



East Kaweah Groundwater **Sustainability Agency**

MEMORANDUM TO THE BOARD

TO: Board of Directors

FROM: Michael D. Hagman, Executive Director

DATE: July 21, 2022

SUBJECT: Staff Report for July 25, 2022 Regular Board Meeting

6. ADMINISTRATION:

- a. Consider approval of payments made to meet the obligations of the EKGSA
- b. Financial reports are provided in the Board Packet
- c. Report: WCB – RCIS Grant
- d. Report: Basin Planning Grant (EKGSA managed)
- e. Report: Basin Implementation Grant (MKGSA managed and GKGSA Managed)
- f. Report: MBLRP Grant (KDWCD managed)
- g. Advisory Committee: Requesting the approval of Logan Robinson Hueker and Gregory LieBau as alternates to Jeff Powers (Sequoia Riverlands Trust – Conservation Rep).

7. GROUNDWATER SUSTAINABILITY PLAN IMPLEMENTATION:

- a. **GSP Incomplete Determination Modification Effort:** Klinchuch/Hagman will provide a presentation that summarized the changes made to the January 2020 submitted GSP to rectify the issues identified by DWR in its January 27 determination letter. This will include a discussion on the Coordination Agreement additions and technical appendices.

Access to these physical documents will be via the EKGSA.org website under the MORE tab, then GSP Central, and click and download the document you desire.
You may also review them on .pdf from the website

- b. **Resolution 2022-03: Adoption of the East Kaweah GSA Groundwater Sustainability Plan:**
After the presentation and discussion the Board may consider adoption of the resolution. Adoption of this resolution will show the Board accepts the changes to the GSP and associated appendices including the Coordination Agreement, and direct staff to submit the rewritten GSP.

- c. **TAC Report will be given by Buldo/Klinchuch/Hagman**
- d. **AC Report:** Hagman will provide a report on the activities of the EKGSA AC.
- e. **Rules and Regulations:** George/Hughes/Hagman will provide an update on this effort.
- f. **Subbasin Report:** Hornung/Peltzer/Hagman will provide an update on this effort.

7. CLOSED SESSION

NOTICE

REGULAR MEETING OF THE BOARD OF DIRECTORS

Monday, July 25, 2022 at 9:00 a.m.

Exeter Museum (upstairs)
125 S. B Street, Exeter, CA 93221

COVID-19 Protocol – Via Remote Login is available at
Go to: www.Zoom.com and click "Join a Meeting" (top right)
Enter Meeting ID: 849 7231 0606 and then passcode: 661156
Or call: 1-669-900-6833, then enter the Meeting ID and Passcode when prompted
If you have challenges getting on the remote meeting, text your name to 559-303-4150.

AGENDA

1. Roll Call by Secretary
2. Approve the Agenda
3. Pledge of Allegiance
4. Public Comment
5. **Minutes:** The Board will review and consider adopting the minutes provided by the Secretary from the June 27, 2022, Special Board meeting.
6. **Administration**
 - a. **Payments:** Consider Ratifying Payments made to meet the obligations of the EKGSA (Hagman/Bennett)
 - b. **Financial Reports:** Consider accepting the Quarterly Reports (Hagman)
 - c. **Prop 68: WCB-RCIS** – Update on status and activity (Hagman)
 - d. **Prop 68: Basin Planning Grant** – Update on status and activity: SkyTem, Monitoring Well Data Collection, Well Metering Pilot Project (Hagman)
 - e. **Prop 68: Implementation Grant** (MKGSA Admin) – Update (Hagman)
 - f. **MBLRP Grant:** Kaweah Delta WCD submitted – Update (Klinchuch/Hagman)
 - g. Consider Addition of Alternates for Advisory Committee Members (Appointed Jeff Powers requested alternate Logan Robinson Hueker or other TBA)
7. **Groundwater Sustainability Plan Implementation:**
 - a. GSP Incomplete Determination modification effort – Presentation of Modified GSP
 - b. Resolution 2022-03: Adoption of the East Kaweah GSA Ground Water Sustainability Plan (Consider Adoption of the resolution)



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- c. Technical Advisory Committee Report (Klinchuch, Hagman): LandIQ, ET Parcel Report
 - d. Advisory Committee Report (Hagman) Report on Projects/Management Actions Matrix
 - e. Rules and Regulations Ad Hoc (George/Hughes)
 - f. Subbasin Report (Peltzer, Hornung, Hagman): Annual Report, DMS, Modeling, Water Marketing, GSP Determination effort, etc.

