

V. A.

AUDITED FINANCIAL STATEMENTS
DEL PUERTO WATER DISTRICT
February 29, 2024

DEL PUERTO WATER DISTRICT

Patterson, California

February 29, 2024

Board of Directors

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Daniel Bays	Vice-President
Kyle Perez	Director
Peter Lucich	Director
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Anthea G. Hansen	General Manager
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DEL PUERTO WATER DISTRICT

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Report of Independent Auditors

Board of Directors
Del Puerto Water District
Patterson, California

Opinion

We have audited the accompanying financial statements of the business-type activities and fiduciary activities of Del Puerto Water District (the District), as of and for the year ended February 29, 2024, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the business-type activities and fiduciary activities of the District, as of February 29, 2024, and the changes in financial position and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and Government Auditing Standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and Government Auditing Standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated October 16, 2024, on our consideration of the District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the District's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the District's internal control over financial reporting and compliance.

JW7 & Associates, LLP

October 16, 2024

Del Puerto Water District

Management's Discussion & Analysis

February 29, 2024

As required by Government Accounting Standards Board Statement No. 34, this section presents management's analysis of the Del Puerto Water District's (the District) financial condition and activities as of and for the year ended February 29, 2024. Management's Discussion and Analysis (MD&A) is intended to serve as an introduction to the District's basic financial statements, and should be read in conjunction with the audited financial statements that follow this section. It is also intended to give an overview of the previous year's operations, and to express management's view of how currently-known factors will impact the District in the future.

ORGANIZATION AND BUSINESS

The Del Puerto Water District is a California special district formed under the provisions of Division 13 of the Water Code of the State of California. The approximately 45,000 acres of irrigable District lands are located along the west side of Stanislaus, San Joaquin and Merced Counties. Stanislaus County serves as the principal county for the District. A seven-person Board of Directors elected from among District landowners governs the District.

The District is under contract with the Bureau of Reclamation for its water supply, which is delivered from the Delta-Mendota Canal, a feature of the Central Valley Project. The District was originally organized on March 24, 1947 to contract for and administer delivery of water supplies to landowners within the geographical boundaries of the District. On March 1, 1995, the District was reorganized through a formal consolidation with ten other local, similarly contracted water districts. The water service contracts of these other districts were assigned to the District and subsequently renegotiated as a single contract providing for the delivery of up to 140,210 acre-feet of water annually. The District's water year runs from March 1 through February 28/29.

The District's contractual entitlement is its primary source of supply. Use of this contractual supply is subject to State law and California Water Code requirements, Reclamation law, place-of-use restrictions associated with the Bureau of Reclamation's State-issued permit(s), and shortages imposed under the water shortage provisions of the District's contract with the Bureau of Reclamation. All water is delivered "canal-side" from the Delta-Mendota Canal through turnouts licensed to the District by the Bureau of Reclamation. Privately developed groundwater is available on a limited basis throughout the District.

As a result of the chronic shortages to its contractual entitlement, ongoing drought conditions, and increasing difficulty in achieving its water supply goals, the District has in recent years expanded its efforts in the area of long-term supply development programs. Currently, this includes the voluntary retirement of certain lands from service, studying the feasibility of off-stream storage, local groundwater recharge, and most notably, the beneficial use of recycled water through the North Valley Regional Recycled Water Program, which was fully in service as of early 2020. In addition, the District requests the detachment of lands annexed to a City or an otherwise responsible agency for development into non-agricultural uses. While some of these lands continue to be served under recorded Water Service Contracts, upon development of the land, the contracts terminate and any available allocation is returned to the District.

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Management's Discussion & Analysis

February 29, 2024

District lands have produced more than 30 different commercial crops over the years. Among the principal crops currently grown are almonds, tomatoes, apricots, walnuts, oats, wheat, pistachios, broccoli, sweet corn, melons, peaches, citrus, garlic, cherries, wine grapes and olives. In 2023, over 80% of the District's irrigated lands are in permanent plantings, of which 100% are irrigated by sprinklers or drip irrigation systems. The District has supported conservation efforts by way of providing low interest loan funding for the installation of high-efficiency irrigation systems, including both micro-sprinkler and drip emission systems, which are used in orchard crop plantings as well as row-crop plantings. In addition to supporting conservation, this investment in irrigation technology has further complimented the District's efforts in the area of drainage reduction, thus resulting in improvements to nearby waterways of the State.

The District's management staff was reorganized in 2021 and now consists of a General Manager, who also serves as the District's Secretary/Treasurer, a Deputy General Manager - Water Operations, a Deputy General Manager - Water Resources, and a Director of Finance and Administration. A full-time Executive Assistant and a Water Operations Technician support the management staff. The District operates at minimal staffing levels to maintain costs, and strives to develop administrative procedures which ensure efficiency and accuracy in its service to its constituents; however, this is becoming increasingly difficult with the number of activities the District must now accomplish. In consultation with the Board, the General Manager continually assesses staffing resources and needs, and it is envisioned that at least one additional full-time staff member will be hired in the near future.

The District's stated mission is as follows: "*Dedicated to Providing its Agricultural Customers with an Adequate, Reliable and Affordable Water Supply*". Customer service standards and the clear communication and implementation of District policies and procedures are set at the highest benchmarks. Continuing to provide water to the West Side's small family farms, which produce some of the nation's most bountiful supply of fresh fruit, nuts and vegetables, remains the District's sole focus and reason for existence.

OVERVIEW OF THE BASIC FINANCIAL STATEMENTS

The District's basic financial statements are prepared on an accrual basis and in conformity with generally accepted accounting principles as prescribed by the Governmental Accounting Standards Board and include certain amounts based upon reliable estimates and judgments. The annual financial report consists of a Statement of Net Position, Statement of Revenues, Expenses and Changes in Net Position, and a Statement of Cash Flows.

- The *Statement of Net Position* presents information on the District's assets and liabilities as of a specific date in time, with the difference between the two being reported as *Net Position*. Over time, increases or decreases in Net Position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.
- The *Statement of Revenues, Expenses and Changes in Net Position* presents the results of the District's operations during the fiscal year indicated showing Total Revenues versus Total Expenses and how the Net Position changed during the year. This statement can be used as an

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Management's Discussion & Analysis

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indicator of the extent to which the District has successfully managed its budget and recovered its costs through user fees.

- The *Statement of Cash Flows* presents changes in cash and cash equivalents resulting from operational, capital, non-capital and investing activities. This statement summarizes the annual flow of cash receipts and cash payments, and reconciles the year-end cash and cash-equivalents balance.
- The *Notes to the Basic Financial Statements* provide additional information that is essential to a full understanding of the data provided in the basic financial statements.

FINANCIAL ANALYSIS

As illustrated by the financial analysis below, the District's Net Position increased in 2023-24:

Condensed Financial Information

The following table (Table 1) shows the District's total assets, liabilities and net position:

	<u>2/29/2024</u>	<u>2/28/2023</u>	<u>Variance</u>
Current Assets	\$ 13,538,791	\$ 13,420,156	\$ 118,635
Non-current Assets	<u>\$ 16,962,120</u>	<u>\$ 18,494,816</u>	<u>\$ (1,532,696)</u>
Total Assets	\$ 30,500,911	\$ 31,914,972	\$ (1,414,061)
Current Liabilities	\$ 11,850,783	\$ 12,519,635	\$ (668,852)
Non-current Liabilities	<u>\$ 10,015,154</u>	<u>\$ 11,038,168</u>	<u>\$ (1,023,014)</u>
Total Liabilities	\$ 21,865,937	\$ 23,557,803	\$ (1,691,866)
Net Assets:			
Invested in Capital Assets	\$ 2,081,174	\$ 2,129,220	\$ (48,046)
Reserved for Rate Stabilization	\$ 977,909	\$ 2,195,695	\$ (1,217,786)
Reserved for Capital Repayment	\$ 2,306,528	\$ 2,197,415	\$ 109,113
Reserved for Cont Conv Repayment	\$ 266,791	\$ 175,533	\$ 91,258
Unreserved	<u>\$ 3,002,572</u>	<u>\$ 1,659,306</u>	<u>\$ 1,343,266</u>
Total Net Position	<u>\$ 8,634,974</u>	<u>\$ 8,357,169</u>	<u>\$ 277,805</u>
Total Liabilities and Net Position	<u>\$ 30,500,911</u>	<u>\$ 31,914,972</u>	<u>\$ (1,414,061)</u>

Del Puerto Water District
Management's Discussion & Analysis

February 29, 2024

Highlights

- Current assets increased by \$118,635, which was primarily the function of an increase in accounts receivable, as offset by a decrease in cash on hand and prepaid water costs.
- Non-current assets decreased by \$1,532,696, which was primarily the function of a decrease in investments and the amortization of prepaid CVP construction costs.
- Current liabilities decreased by \$668,852. This was primarily due to a \$3,820,778 decrease in deferred revenue and a \$62,167 decrease in accounts payable, as offset by a \$2,390,828 increase in customer prepaid water tolls, a \$711,414 increase in accrued expenses & liabilities, and a \$94,283 increase in the current portion of long-term debt.
- Non-current liabilities decreased by \$1,023,014. This was primarily due to a \$856,680 decrease in liabilities related to the CVP construction prepayment payable, offset by a \$86,627 increase in net pension liability.
- Total assets of \$30,500,911 exceeded total liabilities of \$21,865,937 at the fiscal year end by \$8,634,974, a net position increase of \$277,805 or 3.324% over the prior fiscal year. This increase, or “net profit”, for the year, was primarily due to investment earnings.

The following table (Table 2) shows changes in the District's net position for the year:

Table 2
Statement of Revenues, Expenses and Changes in Net Position
For the Years ended February 29, 2024 and February 28, 2023

	<u>2/29/2024</u>	<u>2/28/2023</u>	<u>Variance</u>	<u>%</u>
Operating Revenues:				
Water Sales	\$ 14,271,247	\$ 12,021,213	\$ 2,250,034	18.72%
Water Availability Charge	\$ 2,232,423	\$ 2,101,872	\$ 130,551	6.21%
Contract Conversion Assessment	\$ 883,750	\$ 885,675	\$ (1,925)	
Total Operating Revenues	\$ 17,387,420	\$ 15,008,760	\$ 2,378,660	15.85%
Operating Expenses:	<u>\$ 24,142,278</u>	<u>\$ 16,667,120</u>	<u>\$ 7,475,158</u>	44.85%
Total Operating Expenses	\$ 24,142,278	\$ 16,667,120	\$ 7,475,158	44.85%
Net Operating Income	\$ (6,754,858)	\$ (1,658,360)	\$ (5,096,498)	307.32%
Non-operating Revenues, Net:	<u>\$ 7,032,663</u>	<u>\$ 288,777</u>	<u>\$ 6,743,886</u>	2335.33%
Change in Net Position	\$ 277,805	\$ (1,369,583)	\$ 1,647,388	-120.28%
Total Net Assets - Beginning	\$ 8,357,169	\$ 9,726,752	\$ (1,369,583)	-14.08%
Total Net Assets - Ending	<u>\$ 8,634,974</u>	<u>\$ 8,357,169</u>	<u>\$ 277,805</u>	3.32%

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Highlights

- Total Operating Revenues increased by \$2,378,660, or 15.85%, to \$17,387,420. This increase was reflective of the 100% CVP allocation and implementation of the Water Use Policy for 2023-24, as offset by a decrease in the sales of additional supplies water.
- Total Operating Expenses increased by \$7,475,158, or 44.85%, to \$24,142,278. This increase was primarily the result of increased planned expenditures for the advancement of the Del Puerto Canyon Reservoir over the year prior and the increased cost of purchased water due to the 100% CVP allocation.
- Non-operating revenues (net) increased by \$6,743,886 to \$7,032,663. This increase was due to receipt of Water Infrastructure Improvements for the Nation (WIIN) Act grant funding for the Del Puerto Canyon Reservoir Project in the amount of \$1,654,633, and Prop 1, Round 1 IRWM Grant Funds and Prop 1 Storm Water Grant Funds in the amount of \$4,423,433 for the Orestimba Creek Recharge & Recovery Project, a net receipt of \$392,802 of Prop 1, Round 2 IRWM Grant funds, and an increase of \$272,567 in interest income and unrealized gain on investments.

Budget Comparisons

The following table (Table 3) compares actual administrative expenditures to the 2023-24 budget:

**Table 3
Administrative Budget to Actual Comparison
For the Year ended February 29, 2024**

	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>
Water Availability Charge	\$ 2,232,423	\$ 2,232,423	\$ -
Total Operating Revenues	\$ 2,232,423	\$ 2,232,423	\$ -
Administrative Expenses:			
Wages and Related Expenses	\$ 1,408,446	\$ 1,217,340	\$ 191,106
Conservation Services	\$ 9,505	\$ 4,350	\$ 5,155
Office Supplies, Rent & Other	\$ 237,175	\$ 240,882	\$ (3,707)
Repairs & Maintenance	\$ 16,259	\$ 17,499	\$ (1,240)
Metering Program	\$ 4,196	\$ 4,037	\$ 159
Association Fees	\$ 188,812	\$ 189,972	\$ (1,160)
Utilities	\$ 23,441	\$ 25,419	\$ (1,978)
Engineering & Consulting Fees	\$ 8,190,206	\$ 6,504,843	\$ 1,685,363
Legal and Audit Fees	\$ 120,575	\$ 171,000	\$ (50,425)
Vehicle, Travel and Conferences	\$ 40,819	\$ 36,910	\$ 3,909
Insurance	\$ 29,693	\$ 26,407	\$ 3,286
Depreciation and Amortization	\$ 78,627	\$ 81,080	\$ (2,453)
Total Administrative Expenses	\$ 10,347,754	\$ 8,519,739	\$ 1,828,015
Net Operating Income	\$ (8,115,331)	\$ (6,287,316)	\$ (1,828,015)
Non-Operating Revenues, Net:	\$ 7,684,184	\$ 6,219,711	\$ 1,464,473
Capital Expenditures	\$ 30,581	\$ 23,496	\$ 7,085
Net Over/(Under) Budget	\$ (461,728)	\$ (91,101)	\$ (370,627)

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For 2023-24, administrative expenses were \$1,828,015 more than budgeted, the net of actual non-operating revenues vs. non-operating expenses was \$1,464,473 more than budgeted, and capital expenditures were \$7,085 more than budgeted, leading to net operating income from Administrative Operations of \$370,627 less than budgeted.

Highlights of the variances between actual and budgeted cost centers were as follows:

- Wages and Related Expenses more than budgeted due to unexpected OPEB expense, as well as unbudgeted expenses related to an employee termination.
- Engineering & Consulting Fees more than budgeted due to timing of expenditures for the Del Puerto Canyon Reservoir Project.
- Legal and Audit Fees Expense less than budgeted for District general counsel and special counsel (one case).
- Non-operating Revenues, Net more than budgeted primarily due to the recognition of grant proceeds related to increased expenditures for Del Puerto Canyon Reservoir.

CAPITAL ASSETS

Capital Assets

The District does not own or maintain any canals or delivery systems, limiting capital infrastructure requirements to the replacement and addition of meters, vehicles, and tools, and the District Office and Maintenance Facility, which was constructed new in 2003, and expanded in 2020 to add two additional offices and a storage/workroom. In May of 2022, as part of its ongoing efforts to advance supply development programs, the District in partnership with CCID purchased the property on which the Orestimba Creek Recharge and Recovery Project is constructed. As of February 29, 2024, the District had \$2,081,174 (net of accumulated depreciation) invested in the following categories of Capital Assets: Meters, Tools, Office Equipment & Furnishings, Vehicles, Land, Buildings & Landscaping. This amount represents a \$48,046 net decrease over the prior fiscal year, with depreciation of \$78,627 exceeding additions of \$30,581.

