

**AMENDMENT 2 TO MEMORANDUM OF UNDERSTANDING
FOR DEVELOPMENT OF A GROUNDWATER SUSTAINABILITY PLAN
FOR THE SAN LUIS REY VALLEY GROUNDWATER BASIN**

This Amendment 2 to the MEMORANDUM OF UNDERSTANDING FOR DEVELOPMENT OF A GROUNDWATER SUSTAINABILITY PLAN FOR THE SAN LUIS REY VALLEY GROUNDWATER BASIN (heretofore referenced as the "2017 MOU") is made and entered into effective June 1, 2021 ("Effective Date") by and between Yuima Municipal Water District, a municipal water district organized under and existing pursuant to Sections 71000 et seq. of the California Water Code ("Yuima MWD" or "Yuima"), Pauma Valley Community Services District, a community services district formed under the Community Services District Law, Government Code Sections 61000-61850, ("Pauma Valley CSD"), and the Upper San Luis Rey Resource Conservation District ("USLRRCD") a resource conservation district formed under the Resource Conservation District Act, Public Resources Code Sections 9001 et seq. Each entity may be referred to herein individually as a "Party," or collectively as the "Parties."

- A. WHEREAS, on June 27, 2017, the Parties to that agreement entitled the Memorandum of Understanding for Development of a Groundwater Sustainability Plan for the San Luis Rey Valley Groundwater Basin executed the 2017 MOU and agreed to work together cooperatively in order to facilitate the preparation of a groundwater sustainability plan ("GSP") per the timelines and in accordance with the requirements of the Sustainable Groundwater Management Act ("SGMA"); and
- B. WHEREAS, the 2017 MOU was submitted to the California Department of Water Resources ("DWR") and subsequently accepted by DWR as creating a Groundwater Sustainability Agency ("GSA") for portions of the San Luis Rey Valley Groundwater Basin ("SLR Basin"), which GSA, hereinafter referenced as the Pauma Valley GSA ("PVGSA"), would be managed by the Parties to this Amendment 2 according to the 2017 MOU per its terms, including the cooperative preparation of a GSP for portions of the SLR Basin; and
- C. WHEREAS, on June 1, 2020 the remaining Parties to the 2017 MOU executed an amendment to the 2017 MOU entitled Amendment One to Memorandum of Understanding for Development of a Groundwater Sustainability Plan for the San Luis Rey Valley Groundwater Basin ("Amendment One to 2017 MOU"); and
- D. WHEREAS, Amendment One to the 2017 MOU was submitted and uploaded to the California Department of Water Resources ("DWR") SGMA Portal on or about July 17, 2020; and
- E. Whereas AB 1944 (codified as Water Code § 10722.5) in September 2018 legislatively divided the SLR Basin into two separate sub-basins, the Upper and Lower Groundwater Sub-Basins of the SLR Basin, which two sub-basins, together, constitute the SLR Basin, and thereafter SB 779 in September 2019 legislatively directed that the boundary between the Upper and Lower Subbasins of the SLR Basin be set by DWR at the east line of the western boundary of Section 6, Range 2 West, Township 10 South of the San Bernardino Meridian; and
- F. WHEREAS, at the time the Parties entered into the 2017 MOU, the entire SLR Basin was designated as a medium priority Basin subject to the development of a GSP per SGMA; and

- G. WHEREAS, on May 1, 2020 DWR determined that the Lower Subbasin of the SLR Basin is a very low priority basin, that does not require management by a GSA or development of a GSP; and
- H. WHEREAS, the 2017 MOU and Amendment One to the 2017 MOU contain Exhibits that, after AB 1944, SB 779, and DWR's designation of the Lower Basin as Very Low Priority, require minor update to accurately reflect the substantially reduced area of the SLR Basin requiring management by a GSA per SGMA while also updating Figure 1 to the 2017 MOU to accurately reflect the legislatively created boundary referenced in Water Code § 10722.5(a) between the Upper and Lower Sub-Basins of the SLR Basin; and
- I. WHEREAS, the 2017 MOU provides that it may be amended by written instrument duly signed and executed by all Parties to the 2017 MOU, and all remaining Parties to the MOU, specifically Yuima, Pauma Valley CSD, and the USLRRCD, have all agreed via this Amendment 2 to amend the 2017 MOU in order to facilitate the timely development of a GSP in the Upper San Luis Rey Valley Groundwater Subbasin. ("Upper Sub-Basin") or the SLR Basin.

NOW THEREFORE, in consideration of the Recitals above, which are incorporated herein by this reference, and in order to facilitate the expedient development of a GSP for the Upper Sub-Basin, the Parties do hereby agree to amend the 2017 MOU as follows:

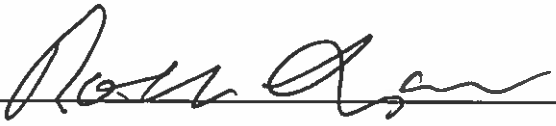
1. Section II (17) of the 2017 MOU is hereby amended to read:

"Pauma Valley Subbasin" means the Upper San Luis Rey Valley Groundwater Subbasin (DWR Basin No. 9-007.01), as established by Water Code §10722.5(a).

2. Figure 1 of the 2017 MOU, consisting of two separate maps, is hereby replaced with the updated Figure 1 attached hereto, which depicts the portions of the SLR Basin that are, as of June 2021, required to be managed by a Plan per SGMA.