8. Closed Session

CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION: [Government Code Section 54956.9 (d)(2)] - Number of Potential Cases: One

CONFERENCE WITH REAL PROPERTY NEGOTIATOR: (Govt. Code, § 54956.8.)

Description of Property: Groundwater Credits

Agency Negotiators: Executive Director

Negotiation Parties: EKGSA and potential sellers

Under Negotiation: Price and terms

9. Schedule Next meeting – Next regularly scheduled meeting is October 24, 2022.

10. Adjournment

**EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY
BOARD OF DIRECTORS**

MINUTES FOR THE SPECIAL MEETING ON June 27, 2022

The East Kaweah Groundwater Sustainability Agency (“EKGSA”) Board of Directors duly met for a Special meeting on Monday, June 27, 2022, via video/phone conference and in person – COVID -19 protocol.

OPEN SESSION: Convened at 3:05 p.m. with a quorum.

1. **DIRECTORS PRESENT:** Buldo, Caudillo, Ferrara, George, Hornung, Milanesio S., Roberts, Watson, Peltzer, Micari

DIRECTORS ABSENT: E. Milanesio

OTHERS PRESENT: Michael Hagman, Executive Director; Joe Hughes, Legal Counsel; Matt Klinchuch, Consulting Engineer; Chris Hunter, Program Manager, and various members of the committees and public.

Due to Chairman Milanesio absence, Executive Director Hagman requested nomination for a director to chair the meeting. Board approved Director Roberts.

2. **APPROVE THE AGENDA:** Motion to approve the agenda was made by Director Buldo, seconded by Director Hornung, and carried by the following vote:

AYES: Buldo, Caudillo, George, Hornung, Milanesio S., Roberts, Watson, Ferrara, Peltzer, Micari

NOES: None

ABSTAIN: None

ABSENT: E. Milanesio

3. **PLEDGE OF ALLEGIANCE**

4. **PUBLIC COMMENT:** No Comments

5. **MINUTES:** Motion to adopt and ratify the minutes provided by the Secretary from the May 23, 2022, Special Board Meeting was made by Director George, seconded by Director Hornung, and carried by the following vote:

AYES: Buldo, Caudillo, George, Hornung, Milanesio S., Roberts, Watson, Ferrara, Peltzer, Micari

NOES: None

ABSTAIN: None

ABSENT: E. Milanesio

6. **CONSIDER APPOINTMENTS:** Motion to elect Tien Tran as DAC representative and move Erick Orellana as alternative DAC representative was made by Director Buldo, seconded by Director Micari

AYES: Buldo, Caudillo, George, Hornung, Milanesio S., Roberts, Watson, Ferrara, Peltzer, Micari

NOES: None

ABSTAIN: None

ABSENT: E. Milanesio

7. **RULES AND REGULATIONS:** Executive Director reports assigned Ad-Hoc committee is working on the rules and regulations.

8. **GROUNDWATER SUSTAINABILITY PLAN IMPLEMENTATION:**

- a. GSP Incomplete Determination Modification effort: Klinchuch made a presentation to provide the board the status of the updates to the GSP.

9. **CLOSED SESSION:** No closed session.

10. **SCHEDULE NEXT MEETING:**

The Executive Director reported that the next regularly scheduled board meeting will be held on July 25, 2022.

11. **ADJOURNMENT:**

The meeting was adjourned at 4:18 p.m.