DEBT ADMINISTRATION

CoBank Loan Payable

The District acquired a loan from CoBank to make early repayment of its outstanding Central Valley Project Construction Costs which were estimated to be \$14,124,614 as of the USBR FY '20 Ratebook Construction Obligation Schedules, as discounted per that certain Contract No. 14-06-200-922-LTR1-P between the United States and Del Puerto Water District Providing for Project Water Service from Delta Division and Facilities Repayment, dated September 28, 2020. By entering into this debt obligation, the District achieved the repayment, which would have otherwise been due and payable by year 2030, and

Del Puerto Water District

Management's Discussion & Analysis

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realized other benefits for its ratepayers, including but not limited to a meaningful reduction in the Ag Water Rate. The outstanding CoBank Loan Payable amount as of February 29, 2024 was \$8,416,244.

SYSTEMS, CONTROLS AND LEGAL COMPLIANCE

The District adheres to a specific set of administrative procedures that guide the designing, planning, organizing and administration of its programs and services. Policies which provide guidance, delegation of authority and responsibility, reporting procedures, and accountability for resources are adopted at the Board level. Administrative procedures and accounting systems are designed to ensure specific controls, and budgets, are adopted and reviewed periodically to ensure the safeguarding of District assets. District activities are undertaken in compliance with all applicable Federal, State and local laws, and management controls and financial systems are in compliance with all regulatory statutes.

FACTORS IMPACTING FUTURE PERIODS

As discussed in Note 18 of the independent auditor's report, the District's existence relies exclusively on the continued need for water supplies by Landowners within the District, and the District's ability to procure and administer said supplies in an adequate and affordable manner.

The chronic shortages faced by the District are the result of both regulatory and hydrologic drought, the former primarily centered on issues facing the health and sustainability of the Sacramento-San Joaquin Delta and the numerous plant and animal species that exist there. Because the export of water supplies to CVP contractors and others South-of-the-Delta remains a focal point for each new regulation or order regarding California water, it is imperative that the District remain engaged in activities which advance solid science and programs that communicate factual information regarding the fact that exports are not the only stressor affecting the Delta. Also critically important to the District are the ongoing Water Quality Control Plan update and other activities being advanced by the State Water Resources Control Board, the related "Voluntary Agreements" process, and Reconsultation on the Biological Opinions upon which the Central Valley Project is operated in support of the District's Water Service Contract. These subjects continue to play out heavily into 2024, and the District is engaged in these and other matters which both directly and indirectly affect the future reliability – or lack thereof – of its CVP Water Supply. The challenge, however, becomes one of balancing the need for, and efficacy of, each activity and forum against the extremely high costs of participation, which ultimately falls on the District's customers.

In addition to legal and regulatory forums, much emphasis and momentum has been placed on addressing South-of-the-Delta water supply shortages through infrastructure designed to repair what is broken about the "plumbing" in the State of California. Cooperative efforts between the Department of Water Resources, the Bureau of Reclamation, and the numerous agricultural and municipal water contractors who have contracts with those governing agencies to procure water supplies, started as the Bay-Delta Conservation Plan (BDCP) / Delta Habitat & Conveyance Conservation Plan (DHCCP), and were more currently revised as to strategy, separated, and renamed the California Eco-Restore and California Water Fix programs, the latter of which was a project which would develop "twin tunnels" under and across the Delta to move water to the South-Delta pumping facilities from a changed point of diversion on the Sacramento River. Although the District ceased funding participation and retired its initial obligation in

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the development of these programs due to uncertainty in the ultimate costs and benefits, Staff remains engaged through its administrative activities and reports to the Board monthly on Delta conveyance activities. Because the environmental approvals and regulatory certainty that had been goals of the planning effort have not materialized, management is ever-more-skeptical of these activities with respect to bringing back reliability of the District's contract allocation in an affordable manner. As of the writing of this report, the California Water Fix effort has been completely abandoned as envisioned and the State of California is regrouping its focus on a "single-tunnel" Delta conveyance project, to which the Bureau of Reclamation nor any of the Federal contractors have yet to make any formal commitments in as to participation.

Recognizing that statewide solutions may be years away, or otherwise even unachievable, the District is currently focusing effort on mid and long-term supply development programs to provide local/regional solutions to its contract water supply shortage situation. These include surface storage and alternative conveyance opportunities, local groundwater recharge, and long-term transfers between local agencies. Most notably, as a partner in the North Valley Regional Recycled Water Program (NVRWWP), the District studied the feasibility of importing tertiary-treated (Title 22) recycled water from the cities of Modesto and Turlock for use as a reliable source of supply to supplement its needs. Certification of an EIR was completed in mid-2015, setting the stage for the many approvals needed to complete the project, including but not limited to water supply agreements between the District and the cities, water rights permits and discharge permits approving introduction of the recycled water directly to the Delta-Mendota Canal (DMC), project funding, easements, and multiple other steps leading to the NVRWWP's completion. An EIS and Record of Decision were completed in 2016, leading to construction of the NVRWWP Pipeline, Pump Station and DMC Discharge Facility. The District currently receives over 95% of the Recycled Water supply produced from both Cities, which results in the allocation of 6 inches of reliable supply per irrigable acre in the District. Above all else, this program has been an extremely positive change for the future of the District and its ability to adequately serve the needs of its landowners. Because there remains ample additional conveyance capacity in the NVRWWP pipeline, the District is pursuing all opportunities to increase the quantity of supplies imported through the program.

Along with the cost of solutions aimed at solving chronic supply shortages, there are also considerations on how these shortages affect CVP Contract Water Rates. Shortages incurred since the passage of CVPIA in the early '90's and predicted to continue for the foreseeable future mean less delivery base across which to spread the costs of the CVP leading to potential increased instances of USBR Fiscal Year Deficits. While the District maintains reserves dedicated to Rate Stabilization, continued monitoring of CVP Water rates and the issues that impact them remains a key activity for District Management.

Complimentary to the monitoring of the District's CVP Cost-of-Service Water Rates is the monitoring of District's Construction Obligation for the construction of the CVP. The 2020 conversion of the District's 25-year Long-Term Water Service Contract to a "permanent" repayment contract as provided for in Section 4011 of the Water Infrastructure and Improvements for the Nation (WIIN) Act was accompanied by the payoff of its Construction Obligation as estimated in the USBR's 2020 Ratebooks. However, the actual CVP Construction Obligation of each Contractor will not be finally known until the True-up for USBR FY 2030, which will occur in mid-2032. Coincidentally, shortly after the Contract Conversion and related CVP Construction Payoff action, the USBR implemented the final CVP Cost Allocation Study, which resulted in a reduced Construction Obligation as reported in the 2021 Ratebooks. During 2021, the District was able to recover a portion of the estimated "overpayment." Although the District's conversion contract specifies the terms and condition for the payoff of any residual construction cost allocation, the

Del Puerto Water District

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Districts Board determined it to be fiscally prudent to reserve a portion of the "overpaid" Construction Obligation to absorb annual fluctuations between now and the year 2030, and to possibly be available for any final residual amount. As the enclosed report indicates, the District currently has reserved \$2,306,528 dedicated for construction repayment.

In addition to the upward pressure on water rates caused by continued variability in the District's CVP supply, certain other USBR financial issues are predicted to impact the District and its constituents in both the near and long-term with respect to increased water costs. It is anticipated that extraordinary O&M costs will continue to escalate due to the aging CVP infrastructure. In the past, extraordinary O&M was treated as a capitalized cost within the rates, to be amortized and collected by the year 2030. More recently, unless the costs are related to the addition of a facility as a new feature of the CVP, or otherwise specifically authorized as capital for repayment purposes, they were treated as current year O&M in the fiscal year expended, regardless of magnitude. Collaborative efforts between the Contractors and Reclamation to establish a policy for extended repayment of extra-ordinary O&M as allowed for under PL 111-11 have finally materialized, and extended repayment of extraordinary O&M is now available on a project-by-project basis.

Reclamation struggles to reach completion on several other issues which may or may not result in additional costs under the Districts repayment contract. Of primary interest to CVP Contractors is the implementation of Business Practice Guidelines for CVPIA Receipts, Program Accounting, Cost Allocation and Cost Recovery. The Central Valley Project Improvement Act (CVPIA) was signed into Law in 1992, however contributions under the Act have not been reconciled and a formal USBR position on topics of reimbursability, cost allocation or cost recovery have yet to be reached. Because CVPIA activities are intrinsically tied to activities that support project operations and the Biological Opinions that support operations, a "true-up" to Contractor contributions and expenditures is vitally important to the sustained ability of the USBR to accurately, equitably and timely reconcile the costs of operating the CVP.

In addition to CVP financial issues, the District and its Landowners are facing a host of other issues that will need to be balanced to ensure a stable water supply into the future. The District is currently pursuing both Groundwater Storage (Orestimba Creek Recharge & Recovery Project – 15 TAF) and Reservoir Storage (Del Puerto Canyon Reservoir – 82 TAF) in partnership with the member units of the San Joaquin River Exchange Contractors Water Authority. Additionally, the District is a Local Agency Partner in the Los Vaqueros Reservoir Expansion Project and pursuing the possible benefits of the BF Sisk Dam Raise and Reservoir Expansion Project, as well as other options to improve access to storage and conveyance. Concurrently, through its membership in the SLDMWA, solutions are being pursued to remediate for subsidence along the Delta-Mendota Canal to ensure maximized conveyance of water through South-of-Delta CVP facilities, a rewind of the six Jones Pumping Plant units, and major age related upgrades to the facilities at the O'Neill Pumping/Generating Plant, and other major projects needed to sustain the facilities into the future. These projects will be necessary to confront the developing effects of a changing climate, as well as to achieve success while implementing the requirements of the State's Sustainable Groundwater Management Act (SGMA), a suite of laws which is certain to impact previously unmonitored access to and use of local groundwater supplies.

The topics mentioned in this discussion portray the challenges associated with the export of water to the Districts service area, and the growing need to implement a variety of management tools to ensure the Agricultural Lands we serve have access to an Adequate, Affordable and Reliable water supply.

Del Puerto Water District
Management's Discussion & Analysis

February 29, 2024

REQUEST FOR INFORMATION

This report is designed to provide Del Puerto Water District's elected officials, landholders, customers and creditors a general overview of the District's finances and to demonstrate its accountability of the revenues it receives. If you have any questions about this report or need additional information, please contact: Del Puerto Water District, Attn: Anthea G. Hansen, General Manager/Treasurer, P.O. Box 1596, Patterson, CA 95363-1596.

DEL PUERTO WATER DISTRICT

Statement of Net Position

February 29, 2024

Assets

Current assets

Cash and cash equivalents	\$ 668,961
Accounts receivable - water users and others	6,361,747
Prepaid CVP construction costs	1,020,396
Prepaid water - USBR	263,800
Prepaid water - SLDMWA	117,505
Prepaid water - other sources	4,915,110
Prepaid expenses	191,272
Total current assets	13,538,791

Board designated assets

Cash and cash equivalents	3,479,569
Investments	1,778,138
Prepaid CVP construction costs	8,964,471
Total board designated assets	14,222,178

Property, plant and equipment, net of depreciation

Total assets	29,842,143
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Deferred outflow of resources- GASB 68 Pension	375,554
Deferred outflow of resources- GASB 75 OPEB	213,283
Other post-employment benefits, net (CERBT)	69,931
Total assets and deferred outflow of resources	\$ 30,500,911

Liabilities and net position

Current liabilities

Accounts payable	\$ 748,577
Accrued expenses and liabilities	1,770,967
Current portion of long-term debt	728,699
Customer prepaid water tolls	3,971,329
Customer prepaid NVRWP tolls	2,431,219
Compensated absences payable	121,672
Deferred revenue	2,078,320
Total current liabilities	11,850,783

CVP construction prepayment payable	1,214,400
Long-term debt, less current portion	7,797,946
Net pension liability	925,422
Deferred Inflows of Resources - GASB 68 Pension	20,409
Deferred Inflows of Resources - GASB 75 OPEB	56,977
Total liabilities	21,865,937

Net position

Invested in capital assets	2,081,174
Designated for rate stabilization	977,909
Designated for CVP construction repayment	2,306,528
Designated for CC repayment	266,791
Unrestricted	3,002,572
Total net position	8,634,974
Total liabilities and net position	\$ 30,500,911

See accompanying notes to the financial statements

DEL PUERTO WATER DISTRICT

Statement of Revenues, Expenses and Changes in Net Position

For the Year Ended February 29, 2024

Operating revenues

Water sales	\$ 14,271,247
Water availability charge	2,232,423
Contract conversion assessment	883,750
Total operating revenues	<u>17,387,420</u>

Operating expenses

Purchased water	13,794,524
Salaries, wages and benefits	1,408,446
Office supplies, technology and other	246,680
Professional fees	8,310,781
Repairs and maintenance	16,259
Metering program	4,196
Association fees	188,812
Utilities	23,441
Vehicle, travel and conferences	40,819
Insurance	29,693
Depreciation	78,627
Total operating expenses	<u>24,142,278</u>
Income from operations	<u>(6,754,858)</u>

Non-operating revenues (expenses)

Interest income/(expense)	77,663
Unrealized gain/(loss) on investments	68,158
Grant income	4,792,513
Grant payments	(2,745,077)
Drainage activities, net	106,564
SGMA activities, net	310,924
Other non-operating income/(expense)	4,421,918
Total non-operating revenue, net	<u>7,032,663</u>
Net increase in net position	<u>277,805</u>
Total net position, February 28, 2023	8,357,169
Adjustment- OPEB expense	-
Total net position, February 29, 2024	<u><u>8,634,974</u></u>

DEL PUERTO WATER DISTRICT

Statement of Cash Flows

For the Year Ended February 29, 2024

Cash flows from operating activities	
Cash received from customers	\$ 16,765,953
Cash payments for goods and services	(22,655,205)
Cash payments to employees	<u>(1,408,446)</u>
Net cash used in operating activities	(7,297,698)
Cash flows from non-capital and related financing activities:	
Grant income, net	2,047,436
Drainage activities, net	106,564
SGMA activities, net	<u>310,924</u>
Net cash provided by non-capital and related financing activities	2,464,924
Cash flows from capital and related financing activities	
Net investment in prepaid construction costs	376,045
Repayments of debt borrowings	(762,397)
Additions to capital assets, net	<u>(30,581)</u>
Net cash used in capital and related financing activities	(416,933)
Cash flows from investing activities	
Net change in restricted cash & investments	(583,169)
Net change in unrestricted investments	1,105,812
Net change in retirement assets and liabilities	97,880
Other non-operating income	4,421,918
Interest income/(expense)	77,663
Unrealized gains or losses on investments	<u>68,158</u>
Net cash provided by investing activities	<u>5,188,262</u>
Net decrease in cash and cash equivalents	(61,445)
Cash and cash equivalents, February 28, 2023	<u>730,406</u>
Cash and cash equivalents, February 29, 2024	<u>\$ 668,961</u>

See accompanying notes to the financial statements

DEL PUERTO WATER DISTRICT

Statement of Cash Flows (continued)

For the Year Ended February 29, 2024

**Reconciliation of operating income to net cash provided
by operating activities**

Income from operations	\$ (6,754,858)
Adjustments to reconcile income from operations to net cash provided by operating activities:	
Depreciation and amortization	78,627
Changes in operating assets and liabilities:	
Accounts receivable - water users and other	(4,635,102)
Prepaid water	4,897,033
Prepaid expenses	(120,263)
Accounts payable	(62,167)
Accrued liabilities	725,288
Customer prepaid water tolls	2,390,827
Compensated absences payable	4,581
Deferred revenue	(3,820,778)
Unearned interest	(886)
Net cash (used) in operating activities	<u>\$ (7,297,698)</u>

See accompanying notes to the financial statements

DEL PUERTO WATER DISTRICT

Statement of Net Position - Fiduciary Fund- SWPP

February 29, 2024

Assets

Current assets

Cash and cash equivalents	\$	9,622
Program receivable		33,140
Investments		103,691
Total current assets		<u>146,453</u>

Total assets	\$	<u><u>146,453</u></u>
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Liabilities and net position

Current liabilities

SWPP management account	\$	146,453
Total current liabilities		<u>146,453</u>

Total liabilities and net position	\$	<u><u>146,453</u></u>
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See accompanying notes to the financial statements

DEL PUERTO WATER DISTRICT

Statement of Net Position - Fiduciary Fund- NVRWP-RWSP

February 29, 2024

Assets

Current assets

Cash and cash equivalents	\$ 198,864
Investments	22,057,489
Total current assets	<u>22,256,353</u>

Total assets	<u><u>\$ 22,256,353</u></u>
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Liabilities and net position

Current liabilities

Deferred interest income	\$ 46,730
USBR RWSP prepaid base costs	22,209,623
Total current liabilities	<u>22,256,353</u>

Total liabilities and net position	<u><u>\$ 22,256,353</u></u>
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See accompanying notes to the financial statements

DEL PUERTO WATER DISTRICT

Statement of Net Position - Fiduciary Fund- CNRA/RWSP

February 29, 2024

Assets

Current assets

Cash and cash equivalents	\$ 246,281
Investments	25,552,339
Total current assets	<u>25,798,620</u>

Total assets	<u><u>\$ 25,798,620</u></u>
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Liabilities and net position

Current liabilities

Deferred interest income	90,484
CNRA RWSP grant	\$ 25,708,136
Total current liabilities	<u>25,798,620</u>

Total liabilities and net position	<u><u>\$ 25,798,620</u></u>
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See accompanying notes to the financial statements

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The District complies with *Generally Accepted Accounting Principles* (GAAP). The District's reporting entity applies all relevant *Government Accounting Standards Board* (GASB) pronouncements. The District applies *Financial Accounting Standards Board* (FASB) pronouncements and *Accounting Principles Board* (APB) opinions issued on or before November 30, 1998, unless those pronouncements conflict with or contradict GASB pronouncements, in which case, GASB prevails.

