to an approximately one-square mile portion of the Basin referred to as the Verbenia Area. This supplements the information provided in the accompanying Notice of Election to Jointly Form and Become a Groundwater Sustainability Agency for the Verbenia Area of the San Gorgonio Pass Subbasin (Notice Letter).

1. Holders of overlying groundwater rights
 - a. Agricultural users – Very little documented overlying agricultural use occurs in the Basin, and it does not appear that any overlying agricultural use occurs in the Verbenia Area. Most land uses in the Basin are municipal and industrial in nature. A more comprehensive survey of overlying agricultural users in the Basin and steps to actively involve them as stakeholders will be undertaken throughout the SGMA process.
 - b. Domestic well owners – Very few domestic users in the Basin are served by individual overlying wells, and it does not appear that any individual domestic wells exist in the Verbenia Area. A more comprehensive survey of overlying domestic well owners in the Basin and steps to actively involve them as stakeholders will be undertaken throughout the SGMA process.
 - c. Other well users – A few well users exist in the Basin that produce groundwater for irrigation, industrial, and other purposes, including but not limited to Robertson Ready Mix and the Summit Cemetery District. Notably, these well users are not located in the Verbenia Area. A more comprehensive survey of such other groundwater users in the Basin and steps to actively involve them as stakeholders will be undertaken throughout the SGMA process.
2. Municipal well operators – The City of Banning (Banning) is the only municipal well operator in the unadjudicated portion of the Basin. As set forth in the Notice Letter, Banning is a member agency of the San Gorgonio Pass Groundwater Sustainability Agency (SGP-GSA) that already has been formed in the Basin. Banning is not located within the Verbenia Area.
3. Public water systems – Several public water systems provide water service in unadjudicated portion of the Basin, including Banning, Banning Heights Mutual Water Company (BHMWC), Cabazon Water District (CWD), Mission Springs Water District (MSWD), Desert Water Agency (DWA), and High Valleys Water District (HVWD). In addition, the San Gorgonio Pass Water Agency (SGPWA) is a wholesale water supplier within the Basin. Banning, BHMWC, CWD, and SGPWA are member agencies of the SGP-GSA that already has been formed for most of the Basin. DWA is the GSA for another portion of the Basin pursuant to SGMA Section 10723(c)(1)(C). As set forth in

the Notice Letter, SGPWA and MSWD have elected to form the Verbenia-GSA for the remaining approximately one-square mile portion of the Basin referred to as the Verbenia Area.

4. Local land use planning agencies – Land use planning agencies that overlie the unadjudicated portion of the Basin include Banning, the County of Riverside, and the County of San Bernardino. As further noted below, the Morongo Band of Mission Indians (MBMI) also overlies a portion of the Basin and carries out land use planning for MBMI lands. Notably, no MBMI lands exist within the Verbenia Area.
5. Environmental users of groundwater – Currently no environmental users of groundwater have been identified in the Basin. A more comprehensive survey of any such users and steps to actively involve them as stakeholders will be undertaken throughout the SGMA process.
6. Surface water users, if there is a hydrologic connection between surface and groundwater bodies – Currently no surface water users with a hydrologic connection to groundwater have been identified in the Basin. A more comprehensive survey of any such users and steps to actively involve them as stakeholders will be undertaken throughout the SGMA process.
7. The federal government, including, but not limited to, the military and managers of federal lands – As noted below, the federal government may have interests in the Basin vis-à-vis its relationship to the MBMI. No MBMI lands exist within the Verbenia Area.
8. California Native American tribes – As noted above, the MBMI overlies a portion of the Basin and carries out various activities related to groundwater resources, including but not limited to land use planning for MBMI lands, domestic water service, and a land lease to a water bottling operation. No MBMI lands exist within the Verbenia Area.
9. Disadvantaged communities, including, but not limited to, those served by private domestic wells or small community water systems – Certain areas within the Basin have been designated as disadvantaged communities, including but not limited to areas within Cabazon and the City of Banning.
10. Entities listed in Section 10927 that are monitoring and reporting groundwater elevations in all or a part of the basin managed by the groundwater sustainability agency – The San Gorgonio Pass Water Agency is the CASGEM monitoring and reporting agency for the Basin.

As described in the Notice Letter and the MOA, a portion of the Basin is subject to the Beaumont Basin adjudication and Judgment in the case referred to as *San Timoteo Watershed Management Authority v. City of Banning, et al.*, Riverside County Superior Court Case No. RIC 389197, which pursuant to SGMA Section 10720.8(a)(1) generally is not subject to the requirements of SGMA and accordingly will not be managed under SGMA by the Verbenia-GSA or other GSAs in the Basin. Notwithstanding, parties to the Beaumont Basin adjudication

and Judgment and groundwater users in that portion of the Basin will be considered in the development and operation of the Verbenia-GSA and the development and implementation of a Groundwater Sustainability Plan that will be adopted by the Verbenia-GSA.

As specifically provided in the MOA, SGPWA and MSWD have agreed to work together in ensuring public outreach and involvement of the public and other interested stakeholders throughout the SGMA process, including but not limited to all beneficial uses and users of groundwater within the Verbenia-GSA, and those responsible for implementing Groundwater Sustainability Plans in the Basin, as provided in SGMA Section 10723.2. SGPWA and MSWD will continue to consider and involve the interests of all entities and stakeholders within the Verbenia-GSA to the extent practicable by establishing a collaborative, open, and inclusive process for implementing the requirements of SGMA. Among other things, in accordance with SGMA Section 10723.4, the Verbenia-GSA will establish and maintain a list of persons interested in receiving notices regarding the preparation of any Groundwater Sustainability Plan applicable to the Verbenia-GSA, meeting announcements, and the availability of draft plans, maps, and other relevant documents.