Michael D. Hagman
Secretary, East Kaweah GSA

East Kaweah GSA
Check Register
For the Period From
April 25, 2022 to July 25, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Amount	
1468	4/25/22	NTM Productions	2,976.25	
1469	4/27/22	CALIFORNIA STATE UNIV FRESNO	2,772.94	
1470	4/27/22	Environmental Incentives, LLC	3,368.22	
1471	4/27/22	Exeter Courthouse Art Gallery & Museum	300.00	
1472	4/27/22	Lindmore Irrigation District	42,916.66	
1473	5/9/22	Provost & Pritchard, Inc.	25,061.07	
1474	5/9/22	Exeter Courthouse Art Gallery & Museum	200.00	
1475	5/9/22	Klein, DeNatale, Goldner	14,805.52	
1476	5/9/22	Land IQ	7,431.22	
1477	5/9/22	ROCKY HILL, INC	134.20	
1478	5/9/22	Mary Watson	74.67	
1479	6/2/22	Provost & Pritchard, Inc.	32,360.79	
1480	6/2/22	ICF Jones & Stokes, Inc.	10,700.00	
1481	6/2/22	Klein, DeNatale, Goldner	11,291.03	
1482	6/2/22	Land IQ	7,431.22	
1483	6/2/22	Lindmore Irrigation District	42,916.66	
1484	6/28/22	Environmental Incentives, LLC	1,188.55	
1485	6/28/22	Exeter Courthouse Art Gallery & Museum	400.00	
1486	6/28/22	Lindmore Irrigation District	42,916.66	
1487	6/28/22	Edward Paul Davis	11.69	
1488	6/28/22	H & P Brar Farms, LLC	92.08	
1489	6/28/22	Thomas Wirht	150.99	
1490	7/18/22	Provost & Pritchard, Inc.	45,202.57	
1491	7/18/22	Cuttone & Mastro	4,930.00	
1492	7/18/22	Exeter Courthouse Art Gallery & Museum	300.00	
1493	7/18/22	Klein, DeNatale, Goldner	9,158.25	

I, **Ed Milanesio (Chair)** being appointed by the East Kaweah Groundwater Sustainability Agency (EKGSA), have reviewed the payments annotated on this register and by a vote of the Board, do agree that such payments are for claims against the EKGSA for services or products provided to meet the needs of the EKGSA

Signed _____

Dated: July 25, 2022

I, **Joe Ferrara (Vice-Chair)** being appointed by the East Kaweah Groundwater Sustainability Agency (EKGSA), have reviewed the payments annotated on this register and by a vote of the Board, do agree that such payments are for claims against the EKGSA for services or products provided to meet the needs of the EKGSA

Signed _____

Dated: July 25, 2022

East Kaweah GSA
Check Register
For the Period From
April 25, 2022 to July 25, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Amount
1494	7/18/22	Land IQ	7431.22
Total			316,522.46

I, **Ed Milanesio (Chair)** being appointed by the East Kaweah Groundwater Sustainability Agency (EKGSA), have reviewed the payments annotated on this register and by a vote of the Board, do agree that such payments are for claims against the EKGSA for services or products provided to meet the needs of the EKGSA

Signed _____

Dated: July 25, 2022

I, **Joe Ferrara (Vice-Chair)** being appointed by the East Kaweah Groundwater Sustainability Agency (EKGSA), have reviewed the payments annotated on this register and by a vote of the Board, do agree that such payments are for claims against the EKGSA for services or products provided to meet the needs of the EKGSA

Signed _____

Dated: July 25, 2022

East Kaweah GSA

Treasurer's Cash Report 3rd Qtr 2022

July 18, 2022

Beginning Cash *	<i>March 30, 2022</i>	1,871,622.64
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Deposits

Bank of the Sierra Checking	444,800.56	
Total Deposits		444,800.56

Withdrawals

Bank of the Sierra Checking	(307,110.30)	
Total Withdrawals		(307,110.30)

Net Increase/(reduction)	137,690.26
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Ending Cash Balance	<i>June 30, 2022</i>	2,009,312.90
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Balance by Account:

Bof Sierra General Checking	2,009,312.90	
Ending Cash Balance	<i>June 30, 2022</i>	2,009,312.90

* Beginning cash may be adjusted compared to prior Board meeting report
FOR MANAGEMENT PURPOSES ONLY

East Kaweah GSA

MEMORANDUM TO THE BOARD

TO: Board of Directors
FROM: Kathryn Bennett
DATE: July 6, 2022
SUBJECT: Affidavit of Reconciliation

I inspected and reconciled the cash accounts of the East Kaweah GSA. The East Kaweah GSA maintains one cash account. For the month of **June 2022**, the district had the following accounts open and with balances:

Working Accounts –

General Checking (Bank of the Sierra)

During my reconciliation, I have found the following:

Working Accounts –

- No Variances.