Financial Reporting Entity – GASB Statement No. 14 establishes criteria for determining which organizations should be included in a governmental reporting entity. The focal point for preparing financial statements of a financial reporting entity is the *primary government*. The identification of a financial reporting entity is built around the concept of financial accountability. That is, if a primary government is financially accountable for another entity, that entity's financial statements must be included in the financial statements of the reporting entity. Thus, the *financial reporting entity* consists of the *primary government* and its *component units*.

Primary government is defined as a state, general purpose local or special purpose local government that has a separately elected governing body, is legally separate, and is fiscally independent of other state or local governments.

Component units are defined as legally separate organizations for which the elected officials of the primary government are financially accountable. In addition, a component unit can be another organization for which the nature and significance of its relationship with a primary government is such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete.

Based on these criteria and definitions, the district is the primary government and there are no potential component units which should be included in the financial reporting of the District as required by GASB Statement No. 14.

Basis of Presentation – Fund Accounting – The operations of the District are accounted for in the fund types described below:

Proprietary Fund Type – Proprietary funds are accounted for on a flow of economic resources measurement focus. The accounting objectives are a determination of net income, financial position and changes in cash flow. All assets and liabilities associated with a Proprietary Fund's activities are included on its statement of net position. Proprietary Fund type operating statements present increases (revenues) and decreases (expenses) in net total position. The District has one Proprietary Fund type, namely the Enterprise Fund. The Enterprise Fund is used for activities that are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges.

Fiduciary Fund Type – Fiduciary funds are used to account for assets held by the District in a trustee capacity or as an agent for individuals, private organizations, other governmental units and/or other funds. The District has three Fiduciary Fund types, the Supplemental Water Purchase Program (SWPP) Fund, the North Valley Regional Recycled Water Program-Refuge Water Supply Program (NVRWP-

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

RWSP) Fund, and the California Natural Resources Agency (CNRA-RWSP) Fund. All three Funds are custodial in nature and do not involve the measurement of results of operations.

Basis of Accounting and Measurement Focus – The basis of accounting determines when transactions and economic events are reflected in financial statements, and measurement focus identifies which transactions and events should be recorded.

Proprietary fund types are accounted for on an economic resources measurement focus using the accrual basis of accounting. Revenues are recorded when they are earned, including unbilled services which are accrued. Expenses are recorded at the time liabilities are incurred.

The District applies all Governmental Accounting Standards Board (GASB) pronouncements as well as the Financial Accounting Standards Board (FASB) pronouncements issued on or before November 30, 1989, unless those pronouncements conflict with or contradict GASB pronouncements and the State Controller's Minimum Audit Requirements for California Special Districts. The District has elected not to apply FASB statements and interpretations issued subsequent to November 30, 1989.

Use of Estimates – The preparation of financial statements in accordance with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities as of the date of the financial statements and the reported amounts of revenues and expenditures or expenses during the reporting period. Accordingly, actual results could differ from those estimates.

Accounts Receivable – The District's management considers all accounts receivable from water users and others to be fully collectible. Accordingly, no allowance for doubtful accounts has been recorded in these financial statements.

Property, Plant and Equipment – All property, plant and equipment assets are recorded at historical cost. Depreciation is charged as an expense against operations, and accumulated depreciation is reported on the District's statement of net assets. Depreciation is calculated on the straight-line method over the useful lives of the assets. The useful lives for each major class of depreciable fixed assets are as follows:

Office furniture	5-7 years
Tools and equipment	5 years
Vehicles	5 years
Landscaping	15 years
Meters	40 years
Buildings	40 years

Investments – All investments are held with LPL Financial. Fair values were obtained directly from LPL Financial. In accordance with GASB Statement No. 31, the change in the fair value of investments is recorded in the statement of revenues, expenses and changes in net assets.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Deferred Inflows and Outflows of Resources - The District has adopted the provisions of GASB Statement No. 63 (GASB 63), *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*. GASB 63 provides financial reporting guidance for deferred outflows of resources, deferred inflows of resources, and net position in a statement of financial position and related disclosures. It also identifies net position as the residual of all other elements presented in a statement of financial position, or the difference between (a) assets and deferred outflows of resources and (b) liabilities and deferred inflows of resources. As implied above, GASB 63 changes the previous classification of net assets to net position, and consequently, the statement of net assets to the statement of net position.

Compensated Absences – The District has a vacation policy which allows employees to accrue vacation leave up to 480 hours with specific approval by management. Upon separation from employment, employees will be paid their accrued vacation at the current rate of pay. The District has a medical leave policy which allows employees to accrue medical leave up to a maximum of 240 hours. Upon separation from employment, the District has no obligation to compensate an employee for unused medical leave, however employees may convert unused accumulated sick leave (up to one year) to additional service credit when separation occurs as the result of a CalPERS eligible retirement. At February 29, 2024, the District's compensated absences payable was \$121,672.

During the fiscal year ended February 28, 2019, the District adopted GASB Statement 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*. This Statement requires the Agency recognize in its financial statements the total OPEB liability for the health benefits provided to retirees, less the amounts held in an irrevocable trust account.

NOTE 2: CASH AND CASH EQUIVALENTS

Applicable state statutes authorize the District to invest in obligations of the U.S. Treasury agencies, certificates of deposit, banker's acceptances, local and municipal bonds, repurchase agreements, insured money market accounts and commercial paper.

Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. The District does not have a formal policy regarding interest rate risk.

Custodial Credit Risk

Custodial credit risk is the risk that the District will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The District does not have a formal policy regarding custodial credit risk. The California Government Code and the District's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits or investments, other than the following provision for deposits: The California Government Code requires that a

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 2: CASH AND CASH EQUIVALENTS (continued)

financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The market value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies. California law also allows financial institutions to secure District deposits by pledging first trust deed mortgage notes having a value of 150% of the secured public deposits. With respect to investments, custodial credit risk does not apply to a local government's indirect investment in securities through the use of mutual funds or investment pools such as LAIF.

Credit Risk

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. The District does not have a formal policy regarding credit risk. LAIF does not receive a rating from a nationally recognized statistical rating organization.

Concentration of Credit Risk

The FDIC insured the bank balances up to \$250,000 for each bank, except for non-interest-bearing transaction accounts at institutions participating in FDIC's Temporary Liquidity Guarantee Program, which are provided with unlimited deposit guarantee.

Cash consists of one checking account, one savings account, a money market account and primary certificates of deposit. When excess funds build up in the interest-bearing checking account, they are transferred to either the money market account or the savings account to earn a higher interest rate. Funds are transferred to and from the checking account without penalty. The District holds its checking accounts and savings account in Patterson, California with a federally insured bank. The District and the bank have contracted for insurance in excess of the FDIC limit of \$250,000. The contract insures deposits of the District to \$5,000,000. According to the contract, the bank maintains eligible securities with market values of at least 10% in excess of the actual total amount of local agency monies on deposit with the bank. The District monitors this contract as necessary.

The money market account and the certificates of deposit are held with LPL Financial and are classified as investments. LPL Financial is an investment company that is a member of the New York Stock Exchange, Inc. and the Securities Investor Protection Corporation. The certificates of deposit are insured up to an aggregate maximum amount of \$250,000 per certificate. All short-term investments with an original maturity of three months or less are considered to be cash equivalents. State statutes require that all deposits in financial institutions be fully collateralized by U.S. government obligations or its agencies and instrumentalities or direct obligations of California or its agencies and instrumentalities that have a market value of not less than the principal amount of the deposits. The District's deposits were fully insured or collateralized as required by the state statutes at February 29, 2024.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 3: ACCOUNTS RECEIVABLE

The District invoices its ratepayers for the annual per-acre Water Availability Charge (WAC), West Side San Joaquin River Watershed Coalition Fee, and a Sustainable Groundwater Management Act GSP Activities fee on March 1 of each year. These charges become delinquent on March 31. Delinquent charges are subject to lien under water code section 36729, as well as any other remedies available to the District for collection of delinquencies, including but not limited to those enforced in accordance with Chapters 4, 5 and 6 of Part 7 of Division 13 of California Water Code.

As part of the implementation of the North Valley Regional Recycled Water Program (NVRWP), the District collects the costs of water supply made available by the Program through per-acre assessments. These assessments were billed one-half on January 1 and one-half on July 1, 2023 for the 2023-24 allocation of 6 inches per acre at an estimated rate of \$185/AF. Similar to the WAC, these charges are supported by a Proposition 218 vote of the landowners and are an obligation of all irrigable acreage in the District.

In the 2021-22 fiscal year, the District began invoicing its customers for a Contract Conversion Assessment in the amount of \$25/acre. This assessment will be issued on March 1 of each year through 2034 to collect an annual amount for the CVP Construction repayment loan payable to CoBank. This assessment is supported by a Prop 218 vote of the Landowners and is an obligation of any irrigable acreage in the District whose owner did not elect to pre-pay their fair share.

The District further requires those customers electing to receive water service to make a Water Cost Payment (WCP) on all CVP water allocated to their account, up to a 50% allocation. When an account is established by virtue of the WCP, water is allocated to the account on an equal-per-share irrigable acre basis based on the current years' available CVP supply; subsequently, actual water use is billed on a monthly basis.

Unless specified differently under special program guidelines, all charges are due by the last day of the month following invoicing to avoid interruption in service. In addition to water customer accounts receivable, the District also processes invoicing for miscellaneous items/services. As of February 29, 2024, the District had \$1,021,979 in water accounts receivable, \$7,896 in OPEB Trust Reimbursement receivable, and \$5,152,198 in miscellaneous accounts receivable.

NOTE 4: PREPAID CVP CONSTRUCTION COSTS

CVP Facilities

On, November 25, 2020, the District made an early repayment of its outstanding Central Valley Project Construction Costs which were estimated to be \$14,124,614 as of the USBR 2020 Ratebook Construction Obligation Schedules, as discounted per that certain Contract between the United States and Del Puerto Water District Providing for Project Water Service from Delta Division and Facilities Repayment, dated September 28, 2020 Contract No. 14-06-200-922-LTR1-P. Through a combination of cash funds and CoBank Loan proceeds, the District achieved the repayment, which would have otherwise been due and payable by year 2030, and realized other benefits for its ratepayers, including but not limited to a meaningful reduction in the CVP Cost of Service Water Rate. Immediately subsequent to the payoff, the Districts' estimated CVP Construction obligation was estimated to be \$10,831,822, as published in the 2021 Ratebook Construction Obligation schedules. During 2021, the District received a refund from the USBR on a portion of the overpaid construction (the "rate" component), which has been set aside in a reserve designated for the Final 2030 CVP Construction Obligation; The District recognized the remaining portion of the "overpayment" as a payment to Reclamation for water supply. Prepaid CVP construction costs are being amortized over a 15-year period. As of February 29, 2024, prepaid CVP Construction costs (excluding the DMC/CA Intertie), totaled \$9,885,362.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 4: PREPAID CVP CONSTRUCTION COSTS (continued)

DMC/California Aqueduct Intertie

On July 20, 2005, the District finalized execution of a Contributed Funds Agreement with the Bureau of Reclamation, which committed its fair share of the funding necessary to construct a physical connection between the federally-owned Delta-Mendota Canal and the State-owned California Aqueduct. In exchange for its contribution of funds, the District was to receive a commensurate reduction in its total capital repayment obligation once construction was completed and the facility became operational. It was estimated that operation of the Intertie would produce an average additional yield of 2,583 acre-feet, or a 2% increase in the District's annual allocation over time. The District financed its portion of the Intertie construction costs by way of a tax-exempt loan offered by the Bank of the West in the amount of \$1,793,575 over a period of fifteen years at a fixed rate of 4.25%. In early 2011, the Bureau of Reclamation identified alternate potential funding sources for the Intertie, which then had the necessary approvals for proceeding with construction. In August 2011, the district received a refund of a portion of its Contributed Funds, which was used to retire the Bank of the West obligation. The small remaining portion of the District's initial contributed funds which had already been spent by the BOR remained to be credited against the District's capital obligation once the project was put into service, which occurred in the Bureau's fiscal year 2014. After recognizing the WY 2023 portion amortized over a 50-year repayment period, prepaid intertie construction costs, as of February 29, 2024, totaled \$99,505.

As of February 29, 2024, the Current Portion of the Prepaid CVP Construction Costs and Prepaid DMC/CA Aqueduct Construction Costs totaled \$1,020,396 and the Non-Current portion totaled \$8,964,471, for a total of \$9,984,867.

NOTE 5: PREPAID WATER, USBR & SAN LUIS & DELTA – MENDOTA WATER AUTHORITY

As a requirement of its long-term pre-payment contract, each month the District prepays the United States Bureau of Reclamation (USBR) two months in advance for its scheduled CVP water use at the estimated rates published for the applicable water year. At the same time that this payment is made, the District also reconciles the actual CVP water use for the prior month to the prepayment previously paid for that month and adjusts the current payment accordingly.

As a requirement of its multi-year Warren Act contracts, the district prepays the USBR two months in advance for any non-project supplies scheduled to be conveyed and/or stored in the federal facilities. This prepayment is reconciled to actual deliveries as the schedule is updated throughout the water year. Prepayments are categorized as either Prepaid Water – USBR or Prepaid Water – Other, depending on the source supply being transacted.

The District also prepays Delta-Mendota Canal O&M costs to the San Luis & Delta-Mendota Water Authority (SLDMWA) one month in advance for its scheduled water deliveries at estimated rates set by the Water Authority Board for the applicable water year. At the same time that this payment is made, the District reconciles the actual water use for the prior month to the prepayment previously paid for that month and adjusts the current payment accordingly.

As of February 29, 2024, the District had prepaid water costs to the USBR and SLDMWA totaling \$381,305.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 6: PREPAID WATER, OTHER SOURCES

Due to contractually imposed shortages on its water supply, the District seeks to develop an annual Additional Supplies Pool (the "Pool") for each water year, which is created by the pooling of other sources of water through various transfer, banking and exchange agreements. Early in the water year an estimate of the total available Pool is made, and a per-acre-foot price designed to recover all costs of development of the pool is set by the Board. The costs of this Annual Additional Supplies Pool are recorded as Prepaid Water/Other Sources. Sales from the Annual Additional Supplies Pool are recorded as Deferred Revenue.

