



September 27, 2016

VIA E-MAIL AND U.S. MAIL

Mark Nordberg, GSA Project Manager
Senior Engineering Geologist
California Department of Water Resources
901 P Street, Room 213A
P. O. Box 942836
Sacramento, CA 94236
Email: Mark.Nordberg@water.ca.gov

Re: AMENDED Notice of Election to become a Groundwater Sustainability Agency
(Mission Creek, Indio/Whitewater, Garnet Hill and San Gorgonio Pass Sub-
Basins)

Dear Mr. Nordberg:

This letter serves as notification to the California Department of Water Resources (DWR) that the Mission Springs Water District (MSWD) has amended its February 3, 2016 Notice of Election to become a Groundwater Sustainability Agency (MSWD's Notice of Election). This amendment was made in light of an unresolved dispute with the Desert Water Agency (DWA) regarding DWA's exclusive groundwater sustainability agency (GSA) status under Section 10723 of the Sustainable Groundwater Management Act (SGMA). This amendment is effected through two separate notices – this notice for the Indio/Whitewater, Mission Creek, Garnet Hill and San Gorgonio Pass Sub-Basins, and a second notice for the Desert Hot Springs Sub-Basin.

This Amended Notice of Election to become a Groundwater Sustainability Agency (Amended Notice of Election) serves presently to narrow the scope of MSWD Notice of Election to areas within MSWD's jurisdictional boundaries which are NOT within DWA's asserted "statutory boundaries," but which nonetheless overlie the Mission Creek Sub-Basin, Indio/Whitewater Sub-Basin, Garnet Hill Sub-Basin, and San Gorgonio Pass Sub-Basin of the Coachella Valley Groundwater Basin, such that MSWD elects to become a GSA within and for each of those Sub-Basins. This Amended Notice of Election is appropriate at this time in order to expedite the local process of preparing GSPs for the affected Sub-Basins, with full participation and cooperation of all affected



local agencies, and is being sought without prejudice to the District's right to later revisit the issue of jurisdictional boundaries, in accordance with the MSWD Notice of Election. The areas for which this Amended Notice of Election seeks GSA status are set forth on two maps marked **Exhibit A (A-1 and A-2)** hereto, which depicts the areas subject to this proposed amendment, and the MSWD and DWA boundaries and underlying groundwater sub-basins. In connection with this Amended Notice of Election, we also attach a copy of the MSWD Notice of Election dated February 3, 2016, as **Exhibit B** hereto and incorporated herein; and a copy of the DWA Notice of Election dated November 20, 2015, as **Exhibit C** hereto, for informational purposes.

Pursuant to this Amended Notice of Election, MSWD intends to serve as a GSA for those portions of the Indio/Whitewater Sub-Basin (DWR Sub-Basin No. 7-21.01), Mission Creek Sub-Basin (DWR Sub Basin No. 7-21.02), Garnet Hill Sub-Basin (which is not yet separately identified and numbered in DWR Bulletin 118), and San Gorgonio Pass Sub-Basin (DWR Sub-Basin No. 7-21.04), that lie outside DWA's designated statutory boundary but within MSWD's service area, as shown on **Exhibit A (A-1 and A-2)** hereto. Each of these areas was included in the MSWD Notice of Election, as indicated in **Exhibit B** hereto; and it is undisputed that DWA's boundaries do not conflict with those of MSWD in these areas, as indicated in **Exhibits A through C** hereto. The identified Sub-Basins are within the Coachella Valley Groundwater Basin and are unadjudicated. The Indio/Whitewater, Mission Creek, and San Gorgonio Pass Sub-Basins are designated as medium-priority by the DWR.

MSWD is a California county water district, formed and operating under the provisions of Water Code sections 30000 et seq. MSWD is located in Riverside County, and presently depends on the Mission Creek Sub-Basin, as well as imported water to meet the needs of its customers. The Indio/Whitewater, Garnet Hill and San Gorgonio Pass Sub-Basins also underlie MSWD's service and groundwater management responsibility area as shown on **Exhibit A (A-1 and A-2)** hereto. The areas in which there is no overlap between the boundaries of DWA and MSWD are clearly depicted on the maps set forth as **Exhibit A (A-1 and A-2)** hereto, and also shown on the MSWD Notice of Election (Exhibit B) and the DWA Notice of Election (Exhibit C).

MSWD's Notice of Election was duly adopted at a noticed public hearing, in accordance with the requirements of SGMA, and Water Code Section 10723(b), as set forth therein. This Amended Notice of Election does not expand the boundaries for which MSWD initially sought GSA status, and the list of interested parties set forth in Exhibit F to MSWD's Notice of Election remains the same.

On September 19, 2016, the MSWD Board of Directors considered the decision to file the present Amended Notice of Election, and to serve as a GSA for the portions of the Mission Creek, Indio/Whitewater, Garnet Hill and San Gorgonio Pass Sub-Basins, in those areas that are within the MSWD jurisdictional boundaries but outside DWA's asserted statutory boundary, as depicted on **Exhibit A-2** hereto. In connection with that action, the Board of Directors adopted Resolution No. 2016-23, attached as **Exhibit D** hereto, amending the MSWD Notice of Election and electing to become the GSA for the portions of the Mission Creek, Indio/Whitewater, Garnet Hill and San Gorgonio Pass Sub-Basins as shown on **Exhibit A-1** hereto.

At this time, MSWD, DWA and the Coachella Valley Water District (CVWD) have initiated discussions regarding a proposed alternative Groundwater Sustainability Plan (GSP) for the Sub-Basins that are the subject of this Amended Notice of Election, but no cooperation agreement, joint powers authority or memorandum of agreement has been entered into in connection with these efforts. Pursuant to Water Code section 17023.8(a)(4), MSWD will continue to consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing GSPs, pursuant to California Water Code section 17023.2.

If you have any questions, or require further information, please contact me at (760) 329-6448, extension 137.

Very truly yours,



Arden Wallum
General Manager/Chief Engineer
Mission Springs Water District

Exhibits:

- A. Map depicting areas subject to this Amended Notice (A-1 area subject to amendment & A-2 DWA/MSWD overlap)
- B. MSWD Notice of Election, dated February 3, 2016
- C. DWA Notice of Election, dated November 20, 2016
- D. MSWD Resolution No. 2016-23

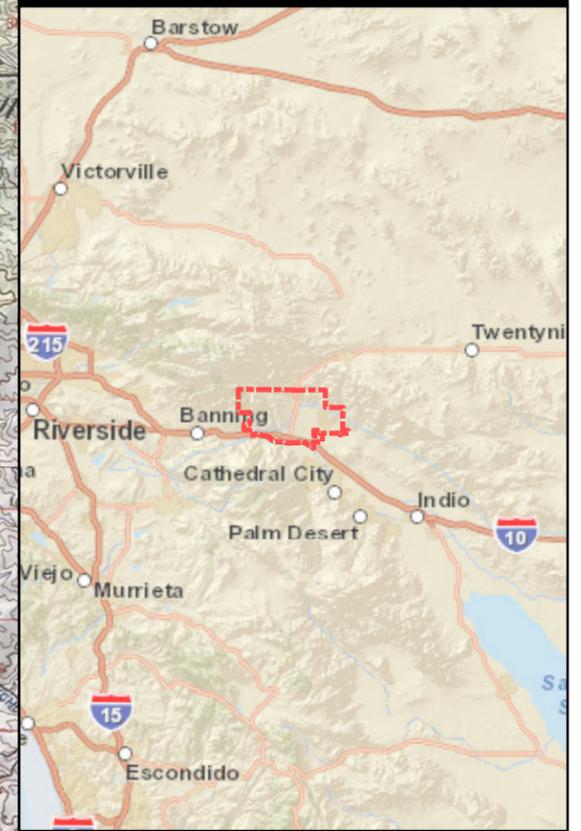
cc: David A Gutierrez, Executive Program Manager (david.gutierrez@water.ca.gov)
Mark W. Cowin, Director (mark.cowin@water.ca.gov)
Timothy Ross (timothy.ross@water.ca.gov)
Mark Krause, General Manager, DWA
James Barrett, General Manager, CVWD
Jeff Davis, General Manager, SGPWA
Brian Macy, General Manager, Indio Water Authority
David Garcia, City Manager, Coachella Water Authority
Tom Davis, Chief Planning and Development Officer, Agua Caliente Band of
Cahuilla Indians
Maureen King, Esq. DWR, 1416 9th Street, Sacramento, CA 95814-5511
Scott Morgan, Esq., DWR Office of the Chief Counsel, 1416 9th Street, Room
1104, Sacramento, CA 92436

Exhibit A

(A-1 & A-2)