After my reconciliation and inspection of the books, it is my opinion that the cash registers reflect the cash activity of the East Kaweah GSA. The East Kaweah GSA staff allowed me full access to the cash registers and ledgers of the Agency. The actual reconciling documents are stored in the Agency vault and can be viewed or copied upon request.


Kathryn Bennett

East Kaweah GSA

MEMORANDUM TO THE BOARD

TO: Board of Directors

FROM: Kathryn Bennett

DATE: June 9, 2022

SUBJECT: Affidavit of Reconciliation

I inspected and reconciled the cash accounts of the East Kaweah GSA. The East Kaweah GSA maintains one cash account. For the month of **May 2022**, the district had the following accounts open and with balances:

Working Accounts –

General Checking (Bank of the Sierra)

During my reconciliation, I have found the following:

Working Accounts –

- No Variances.

After my reconciliation and inspection of the books, it is my opinion that the cash registers reflect the cash activity of the East Kaweah GSA. The East Kaweah GSA staff allowed me full access to the cash registers and ledgers of the Agency. The actual reconciling documents are stored in the Agency vault and can be viewed or copied upon request.


Kathryn Bennett

East Kaweah GSA

MEMORANDUM TO THE BOARD

TO: Board of Directors
FROM: Kathryn Bennett
DATE: May 3, 2022
SUBJECT: Affidavit of Reconciliation

I inspected and reconciled the cash accounts of the East Kaweah GSA. The East Kaweah GSA maintains one cash account. For the month of **April 2022**, the district had the following accounts open and with balances:

Working Accounts –

General Checking (Bank of the Sierra)

During my reconciliation, I have found the following:

Working Accounts –

- No Variances.

After my reconciliation and inspection of the books, it is my opinion that the cash registers reflect the cash activity of the East Kaweah GSA. The East Kaweah GSA staff allowed me full access to the cash registers and ledgers of the Agency. The actual reconciling documents are stored in the Agency vault and can be viewed or copied upon request.


Kathryn Bennett

East Kaweah GSA
Income Statement
Compared with Budget
For the Six Months Ending June 30, 2022

	April - June Actual	Year to Date Actual	Year to Date Budget	Year to Date % Variance
Revenues				
Call for Funds - Governance	\$ 129,100.02	\$ 129,100.02	\$ 258,200.00	50%
Call for Funds - Plan	0.00	0.00	0.00	0%
Call for Funds-Implementation	0.00	0.00	0.00	0%
Assessment Revenues	0.00	981,299.60	980,199.00	100%
Assessmenmt Penalty Revenue	0.00	(25.40)	0.00	0%
GW Pumping Fees	0.00	0.00	0.00	0%
GW.T1.Penalty	0.00	0.00	0.00	0%
GW.T2.Penalty	0.00	0.00	0.00	0%
GW.Overdraft.Fine	0.00	0.00	2,500,000.00	0%
Interest Revenue	12.91	138.03	0.00	0%
Other Misc Revenue	0.00	0.00	0.00	0%
Grant: Plan Grant (P68)	0.00	41,669.85	271,050.00	15%
Grant: WCB-RCIS	0.00	8,011.77	103,350.00	8%
Total Revenues	129,112.93	1,160,193.87	4,112,799.00	28%
Expenses				
GOVERNANCE & ADMIN				
Admin Staff Exp	42,549.99	85,099.98	170,000.00	50%
Office Expense	0.00	94.00	0.00	0%
Copying	0.00	2,835.55	0.00	0%
Postage	0.00	7,069.45	0.00	0%
Bank Fees	0.00	0.00	0.00	0%
Audit	0.00	0.00	7,500.00	0%
Legal Postings	0.00	0.00	0.00	0%
Other	2,595.00	2,595.00	2,500.00	104%
Meeting Expense	3,950.92	4,645.86	10,000.00	46%
Liability Ins	0.00	7,860.00	6,650.00	118%
LEGAL	0.00	0.00	0.00	0%
General Counsel	26,096.55	35,317.55	52,500.00	67%
ENGINEERING				
General Engineering Expense	1,280.00	1,920.00	5,000.00	38%
Prop 218 - FY2021	0.00	0.00	0.00	0%
FEES - OTHER GOVT'S				
SWRCB Fees	0.00	0.00	0.00	0%
IMPLEMENTATION STAFF				
Agreement Services	86,199.99	172,399.98	345,000.00	50%
Policy Development	0.00	0.00	125,000.00	0%
Basin Setting Coordination	13,540.39	13,540.39	40,000.00	34%
IMPLEMENTATION MONITORING				
Demand Metering	22,293.66	44,587.32	120,000.00	37%
Water Quality Monitoring	0.00	0.00	0.00	0%
Subsidence Monitoring	0.00	0.00	0.00	0%
Reporting	18,820.40	18,820.40	27,500.00	68%
Contract Engineering Spprt	10,341.57	13,393.57	35,000.00	38%
Customer Data System	17,893.00	17,893.00	0.00	0%
Mon. Syst and Projects	0.00	0.00	512,250.00	0%
GROUNDWATER PLAN				
Consultant GW Plan	0.00	0.00	0.00	0%
Basin Setting Consulting	0.00	0.00	0.00	0%
Grant: Plan Grant (P68)	2,772.94	41,106.97	271,050.00	15%