The Pool is closed and reconciled at year-end, or as soon as possible after the Rescheduling period, if any Pool supplies are rescheduled by the District. Normally, any resultant income from the Annual Additional Supplies Pool is either rebated to customers who purchased rebate-eligible additional supplies in that year, or set aside to be used in the development of the next year's Pool. Any resultant losses would be offset by prior or forecasted Pool profits or melded into costs of the next year's Pool. At the close of the Fiscal Year, the District had \$1,144,091 in prepaid 2024-25 pool costs, \$312,320 in costs associated with prepaid supplies to be used in 2024-25, and \$3,211,169 in costs associated with the future return of 11,600 AF of stored supply, for a total invested in Prepaid Water - other sources of \$4,667,580.

In addition to the Annual Additional Supplies Pool, the District incurs costs for the development of the NVRRWP Supply. These costs are then recorded along with the revenue when these supplies are delivered to customers. As of February 29, 2024, the District had \$247,530 in prepaid costs associated with 1,338 AF of NVRRWP supply.

NOTE 7: PREPAID EXPENSES

The District prepays certain expenses for future operations, including such items as property & liability insurance, maintenance contracts on office equipment and the facility, certain association dues and subscriptions, as well as its annual obligation to the USBR for the Trinity Public Utility District Assessment and for Replacement Power Cost estimates for supply moved under Warren Act Contracts. Expenses are then recorded in the appropriate month of service. As of February 29, 2024, the District had \$191,272 in other prepaid expenses.

NOTE 8: RESTRICTED ASSETS

Restricted assets consisted of the following at February 29, 2024:

	Total Designated
Cash	\$3,479,569
Investments	<u>\$1,778,138</u>
Total	<u>\$5,257,707</u>

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 8: RESTRICTED ASSETS (continued)

Designated

Rate Stabilization – United States Bureau of Reclamation (USBR) and San Luis & Delta-Mendota Water Authority (SLDMWA) rates fluctuate due to the fact that initial rates are set based on estimated budget expenditures and system-wide water deliveries. Final rates are not reconciled by these agencies until twelve to eighteen months after the water year has ended. The District attempts to stabilize its rates through use of rate contingency collections in some water years and rate subsidies in others, based on initial estimates provided by the agencies. As of February 29, 2024, contingency collections and agency final accounting refunds in the amount of \$977,909 have been designated for use in maintaining stable District water rates.

Capital Repayment – Under current USBR rate setting policy, each CVP contractors' obligation for repaying the original capital costs of constructing the CVP is collected as a component of that contractor's published annual estimated water rates based on historical plus projected future deliveries through year 2030. Because shortages in CVP allocations incurred under the District's Repayment Contract reduce the delivery base across which to spread the capital obligation, the District's CVP water rate was projected to increase rapidly as year 2030 approached. In Fiscal Year 2012-13, the Board authorized the collection of a rate component on all water deliveries which would be set based on the forecasted deliveries during each water year and designed to collect the "shortfall" inherent in the USBR's capital collections and thus stabilize rate increases. In December 2016, Congress passed the Water Infrastructure Improvements for the Nation Act (WIIN Act). Section 4011 of the WIIN Act allowed CVP Water Service Contractors to convert their contracts to repayment contracts and prepay their total estimated construction cost obligation, thus allowing an opportunity to "refinance" the obligation over a longer period of time. As part of the Contract Conversion process and the related transaction which accomplished the payoff of the Districts estimated CVP Construction Obligation in September of 2020, funds collected for the Capital (Construction) Rate Component of the 2020 Ag water Rate were refunded to the District and the Board authorized those funds to be added to previous Capital (Construction) collections and held until the final USBR true-up in 2030. As of February 29, 2024, cash and investments designated for CVP Construction Repayment total \$2,306,528.

Contract Conversion Repayment – Per the terms of the Installment Purchase Agreement by and between Del Puerto Water District and CoBank, ACB (CoBank CIF No 00134963), the District must maintain a cumulative coverage ratio of 1.1 on revenues collected for debt service. Excess collections are transferred to an interest-bearing investment account. As of February 29, 2024, cash and investments designated for CVP Contract Conversion obligations total \$266,791.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 9: PROPERTY, PLANT AND EQUIPMENT

Property, plant and equipment and related accumulated depreciation consisted of the following at February 29, 2024:

	Balance 2/28/2023	Additions	Deletions	Balance 2/29/2024
Land	\$ 1,039,108	\$ 27,114	\$ -	\$ 1,066,222
Buildings and improvements	1,275,850	-	-	1,275,850
Meters	255,591	-	-	255,591
Office equipment	169,403	2,874	-	172,277
Equipment	97,032	593	-	97,625
Vehicles	196,704	-	-	196,704
Total historical cost	3,033,688	30,581	-	3,064,269
Accumulated depreciation	(904,468)	(78,627)	-	(983,095)
Property, plant, & equipment, net	\$ 2,129,220	\$ (48,046)	\$ -	\$ 2,081,174

Depreciation expense for the year ended February 29, 2024 was \$78,627.

NOTE 10: ACCOUNTS PAYABLE

The District records its accounts payable and processes timely payments to its vendors on the 15th and last day of each month. As of February 29, 2024, Accounts Payable totaled \$748,577.

NOTE 11: ACCRUED EXPENSES AND LIABILITIES

The District records accrued liabilities for Auditing, Workers Compensation and various expenditures, as applicable, in the month the expense was incurred. As of February 29, 2024, Accrued Liabilities related to these expenditures totaled \$1,770,967.

NOTE 12: CUSTOMER PREPAID WATER TOLLS AND DEFERRED REVENUE

The District receives advance payment from customers who have elected to receive their current year water allotment. Per the District's Water Use Policy (adopted November 2022 and retroactively updated February 2024), customers are required to purchase all CVP water allocated to their account up to a 50% allocation. Customer Prepaid Water Tolls represent instances where, at the end of the water year, a customer has not utilized their full allocated water supply. As of February 29, 2024, customer prepaid water tolls totaled \$3,971,329.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 12: CUSTOMER PREPAID WATER TOLLS AND DEFERRED REVENUE (continued)

The District assesses its customers in advance for the estimated costs of the water supply developed through the North Valley Regional Recycled Water Program (NVRWP). After actual costs are reconciled, minimal excess collections are retained to offset future replacement costs for the Program. Additionally, prepaid NVRWP assessments for undelivered NVRWP supplies are not posted as revenue until the supply is delivered or lost to a spill of San Luis Reservoir. In January of 2024, the District collected advance payment for one half of the estimated cost of NVRWP supplies to be acquired for the 2024-25 water year. This advance payment of \$1,840,519, added to previous excess collections of \$363,335 and deferred revenue of \$227,365, resulted in prepaid NVRWP tolls totaling \$2,431,219 as of February 29, 2024.

The District collects advance payment from customers participating in supplemental supply programs and records the appropriate revenue and expense for those supplies when delivered. As of February 29, 2024, the District had \$312,320 in Deferred Revenue associated with prior years' Annual Additional Supplies Program(s), and \$1,766,000 in Deferred Revenue associated with the 2023-24 San Luis Canal Company Fallow for Sale Program, for a total Deferred Revenue of \$2,078,320.

NOTE 13: LONG TERM DEBT AND CVP CONSTRUCTION PREPAYMENT PAYABLE

The District acquired a loan from CoBank to fund a portion of the early repayment of its outstanding Central Valley Project Construction Costs, which were estimated to be \$14,124,614 as of the USBR FY 2020 Ratebook Construction Schedules, as discounted per that certain Contract between the United States and Del Puerto Water District Providing for Project Water Service from Delta Division and Facilities Repayment dated September 28, 2020 Contract No. 14-06-200-922-LTR1-P. By entering into this Debt Obligation, the District achieved the repayment, which would have otherwise been due and payable by year 2030, and realized other benefits for its ratepayers, including but not limited to a meaningful reduction in its USBR Cost of Service Rate. The outstanding CoBank Loan Payable amount as of February 29, 2024 was \$8,416,245, the current portion totaling \$618,299 and the non-current portion totaling \$7,797,946.

In addition to the loan from CoBank, a portion of the repayment of the Districts estimated outstanding CVP Construction Obligation was accomplished with funds collected in advance from certain customers who did not wish to participate in the assessment which would be used to repay the CoBank Loan. As of February 29, 2024, the current portion of the CVP construction prepayment payable to be amortized over 15 years was \$110,400 and the long-term portion \$1,214,400, for a total obligation of \$1,324,800.

NOTE 14: PENSION PLAN

Plan Description

The District contributes to the California Public Employees' Retirement System (CalPERS), an agent multiple-employer public employee defined benefit pension plan. CalPERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. CalPERS acts as a common investment and administrative agent for participating public entities with the State of California. Benefit provisions and all other requirements are established by state statute and District Policies.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 14: PENSION PLAN (continued)

Funding Policy

Benefits from the plan are for both salaried and hourly-rated employees who meet certain eligibility requirements, and are paid to eligible employees at retirement based on age, years of service and compensation rates for the highest earnings year during employment. CalPERS retirement laws changed effective January 1, 2013 creating two classes of benefit groups: Classic members and PEPRA members.

The District contributes its share of the pension costs as determined annually by the plan's actuary, which as of July 1, 2022 was 10.87% of gross earnings plus \$5,518 per month for Classic members, and 7.47% plus \$215 per month for PEPRA members. These percentages increased to 12.47% and 7.68%, respectively, on July 1, 2023, with the monthly UAL decreasing to \$5,264 per month for Classic members and \$0 per month for PEPRA members. Employees contribute an additional 7% and 7.75% of gross earnings, respectively, for Classic and PEPRA members.

Employees covered by benefit terms: There are currently 6 active participants in the plan, and 2 participants receiving benefits.

Contributions: The contribution for the period ending February 29, 2024 was \$142,891.

Pension Liability

At February 29, 2024, the District reported a net pension liability of \$925,422 in the Statement of Net Position for its proportionate share of the pension liability of the CalPERS Retirement Plan. The net pension liability was measured as of June 30, 2023 and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The District's net pension liability is a rational proportionate share allocation of the larger multiple employer pooled plan liabilities and assets. For the fiscal year ended February 29, 2024, the District recognized pension expense of \$211,354 to reflect the change in net pension liability during the measurement period, adjusted for actual contributions and the deferred recognition of changes in investment gain/loss, actuarial gain/loss, actuarial assumptions or method, and plan benefits.

Actuarial Assumptions

Total pension liability represents the portion of the actuarial present value of projected benefit payments attributable to past periods of employee service in conformity with the requirements of GASB 68. The total pension liability in the February 29, 2024 actuarial valuation, measured as of June 30, 2023, was determined using the following actuarial assumptions:

- Discount Rate/Rate of Return – 6.9%, net of investment expense
- Inflation Rate – Price: 2.30% / Wage: 2.80%
- Salary increases – Varies by Entry Age and Service
- Payroll Growth – 2.80%
- Post-Retirement Mortality – Derived using Nov 2021 CalPERS Experience Study

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 14: PENSION PLAN (continued)

The long-term expected rate of return on pension plan investments (6.9%) was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

Asset Class	Assumed Asset Allocation	Real Return Years 1-10 ^{1,2}
Global Equity – cap-weighted	30.00%	4.45%
Global Equity – non-cap-weighted	12.00	3.84
Private Equity	13.00	7.28
Treasury	5.00	0.27
Mortgage-backed Securities	5.00	0.50
Investment Grade Corporates	10.00	1.56
High Yield	5.00	2.27
Emerging Market Debt	5.00	2.48
Private Debt	5.00	3.57
Real Assents	15.00	3.21
Leverage	-5.00	-0.59

¹ An expected inflation of 2.30% used for this period.

² Figures are based on the 2021-2022 Asset Liability Management Study.

The discount rate used to measure the total pension liability was 6.9%. The projection of cash flows used to determine the discount rate assumed that employee contributions will be made at the current contribution rate and that contributions from the District will be made at contractually required rates, as actuarially determined. Based on those assumptions, the pension fund's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. In theory, the discount rate may differ from the long-term expected rate of return discussed previously. However, based on the projected availability of the pension fund's fiduciary net position, the discount rate is equal to the long-term expected rate of return on pension plan investments, and was applied to all periods of projected benefit payments to determine the total pension liability.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 14: PENSION PLAN (continued)

Sensitivity of the District's Proportionate Share of the Net Pension Liability to Changes in the Discount Rate

The following presents what the District's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1 percentage point lower (5.9%) or 1 percentage point higher (7.9%) than the current rate:

	1% Decrease 5.9%	Discount Rate 6.9%	1% Increase 7.9%
District's proportionate share of the net pension plan liability	\$ 1,473,883	\$ 925,422	\$ 473,991

Detailed information about the pension fund's fiduciary net position is available in the separately issued CALPERS comprehensive annual financial report, which may be obtained by contacting PERS.

NOTE 15: DEFERRED OUTFLOWS AND INFLOWS OF RESOURCES RELATED TO PENSION BENEFITS

Under the modified accrual basis of accounting, it is not enough that revenue is earned; it must also be available to finance expenditures of the current period. Governmental funds will therefore include deferred inflows of resources for amounts that have been earned but are not available to finance expenditures in the current period.

Pursuant to GASB Statement No. 63, the District recognizes deferred outflows and inflows of resources in the Government-Wide and Proprietary Fund Statements. These items are a consumption of net position by the District that is applicable to a future reporting period.

The following deferred outflows and inflows of resources are related to pension benefits:

The District is reporting deferred outflows of resources relating to differences between projected and actual investment earnings, change in employer proportions, and differences between the employer's contributions and their proportionate share of contributions. Total deferred outflows of resources at year-end were \$375,554 and will be amortized over a 3.8 year period.

The District is also reporting deferred inflows of resources related to differences between expected and actual investment experience, changes of assumptions, and differences between employer's contributions and the District's proportionate share of contributions. Total deferred inflows of resources at year-end were \$20,409 and will be amortized over a 3.8 year period.

The last item related to pensions is the CalPERS premiums for the CalPERS 2023 fiscal year. These were the employer contributions subsequent to the measurement date of June 30, 2023, totaling \$95,055, which will be recognized in a subsequent reporting period, February 28, 2025.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

**NOTE 15: DEFERRED OUTFLOWS AND INFLOWS OF RESOURCES RELATED TO PENSION BENEFITS
(continued)**

The following table represents the deferred inflows and outflows by category:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Change in assumptions	\$ 55,872	\$ -
Differences in expected and actual experience	47,276	7,333
Differences in projected and actual earnings on investments	149,833	-
Differences in Proportions	20,841	-
Differences in actual and proportionate share of contributions	6,677	13,076
Deferred contributions	95,055	-
Totals	\$ 375,554	\$ 20,409

Of the amount reported as deferred outflows of resources, the amount resulting from contributions made to the trust, subsequent to the measurement date, will be recognized in the next fiscal year. Other amounts reported as deferred outflows and inflows of resources will be recognized in future periods as shown below.

Year Ending	
February 28/29,	
2025	\$ 83,553
2026	54,069
2027	118,167
2028	4,301
2029	-
Total	\$ 260,090

Note that the future recognition schedule shown above assumes the District's proportionate share of the Pool's deferred outflows and inflows of resources does not change.

NOTE 16: POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS

In addition to pension benefits, the District also provides post-employment health care insurance(s) (medical/dental/vision) to eligible retirees.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 16: POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS (continued)

Access to Coverage

Medical coverage is currently provided through CalPERS as permitted under the Public Employee's Medical and Hospital Care Act (PEMHCA). This coverage requires the employee to satisfy the requirements for retirement under CalPERS: either (a) attainment of age 50 (age 52, if a miscellaneous employee is new to CalPERS on or after January 1, 2013) with 5 years of State or public agency service or (b) an approved disability retirement. The employee must begin his or her pension benefit within 120 days of terminating employment with the District to be eligible to continue medical coverage through the District and to be entitled to the employer subsidy described below, excepting employees covered by the PEMHCA Vesting Resolution who work at least 20 years for the District, who are not subject to this requirement.