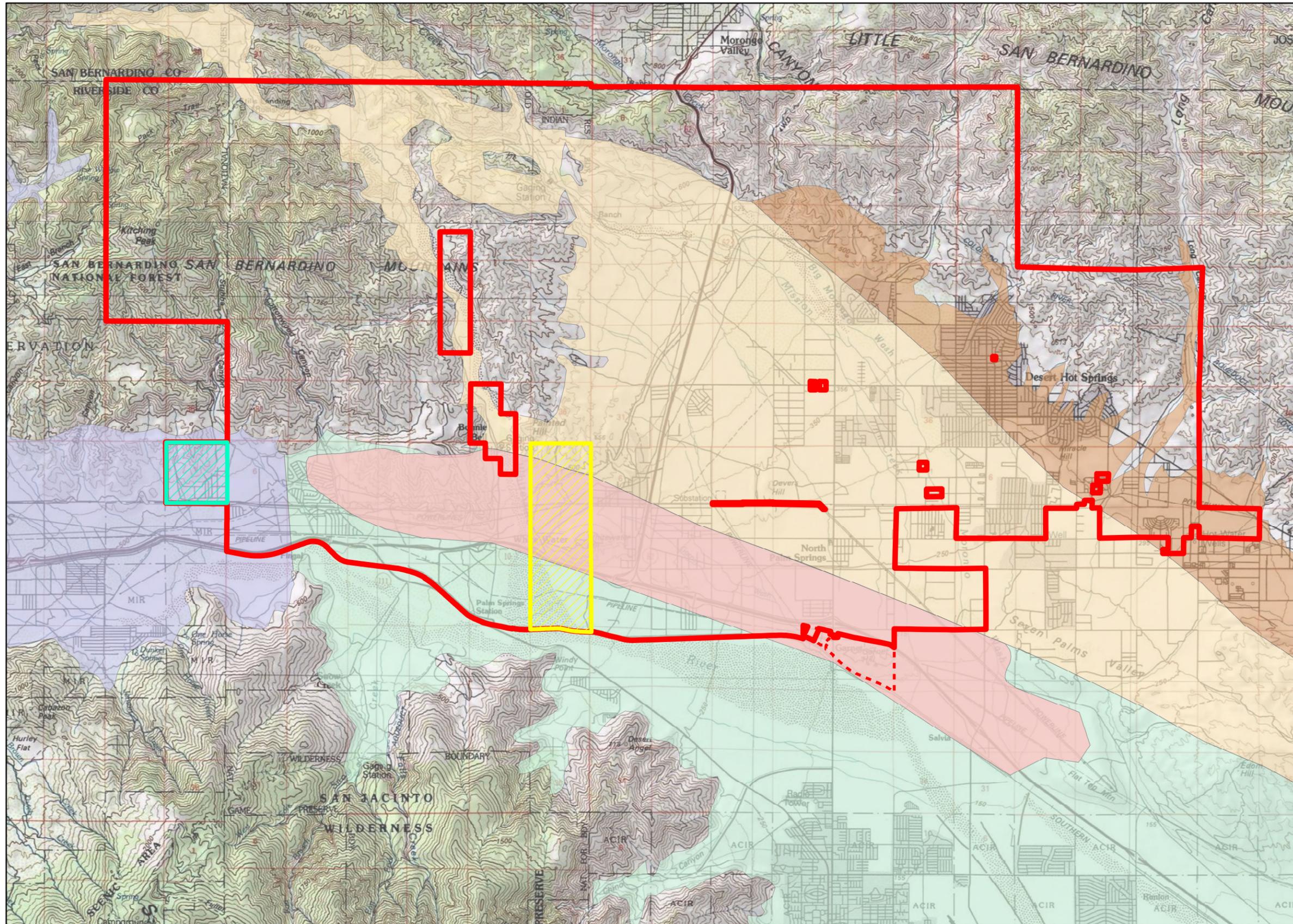
EXHIBIT A-1

LOCATION



LEGEND

-  MSWD GSA AREA / Area outside DWA Boundary
-  MSWD GSA AREA / Area outside DWA Boundary
-  MSWD Service Area
-  MSWD/Garnet Hill SOI Area
-  Desert Hot Springs Subbasin 7_21_03
-  Mission Creek Subbasin 7_21_02
-  Garnet Hill Subarea
-  Indio Subbasin 7_21_01
-  San Gorgonio Pass Subbasin 7_21_04



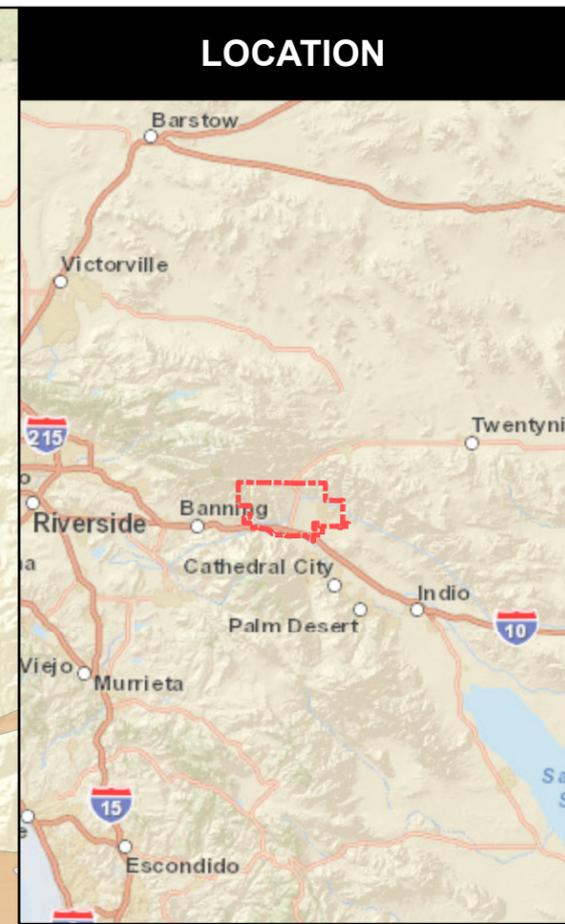
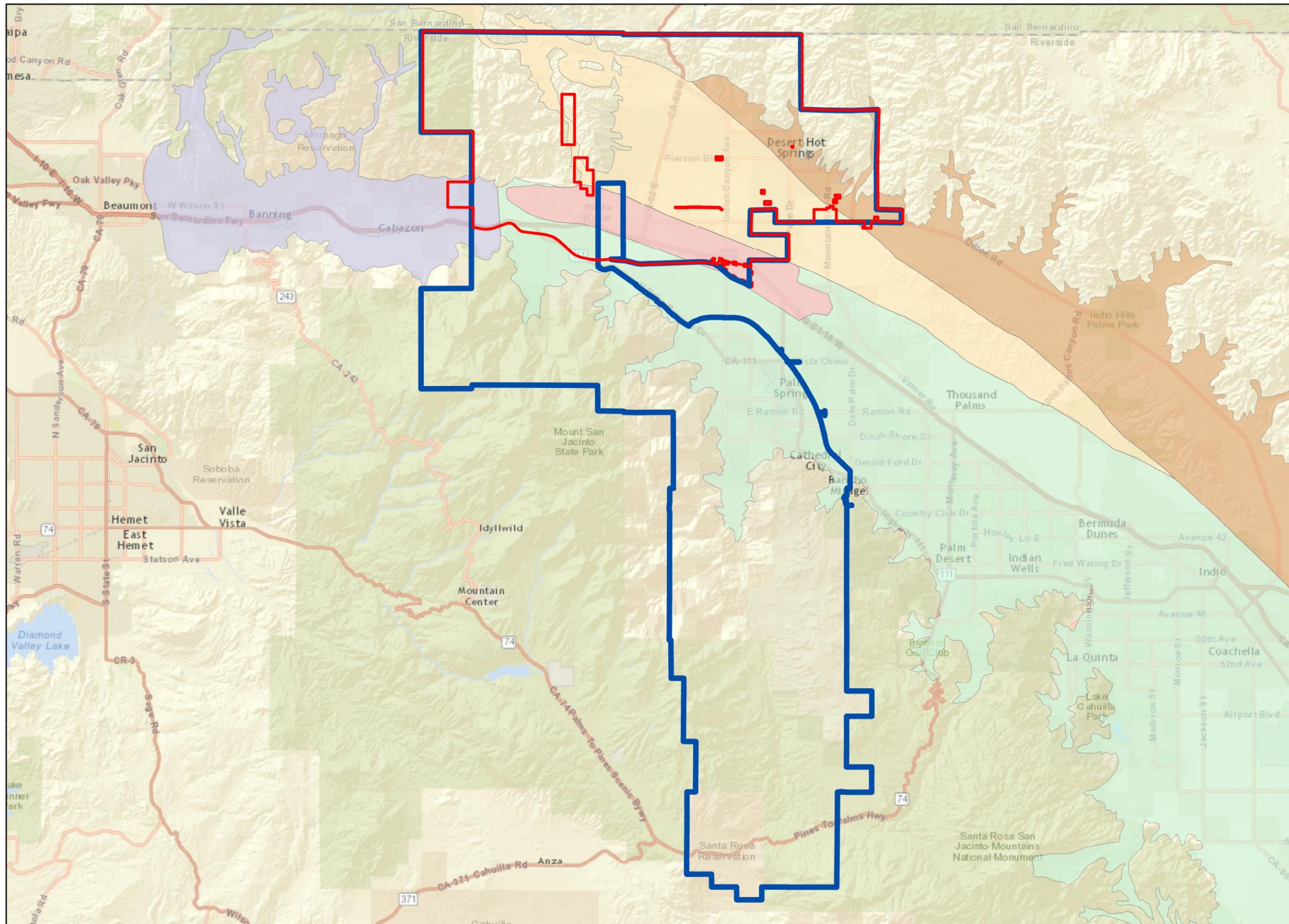
Mission Springs Water District

66575 Second Street
Desert Hot Springs, CA 92240
T: 760.329.5169



This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact MSWD staff for the most up-to-date information.