SIGNATURES ON FOLLOWING PAGE

YUIMA MUNICIPAL WATER DISTRICT

By:  Date _____

Roland Simpson
President, Board of Directors

Approved as to Form


General Counsel

By: Sam Logan 7/23/21 Date

Sam Logan
President, Board of Directors

Approved as to Form

General Counsel

UPPER SAN LUIS REY RESOURCE CONSERVATION DISTRICT

By: Andy Lyall Date _____

Andy Lyall
President, Board of Directors

Approved as to Form

General Counsel

By: _____ Date

Sam Logan
President, Board of Directors

Approved as to Form

Steve Anderson

General Counsel

UPPER SAN LUIS REY RESOURCE CONSERVATION DISTRICT

By: Andy Lyall Date

Andy Lyall
President, Board of Directors

Approved as to Form

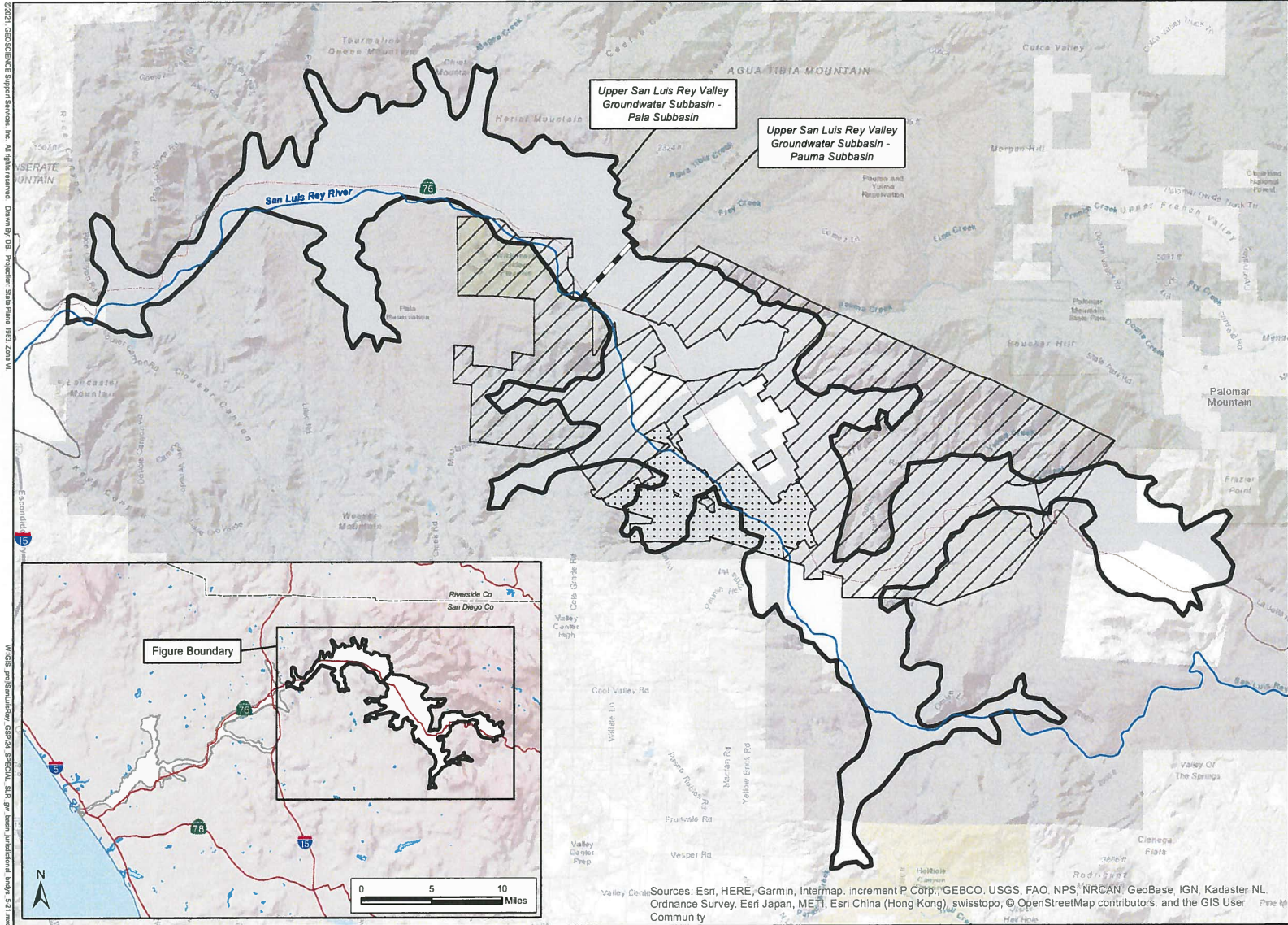
General Counsel

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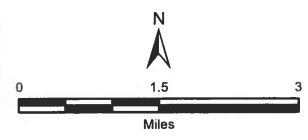
May-21

PAUMA VALLEY GSA



EXPLANATION

- Groundwater Basins/Subbasins**
- San Luis Rey Valley Groundwater Basin (DWR Bulletin 118, 2016)
- Upper San Luis Rey Valley Groundwater Subbasins - Pala and Pauma (AB1944, 2018)
- Frey Creek (SWRCB D1649, 2002)
- Pauma Valley GSA**
- Upper San Luis Rey Resource Conservation District
- Pauma Valley Community Services District
- Yuima Municipal Water District



**SAN LUIS REY VALLEY
GROUNDWATER BASIN
JURISDICTIONAL
BOUNDARIES**

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community