Once eligible, a retiree or survivor may enroll within 60 days of retirement or during any future open enrollment period. Coverage may be continued at the retiree's option for his or her lifetime. A surviving spouse and other eligible dependents may also continue coverage.

Benefits provided

Under the CalPERS medical program, the District must contribute toward the cost of retiree medical coverage for the retiree's lifetime or until coverage is discontinued. The District currently maintains two PEMHCA resolutions defining the District's contribution toward retiree medical plan premiums. The resolutions apply based on an employee's hire date as follows:

- *Employees hired before February 1, 2015:* The District contributes 100% of the medical premium for employees and retirees and 75% of the premium for any covered dependents. The surviving spouse of a deceased retiree will receive 100% of the medical premium.
- *Employees hired after February 1, 2015:* Those who retire from the District meeting the eligibility requirements described above under "Access to Coverage", but with less than 5 years of District service and less than 10 years of CalPERS service may continue the medical coverage at their own expense at the rates shown in the box below:

<u>Subsidy for the 100/90 Formula</u>		
Retiree	Retiree + 1	Retiree + 2
\$883.00	\$1,699.00	\$2,124.00

Note: The "100/90 formula" provides that the District pay up to a maximum of 100% of the weighted average of the health benefits plan premium for retirees and 90% of the weighted average of additional premiums required for the enrollment of eligible dependents.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 16: POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS (continued)

The Vesting percentage applied to the “100/90 formula” caps for service retirements are shown in the chart below:

Years of Qualifying Service	Vested Percent	Years of Qualifying Service	Vested Percent
Less than 10	0%	15	75%
10	50%	16	80%
11	55%	17	85%
12	60%	18	90%
13	65%	19	95%
14	70%	20 or more	100%

Note that for employees who qualify for a disability retirement, the vesting percentage does not apply in determining the amount of the benefit payable and that CalPERS applies the vesting percent to the 100/90 formula caps and not the retiree’s actual premium, if less. Thus, for example, a retiree with 15 years of CalPERS membership (including 5 with the District) could receive more than 75% of his or her premium paid; after the retiree is covered by Medicare, this could increase to 100% of the premium, depending on the medical plan selected.

Dental and vision insurance is also provided for qualifying retirees, as follows:

- *Employees hired before February 1, 2015:* The District contributes 100% of the dental and vision premium for the retiree and 75% of the premium for any covered dependents.
- *Employees hired on or after February 1, 2015:* Those who retire from the District with at least 10 years of service are eligible for (a) 100% of the dental and vision premium for the retiree and 75% of the premium for any covered dependents, multiplied by (b) the vested percent, determined from the table shown above.

Dental and vision coverage for retirees and dependents ends upon the retiree’s death.

Funding Policy

While the District’s Board of Directors may amend its OPEB Funding Policy, it has thus far opted to contribute 100% or more of the Actuarial Determined Contributions (ADC) each year. The ADC represents a level of funding that if paid on an ongoing basis, is projected to cover normal costs each year and amortize any unfunded actuarial liabilities (or funding excess) over an open 30-year period. Contributions made to California Employees Retirement Benefit Trust (CERBT) for the fiscal year ended February 29, 2024 totaled \$39,308.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 16: POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS (continued)

Total OPEB liability

The District's total OPEB liability was measured as of February 28, 2023, and was determined by an actuarial valuation as of that date.

Actuarial Assumptions and Other Inputs

Actuarial valuations of an ongoing employee benefit plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events over the plan lifetime. Examples include assumptions about future employment, mortality and the health cost trend. Amounts determined regarding the funded results are compared with past expectations and new estimates are made in the future. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations.

The February 28, 2023 actuarial valuation used the Entry Age Normal Cost Method. Under this method, the projected benefits of each individual included in the valuation is allocated on a level percent-of-pay over the earnings or service of the individual between entry age and assumed exit age(s). The portion of the Actuarial Percent Value allocated to a valuation year is called the Normal Cost; the portion allocated to all prior years is the Actuarial Accrued Liability. The Entry Age Normal Cost Method is the only method permitted for financial reporting purposes under GASB 75.

The total OPEB liability in the February 28, 2023 actuarial valuation was determined using the following actuarial assumptions and other inputs, applied to all periods included in the measurement, unless otherwise specified:

Inflation	2.5%
Salary increases	3.0%
Medical cost trend	3.9-5.6% increases
Discount rate	5.7%

Demographic actuarial assumptions were those in the June 30, 2023 valuation of the retirement plans covering the District's employees (Classic & PEPRA) which are based on the CalPERS 2021 experience study using data from 1997 to 2019, with the exception of Mortality Improvement, which was from the 2022 MacLeod Watts Scale developed from a blending of data and methodologies found in the following two published sources: (1) the Society of Actuaries Mortality Improvement Scale MP-2021 Report and (2) the demographic assumptions used in the 2021 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust funds.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 16: POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS (continued)

Sensitivity of the District's Net OPEB Liability to Changes in the Discount Rate

The following presents the net OPEB liability of the District, as well as what the District's net OPEB liability would be if it were calculated using a discount rate that is 1 percentage point lower or 1 percentage point higher than the current discount rate:

	<u>1% Decrease</u>	<u>Discount Rate</u>	<u>1% Increase</u>
	4.7%	5.7%	6.7%
District's Net OPEB liability (Asset)	\$ 48,605	\$ (69,931)	\$ (166,540)

Sensitivity of the District's Net OPEB Liability to Changes in the Healthcare Cost Trend Rates

The following presents the net OPEB liability of the District, as well as what the District's net OPEB liability would be if it were calculated using healthcare trend rates that is 1 percentage point lower or 1 percentage point higher than the current healthcare trend rate:

	<u>1% Decrease</u>	<u>Current Trend Rate</u>	<u>1% Increase</u>
District's Net OPEB liability (Asset)	\$ (186,626)	\$ (69,931)	\$ 79,098

For the year ended February 29, 2024, the District recognized OPEB expense of \$68,725. OPEB expense represents the change in the net OPEB liability during the measurement period, adjusted for actual contributions and the deferred recognition of changes in investment gain/loss and actuarial assumptions.

NOTE 17: DEFERRED OUTFLOWS AND INFLOWS OF RESOURCES RELATED TO OPEB

The District is reporting deferred outflows and deferred inflows of resources due to plan experience which differs from what was assumed in the prior measurement period. When applicable, changes in the Fiduciary Net Position due to investment performance different from the assumed earnings rate are always recognized over five years. Liability changes attributable to benefit changes occurring during the period, if any, are recognized immediately. Total deferred outflows of resources at year-end were \$213,283 and total deferred inflows of resources at year-end were \$56,977.

The District's OPEB benefits payments/contributions made after the measurement date but prior to the current fiscal year end was \$39,308.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 17: DEFERRED OUTFLOWS AND INFLOWS OF RESOURCES RELATED TO OPEB (continued)

At February 29, 2024, the District reported deferred outflows and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Change in assumptions	\$ 51,221	\$ 4,588
Differences in expected and actual experience	-	52,389
Differences in projected and actual earning on investments	122,754	-
Deferred contributions	39,308	-
Totals	\$ 213,283	\$ 56,977

The District will recognize the Deferred Contributions in the next fiscal year. In addition, future recognition of these deferred resources is shown below.

Year Ending February 28/29,	
2025	\$ 18,544
2026	30,775
2027	41,244
2028	29,880
2029	(2,557)
Thereafter	(888)
Total	\$ 116,998

NOTE 18: ECONOMIC DEPENDENCIES

The District was organized to contract for and administer delivery of water supplies to landowners within the geographical boundaries of the District. Therefore, the District's existence relies exclusively on the continuing need for water supplies by landowners within the District, and the District's ability to procure and provide such supplies. Because various regulatory and judicial proceedings may impact the reliability of water available to the District in the future, management believes that the impact of severe or chronic water shortages could have a material, financial or operating effect on the District.

NOTE 19: COMMITMENTS AND CONTINGENCIES

Insurance Coverage and Risk Management – The District is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The District is covered under commercial insurance policies for workers' compensation, automobile, general liability and other business-related coverage. Expenditures and claims in excess of the District's deductible for related insurance coverage are recognized when it is probable that a loss has occurred and the amount of the loss can be reasonably estimated. In determining claims, events that might create claims, but for which none have been reported, are considered. The District is unaware of any actual or potential claims that would materially affect its financial condition. Therefore, no provision has been recorded.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 20: SUPPLEMENTAL WATER PURCHASE PROGRAM (FIDUCIARY FUND)

During 2003, the District completed the Supplemental Water Purchase Program ("SWPP" or the "Program"). The cost of this \$2,192,080 Program was financed through the issuance of 25-year Certificates of Participation generating \$2,535,000, including costs of issuance and a reserve fund deposit requirement for the one-time purchase of 4,136 acre-feet of annual water entitlement from certain property owners within the District who agreed to permanently remove their land from service. This entitlement was used to increase the allocation to certain parcels of land within the District in exchange for participant landowners annually paying the costs of the Program. The District, which offered all landowners in the District the opportunity to participate in the Program, eventually entered into Water Supply Contracts with 21 interested property owners.

Pursuant to these Water Supply Contracts, Program participants agreed to pay capital charges calculated to repay the principal and associated interest costs of the Program along with any other charges allocated to them pro-rata to their share of Program participation. The District, pursuant to the terms of an installment purchase contract, pledged these capital charges as security for the installment payments of principal and interest on bond certificates, which were payable October 1 and April 1 of each year, beginning October 1, 2003.

To provide funds for the installment payments in the event of a delinquent payment of capital charges, the District established a reserve fund from the proceeds of the certificates of participation and a pledged fund from a one-time deposit from the participants. The reserve fund is maintained at the lesser of (1) 10% of the original principal amount of principal payments due under the installment purchase contract, (2) an amount equal to the maximum annual installment payment payable in a certificate year by the District between such dates of calculation and the expiration of the installment purchase contract, or (3) 125% of the average annual installment payment, including interest thereon, payable in a certificate year by the District.

Further, California Water Code provides that the recorded water supply contracts constitute a priority lien against the benefiting parcels.

In early 2012, favorable market conditions led district staff to explore refunding of the SWPP bonds in favor of a better financing option, and on October 1, 2012, the District completed an issuance of 2012 Certificates of Participation in the amount of \$1,655,000 at 4.25% interest. All Certificates were purchased by a single beneficiary, Rabobank, N.A. Similar to the original series 2003A bonds, the District pledged capital charges to be paid by program participants as security for the installment payments, and elected to retain the balance of the original pledged fund, less refunds to program participants electing payoff of their obligation as part of the transaction, as security for the installment payments in the event of a participant delinquency. The 2012 transaction resulted in an opportunity for participants to prepay their original obligations, of which three elected to do, reducing the total required funding by \$124,457. In addition, the transaction resulted in a one-year reduction in the repayment period, and interest rate savings estimated to be approximately \$245,000 over the remaining life of the issue. The obligation on the refunded bonds will be fully repaid by April 2028.

The District accounts for this program as a fiduciary fund type, specifically as an agency fund. As of February 29, 2024, the District had \$146,453 included in cash, receivables and investments, and an accrued liability of \$146,453 relating to the Program.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 21: NVRRWP-RWSP FUND (FIDUCIARY FUND)

On August 12, 2016, the District executed the Agreement for The Exchange and Purchase of North Valley Regional Recycled Water Program Water with the United States Bureau of Reclamation, which expires on February 28, 2060. Per the agreement, Program Water made available annually by the District at the NVRRWP discharge structure on the Delta-Mendota Canal will be provided to the Refuge Water Supply Program ("RWSP") in the form of either direct purchase (20% of the total) or exchange (80% of the total exchanged at a 1:10 to 1 ratio), under specified terms and conditions. Pursuant to Article 4e of the agreement, \$10,000,000 was received in September 2016 by the District from the RWSP for the purchase of Program Water supplies, an additional \$12,300,000 was received in June 2017, and a final \$2,700,000 in October 2017, for a total prepayment of \$25,000,000. During the 2021-22 Fiscal Year, the USBR contributed an additional \$1,000,000 under an amendment to the agreement. The District accounts for this transaction as a fiduciary fund type, specifically as a second agency fund. As of February 29, 2024, the District held \$22,256,353 included in cash, investment interest receivable, and investments, and reports a corresponding liability for the same amount relating to the Fund.

NOTE 22: CNRA-RWSP FUND (FIDUCIARY FUND)

On December 20, 2018, the District executed a grant agreement with the California Natural Resources Agency (CNRA) for the acquisition of North Valley Regional Recycled Water Program Water. Per the grant agreement, funding was made available for supplies to be offered annually by the District to the Refuge Water Supply Program ("RWSP") per the specified terms of the Agreement for The Exchange and Purchase of North Valley Regional Recycled Water Program Water. Pursuant to the CNRA grant agreement, a total prepayment of \$26,695,480 was received in June 2019 specifically to fund \$23,095,480 in future Program Water acquisition and \$3,600,000 for O&M costs related to the RWSP's current acquisition of Program Water paid for by the NVRRWP-RWSP funds. The District accounts for this transaction as a fiduciary fund type, specifically as a third agency fund. As of February 29, 2024, the District held \$25,798,620 included in cash, investment interest receivable, and investments, and reports a corresponding liability for the same amount relating to the Fund.

NOTE 23: FAIR VALUE OF ASSETS AND LIABILITIES

The District complies with Accounting Standards Codification (ASC) No. 820, *Fair Value Measurements*. ASC 820 fair value establishes a framework for measuring fair value and expands disclosures about fair value measurements. ASC 820 defines fair value as the price that would be received to sell an asset in an orderly transaction between market participants at the measurement date. ASC 820 establishes a fair value hierarchy which requires an entity to maximize the use of observable inputs and minimize the use of unobservable inputs when measuring fair value. The standard describes three levels of inputs that may be used to measure fair value, Level 1 is defined below as:

Level 1: Quoted prices in active markets for identical assets or liabilities.

The following is a description of the valuation methodologies used for assets measured at fair value on a recurring basis and recognized in the District's balance sheets, as well as the classification pursuant to the valuation hierarchy.

Del Puerto Water District

Notes to the Financial Statements

February 29, 2024

NOTE 23: FAIR VALUE OF ASSETS AND LIABILITIES (continued)

Financial Instruments: Where quoted market prices are available in an active market, investments are classified within Level 1 of the valuation hierarchy. Level 1 instruments include a variety of financial instruments as listed below. There are no Level 2 or Level 3 types within the balance sheet of the District. The following table summarizes the financial instruments measured at fair value on a recurring basis in accordance with ASC 820 as of February 29, 2024:

	<u>Fair Value</u>	<u>Level 1</u>
Money market securities	\$ 3,724,479	\$ 3,724,479
Certificates of deposit	11,100,430	11,100,430
Municipal Bonds	26,700,479	26,700,479
Government securities	<u>11,587,058</u>	<u>11,587,058</u>
Totals of financial instruments	\$ <u>53,112,446</u>	\$ <u>53,112,446</u>

NOTE 24: SUBSEQUENT EVENTS

Events have been reviewed through October 16, 2024, the date the financial statements were available for issuance.