Mission Springs Water District Boundaries
showing SGP Sub-Basin Section 1 and
"Diving Board" Sections 1, 12, 13 and portion of the NW and NE 24



LOCATION

LEGEND

-  MSWD Boundary
-  DWA_Boundary
-  MSWD/Garnet Hill SOI Area
-  San Gorgonio Pass Subbasin 7_21_04
-  Desert Hot Springs Subbasin 7_21_03
-  Mission Creek Subbasin 7_21_02
-  Garnet Hill Subarea
-  Indio Subbasin 7_21_01



Mission Springs Water District
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MSWD and DWA Boundary
Indio, Mission Creek, Garnet Hill, Desert Hot Springs
and San Gorgonio Pass Sub-Basins

Exhibit B

EXHIBIT B



66575 Second Street, Desert Hot Springs, CA 92240 • www.mswd.org • p 760.329.6448 • f 760.329.2482

February 3, 2016

Via e-mail and postal mail

Mark Nordberg, GSA Project Manager
Senior Engineering Geologist
California Department of Water Resources
901 P Street, Room 213A
P.O. Box 942836
Sacramento, CA 94236
Mark.Nordberg@water.ca.gov

RE: Notice of Election to Become a Groundwater Sustainability Agency

Dear Mr. Nordberg:

This letter serves as notification to the California Department of Water Resources (“DWR”) pursuant to California Water Code (“Water Code”) section 10723.8 that Mission Springs Water District (“MSWD”) has elected to become a groundwater sustainability agency (“GSA”). MSWD intends to serve as GSA for those portions of the Indio Sub-Basin (DWR Sub-Basin No. 7-21.01), Mission Creek Sub-Basin (DWR Sub-Basin No. 7-21.02), Desert Hot Springs Sub-Basin (DWR Sub-Basin No. 7-21.03), San Gorgonio Pass Sub-Basin (DWR Sub-Basin No. 7-21.04), and Garnet Hill Sub-Basin, which is not separately identified and numbered in DWR Bulletin 118, that lie within MSWD’s service area, as shown on **Exhibit “A.”** The identified sub-basins are unadjudicated. The Indio, Mission Creek, and San Gorgonio Pass Sub-Basins are designated as medium-priority by the DWR; the Desert Hot Springs Sub-Basin is designated as low-priority by the DWR.

MSWD is a California county water district, formed and operating under the provisions of Water Code sections 30000, *et seq.* MSWD is located in Riverside County, and it depends on the Mission Creek Sub-Basin, as well as water imported from the Colorado River, to meet the water needs of its customers. MSWD’s service and groundwater management responsibility area is shown on **Exhibit “B.”**

Pursuant to Water Code section 10723(c)(1)(C), Desert Water Agency (“DWA”) shall be deemed the exclusive local agency within its statutory boundaries with the powers to comply with SGMA. The statutory boundaries of DWA as set forth in Water



Code Appendix section 100-2¹ are shown on **Exhibit "C."** Said statutory boundaries were plotted by a Registered Land Surveyor. As shown on Exhibit "C," there is minimal overlap between the service area boundaries of MSWD and the statutory boundaries of DWA. Therefore, pursuant to Water Code section 10723(a), MSWD may elect to be the exclusive GSA for the entirety of the area within its service area boundaries and outside of DWA's statutory boundaries. Furthermore, we believe DWA's designation in Section 10723(c)(1)(C) as an exclusive GSA was erroneous, because DWA is not a groundwater management district or agency created by statute to manage groundwater.

A notice of public hearing was published in accordance with Water Code section 10723(b) and California Government Code section 6066 in the Public Record, a newspaper of general circulation in Riverside County, regarding MSWD's intent to consider becoming a GSA for portions of the Indio Sub-Basin, Mission Creek Sub-Basin, Desert Hot Springs Sub-Basin and San Gorgonio Pass Sub-Basin. The notice is enclosed as **Exhibit "D."** No negative comments were received prior to the hearing.

On January 19, 2016, MSWD held a public hearing to consider the decision to serve as a GSA for the portions of the Indio Sub-Basin, the Mission Creek Sub-Basin, the Desert Hot Springs Sub-Basin, the San Gorgonio Pass Sub-Basin, including the Garnet Hill Sub-Basin, as shown on Exhibit "A." One written and one oral comment were received at the public hearing. Following the public hearing, MSWD's Board of Directors adopted Resolution No. 2016-01, enclosed as **Exhibit "E,"** electing to become a GSA for the portions of the Indio Sub-Basin, the Mission Creek Sub-Basin, the Desert Hot Springs Sub-Basin, the San Gorgonio Pass Sub-Basin, and the Garnet Hill Sub-Basin, as shown on Exhibit "A." MSWD has not adopted any new bylaws, ordinances, or other new authorities associated with this GSA formation.

MSWD understands that Desert Water Agency ("DWA") and Coachella Valley Water District ("CVWD") have already submitted their notices to become GSAs. MSWD also understands that Indio Water Authority ("IWA") and Coachella Water Authority ("CWA") will, in the near future, submit notices to become GSAs for those portions of the Indio Sub-Basin underlying their respective service areas; and that other local agencies will, in the near future, submit notices to become GSAs for those portions of the San Gorgonio Pass Sub-Basin underlying their respective service areas.

An initial list of interested parties is included as **Exhibit "F."** MSWD will communicate with parties interested in the sustainable management of groundwater in the Coachella Valley and will solicit feedback from those parties as the groundwater sustainability plan is developed. Pursuant to Water Code section 10723.8(a)(4), MSWD will consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans, pursuant to California Water Code section 10723.2.

¹ A true and correct copy of the California Water Code Appendix section 100-2 is attached hereto as **Exhibit "G"**.

If you have any questions, or require further information, please contact me at (760) 329-6448, extension 137.

Very truly yours,



Arden Wallum
General Manager/Chief Engineer
Mission Springs Water District

cc:

Timothy Ross
Senior Engineering Geologist
770 Fairmont Ave., Ste. 102
Glendale, CA 91203
Timothy.Ross@water.ca.gov

David Garcia
City Manager/Coachella Water Authority
City of Coachella
1515 6th Street
Coachella, CA 92236

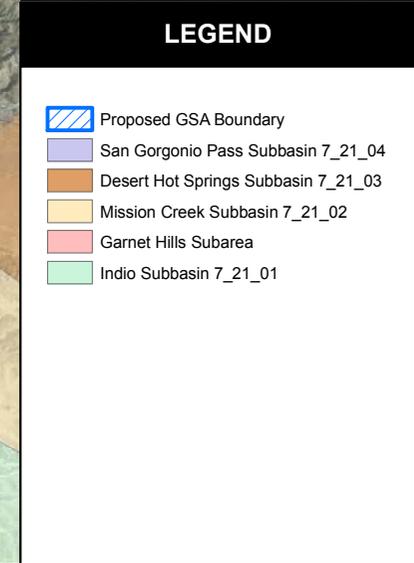
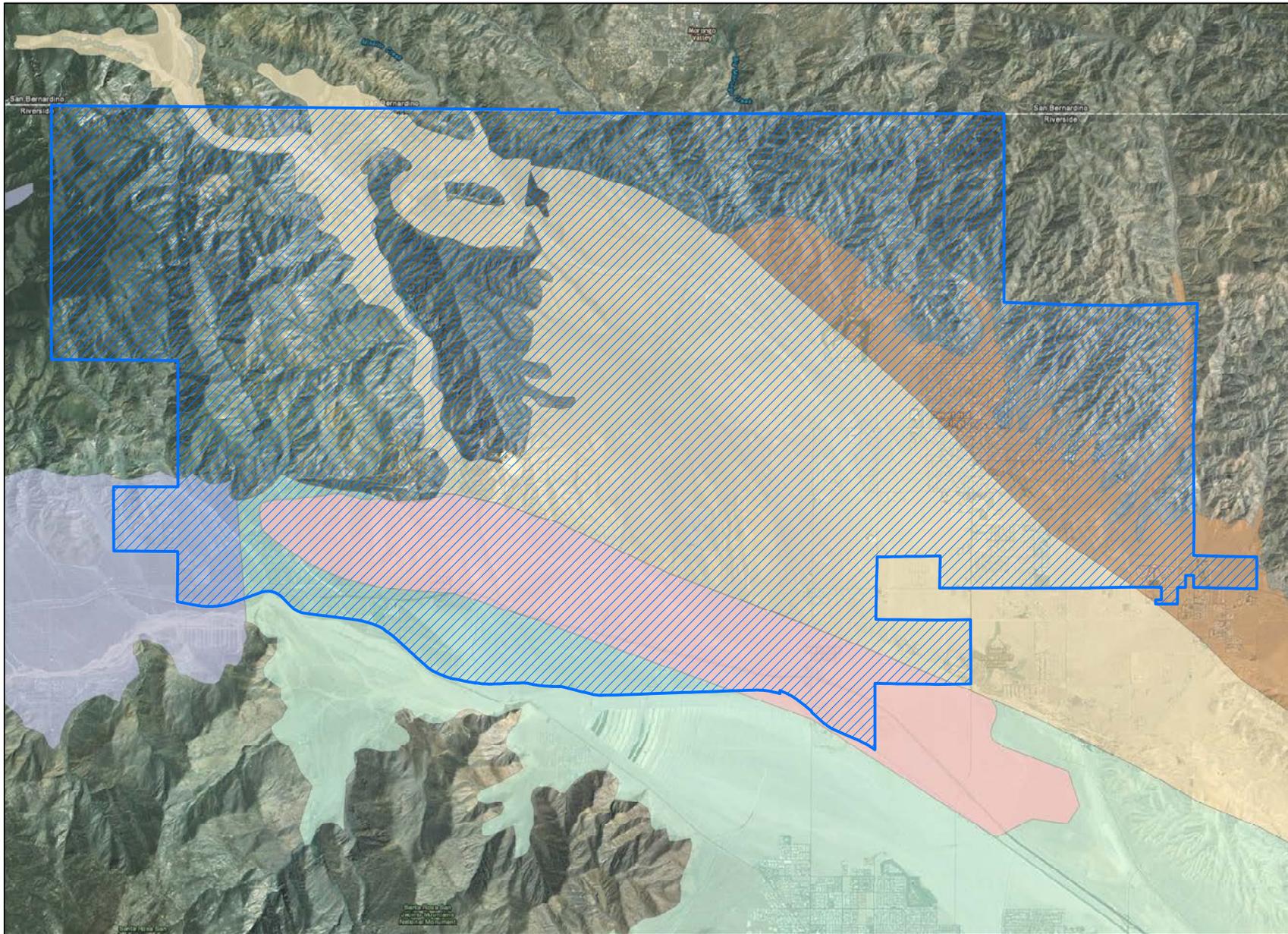
David K. Luker
General Manager
Desert Water Agency
P.O. Box 1710
Palm Springs CA 92263