East Kaweah GSA
Income Statement
Compared with Budget
For the Six Months Ending June 30, 2022

	April - June Actual	Year to Date Actual	Year to Date Budget	Year to Date % Variance
Grant: WCB-RCIS	16,031.77	18,921.75	103,350.00	18%
Plan Update Collection	0.00	0.00	50,000.00	0%
Total Expenses	264,366.18	488,100.77	1,883,300.00	26%
Net Income	(\$ 135,253.25)	\$ 672,093.10	\$ 2,229,499.00	30%

East Kaweah GSA
Balance Sheet
June 30, 2022

ASSETS

Current Assets

Sierra Checking - 0301241619	\$	2,009,312.90
Assessments Due		38,880.59
Planning Grant-2019		41,665.89
WCB Grant-2020		60,167.06
Assessments Delinquent		<u>37,511.36</u>

Total Current Assets **2,187,537.80**

LIABILITIES AND CAPITAL

Current Liabilities 0.00

Total Current Liabilities **0.00**

Long-Term Liabilities

FY2020 Member Loan \$ 1,282,440.00

Total Long-Term Liabilities **1,282,440.00**

Total Liabilities **1,282,440.00**

Capital

FB Assigned to Governance	(22,681.08)
FB-Assigned to Implementation	255,685.78
Net Income Governance	(18,337.37)
Net Income Implementation	<u>690,430.47</u>

Total Capital **905,097.80**

Total Liabilities & Capital **\$ 2,187,537.80**

	Fiscal Year 2022 Approved Budget	2022 Activity Through June 30
GOVERNANCE ACTIVITY		
<i>Expenditures</i>		
Executive/Admin Agreement	\$ 170,000	\$ 85,100
Postage		7,069
Office Expenses	-	2,930
Legal	52,500	35,318
Legal Postings	-	-
Engineering	5,000	1,920
Auditing	7,500	-
Insurance	6,650	7,860
Miscellaneous	10,000	7,241
Total Fixed Expenditures	\$ 251,650	\$ 147,437
<i>Revenues</i>		
Call for Funds #1	\$ 64,550	\$ 64,550
Call for Funds #2	64,550	64,550
Call for Funds #3	64,550	-
Call for Funds #4	64,550	-
Total Revenue	\$ 258,200	\$ 129,100
Other Miscellaneous Revenue	\$ -	\$ -
Governance Fund - Gain/(Loss)	\$ 6,550	\$ (18,337)

IMPLEMENTATION ACTIVITY

Annual Recurring Implementation Expenses		
Executive/Admin Agreement	\$ 345,000	\$ 172,400
Reporting	27,500	18,820
Contract Engineering Support	35,000	13,394
Plan Policy Development	125,000	-
Monitoring Program	120,000	44,587
Basin Setting Coordination	40,000	13,540
Miscellaneous	2,500	-
Total GSA Annual Recurring Cost	\$ 695,000	\$ 262,742