Del Puerto Water District

Required Supplementary Information Schedule of Contributions to the OPEB Plan February 29, 2024

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Service cost	\$ 32,526	\$ 28,664	\$ 30,913	\$ 40,848	\$ 42,073	\$ 49,623
Interest	29,671	32,616	35,286	36,868	41,348	41,203
Differences between expected and actual experience	(30,959)	-	(30,428)	-	(31,664)	-
Changes of assumptions	40,082	12,464	(7,648)	-	43,337	-
Benefit payments	(20,920)	(26,475)	(17,347)	(10,486)	(10,600)	(11,485)
Net change in total OPEB liability	50,400	47,269	10,776	67,230	84,494	79,341
Total OPEB liability - beginning	418,814	469,214	516,483	527,259	594,489	678,983
Total OPEB liability - ending (a)	\$ 469,214	\$ 516,483	\$ 527,259	\$ 594,489	\$ 678,983	\$ 758,324
Contributions - employer	26,428	38,465	31,062	33,423	34,671	36,608
Net investment income	48,504	(14,065)	103,132	104,546	7,673	(105,588)
Benefit payments	(20,920)	(26,475)	(17,347)	(10,486)	(10,600)	(11,485)
Administrative expenses	(527)	(540)	(601)	(659)	(73)	(415)
Net change in plan fiduciary net position	53,485	(2,615)	116,246	126,824	31,671	(80,880)
Plan fiduciary net position - beginning	583,524	637,009	634,394	750,640	877,464	909,135
Plan fiduciary net position - ending (b)	\$ 637,009	\$ 634,394	\$ 750,640	\$ 877,464	\$ 909,135	\$ 828,255
Net OPEB liability - ending (a) - (b)	\$ (167,795)	\$ (117,911)	\$ (223,381)	\$ (282,975)	\$ (230,152)	\$ (69,931)
Covered employee payroll	\$ 437,670	\$ 459,586	\$ 498,958	\$ 618,148	\$ 692,037	\$ 773,219
Total OPEB liability - as a percentage of covered-employee payroll	-38.34%	-25.66%	-44.77%	-45.78%	-33.26%	-9.04%
Measurement Date	2/28/2018	2/28/2019	2/29/2020	2/28/2021	2/28/2022	2/28/2023
Discount Rate	6.73%	6.55%	6.55%	6.55%	5.70%	5.70%

• The first year of implementation was February 28, 2019. A ten-year history will be presented as the years accumulate.

Del Puerto Water District
Required Supplementary Information
Schedule of Pension Information
February 29, 2024

Last 10 Fiscal Years*:

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
District's proportion of the net pension liability	0.014890%	0.016160%	0.015499%	0.016035%	0.016560%	0.017591%	0.017926%	0.018507%
District's proportionate share of the net pension liability	\$ 517,245	\$ 603,400	\$ 584,119	\$ 642,133	\$ 698,501	\$ 334,021	\$ 838,795	\$ 925,422
District's covered employee payroll during measurement period	395,740	435,546	431,861	466,277	545,388	627,630	734,848	796,796
District's proportionate share of the net pension liability as a percentage of its covered-employee payroll	130.70%	138.54%	135.26%	137.71%	128.07%	53.22%	114.15%	116.14%
Plan fiduciary net position as a percentage of the total pension liability	77.22%	76.38%	78.78%	77.88%	77.61%	90.06%	77.60%	77.18%

CALPERS - Schedule of District Contributions

Last 10 Fiscal Years*:

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Actuarially determined contribution	\$ 30,360	\$ 42,158	\$ 37,258	\$ 86,724	\$ 105,631	\$ 120,218	\$ 134,786	\$ 142,891
Total actual contribution	30,360	42,158	37,258	86,724	105,631	120,218	134,786	142,891
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
District's covered-employee payroll	\$ 395,740	\$435,546	\$431,861	\$498,958	\$618,161	\$692,037	\$773,456	\$932,958
Contributions as a percentage of covered employee payroll	7.67%	9.67%	8.63%	17.38%	17.09%	17.37%	17.43%	15.32%

* The first year of implementation was June 30, 2016. A ten-year history will be presented as the years accumulate.

JWT & Associates, LLP

Certified Public Accountants

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Voice: (559) 431-7708 Fax: (559) 431-7685

Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With Government Auditing Standards

Board of Directors
Del Puerto Water District
Patterson, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the comptroller General of the United States, the financial statements of the Del Puerto Water District (the District), which comprise the statement of net position as of February 29, 2024, and the related statements of revenues, expenses and changes in net position, and cash flows for the year then ended, and the related notes to the financial statements and have issued our report thereon dated October 16, 2024.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the District's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the District's financial statements will not be prevented or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

JWT & Associates, LLP

Fresno, California

October 16, 2024

Del Puerto Water District

Schedule of Findings and Questioned Costs

For the Year Ended February 29, 2024

I. Summary of Auditor's Results

Type of auditor's report issued:	Qualified	
Internal Control over financial reporting:		
Material weakness identified?	<input type="checkbox"/> yes	<input checked="" type="checkbox"/> no
Significant deficiency(ies) identified that are not considered to be material weaknesses?	<input type="checkbox"/> yes	<input checked="" type="checkbox"/> no
Noncompliance material to financial statements noted?	<input type="checkbox"/> yes	<input checked="" type="checkbox"/> no

II. Current Year Audit Findings and Questioned Costs

Financial Statement Findings

None reported

III. Prior Year Audit Findings and Questioned Costs

None reported

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**RESOLUTION ADOPTING THE NOTHERN DELTA-MENDOTA REGION PUMPING
REDUCTION PLAN**

WHEREAS, in August 2014, the California Legislature passed, and in September 2014 the Governor signed, legislation creating the Sustainable Groundwater Management Act (“SGMA”) “to provide local groundwater sustainability agencies with the authority and technical and financial assistance necessary to sustainably manage groundwater” (Wat. Code, § 10720, (d)); and

WHEREAS, SGMA requires sustainable management through the development of groundwater sustainability plans (“GSPs”), which can be a single plan developed by one or more groundwater sustainability agencies (“GSAs”) or multiple coordinated plans within a basin or subbasin (Wat. Code, § 10727); and

WHEREAS, SGMA requires a GSP to be developed and implemented to manage groundwater in all basins designated by the Department of Water Resources (“DWR”) as medium or high priority, including the Delta-Mendota Subbasin (basin number 5-22.07); and

WHEREAS, the DM-II GSA was formed on April 19, 2017 to be an Multi-Agency GSA for a portion of the Delta-Mendota Subbasin, and is composed of the following member agencies: Del Puerto Water District and Oak Flat Water District (individually, a “Party” and in the plural or collectively, the “Parties”); and

WHEREAS, the DM-II GSA has the authority to draft, adopt, amend, and implement a GSP (Wat. Code, § 10725 *et seq.*; § 10728.4); and

WHEREAS, the DM-II GSA was originally a member of the Northern and Central Delta-Mendota Group formed for the purpose of developing a GSP and coordinating sustainable groundwater management in the Northern and Central Region of the Delta-Mendota Subbasin (Wat. Code, § 10723.6(i)); and

WHEREAS, the San Luis & Delta-Mendota Water Authority (the “Authority”) submitted an Initial Notification to DWR on behalf of the members of the Northern and Central Delta-Mendota Regions to jointly develop a single GSP for the Northern and Central Regions of the Delta-Mendota Subbasin on January 5, 2018; and

WHEREAS, other GSAs in the Delta-Mendota Subbasin initially prepared separate GSPs for other regions of the Delta-Mendota Subbasin for a total of six GSPs covering the entire Delta-Mendota Subbasin (each, a “GSP Group”); and

WHEREAS, the GSAs from all six GSP Groups entered into a Coordination Agreement effective December 12, 2018 (the “Coordination Agreement”), to comply with SGMA and ensure that the multiple GSPs within the Delta-Mendota Subbasin would be developed and

implemented utilizing the same methodologies and assumptions, that the elements of the GSPs are appropriately coordinated to support sustainable management, and to show how the multiple GSPs will achieve the sustainability goal for the Subbasin. The Coordination Agreement also established a Coordination Committee composed of representatives from each GSP Group, outlined information sharing obligations, procedures for resolving conflicts, and designated the Authority as the Plan Manager for the Delta-Mendota Subbasin; and

WHEREAS, SGMA states that a GSA “may adopt or amend a [GSP] after a public hearing, held at least 90 days after providing notice to a city or county within the area of the proposed plan or amendment” (Wat. Code, § 10728.4); and

WHEREAS, all the GSAs comprising the Northern and Central Regions of the Delta-Mendota Subbasin coordinated to develop the Northern and Central Delta-Mendota GSP (“N-C DM GSP”), which was adopted by the DM-II GSA after a public hearing and 90-day notification to the affected city and counties on December 18, 2019; and

WHEREAS, the Plan Manager submitted the N-C DM GSP and the Coordination Agreement to DWR on January 23, 2020; and

WHEREAS, on January 21, 2022, DWR completed its review of all the GSPs in the Delta-Mendota Subbasin and released a letter determining that the GSPs for the Delta-Mendota Subbasin as a whole were “Incomplete” and identified deficiencies and corrective actions for the GSAs in the Delta-Mendota Subbasin to take. Amended or modified GSPs addressing the corrective actions from each GSP Group had to be submitted to DWR by July 20, 2022; and

WHEREAS, after adequate notice, on June 20, 2022, the GSAs comprising the Northern and Central Regions of the Delta-Mendota Subbasin and the Coordination Committee recommended each of its GSAs adopt the final draft Common Chapter and the Amended N-C DM GSP; and

WHEREAS, the Amended N-C DM GSP and Appendices were submitted to DWR on July 20, 2022 (the “Revised 2022 GSP”); and

WHEREAS, the Revised 2022 GSP was deemed “Inadequate” by DWR in its March 2, 2023 Determination Letter; and

WHEREAS, the Delta-Mendota Subbasin is now subject to the State Water Resources Control Board (“SWRCB”) intervention process (Wat. Code, § 10735 *et seq.*); and

WHEREAS, in response to DWR’s “Inadequate” determination and prior to the Basin’s probationary hearing, the GSAs in the Delta-Mendota Subbasin signed and executed a Memorandum of Agreement (the “MOA”) on December 11, 2023, superseding the 2018 Coordination Agreement. Through the MOA, the Parties intend to mutually cooperate to adopt a single GSP (the “2024 GSP”) for the Subbasin, and to implement the GSP within their respective GSA boundaries. The 2024 GSP synthesizes, updates, and replaces content from the Revised 2022 GSPs and Common Chapter to address the Corrective Actions outlined by DWR in its March 2023 “Inadequate” Determination Letter. The MOA becomes effective upon the adoption of the 2024 GSP. The MOA establishes a Coordination Committee to provide a forum for the

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GSA Groups to work collaboratively and develop recommendations for technical and substantive subbasin-wide activities; and

WHEREAS, the 2024 GSP was jointly prepared by all 23 GSAs and the following seven GSA Groups, which are comprised of all 23 GSAs: the Aliso Water District GSA Group; the Farmers Water District GSA Group; the Fresno County Management Areas A and B (FCMA) GSA Group; the Grassland GSA Group; the Northern Delta-Mendota GSA Group; the Central Delta-Mendota GSA Group; and the San Joaquin River Exchange Contractors (SJREC) GSA Group; and

WHEREAS, on March 8, 2024, the Plan Manager transmitted the 90-Day Notice to affected cities and counties notifying them of the Central Delta-Mendota GSAs' intent to adopt the 2024 GSP at one or more public hearings beginning in July 2024, but no earlier than 90 days from the date of the notice, and inviting consultation with the affected cities and counties; and

WHEREAS, on August 21, 2024, the Del Puerto Water District Board of Directors, on behalf of the DM-II GSA adopted the 2024 GSP.

WHEREAS, the Northern Delta-Mendota Regional Management Committee has developed a Pumping Reduction Plan (PRP) in accordance with Section 16.1 of the 2024 GSP.

WHEREAS, the Northern Delta-Mendota Region PRP addresses the following six required components of the GSP: (1) Monitoring and Data Collection Plan; (2) Overdraft Mitigation Plan; (3) Groundwater Level Minimum Threshold Avoidance Plan; (4) Water Quality Minimum Threshold Exceedance Plan; (5) Subsidence Avoidance Plan; (6) Groundwater Allocation Backstop.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Del Puerto Water District, on behalf of the DM-II GSA finds as follows:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. The Board of Directors, on behalf of the DM-II GSA, hereby approves and adopts the Northern Delta-Mendota Region PRP in substantially the form presented, subject to such modifications as the executing officer shall approve, said execution to provide conclusive proof of approval of any such modifications.

PASSED, APPROVED, AND ADOPTED this 16th day of October 2024 at a regular meeting of the Board of Directors.

William Koster, President

Attest:

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Anthea G. Hansen, Secretary

I HEREBY CERTIFY that the foregoing is the resolution of said District as duly passed and adopted by said Board of Directors at a meeting thereof duly called and held on this 16th day of October 2024.

Anthea G. Hansen, Secretary



VB

NORTHERN

DELTA-
MENDOTA

NORTHERN DELTA-MENDOTA REGION PUMPING REDUCTION PLAN

DRAFT | October 2024



NORTHERN DELTA-MENDOTA REGION PUMPING REDUCTION PLAN

DRAFT | October 2024

Prepared for:

Northern Delta-Mendota Region Management Committee

Prepared by:

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NORTHERN DELTA-MENDOTA REGION PUMPING REDUCTION PLAN

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1 INTRODUCTION

The Northern Delta Mendota Region Management Committee (Committee) has developed this Pumping Reduction Plan (PRP) in accordance with Section 16.1 of the 2024 revised Groundwater Sustainability Plan (2024 GSP) for the Delta Mendota Subbasin (Basin). The PRP addresses the following six required components of the 2024 GSP:

- (1) Monitoring and Data Collection Plan,
- (2) Overdraft Mitigation Plan,
- (3) Groundwater Level Minimum Threshold (GWL-MT) Avoidance Plan,
- (4) Water Quality Minimum Threshold (WQ-MT) Exceedance Plan,
- (5) Subsidence Avoidance Plan, and
- (6) Groundwater Allocation Backstop.

This PRP is applied to the five groundwater sustainability agencies (GSAs) forming the Committee (member GSAs), namely the City of Patterson GSA (City GSA), DM-II GSA, Northwestern Delta-Mendota GSA (NW-DM GSA), Patterson Irrigation District and Twin Oaks GSA (PID GSA), and West Stanislaus Irrigation District (WSID GSA).

For applicable PRP components, specific triggers and procedures are defined. These include an entry trigger to activate the PRP, a zone of impact (ZOI) to determine where the PRP will be applied, a cutback approach to provide quantitative estimates of pumping reductions, an exit trigger to conclude the cutback once objectives are met, and enforcement measures to ensure successful implementation. Additional monitoring and reporting requirements are outlined in each component, aligning with the Monitoring and Data Collection Plan.

Although the Committee has worked diligently to create this plan in support of achieving the 2024 GSP sustainability goals, the PRP is designed as a living document. It will be updated and adapted as new data and information become available to better serve the Committee and the Basin in achieving its sustainability goal.

2 MONITORING AND DATA COLLECTION PLAN

In accordance with Section 16.1 of the 2024 GSP, the Monitoring and Data Collection Plan developed by each GSA or GSA Group must include commitments and strategies for achieving the eight components outlined in Table 1. The Committee members have committed to meeting all these requirements as detailed in Table 1.

Table 1. Scheduled Compliance With the Requirements of the Monitoring and Data Collection Plan

Requirement	Commitment
Regular monitoring network(s) assessment	To be conducted on a regular basis, at least once annually, by the Committee
Quarterly groundwater level monitoring	To be implemented starting Fall 2024
Semiannual water quality monitoring	To be implemented starting Fall 2024
Well registration policy	All members will have adopted policies prior to January 2025
Well metering policy	
Well extraction reporting policy	To be measured and reported at least annually, or more frequently as needed by other plans, starting January 2025, and based on metered pumping starting January 2026
Provide well construction information for all monitoring wells	Committee is already in compliance
Replacing composite/production wells in the monitoring network with dedicated monitoring wells by 2030	Committed to complete by 31 December 2029, as-needed, and as appropriate and feasible.

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3 OVERDRAFT MITIGATION PLAN

3.1 Objective and Requirement

The member GSAs are required to reduce their average pumping, based on the overdraft evaluation period (Water Year [WY] 2003 to WY 2023), by approximately 9,000 acre-feet per year (AFY) in the Lower Aquifer by 2030. The 2024 GSP mandates achieving this reduction through an annual minimum of 20% of the total apportioned pumping cut, beginning in January 2025 and continuing each year for the following five years.