Tom Davis
Chief Planning and Development Officer
Agua Caliente Band of Cahuilla Indians
5401 Dinah Shore Drive
Palm Springs CA 92264

James Barrett
General Manager
Coachella Valley Water District
P.O. Box 1058
Coachella CA 92236

Jeff Davis
General Manager
San Geronio Pass Water Agency
1201 Beaumont Ave
Beaumont, CA 92223

Brian Macy
General Manager
Indio Water Authority
83-101 Avenue 45
Indio, CA 92201



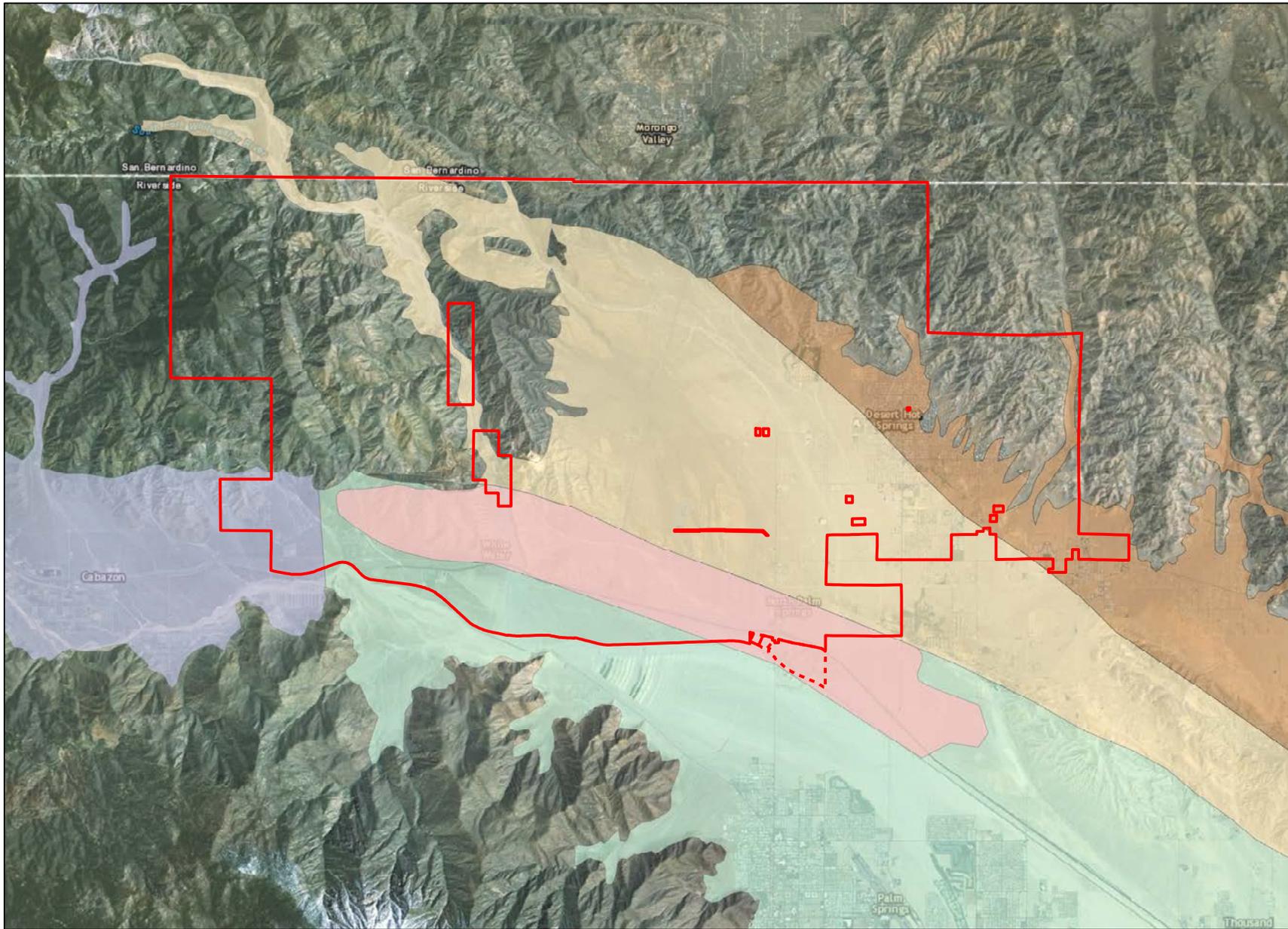
Mission Springs Water District
 66575 Second Street
 Desert Hot Springs, CA 92240
 T. 760.329.5169



This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact MSWD staff for the most up-to-date information.

**Mission Springs Water District
 Proposed GSA Boundary**

EXHIBIT "B"



LOCATION

LEGEND

- MSWD Service Area
- MSWD/Garnet Hills SOI Area
- Desert Hot Springs Subbasin 7_21_03
- Mission Creek Subbasin 7_21_02
- Garnet Hills Subarea
- Indio Subbasin 7_21_01
- San Gorgonio Pass Subbasin 7_21_04



Mission Springs Water District

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**Mission Springs Water District
Service Area**

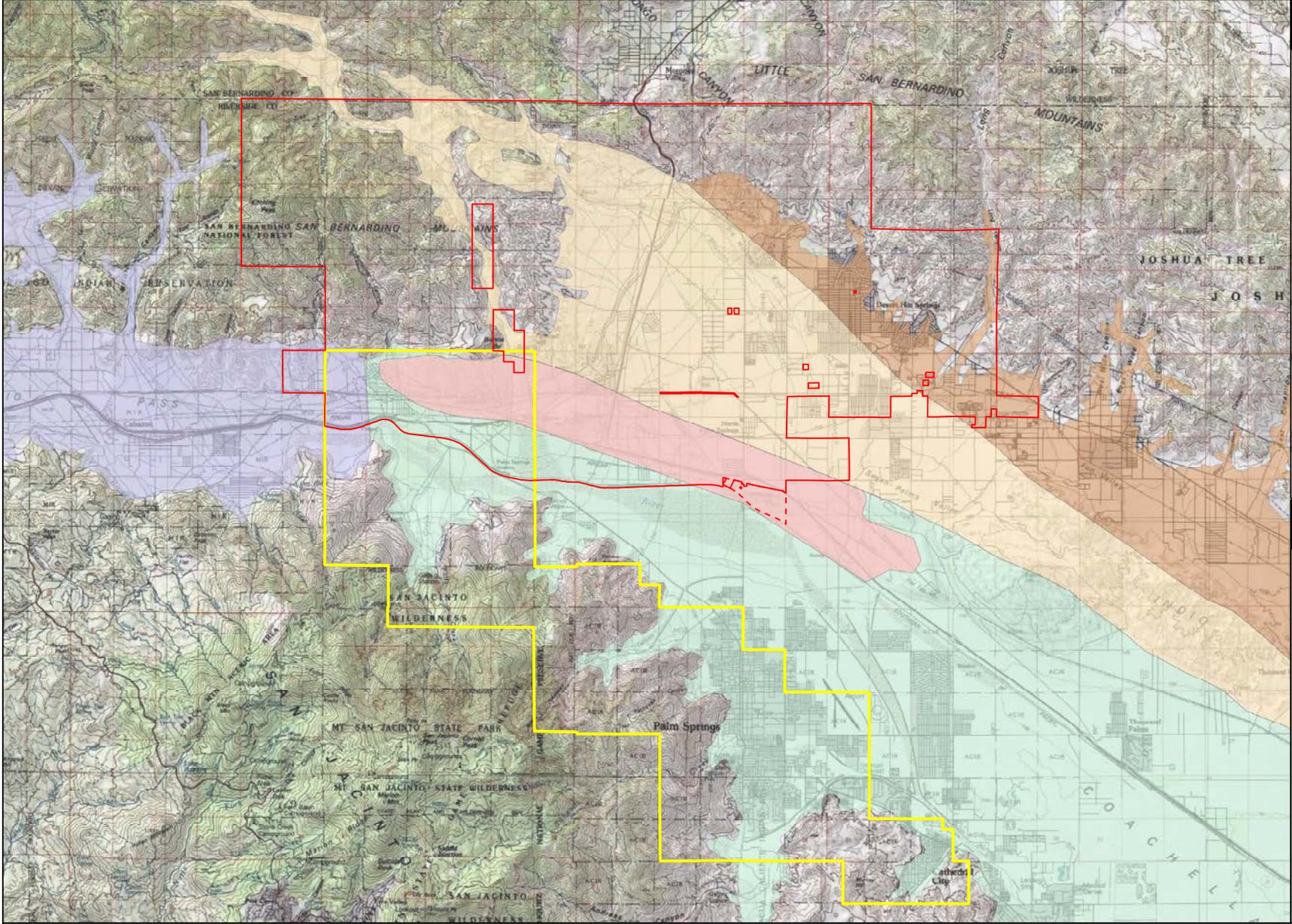
EXHIBIT "C"

LOCATION



LEGEND

- MSWD Service Area
- MSWD/Garnet Hills SOI Area
- DWA Statutory Boundary
- San Gorgonio Pass Subbasin 7_21_04
- Desert Hot Springs Subbasin 7_21_03
- Mission Creek Subbasin 7_21_02
- Garnet Hills Subarea
- Indio Subbasin 7_21_01



Mission Springs Water District
 66575 Second Street
 Desert Hot Springs, CA 92240
 T. 760.329.5169



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Desert Water Agency Statutory Boundary
Plotted as described in Section 2 of DWA Law

Proof of Publication
In Newspaper
STATE OF CALIFORNIA
County of Riverside

1. I am a citizen of the United States, a resident of the City of La Quinta, County of Riverside, State of California, and over the age of 18 years.