One Time Implementation Expenses

Proposition 218	\$ -	\$ -
Grant - Planning Work Prop 68	271,050	41,107
Grant - WCB-RCIS	103,350	18,922
Monitoring System Projects/Assets	512,250	17,893
Total GSA Plan Implementation Cost	886,650	77,922

Plan Update Collection	50,000	-
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Total Implementation Costs	\$ 1,631,650	\$ 340,663
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REVENUE

Assessment - Land Owners	\$ 967,444	\$ 968,544
Assessment - City of Lindsay	12,755	12,756
Interest Revenue - Assessment	-	138
Assessment Penalty	-	(25)
Ground Water Pumping Fees	-	-
Fines	2,500,000	-
Grant - Planning Work (P68)	271,050	41,670
Grant - RCIS (WCB P68)	103,350	8,012
Other - Govt's (Subbasin Report)	-	-
Total Revenue	\$ 3,854,599	\$ 1,031,094

Implementation Fund - Net Gain/(Loss)	2,222,949	690,430.47
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Total GSA	\$ 2,229,499	\$ 672,093
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BEFORE THE BOARD OF DIRECTORS
OF THE
EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY
COUNTY OF TULARE, STATE OF CALIFORNIA

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY CERTIFYING ADOPTING THE GROUNDWATER SUSTAINABILITY PLAN.

RESOLUTION NO.: 2022-03

WHEREAS, the East Kaweah Groundwater Sustainability Agency (“EKGSA”) is a California groundwater sustainability agency formed to implement the Sustainable Groundwater Management Act of 2014, *Water Code* § 10720 et seq. (“SGMA”) in a portion of the Department of Water Resources Bulletin 118 Kaweah Subbasin;

WHEREAS, EKGSA has developed a Groundwater Sustainability Plan (“GSP”), and has completed a process of public engagement, public comment, and a public hearing pursuant to the requirements of SGMA at *Water Code* Section 10728.4;

WHEREAS, EKGSA has developed in cooperation and coordination with representatives of the Kaweah Subbasin a Coordination Agreement pursuant to requirements of SGMA at *Water Code* Section 10727.6. The Coordination Agreement has been incorporated into the Plan;

WHEREAS, after considering the comments provided by the public and various interested parties, the Board of Directors adopted the GSP and approve the Coordination Agreement on January 22, 2020;

WHEREAS, on January 28, 2022, the EKGSA received notification from the Department of Water Resources that various aspects of the adopted GSP were deficient and required corrective actions no later than July 27, 2022 (“**Deficiency Letter**”);

WHEREAS, as a result of the January 28, 2022 Deficiency Letter, the EKGSA caused numerous revisions to the GSP and the Coordination Agreement and as a result the Board of Directors desires to adopt the 2022 First Amended GSP and 2022 First Amended Coordination Agreement;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the EKGSA Board of Directors adopts the 2022 First Amended GSP, including the 2022 First Amended Coordination Agreement, attached hereto and incorporated by reference and directs staff to submit the First Amended GSP and First Amended Coordination Agreement to the Department of Water Resources.

THE FOREGOING RESOLUTION was passed and adopted by the EKGSA Board of Directors on this 25th day of July 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Ed Milanesio, Chair

ATTEST:

Michael D. Hagman, Secretary

Certificate of Secretary

I do hereby certify that I am the Secretary of the East Kaweah Groundwater Sustainability Agency, a groundwater sustainability agency organized and existing under the laws of the State of California, and that the foregoing Resolution was duly adopted by the Board of Directors of said Agency at a meeting thereof duly and regularly held at 125 South B Street, Exeter, California on the 25th day of July, 2022, at which meeting a quorum of the said Board of Directors was at all times present and acting, and that said Resolution has not been rescinded or amended in whole or any part thereof, and remains in force and effect.

IN WITNESS WHEREOF, I have signed this Certificate on this 25th day of July, 2022, at 125 S. B Street, Exeter, California.

Michael D. Hagman, Secretary
East Kaweah GSA