3.2 Implementation Approach

Each member GSA will reduce its pumping from the Lower Aquifer from the Model-estimated pumping for WY 2019-2023, as shown in Table 2. Pumping reduction under this plan may be adjusted and adapted based on model updates and the availability of additional data and measurements.

Table 2. Planned Lower Aquifer Pumping by 2030

Member GSA	Annual Pumping Reduction Starting in 2025 (AFY)	Target Pumping Reduction by 2030 (AFY)
City GSA	92	460
DM-II GSA	1,100	5,498
NW-DM GSA	194	968
PID GSA	83	417
WSID GSA	336	1,680
Total	1,805	9,023

3.3 Additional Monitoring and Reporting Requirements

Planned pumping reductions will be verified and adjusted through pumping estimation using ET products in 2025 and metered pumping after, conducted according to the Monitoring and Data Collection Plan.

3.4 Enforcement

The Groundwater Allocation Backstop will be enforced in cases of implementation lapses, with further actions governed by the dispute resolution mechanisms in the Basin GSAs' Memorandum of Agreement (MOA).

4 GROUNDWATER LEVEL MINIMUM THRESHOLD AVOIDANCE PLAN

4.1 Objective and Requirements

Member GSAs are required to identify GWL-MT hotspots based on defined triggers by the end of February each year and implement targeted pumping cutbacks, on an acre-foot per acre basis, for identified groundwater level representative monitoring wells (RMW-WL) within each principal aquifer. These cutbacks will be accompanied by increased monitoring frequency.

4.2 Cutback Entry Trigger

The occurrence of any of the following conditions at an RMW-WL triggers a GWL-MT cutback and requires pumping reductions:

- Exceedance of the GWL-MT, determined by comparing the most recent seasonal low measurement (Fall) to the defined MTs; OR
- Projected exceedance of the GWL-MT, based on the linear trend of the previous four Fall groundwater level measurements (using the seasonal average if multiple measurements are taken); OR
- A seasonal high (Spring) groundwater level measurement lower than the RMW-WL-specific spring target level. If insufficient data exists to establish a spring target level, the February GWL from the last year without a GWL-MT exceedance will be used as a substitute.

If multiple measurements are taken during a season, the average will be used for comparison. Spring target levels are defined for each RMW-WL by adding the respective GWL-MTs to the average seasonal variation, which is calculated as the long-term average (typically more than six years) difference between seasonal highs and lows at the RMW-WL.

4.3 Zone of Impact and Cutback Approach

The ZOIs around hotspot RMW-WLs will be delineated based on model simulations and validated through analytical calculations. These zones represent areas where groundwater pumping directly influences water levels at the RMW-WL. The ZOIs may extend beyond GSA boundaries and are defined using a sensitivity threshold, which quantifies the change in GWL at the RMW-WL in response to pumping variations in different well clusters.

Sensitivities will be calculated as the rate of GWL change per unit of pumping reduction. To achieve the desired groundwater level recovery, defined as the difference between the measured GWL and the trigger target, a uniform acre-foot per acre pumping limit will be identified. The cumulative impact of the defined cutback across the ZOI will be assessed to estimate the overall recovery at the RMW using the estimated sensitivities. The objective is to minimize the total volume of pumping reduction while achieving the necessary groundwater level increase. The estimations of the ZOI and the cutback serve as starting points and will be adaptive. Curtailment adaptation follows the 3-month rolling linear trend of groundwater levels, proportionally increasing or decreasing curtailment based on the difference between the slopes of the rolling 3-month trend and the trendline ending in Fall or Spring target levels.

Following the determination in February of each year, the uniform acre-foot per acre pumping limit will be implemented by the respective GSA(s) throughout the ZOI through communications with the

applicable landowners/pumpers. Pumping within the ZOI and the need for any curtailment adaptation will be assessed by the respective GSA(s) on a quarterly basis to ensure compliance.

4.4 Cutback Exit Trigger

The pumping cutback may be exited upon occurrence of all of the following conditions:

- Cutbacks have been implemented for at least one water year (a period including consecutive Spring and Fall periods);
- Projected exceedance of GWL MT is projected to be avoided in the following year based on the linear trend calculated from the previous four Fall GWLs;
- An increasing spring level trend calculated based on the measurements made in the first quarter and Spring GWL has recovered to be above the Spring Target Level.

Following the determination that the exit trigger condition(s) have been met, the uniform acre-foot per acre pumping limit will be removed by the respective GSA(s) throughout the ZOI through communications with the applicable landowners/pumpers.

4.5 Additional Monitoring and Reporting Requirements

The GWLs and pumping within the ZOI will be measured monthly during the implementation of the pumping cutback. Measured data within the ZOI should be submitted to the Committee within two weeks of collection. All data reported should also be imported into the Basin DMS by the respective GSA(s). In the absence of metering, GSAs agree to report detailed surface water delivery data monthly, as applicable, and utilize Land IQ ET to estimate pumping.

4.6 Enforcement

The Groundwater Allocation Backstop will be enforced in cases of implementation lapses or if a GSA fails to implement policy within two quarters. Further actions will be governed by the dispute resolution mechanisms in the Basin GSAs' MOA.

5 WATER QUALITY MINIMUM THRESHOLD EXCEEDANCE PLAN:

5.1 Objective and Requirements

Member GSAs are responsible for identifying exceedances or projected exceedances of a WQ-MT. If such exceedances are linked to Basin management (pumping or recharge), GSAs must investigate the cause and, if necessary, design and implement appropriate mitigation measures, including pumping cutbacks or other strategies, to prevent future WQ-MT exceedances caused by Basin management.

The WQ-MT Plan triggers pumping cutbacks only when a direct relationship or convincing linkage is established between changes in water quality concentrations exceeding or projected to exceed their MTs and management actions of the GSAs in the Basin or changes in groundwater levels. In the absence of such correlations or due to data gaps, continued monitoring and data collection are prioritized. When necessary, pumping cutbacks are implemented using the same approach outlined in the GWL-MT Plan. A general framework of this plan is illustrated in Figure 1.

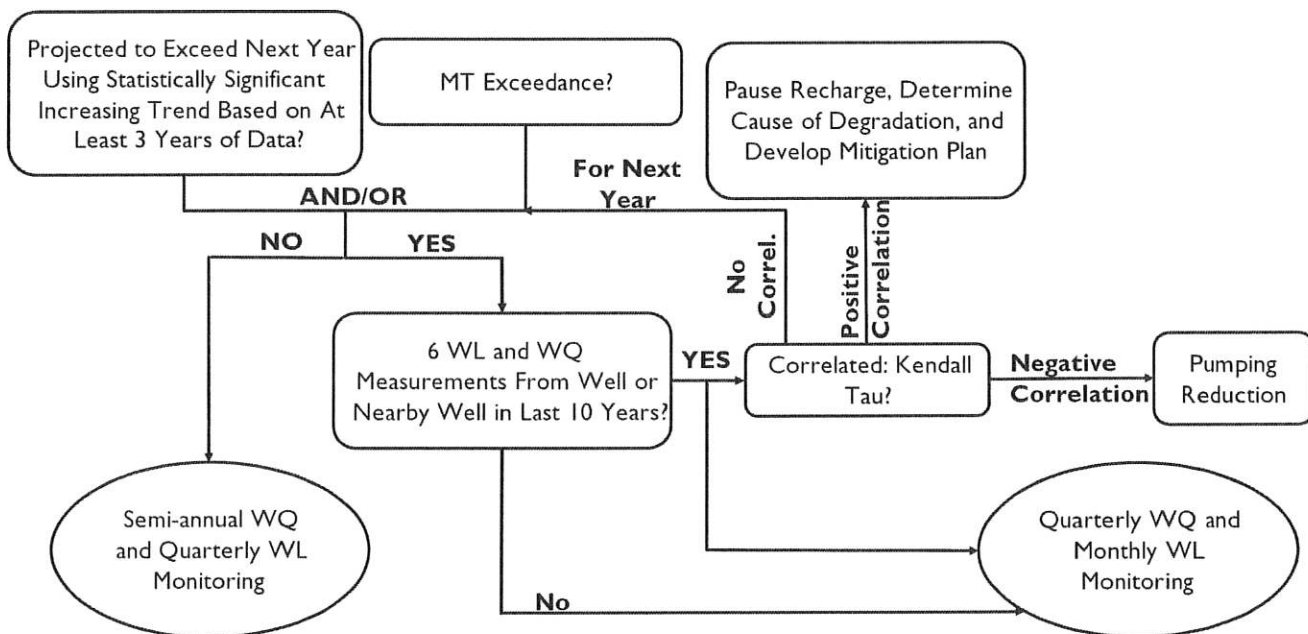


Figure 1. Investigation and Pumping Cutback Workflow for WQ-MT Plan

5.2 Investigation trigger

The occurrence of any of the following conditions at an identified groundwater quality representative monitoring well (RMW-WQ) triggers an investigation to assess the cause of the degradation and its correlation with groundwater level changes

- Exceedance of the WQ-MT, determined by comparing the most recent seasonal low measurement (Fall) to the defined MTs; OR
- Projected exceedance of the WQ-MT, based on a statistically significant linear trend of the previous three Fall groundwater level measurements (using the seasonal average if multiple measurements are taken).

The statistical significance of a linear trend is determined using the p-value of the linear model. A p-value of less than 0.05 is generally considered statistically significant, but this threshold can be adjusted based on sample size and professional judgment. It's important to note that the occurrence of an investigation trigger does not automatically necessitate the implementation of pumping cutbacks.

5.3 Investigation Approach

Respective GSAs are required to conclude an investigation within 60 days of reporting a WQ-MT investigation trigger and recommend next steps to be taken to the Committee. A Kendall Tau test will be used to assess potential correlations between water quality (WQ) and GWLs at a triggered RMW-WQ site. At least six WQ/GWL sample pairs from the same or nearby wells are required, with pairs consisting of samples collected within the same year and season (e.g., Fall of a specific year) or within a sufficiently close timeframe.¹ If there are not enough samples, monitoring will continue until sufficient data is available. For groundwater management projects (e.g., recharge facilities) with known operational changes, additional case-specific investigations will be performed.

A significant correlation is identified when at least six WQ/GWL measurements, taken within the last decade—including at least one from the current year—yield an absolute Kendall Tau coefficient ($|\tau|$) of 0.6 or greater and a p-value of 0.05 or less.² If a statistically significant correlation is not found or if the sample size is insufficient, more frequent sampling is implemented until a re-evaluation is possible. Otherwise, mitigation is triggered for the RMW-WQ and it is assigned as a WQ hotspot. A correlation between declining GWL and WQ prompts a reduction in pumping, while any correlation between GWL and WQ for recharge projects will require actions related to project implementation.

5.4 Mitigation Approach

Upon triggering mitigation, respective GSAs will have 90 days to propose a mitigation action plan to address increased concentrations of constituents of concern (COCs) and prevent future exceedances of WQ-MTs. The mitigation approach will depend on whether the trigger is caused by GWL declines due to pumping or by the implementation of projects and management actions (P/MAs), primarily recharge projects.

5.4.1 Mitigation for Degradation Due to Groundwater Level Decline

When WQ degradation is linked to GWL declines, a temporary GWL-MT hotspot is established at the RMW-WQ, or a nearby well with similar construction, to monitor and control conditions. The temporary GWL trigger is set to the previous year's seasonal high (average Spring water level). Pumping cutback is implemented following the GWL-MT process, based on the temporary GWL trigger set at the well, acting as the target level and the most current seasonal high measurement. The uniform acre-foot per acre pumping limit will be implemented by the respective GSA(s) throughout the ZOI through communications with the applicable landowners/pumpers. Pumping within the ZOI and the need for any curtailment adaptation will be assessed by the respective GSA(s) on a quarterly basis to ensure compliance.

¹ In the absence of sufficient data or at the beginning of implementation, more flexible thresholds may be necessary, and samples from different years could be considered as pairs for the Kendall Tau test.

² The p-value of less than 0.05 is a typical threshold for hypothesis testing and statistical significance. These correlations can be loosened by the GSAs on an as-needed basis and based on professional judgment. It is recommended that depending on sample size and data available, a larger p-value is considered to be sufficient when a clear correlation can be observed from hydrographs.

Upon achieving the GWL target, the conditions will be reevaluated. If cutback exit trigger is not met (WQ is not stabilized), the WQ/GWL correlation will be re-investigated. If a significant correlation persists, further cutbacks should be implemented.

5.4.2 Mitigation for Degradation Due to Recharge Projects

If it appears that the WQ-MT has been triggered by a recharge project, the investigation will determine if the degradation results from factors such as poor-quality recharge water, flushing of soil constituents, geochemical reactions, altered groundwater gradients, etc.

The respective GSA will submit a detailed mitigation plan to the Committee within the 90-day time frame. The recharge project must be paused during this period and until the exit trigger is met unless the GSA can justify successful mitigation through modified or continued operation. The plan should address the source of water quality degradation, identified in the investigation, and propose modifications to operations to mitigate incurred impacts. Throughout this period, WQ monitoring continues to ensure that any future triggers are addressed promptly. These actions aim to ensure a stable balance between groundwater recharge efforts and the protection of groundwater quality in the Basin, adapting as needed based on new data and observations.

5.5 Exit Trigger

Mitigation action (pumping cutback or mitigation plan) can be exited if any of the following occur:

- GWL target is met, and WQ at the hotspot RMW-WQ does not show a statistically significant increasing trend using the last three measurements; OR
- GWL target is met, and a significant correlation between WQ and GWL can no longer be established; OR
- Projected WQ at the RMW-WQ will not exceed the respective WQ-MT.

Following the determination that the exit trigger condition(s) have been met, the respective GSA(s) throughout the ZOI will communicate the removal of mitigation measures to the applicable landowners/pumpers.

5.6 Additional Monitoring and Reporting Requirements

Monitoring will be generally conducted as outlined under the Monitoring and Data Collection Plan. If an investigation is triggered but insufficient data is available to conduct meaningful investigation and statistical correlation, WQ monitoring at the RMW-WQ will be increased to quarterly sampling for the specified COC, and GWL measurement will be increased to monthly. For any recharge project, regardless of trigger status, a minimum of quarterly WQ monitoring should be conducted at least in one upstream and one downstream well. Pumping should be measured monthly within the ZOI. All measurements and monitoring at the WQ hotspots should be reported to the Committee within two weeks. All data reported should also be imported into the Basin DMS by the respective GSA(s).

5.6.1 Enforcement

Enforcement of this plan is governed by the dispute resolution mechanisms in the Basin GSAs' MOA. When pumping cutbacks are implemented, enforcement mirrors the procedures used for GWL-MT violations. In such cases, failure to comply with implementation or a delay of more than two quarters will trigger the Groundwater Allocation Backstop.

6 SUBSIDENCE AVOIDANCE PLAN

6.1 Objective and Requirements

Member GSAs are required to proactively address progressing land subsidence that does not or is not projected to comply with the requirements of the 2024 GSP. The Subsidence Avoidance Plan has two components that lead to different requirements. The Critical Infrastructure Component only applies to critical infrastructure and includes areas around the Delta Mendota Canal (DMC) and California Aqueduct (Aqueduct) in the Northern Delta Mendota Region (Region). The Hotspot Mitigation Component applies to the entire Basin and will correspondingly apply to the entire Region.

6.2 Cutback Entry Trigger

The pumping cutback under the Subsidence Avoidance Plan is triggered under the following conditions for each component:

- **Critical Infrastructure Component:** the three-year average subsidence rate exceeds 0.2 feet per year (ft/year) within 0.5 miles of critical infrastructure (DMC and Aqueduct, shown in Figure 2)
- **Hotspot Mitigation Component:** The five-year linear trend established based on InSAR data indicates a projected subsidence of more than 2.0 feet by 2040 (MT), or more than 0.5 feet by 2030 (IM) or exceedance of any subsequent IM.

Triggers under both components will be based on subsidence caused by Basin management, or under conditions that such causality cannot be justifiably established.