2. I am the Administrator of Production of The Public Record, a newspaper of general circulation printed and published in the City of Palm Springs, County of Riverside, State of California. Said The Public Record is a newspaper of general circulation as that term is defined in Government Code section 6000, its status as such having been established by judicial decree of the Superior Court of the State of California in and for the County of Riverside in Proceeding No. Indio 49271, dated March 31, 1987, entered in Judgment Book No. 129, page 355, on March 31, 1987.

3. The Public Record is a newspaper of general circulation ascertained and established in the City of Palm Springs in the County of Riverside, State of California, Case No. RIC 358286, Filed June 8, 2001.

4. The notice, of which the annexed is a true printed copy was published in the newspaper on the following publication dates to with:

January 5, 2016

January 12, 2016

I Certify under penalty of perjury that the above is true and correct.

Dated at La Quinta, California, this
12th Day of January 2016.



The Public Record
Administration

Admin@desertpublicrecord.com

NOTICE OF PUBLIC HEARING TO CONSIDER ELECTION TO BECOME A GROUNDWATER SUSTAINABILITY AGENCY Notice is hereby given that the Board of Directors of Mission Springs Water District will conduct a PUBLIC HEARING on: Tuesday, January 19, 2016 at 3:00 p.m. at 66575 2nd Street, Desert Hot Springs, CA. A Public Hearing will be conducted to hear comments from the public regarding MSWD's proposed election to become the Groundwater Sustainability Agency within portions of the Indio/Whitewater sub-basin, the Mission Creek sub-basin, the Desert Hot Springs sub-basin and the San Geronio Pass sub-basin. Pursuant to Water Code section 10723(a), any local agency overlying a groundwater basin may elect to be a Groundwater Sustainability Agency for that basin. After the public hearing, the Board of Directors of MSWD may elect to submit a notice of intent for MSWD to become a Groundwater Sustainability Agency to the California Department of Water Resources. The notice of intent shall be posted pursuant to Water Code section 10733.3, and it will include a description of the proposed boundaries of the portions of the sub-basins for which MSWD will be the Groundwater Sustainability Agency. Said hearing will be conducted pursuant to Water Code section 10723(b). Date: 12/30/15 by Arden Wallum General Manager and Chief Engineer TPR16-1012 January 5, 12, 2016

EXHIBIT "D"

PUBLIC NOTICE



NOTICE OF PUBLIC HEARING TO CONSIDER ELECTION TO BECOME A GROUNDWATER SUSTAINABILITY AGENCY Notice is hereby given that the Board of Directors of Mission Springs Water District will conduct a PUBLIC HEARING on: Tuesday, January 19, 2016 at 3:00 p.m. at 66575 2nd Street, Desert Hot Springs, CA. A Public Hearing will be conducted to hear comments from the public regarding MSWD's proposed election to become the Groundwater Sustainability Agency within portions of the Indio/Whitewater sub-basin, the Mission Creek sub-basin, the Desert Hot Springs sub-basin and the San Geronimo Pass sub-basin. Pursuant to Water Code section 10723(a), any local agency overlying a groundwater basin may elect to be a Groundwater Sustainability Agency for that basin. After the public hearing, the Board of Directors of MSWD may elect to submit a notice of intent for MSWD to become a Groundwater Sustainability Agency to the California Department of Water Resources. The notice of intent shall be posted pursuant to Water Code section 10733.3, and it will include a description of the proposed boundaries of the portions of the sub-basins for which MSWD will be the Groundwater Sustainability Agency. Said hearing will be conducted pursuant to Water Code section 10723(b). Date: 12/30/15 by Arden Wallum General Manager and Chief Engineer TPR16-1012 January 5, 12, 2016

NOTICE IS HEREBY GIVEN pursuant to California Business and Professional Codes #21700-21716 Section 2328 of the UCC of the Penal Code, Section 535 the undersigned, StorQuest Self Storage, Inc, will sell at public sale by competitive bidding the personal property of: NAMES: Gina Quick, Ray Green, Loretta Johnson, Richard King, Alexander Ogle Property to be sold includes but is not limited to: misc household goods, furniture, tools, clothes, electronics, toys, boxes, Auctioneer: J. Michaels Auction, Inc. Bond #142295787. The auction will be held on or after January 15th, 2016 at 12:45 pm at StorQuest Self Storage, 2711 Tamarisk Rd, Palm Springs, CA, 92262. Goods must be paid in cash and removed at time of sale. StorQuest reserves the right to refuse any bid or cancel auction if settlement occurs between owner and obligated party. TPR15-2286 December 29, 2015, January 5, 2016

Customer Name Alejandro R Rodriguez, Maria R Gamez, Brian K Johnson, Raul A Zamora, Rudy Torres, Nicole A Wise, Sophia Flores, Ramon Ceja, Erika O Ortiz, Francisco J Munoz, Catarino Lopez, Suzanne Fletcher. TPR15-2295 December 29, 2015, January 12, 2016

NOTICE OF TRUSTEE'S SALE YOU ARE IN DEFAULT FOR FAILURE TO PAY ASSESSMENTS PURSUANT TO A DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AS WELL AS AN ASSESSMENT LIEN RECORDED AGAINST YOUR PROPERTY IN ACCORDANCE WITH THE PROVISIONS OF SAID DECLARATION. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDINGS AGAINST YOU, YOU SHOULD CONTACT A LAWYER. NOTICE IS HEREBY GIVEN THAT ON January 28, 2016, at 9:15 a.m. WAYNE S. GURALNICK, A Professional Law Corporation, as duly-appointed Trustee, Attorney and Authorized Representative under and pursuant to the Declaration of Covenants, Conditions and Restrictions, (hereinafter referred to as "CC&Rs"), recorded October 26, 1970, as Instrument No. 107569 of Official Records of Riverside County, California, and any amendments and supplements thereto, pursuant to that certain Notice of Default and Election to Sell under Provisions of the Declaration for Establishment of Covenants, Conditions and Restrictions thereunder recorded as Instrument No. 2014-0359614 on September 23, 2014, in book 2014, Page 0359614, of Official Records of Riverside County, California, WILL SELL TO THE HIGHEST BIDDER for cash, a cashier's check drawn by a state or national bank, a cashier's check drawn by a state or federal credit union, a cashier's check drawn by a state or federal savings and loan association, or savings bank specified by Section 5102 of the Financial Code and authorized to do business in this state, at the front entrance of the G&G Plaza: 40-004 Cook Street, Palm Desert, California 92211, the following real property, improvements thereon, pertinent easements, rights, licenses and privileges held in the name of: LAURA A. BACHUS / TOMMY R. BACHUS. NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to '2924g of the California Civil Code. The law requires that information about the trustee sale

of Covenants, Conditions and Restrictions recorded October 26, 1970, as Instrument No. 107569, of Official Records of Riverside County, California, affecting the above-said real property and the improvements situated thereon. The street address and other common designations, if any, of the real property described above are purported to be: 72586 EDGEHILL DRIVE, #4, PALM DESERT, CA. Assessor's Parcel No. 628-210-045. The undersigned disclaims any liability for any incorrectness of the street address and other common designations, if any shown herein. Said sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, pursuant to the terms of the above-said Declaration of Covenants, Conditions and Restrictions, Civil Code " 5675 and 2924(a) through 2924(h), inclusive, to pay the delinquent maintenance assessments which have become due, plus subsequent maintenance assessments which may become due and unpaid prior to the sale of the above-described property; such sums as it may become necessary for INDIAN CREEK VILLAS HOMEOWNERS ASSOCIATION, A California Non-Profit Mutual Benefit Corporation, to advance to protect its lien for payment of delinquent assessments, and fees, charges, expenses and attorney's fees as set forth in said CC&Rs, to wit: \$10,332.00. NOTICE IS FURTHER GIVEN that said Association, through its duly-appointed Trustee, Attorney, and Authorized Representative, has executed and delivered a written declaration of default and demand for sale, and has surrendered all documents evidencing obligations secured thereby, and has declared and hereby declares all sums secured thereby immediately due and payable, and has elected and does elect to cause the property described above to be sold to satisfy the obligations due said Association. The Association has further caused the undersigned to execute a Notice of Assessment Lien and a Notice of Default and Election to Sell, which were then both recorded in the County where the real property is located. Name, Street Address and Telephone Number of the Trustee, Attorney and Authorized Representative (undersigned) conducting the sale is: WAYNE S. GURALNICK, A PROFESSIONAL LAW CORPORATION, 40-004 Cook Street, Suite 3, Palm Desert, California 92211, (760) 340-1515. Please note that this trustee's Sale is subject to a ninety (90) day redemption as indicated in Civil Code Section 5715. DATED: January 4, 2016. INDIAN CREEK VILLAS HOMEOWNERS ASSOCIATION, A California Non-Profit Mutual Benefit Corporation. By: Cynthia Van Lizen, Assistant Secretary of WAYNE S. GURALNICK, A Professional Law Corporation, Trustee and Authorized Representative for INDIAN CREEK VILLAS HOMEOWNERS ASSOCIATION, A California Non-Profit Mutual Benefit Corporation. Legal Description Exhibit A Real property in the City of Palm Desert, County of Riverside, State of California, described as follows: UNIT NO. 4 OF LOT 31 OF TRACT NO. 3953, IN THE CITY OF PALM DESERT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN BY MAP ON FILE IN BOOK 66, PAGE (5) 59 AND 60 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, AND AS DEFINED IN THE DECLARATION OF RESTRICTIONS (ENABLING DECLARATION ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF PHASE 1, TRACT 3953) RECORDED OCTOBER 26, 1970 AS INSTRUMENT NO. 107569, OFFICIAL RECORDS AND THE DECLARATION OF ANNEXATIONS

Attorney and Authorized Representative under and pursuant to the Declaration of Covenants, Conditions and Restrictions, (hereinafter referred to as "CC&Rs"), recorded October 26, 1970, as Instrument No. 107569 in Book, at Page of Official Records of Riverside County, California, and any amendments and supplements thereto, pursuant to that certain Notice of Default and Election to Sell under Provisions of the Declaration for Establishment of Covenants, Conditions and Restrictions thereunder recorded as Instrument No. 2013-0439058 on September 9, 2013, in book 2013, Page 0439058, of Official Records of Riverside County, California, WILL SELL TO THE HIGHEST BIDDER for cash, a cashier's check drawn by a state or national bank, a cashier's check drawn by a state or federal credit union, a cashier's check drawn by a state or federal savings and loan association, or savings bank specified by Section 5102 of the Financial Code and authorized to do business in this state, at the front entrance of the G&G Plaza: 40-004 Cook Street, Palm Desert, California 92211, the following real property, improvements thereon, pertinent easements, rights, licenses and privileges held in the name of: GEORGE G. EGGERT TRUSTEE OF THE GEORGE G. EGGERT TRUST DATED 6/13/05". NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to '2924g of the California Civil Code. The law requires that information about the trustee sale postonements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call 760-340-1515 ext 105 for information regarding the trustee's sale for information regarding the sale of this property, using the file number assigned to this case. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale. For 24/7 Access to Information Related to Sale Dates and Postonements please call (760) 340-1515 ext. 105. LEGALLY DESCRIBED IN Exhibit A attached hereto and made a part hereof, inclusive of Maps, Records of Riverside County, State of California, and the accompanying portion of the Common Area appurtenant thereto. In the matter of the Notice of Assessment Lien executed by INDIAN CREEK ASSOCIATION, A

it may become necessary for INDIAN CREEK VILLAS HOMEOWNERS ASSOCIATION, A California Non-Profit Mutual Benefit Corporation, to advance to protect its lien for payment of delinquent assessments, and fees, charges, expenses and attorney's fees as set forth in said CC&Rs, to wit: \$14,590.00. NOTICE IS FURTHER GIVEN that said Association, through its duly-appointed Trustee, Attorney, and Authorized Representative, has executed and delivered a written declaration of default and demand for sale, and has surrendered all documents evidencing obligations secured thereby, and has declared and hereby declares all sums secured thereby immediately due and payable, and has elected and does elect to cause the property described above to be sold to satisfy the obligations due said Association. The Association has further caused the undersigned to execute a Notice of Assessment Lien and a Notice of Default and Election to Sell, which were then both recorded in the County where the real property is located. Name, Street Address and Telephone Number of the Trustee, Attorney and Authorized Representative (undersigned) conducting the sale is: WAYNE S. GURALNICK, A PROFESSIONAL LAW CORPORATION, 40-004 Cook Street, Suite 3, Palm Desert, California 92211, (760) 340-1515. Please note that this trustee's Sale is subject to a ninety (90) day redemption as indicated in Civil Code Section 5715. DATED: January 4, 2016. INDIAN CREEK VILLAS HOMEOWNERS ASSOCIATION, A California Non-Profit Mutual Benefit Corporation. By: Cynthia Van Lizen, Assistant Secretary of WAYNE S. GURALNICK, A Professional Law Corporation, Trustee and Authorized Representative for INDIAN CREEK VILLAS HOMEOWNERS ASSOCIATION, A California Non-Profit Mutual Benefit Corporation. LEGAL DESCRIPTION ON EXHIBIT (A) UNIT NO. 4 OF LOT 19 OF TRACT NO. 3953 AS PER MAP RECORDED IN BOOK 66 PAGES 59 AND 60 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AS DEFINED IN THE DECLARATION OF RESTRICTIONS, (ENABLING DECLARATION ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF PHASE 1, TRACT NO. 3953) RECORDED OCTOBER 26, 1970 AS INSTRUMENT NO. 107569, OFFICIAL RECORDS, AND THE DECLARATION OF ANNEXATIONS (AND AMENDMENTS TO DECLARATION OF RESTRICTIONS, PHASE II, PHASE III, PHASE IV AND PHASE V), RECORDED JANUARY 15, 1971 AS INSTRUMENT NOS. 4324 AND 4325, AND JANUARY 27, 1971 AS INSTRUMENT NOS. 8184 AND 8185, RESPECTIVELY, ALL OF OFFICIAL RECORDS; (B) AN UNDIVIDED ONE-FOURTH INTEREST IN COMMON AREA "A" OF LOT 19 AS SHOWN ON SAID TRACT NO. 3953 AND AS DEFINED IN THE DECLARATION OF RESTRICTIONS, BEING ALL OF SUCH LOT 19 AND THE IMPROVEMENTS THEREON, EXCEPT FOR THE UNITS; (C) UNDIVIDED 1/352ND INTEREST IN COMMON AREA "B" AS DEFINED IN SUCH DECLARATION OF RESTRICTIONS, BEING LOTS 26 AND 51 AS SHOWN ON SAID TRACT NO. 3953 AND THE IMPROVEMENTS THEREON. TPR16-1013 January 5, 12, 19, 2015

NOTICE OF TRUSTEE'S SALE TS No. CA-11-441425-CL Order No.: 110185796-CA-LPI YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 7/19/2006. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE

EXHIBIT E

RESOLUTION NO. 2016-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF MISSION SPRINGS WATER DISTRICT TO BECOME A GROUNDWATER SUSTAINABILITY AGENCY FOR THE PORTION OF THE INDIO/WHITewater SUB-BASIN, THE MISSION CREEK SUB-BASIN, THE DESERT HOT SPRINGS SUB-BASIN, THE SAN GORGONIO PASS SUB-BASIN, AND THE GARNET HILL SUB-BASIN, WITHIN THE BOUNDARIES OF MISSION SPRINGS WATER DISTRICT

WHEREAS, the Sustainable Groundwater Management Act ("SGMA") was signed by the Governor and filed with the Secretary of State in September 2014, with an effective date of January 1, 2015; and

WHEREAS, the Legislature found, *inter alia*, that groundwater provides a significant portion of California's water supply, and accounts for more than one-third of the water used by Californians in an average year and more than one-half of the water used by Californians in a drought year, and that groundwater resources are most effectively managed at the local or regional level; and

WHEREAS, in enacting SGMA, the Legislature intended, *inter alia*, to provide local and regional agencies the authority to sustainably manage groundwater with minimal state intervention, if necessary; and

WHEREAS, pursuant to Water Code section 10720.7(2)(a), all high- and medium-priority groundwater basins and sub-basins defined by the California Department of Water Resources ("DWR") not subject to critical overdraft must be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, and pursuant to Water Code section 10720(b) all low- or very-low priority basins are authorized and encouraged to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans; and

WHEREAS, the Indio/Whitewater sub-basin (DWR Bulletin 118, Basin Number 7-21.01), the Mission Creek sub-basin (DWR Bulletin 118, Basin Number 7-21.02), and the San Gorgonio Pass sub-basin (DWR Bulletin 118, Basin Number 7-21.04) are unadjudicated and designated as medium-priority sub-basins not subject to critical overdraft; the Desert Hot Springs sub-basin (DWR Bulletin 118, Basin Number 7-21.03) is unadjudicated and designated as a low-priority sub-basin; and

WHEREAS, Mission Springs Water District ("MSWD") overlies and has water service supply and management responsibilities within portions of the Indio/Whitewater sub-basin, the Garnet Hill sub-basin (which is not separately identified and numbered in DWR Bulletin 118), the Mission Creek sub-basin, the San Gorgonio Pass sub-basin,

and the Desert Hot Springs sub-basin; most of which areas lie outside the statutory boundaries of the Desert Water Agency ("DWA"); and

WHEREAS, the DWA is not a groundwater management district or agency created by statute to manage groundwater; and

WHEREAS, MSWD, DWA and the Coachella Valley Water District ("CVWD") have a long history of established joint groundwater management in the Indio/Whitewater, Mission Creek and Garnet Hill sub-basins, which has historically been substantially undertaken by MSWD; and

WHEREAS, pursuant to Water Code section 10723(a), any local agency overlying a groundwater basin may elect to be a Groundwater Sustainability Agency ("GSA") for that basin; and

WHEREAS, pursuant to Water Code section 10721(m), a local agency is defined as a local public agency that has water supply, water management, or land use responsibilities within a groundwater basin; and

WHEREAS, MSWD is a local agency within the meaning of Water Code section 10721(m);

WHEREAS, pursuant to Water Code section 10723.8(a), a local agency electing to become a GSA must notify the California Department of Water Resources ("DWR") within thirty (30) days of the local agency's election to become a GSA; and

WHEREAS, pursuant to Water Code section 10723.8(b), ninety (90) days following the posting of the notice of election to become a GSA by the DWR, a GSA shall be presumed the exclusive GSA within the area of the basin that agency is managing as described in the notice, provided that no other notice was submitted; and

WHEREAS, pursuant to Water Code Section 10723(b) and Government Code section 6066, a notice of public hearing was published in a newspaper of general circulation regarding MSWD's intent to consider becoming a GSA for the Indio/Whitewater sub-basin, the Mission Creek sub-basin, the San Gorgonio Pass sub-basin, and the Desert Hot Springs sub-basin; and

WHEREAS, becoming a GSA will foster MSWD's ongoing commitment to sustainable groundwater management and to ensuring water supply sustainability within the area served by MSWD;

NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Directors of Mission Springs Water District as follows:

SECTION 1. MSWD hereby elects to be the Groundwater Sustainability Agency ("GSA") for all those portions of the Coachella Valley Groundwater Basin, including the

Indio/Whitewater sub-basin, the Garnet Hill sub-basin, the Mission Creek sub-basin, the Desert Hot Springs sub-basin and the San Gorgonio Pass sub-basin, underlying and within its jurisdictional boundaries.