6.3 Zone of Impact and Cutback Approach

6.3.1 Critical Infrastructure Component

The ZOI will be identified as areas where the three-year average subsidence rate exceeds 0.1 ft/year and is located within 0.5 miles of critical infrastructure or contiguous with such defined zone of exceedance. The ZOI is defined symmetrically on both sides of the infrastructure, to the extent possible and justifiable.

Pumping cutback starts at 0.35 AFY/acre (approximately the estimated sustainable yield for the Lower Aquifer in the Region)³ within the ZOI. The uniform acre-foot per acre pumping limit will be implemented by the respective GSA(s) throughout the ZOI through communications with the applicable landowners/pumpers. Pumping cutbacks are increased based on rolling annual average rates of subsidence to ensure reduction in subsidence. However, pumping cutbacks can only be decreased annually, based on rates calculated over the same period as the entry trigger. No new Lower Aquifer or Composite Wells are permitted within the ZOI until the exit trigger is met.

6.3.2 Hotspot Mitigation Component

The ZOI is defined as a radius of 0.5 miles around any point that meets the cutback entry trigger. Pumping cutbacks are initiated at a rate of 0.35 AFY/acre (approximately the estimated sustainable yield for the Lower Aquifer in the Region)⁴ and adjusted based on rolling annual average subsidence rates. The uniform

³ The Committee may adjust this limit upon availability of additional data and information.

⁴ The Committee may adjust this limit upon availability of additional data and information.

acre-foot per acre pumping limit will be implemented by the respective GSA(s) throughout the ZOI through communications with the applicable landowners/pumpers.

If ZOIs defined under different components intersect, the largest overlapping area is subject to the most stringent criteria under the Subsidence Avoidance Plan. Adjustments to the pumping cutback under both components should be made based on the ratio of cutbacks to reduced subsidence achieved.

6.4 Cutback Exit Trigger

Pumping cutback under the Subsidence Avoidance Plan may be relieved if the conditions defined under each respective component below are met:

- **Critical Infrastructure Component:**
 - the four-year average subsidence rate within the ZOI is smaller than 0.1 feet per year (ft/year); OR
 - GSA(s) can sufficiently justify that subsidence is not caused due to pumping within ZOI, using multiple years of pumping measurement data gathered after the trigger.
- **Hotspot Mitigation Component:**
 - Subsidence due to Lower Aquifer Pumping attributable to Basin is eliminated; OR
 - The five-year linear trend established based on InSAR data no longer indicates exceedance of cumulative MT or Ims; OR
 - GSA(s) can sufficiently justify that subsidence is not caused due to pumping within ZOI, using multiple years of pumping measurement data gathered after the trigger.

Following the determination that the exit trigger condition(s) have been met, the uniform acre-foot per acre pumping limit will be removed by the respective GSA(s) throughout the ZOI through communications with the applicable landowners/pumpers.

6.5 Additional Monitoring and Reporting Requirements

Monthly pumping measurements and subsidence rates (if available) should be reported to the Committee within two weeks of collection. All data reported should also be imported into the Basin DMS by the respective GSA(s). If subsidence data is unavailable, quarterly reporting is sufficient. GWL measurements in the Lower Aquifer should be measured monthly within the ZOI and reported within two weeks of collection. The number of new Lower Aquifer or Composite wells within the ZOI should be reported monthly. For the purposes of the Subsidence Avoidance Plan, composite wells are conservatively considered Lower Aquifer wells for calculating pumping cutbacks and complying with other requirements, unless detailed data and information are provided to support a more precise apportionment and decision-making process. All data reported should also be imported into the Basin DMS by the respective GSA(s).

6.6 Enforcement

The Groundwater Allocation Backstop will be enforced in cases of implementation lapses, or if a GSA fails to implement policy within two quarters. Further actions will be governed by the dispute resolution mechanisms in the Basin GSAs' MOA.

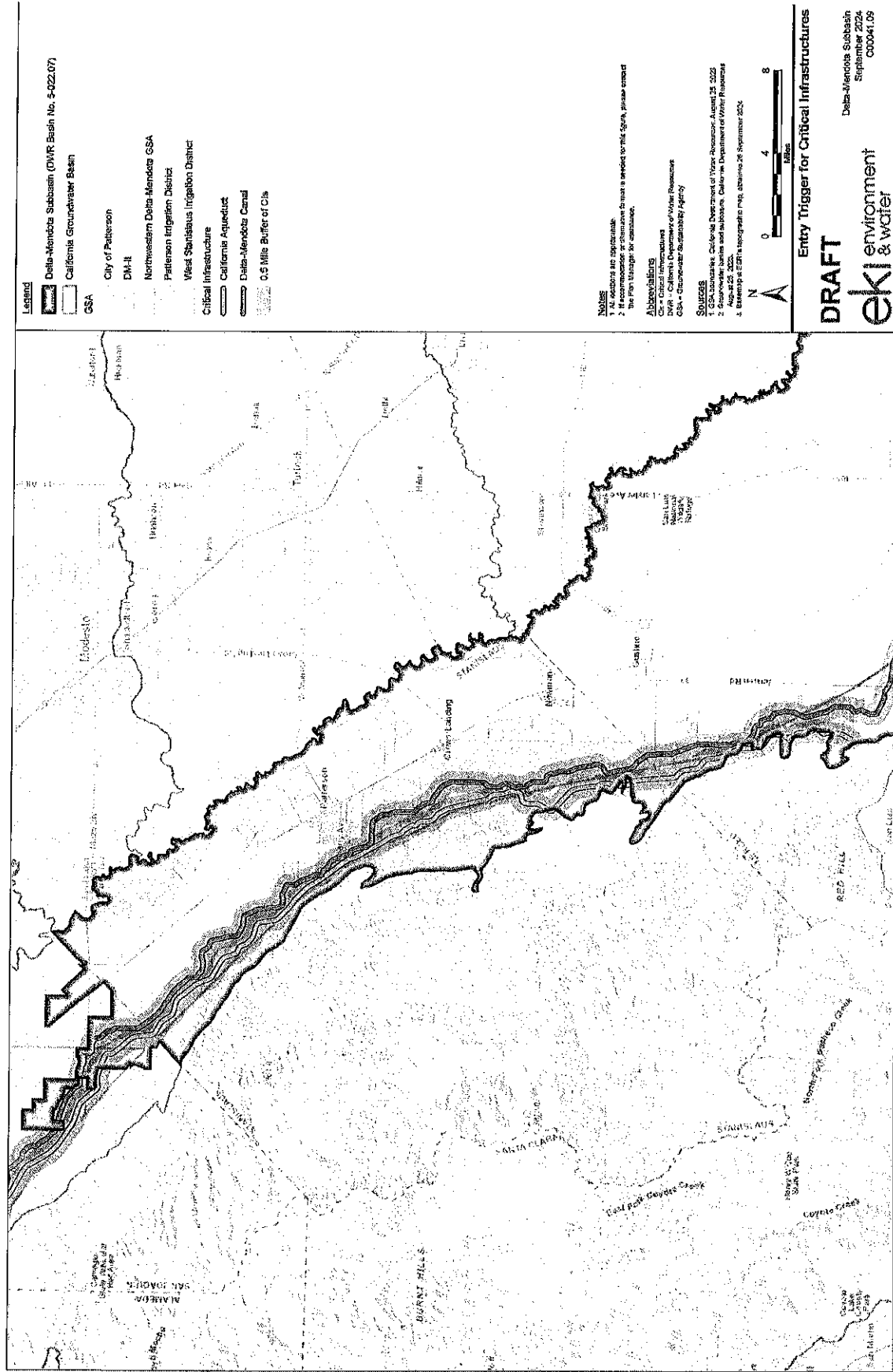


Figure 2. Area Around Critical Infrastructure Subject to Subsidence Avoidance Plan



7 GROUNDWATER ALLOCATION BACKSTOP

7.1 Objective and Requirements

In accordance with Exhibit C of the MOA, GSAs are required to implement the groundwater allocation backstop plan if they cannot sufficiently meet the requirements of the GSP 2024.

7.2 Cutback Entry Trigger

The occurrence of any of the following conditions will result in groundwater allocation backstop:

- GWL-MT exceedances for 2 consecutive years; OR
- Failure to achieve allocated Overdraft Mitigation pumping reduction by 2030; OR
- Failure to comply with the GWL-MT or GWQ-MT requirements.
- Failure to comply with the Subsidence Avoidance Plan requirements.

7.3 Zone of Impact and Cutback Approach

This plan applies to the entire service area of the GSA subject to it. Pumping within the subjected GSAs will be limited to the estimated sustainable yield for the Basin and implemented through AFY/acre allocations. The uniform acre-foot per acre pumping limit will be implemented by the respective GSA(s) throughout the ZOI through communications with the applicable landowners/pumpers.

7.4 Additional Monitoring and Reporting Requirements

Monthly pumping measurements should be reported to the Committee within two weeks of collection. All data reported should also be imported into the Basin DMS by the respective GSA(s).

7.5 Enforcement

Enforcement of the groundwater allocation backstop is governed by the dispute resolution mechanisms in the Basin GSAs' MOA.

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WELL LEASE AGREEMENT FOR GROUNDWATER BANKING

This Well Lease Agreement (“Agreement”) between the **CENTRAL CALIFORNIA IRRIGATION DISTRICT & DEL PUERTO WATER DISTRICT** (“Lessees”), and **<INSERT LESSOR>** (hereinafter “Lessor”), hereinafter referred to collectively as “parties” or individually as “party”, with reference to the following:

Recitals

- A. Lessor owns a well, pump, and associated electric equipment and associated discharge pipeline (collectively, the “Facilities”), which Facilities are located on Stanislaus County APN 027-018-038 as shown on the attached Exhibit “A”.
- B. Lessees have developed the Orestimba Creek Recharge and Recovery Project and its associated Management and Operations Plan (the “Program”) and desire to lease Lessor Facilities for the purposes of extracting water supplies previously stored pursuant to said Program.
- C. Lessees have determined that the Program complies with local groundwater regulation and that the use of the Facilities will be integrated into all local groundwater sustainability planning efforts.

Now, therefore, the parties agree as follows:

- 1. Lease and Term. Lessor leases to Lessees and Lessees rent from Lessor the Facilities from January 31, 2025 through December 31, 2049, unless sooner terminated by either Lessor or District upon one (1) year’s notice in writing.
- 2. Rent. The rent for the leasing of the Facilities shall be [\$ / month], payable in advance on the fifth day of each month during the Term. Rentals and any and all other payments due Lessor shall be paid to Lessor at [address of Lessor].
- 4. Title to and Location of Facilities. Title to the Facilities shall remain with Lessor at all times and the Lessee shall have to right, title, or interest in them except as expressly set forth in this Agreement. Lessee will, at its expense, protect and defend Lessor’s title to the Equipment and will keep the Equipment free and clear from any claims, liens, and encumbrances of Lessee’s creditors and other persons.
- 5. Disclaimer of Warranties. Lessor, not being the manufacturer of the Facilities, not the agent of such manufacturer, makes to Lessee no warranty or representation, express or implied, of merchantability or fitness for any particular purpose of the Facilities. Lessees accept the Facilities “AS IS,” “WITH ALL FAULTS,” and “WHERE IS” and also in its existing condition as of the effective date of this Agreement. Lessor makes no representations or warranty with respect to the condition of the property or its suitability for Lessees anticipated uses.
- 6. Use and Operation of Facilities. Lessees agree to use the Facilities in accordance with this Agreement, provided that any use is in conformity with applicable laws and regulations. Lessee shall not permit anyone other than its authorized agents or employees to operate the Facilities.

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7. Maintenance, Repairs, and Operation. During the term of this Agreement, Lessor agrees to perform all normal well maintenance for the Facilities, which shall include include oil service, fusing and minor repair above the base of the pump (i.e., above ground level). If the Facilities malfunction during the term of this Agreement, the parties shall jointly investigate and evaluate the problem. Lessees shall not be obligated to replace, reconstruct, or rehabilitate (including without limitation, overhauls of the well pump or motor) the Facilities in the event of failure not attributable to the confirmed negligence or misuse of the Facilities by Lessees. Should Lessees determine, in their discretion, to perform any such replacement, reconstruction, or rehabilitation of the Facilities during the Term, the Parties shall negotiate an extension of the Term of this Lease to ensure Lessees obtain the equitable value of such replacement, reconstruction, or rehabilitation.

8. Taxes and Other Assessments. Lessor shall be responsible for, and shall hold Lessees harmless from, all taxes associated with the Facilities and with Lessor's lands underlying the Facilities.

9. Utilities. Lessor agrees to allow Lessees to transfer the billing account at PG&E for the electrical service to the Facilities into Central California Irrigation District's name at an Agricultural Rate Structure, during the term of this Agreement. Upon request, Lessor shall be entitled to receive a copy of the monthly electric usage for the Facilities.

10. Indemnification. Lessees assume liability for, and agree to indemnify, protect and keep harmless Lessor, its agents, successors and assigns from and against any and all liabilities, obligations, losses, damages, injuries, claims, demands, penalties, actions, costs and expenses, including reasonable attorney's fees, of whatever kind and nature, arising out of the use, of the Facilities by Lessees. The indemnities and assumptions of liabilities and obligations in this Agreement provided for shall continue in full force and effect notwithstanding the expiration or other termination of this Lease.

11. Relationship of the Parties. The relationship of the Parties, as established by this Agreement, is solely that of landlord and tenant. This Agreement does not create any partnership, joint venture, or similar business relationship between the parties. Neither party is a legal representative of the other party, and neither party can assume or create any obligation, representation, warranty, or guarantee on behalf of the other party.

12. Dispute Resolution. In the event of a dispute regarding interpretation or implementation of this Agreement, the General Managers of each of CCID and DPWD or their authorized representatives shall endeavor to resolve the dispute by meeting with Lessor within 15 calendar days at the written request of either party. If either party declares in writing the inability resolve the dispute ("impasse notice"), then the parties may use the services of a mutually acceptable mediator to help resolve the dispute. The parties shall share the fees and expenses of the mediator equally. If a mediator cannot be agreed upon, or if the mediator's recommendations are not acceptable to the parties, and unless the parties otherwise agree, the matter may be resolved by litigation and any party may at its option pursue any available legal or equitable remedy

13. Notice. Any notice to be given hereunder shall be in writing and shall be delivered by certified prepaid first-class mail to the persons or addresses specified below.

If to Lessees: General Manager, Del Puerto Water District, P. O. Box 1596, Patterson, CA 95363.

General Manager, Central California Irrigation District, P.O. Box 1231, Los Banos, CA 93635.

14. Third Party Beneficiaries. This Agreement is solely for the benefit of the parties and their respective successors and permitted assigns and shall not otherwise be deemed to confer upon or give to any other third party any right, claim, cause of action, or other interest herein.

15. Assignment. This Agreement shall bind and inure to the benefit of the parties hereto and their respective successors and legal representatives and permitted assigns. No party shall assign its rights and obligations under this Agreement, without the prior written consent of the other parties hereto, and any such assignment contrary to the terms hereof shall be null and void and of no force and effect.

16. Integration and Amendments. This Agreement contains the entire agreement between the parties concerning the subjects discussed herein and supersedes any and all prior written communications and/ or oral agreements. This Agreement and each of its terms may only be amended, waived, supplemented or modified in a writing signed by both parties.

17. Memorandum of Lease. The Parties shall cause a memorandum of this lease to be filed in the official records of Stanislaus County in a form substantially similar to that set forth in Exhibit B hereto.

18. Further Assurances. Each party hereto covenants and agrees promptly to execute, deliver, file, or record such agreements, instruments, certificates and other documents and to do and perform such other and further acts and things as any other party hereto may reasonably request or as may be otherwise be necessary or proper to carry out the provisions of this Agreement.

EXECUTED the date last written below, in _____, California.

DATED: _____

Jarrett Martin, General Manager
Central California Irrigation District

DATED: _____

Anthea G. Hansen, General Manager
Del Puerto Water District

DATED: _____

<INSERT NAME>
<INSERT TITLE>

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