SECTION 2. MSWD staff is hereby directed to submit to the California Department of Water Resources, within thirty (30) days of the approval of this resolution, the notice and supporting documentation required by Water Code section 10723.8, and any other documentation required by SGMA to support MSWD's formation of a GSA.

SECTION 3. The MSWD General Manager is authorized to negotiate a memorandum of understanding, other necessary cooperative agreements or other forms of agreements with other agencies or entities utilizing groundwater in the Indio/Whitewater, Mission Creek, Desert Hot Springs, San Gorgonio Pass and Garnet Hill sub-basins, for the purpose of implementing a cooperative, coordinated governing structure for the management of those sub-basins pursuant to SGMA.

SECTION 4. The approval of this resolution and the actions described herein are categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") since: (1) they constitute a reorganization of local governmental agencies which does not change the geographical area in which previously existing powers are exercised (State CEQA Guidelines, Section 15320); (2) the resolution result in the formation of an agency only and not the approval of any project or proposal containing enough "meaningful information for environmental assessment" (State CEQA Guidelines 15004); and (3) it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines 15061(b)(3)).

ADOPTED this 19th day of January 2016, by the following vote:

Ayes: Bowman, Duncan, Furbee, Martin, Wright

Noes:

Abstain:

Nancy Wright
President of Mission Springs Water District
and its Board of Directors

ATTEST:

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

EXHIBIT F

INDIO/WHITEWATER, GARNET HILLS, MISSION CREEK, DESERT HOT SPRINGS AND SAN GORGONIO PASS SUB-BASINS INITIAL LIST OF BENEFICIAL USES AND USERS OF GROUNDWATER FOR THE MISSION SPRINGS WATER DISTRICT GROUNDWATER SUSTAINABILITY AGENCY (MSWD-GSA)

As required by the Sustainable Groundwater Management Act (SGMA), MSWD will consider all beneficial uses and users of groundwater, as well as those responsible for implementing Groundwater Sustainability Plans (GSPs). MSWD has created an initial list of interested parties in accordance with California Water Code sections 10723.2 and 10723.8(a)(4). This list will continue to be updated assuring the implementation of MSWD's GSP for the Indio/Whitewater, Garnet Hills, Mission Creek, Desert Hot Springs, and San Gorgonio Pass Sub-Basins.

Interested parties include, but are not limited to:

- a. Holders of overlying groundwater rights : The Indio/Whitewater, Garnet Hills, Mission Creek, Desert Hot Springs, and San Gorgonio Pass Sub-Basins are unadjudicated. The following may pump within MSWD's boundaries.
 - Domestic users
 - Resort / Spa industry users such as hotels, golf courses and homeowners associations
 - Institutional users
 - Public and private landowners
 - Agricultural users
 - Sentinel Power Plant
- b. Municipal well operators :
 - Various State Small Water Systems regulated by the State Water Resources Control Board and Riverside County Department of Public Health
 - Desert Water Agency and Coachella Valley Water District, to the extent they operate municipal water service wells within the MSWD GSA boundary.
- c. Public water systems : Any/all public water systems within the portions of the sub-basins for which MSWD will be the GSA, which rely on groundwater and are listed under (b) municipal well operators.
- d. Local land use planning agencies :

- County of Riverside
 - City of Desert Hot Springs (within MSWD boundaries)
 - City of Palm Springs (within MSWD boundaries)
- e. Environmental users of groundwater:
- Coachella Valley Conservation Commission
 - The Wildlands Conservancy
 - Coachella Valley Mountains Conservancy
- f. Sources and users of surface water:
- State Water Project water exchanged for Colorado River water for recharge
 - Local stream flow from Mission Creek and a number of smaller washes, all of which naturally recharge the groundwater basin
- g. The federal government: The MSWD GSA will coordinate with federal agencies that hold or manage land overlying the groundwater basins including, but not limited to the following:
- U.S. Bureau of Land Management
 - U.S. Bureau of Reclamation
 - U.S. Fish and Wildlife Service
 - U.S. Department of Agriculture
 - Natural Resources Conservation Service
- h. California Native American Tribes: The MSWD GSA will coordinate with the federally recognized Agua Caliente Band of Cahuilla Indians located within the MSWD GSA boundary and/or affected by the MSWD GSA.
- i. Disadvantaged communities: Several DACs exist within the MSWD GSA boundary including portions of the cities of Palm Springs and Desert Hot Springs, and unincorporated communities within Riverside County. MSWD actively works with these communities via the Coachella Valley Integrated regional Water Management Group and will coordinate with these and other DACs within the MSWD GSA boundary.
- j. Entities listed in California Water Code Section 10927 that are monitoring and reporting groundwater elevations in all or part of a groundwater basin managed by the MSWD GSA: MSWD, Desert Water Agency, Coachella Valley Water District, and the San Geronio Pass Water Agency all participate in the California Statewide Groundwater Elevation Monitoring Program.

§ 100-2. Creation; management; general powers; boundaries
West's Annotated California Codes Water Code Appendix (Approx. 4 pages)

West's Annotated California Codes
Water Code Appendix (Refs & Annos)
Chapter 100. Desert Water Agency Law (Refs & Annos)

West's Ann.Cal.Water Code App. § 100-2

§ 100-2. Creation; management; general powers; boundaries

Currentness

Sec. 2. The Desert Water Agency is hereby created, organized and incorporated and shall be managed as herein expressly provided and may exercise the powers herein expressly granted or necessarily implied, and may include contiguous or noncontiguous parcels of both unincorporated and incorporated territory, other than territory included in any public district having identity of purpose or substantial identity of purpose, without the prior consent of such public district, evidenced by a resolution duly adopted by the governing board thereof, and shall include all territory lying within the following described boundaries:

All that real property situate in the County of Riverside, State of California, more particularly described as follows:

Beginning at the southwest corner of Section 29, Township 3 South, Range 4 East, San Bernardino Base & Meridian, said point being an angle point in the boundary line of that certain parcel of land excluded from the Coachella Valley County Water District under Ordinance No. 689, recorded as Instrument No. 1641, March 25, 1941, in Book 494 of Official Records of Riverside County, California, at Page 408 thereof;

- (1) Thence easterly along the south line of said Section 29 to the north quarter section corner of Section 32, said last mentioned township and range;
- (2) Thence southerly along the north-south quarter section line of said Section 32 to the center quarter section corner thereof;
- (3) Thence easterly along the east-west quarter section line of said Section 32 to the east quarter section corner thereof;
- (4) Thence southerly along the east line of said Section 32 to the southeast corner thereof;
- (5) Thence easterly along the township line between Township 3 South and Township 4 South in Range 4 East, San Bernardino Base & Meridian, to the northwest corner of Section 2, Township 4 South, Range 4 East;
- (6) Thence southerly along the west line of said Section 2 to the southwest corner thereof;
- (7) Thence easterly along the south line of said Section 2 to the northwest corner of Section 12, said last mentioned township and range;

(8) Thence southerly along the west line of said Section 12 to the southwest corner thereof;

(9) Thence easterly along the south line of said Section 12 to the southeast corner thereof;

(10) Thence along the range line between Range 4 East and Range 5 East, in Township 4 South, San Bernardino Base & Meridian, to the southwest corner of Section 7, Township 4 South, Range 5 East, San Bernardino Base & Meridian;

(11) Thence easterly along the south line of said Section 7 to the northwest corner of Section 17, said last mentioned township and range;

(12) Thence southerly along the west line of said Section 17 and the west line of Sections 20 and 29, said last mentioned township and range, to the southwest corner of said Section 29;

(13) Thence easterly along the south line of said Section 29 to the southeast corner thereof;

The last 13 courses and distances follow said boundary line of said excluded parcel as described hereinabove, said last mentioned point being the northwest corner of that certain parcel of land excluded from the Coachella Valley County Water District as Ordinance No. 765, recorded as Instrument No. 2473, January 19, 1946, in Book 723 of Official Records of Riverside County, California, at Page 416 thereof;

(14) Thence easterly along the north line of Section 33, said last mentioned township and range, to the northwest corner of the northeast quarter of the northeast quarter of said Section 33;

(15) Thence southerly along the west line of said northeast quarter of the northeast quarter to the southwest corner thereof;

(16) Thence easterly along the south line of said northeast quarter of the northeast quarter to the southeast corner thereof;

(17) Thence southerly along the east line of said Section 33 to the southeast corner thereof;

The last four courses and distances follow the boundary line of said last mentioned excluded parcel, said point being on the boundary line of said excluded parcel first mentioned hereinabove;

(18) Thence easterly along the south line of Section 34, said last mentioned township and range, to the north quarter section corner of Section 3, Township 5 South, Range 5 East, San Bernardino Base & Meridian;

(19) Thence southerly along the north-south quarter section line of said Section 3 to the south quarter section corner thereof;

The last two courses and distances follow the boundary line of said excluded parcel first mentioned hereinabove;

(20) Thence, leaving said boundary line, westerly along the south line of said Section 3 and the south line of Sections 4, 5 and 6 of said last mentioned township and range, to the south quarter section corner of said Section 6;

- (21) Thence northerly along the north-south quarter section line of said Section 6 to the north quarter section corner thereof;
- (22) Thence westerly along the north line of said Section 6 to the northwest corner thereof;
- (23) Thence along the range line between Range 5 East and Range 4 East, San Bernardino Base & Meridian, to the northeast corner of Section 1, Township 5 South, Range 4 East, San Bernardino Base & Meridian;
- (24) Thence westerly along the township line between Township 4 South, and Township 5 South, in Range 4 East, San Bernardino Base & Meridian, to the southwest corner of Section 33, Township 4 South, Range 4 East, San Bernardino Base & Meridian;
- (25) Thence northerly along the west line of said Section 33 and the west line of Sections 28 and 21, said last mentioned township and range, to the northwest corner of said Section 21;
- (26) Thence westerly along the south line of Sections 17 and 18, said last mentioned township and range to the southwest corner of said Section 18;
- (27) Thence along the range line between Range 3 East and Range 4 East, in Township 4 South, San Bernardino Base & Meridian, to the southeast corner of Section 13, Township 4 South, Range 3 East, San Bernardino Base & Meridian;
- (28) Thence westerly along the south line of said Section 13, to the southwest corner thereof;
- (29) Thence northerly along the west line of said Section 13 and the west line of Sections 12 and 1, said last mentioned township and range, to the east quarter section corner of Section 2, said last mentioned township and range;
- (30) Thence westerly along the east-west quarter section line of said Section 2 and the east-west quarter section line of Sections 3, 4 and 5, said last mentioned township and range, to the center quarter section corner of said Section 5;
- (31) Thence northerly along the north-south quarter section line of said Section 5, to the north quarter section corner thereof;
- (32) Thence along the township line between Township 3 South, and Township 4 South, in Range 3 East, San Bernardino Base & Meridian, to the south quarter section corner of Section 32, Township 3 South, Range 3 East, San Bernardino Base & Meridian;
- (33) Thence northerly along the north-south quarter section line of said Section 32, to the north quarter section corner thereof;
- (34) Thence westerly along the north line of said Section 32 and the north line of Section 31, said last mentioned township and range, to the northwest corner of said Section 31;
- (35) Thence northerly along the range line between Range 2 East and Range 3 East in Township 3 South, San Bernardino Base & Meridian, to the northwest corner of Section 6, Township 3 South, Range & East, San

Bernardino Base & Meridian;

(36) Thence easterly along the township line between Township 2 South and Township 3 South in Range 3 East, San Bernardino Base & Meridian, to the northeast corner of Section 2, Township 3 South, Range 3 East, San Bernardino Base & Meridian;

(37) Thence southerly along the east line of Sections 2, 11, 14, 23 and 26, said last mentioned township and range, to the southeast corner of Section 26;

(38) Thence easterly along the south line of Section 25, said last mentioned township and range, to the southeast corner or said Section 25;

(39) Thence along the range line between Range 3 East and Range 4 East, San Bernardino Base & Meridian to the southwest corner of Section 30, Township 3 South, Range 4 East:

(40) Thence easterly along the south line of said section to the point of beginning.

Credits

(Stats.1961, c. 1069, p. 2754, § 2.)

West's Ann. Cal. Water Code App. § 100-2, CA WATER App. § 100-2
Current with all 2015 Reg.Sess. laws, and Ch. 1 of 2015-2016 2nd Ex.Sess.

**End of
Document**

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Works.



Exhibit C

EXHIBIT C

DESERT WATER



Craig A. Ewing, President
James Cioffi, Vice President
Joseph K. Stuart, Secretary-Treasurer
Patricia G. Oygur, Director
Richard Oberhaus, Director

David K. Luker, General Manager-Chief Engineer
Best, Best & Krieger, General Counsel
Krieger & Stewart, Consulting Engineer

November 20, 2015

Mark Nordberg, GSA Project Manager
Senior Engineering Geologist
California Department of Water Resources
901 P Street, Room 213A
P.O. Box 942836
Sacramento, CA 94236
Mark.Nordberg@water.ca.gov

Subject: Notice of Election to become a Groundwater Sustainability Agency

Dear Mr. Nordberg:

Pursuant to California Water Code sections 10723(c)(3) and 10723.8 of the Sustainable Groundwater Management Act (SGMA), The Desert Water Agency (DWA) provides this notice of its election to serve as a Groundwater Sustainability Agency (GSA), for the portions of the Indio Sub-Basin (DWR Sub-Basin No. 7-21.01), Mission Creek Sub-Basin (DWR Sub-Basin No. 7-21.02) and San Gorgonio Pass Sub-Basin (DWR Sub-Basin 7-21.04) shown on Exhibit A. The identified sub-basin areas are unadjudicated and designated as medium priority by DWR.

DWA is one of the statutorily named, exclusive local agencies given the power to comply with SGMA. (Water Code, section 10723(c)(1).) DWA is an independent special district created by a special act of the State Legislature as set forth in chapter 100 of the appendix of the California Water Code. In addition to providing retail water service in a portion of its service area, DWA also has groundwater management powers under its enabling legislation and other applicable law across a large portion of the northwestern Coachella Valley. To this end, DWA manages one replenishment assessment program in the Indio Sub-Basin and another replenishment assessment program in the Mission Creek Sub-Basin. DWA relies on the Indio and Mission Creek Sub-Basins to help meet the water related needs of its customers. Becoming a GSA supports DWA's ongoing efforts to ensure water supply sustainability for not just its own customers, but a large portion of the Coachella Valley.

DWA's Board of Directors has elected to become the GSA for the entire area shown on Exhibit A. This area includes the entirety of the three sub-basins described above situated within DWA's statutory boundaries (shown on Exhibit B). The area also includes an approximately 3-square mile area (Section 1, T.3S.,R.3E., SBM, Section 12, T.3S.,R3E., SBM and Section 13, T.3S.,R3E., SBM.) , as identified on Exhibit A, that is almost completely surrounded by DWA and which is located within the Indio and Mission Creek sub-basins. The lands within the 3-square miles are part of the area that receives the benefit of DWA's groundwater replenishment program, which supplies significant volumes of imported SWP water to this groundwater basin. Indeed, DWA operates a major groundwater recharge project only a few miles north (and upgradient) of these lands. In addition, DWA is the only agency in the region with statutory replenishment authority. DWA is thus the entity best suited to manage groundwater throughout the area described in Exhibit A. Any other GSA configuration would compromise DWA's ability to protect replenished water supplies and ensure sustainability of the named basins. The DWA has the "technical, managerial and financial capabilities to sustainably manage basin-wide groundwater resources[.]" (DWR notification, p. 2 of 6.).

DWA has also been notified that the County of Riverside has no interest in becoming the GSA for the areas to be managed by DWA and in fact, the County supports DWA's management of the entire described GSA area.

In accordance with Section 10723(b) of the California Water Code and Section 6066 of the California Government Code, a notice of public hearing was published in a newspaper of general circulation in Riverside County regarding DWA's intent to consider becoming a GSA for the Indio Sub-Basin, Mission Creek Sub-Basin and San Gorgonio Pass Sub-Basin. The notice is enclosed as Exhibit C.

On November 17, the DWA Board of Directors held a public hearing to consider the decision to serve as a GSA for the Indio, Mission Creek Sub-Basins, and San Gorgonio Sub-Basins. One written comment was received prior to the public hearing and five comments were received at the public hearing.

Following the public hearing, DWA's Board of Directors adopted Resolution No. 1123 enclosed as Exhibit D, electing to become a GSA for all of those portions of the Indio Sub-Basin, the Mission Creek Sub-Basin, and the San Gorgonio Pass Sub-Basin shown on Exhibit A. DWA is not proposing any new bylaws, ordinances, or other new authorities associated with this GSA formation.

DWA is not electing to be the GSA for those portions of the Indio and Mission Creek sub-basins within the water service boundaries of Coachella Valley Water District (CVWD), Indio Water Authority (IWA), and Coachella Water Authority (CWA). DWA initiated periodic coordination meetings with these agencies and supports their efforts to become GSAs. We understand that CVWD has already filed its notice to become a GSA. It is anticipated that IWA and CWA will in short order file notices of election to become a GSA for the portion of the Indio Sub-basin underlying their respective service areas, thus covering the sub-basin and leaving no gaps. DWA has also initiated a coordination meeting with the San Gorgonio Pass Water Agency and has supported its intention to become a GSA. It is anticipated that other local agencies overlying the San Gorgonio Pass Sub-Basin outside of the area overlaid by DWA may elect to become GSA's within the boundaries of the San Gorgonio Pass Water Agency (SGPWA). DWA will continue to coordinate with the SGPWA and any other local agency that elects to become a GSA within the San Gorgonio Pass Sub-Basin.

The DWA Board of Directors authorized the General Manager to negotiate an MOU, other necessary cooperative agreements, or other forms of agreement with CVWD, IWA, CWA and SGPWA or other agencies or entities utilizing groundwater in the Indio, Mission Creek and San Gorgonio Pass Sub-Basins, as necessary for the purpose of implementing a cooperative, coordinated governing structure for the management of the Indio Sub-Basin, Mission Creek Sub-Basin and San Gorgonio Pass Sub-Basin under SGMA.

An initial list of interested parties is included as Exhibit E, and will be used to ensure that DWA will consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing Groundwater Sustainability Plans (GSPs), Pursuant to California Water Code section 10723.2.

If you have any questions, or require further information, please contact Mark Krause at (760) 323-4971 extension 110.

Sincerely,



David K. Luker
General Manager-Chief Engineer

Enc. 5

cc: James Barrett
General Manager
Coachella Valley Water District
P.O. Box 1058
Coachella, CA 92236

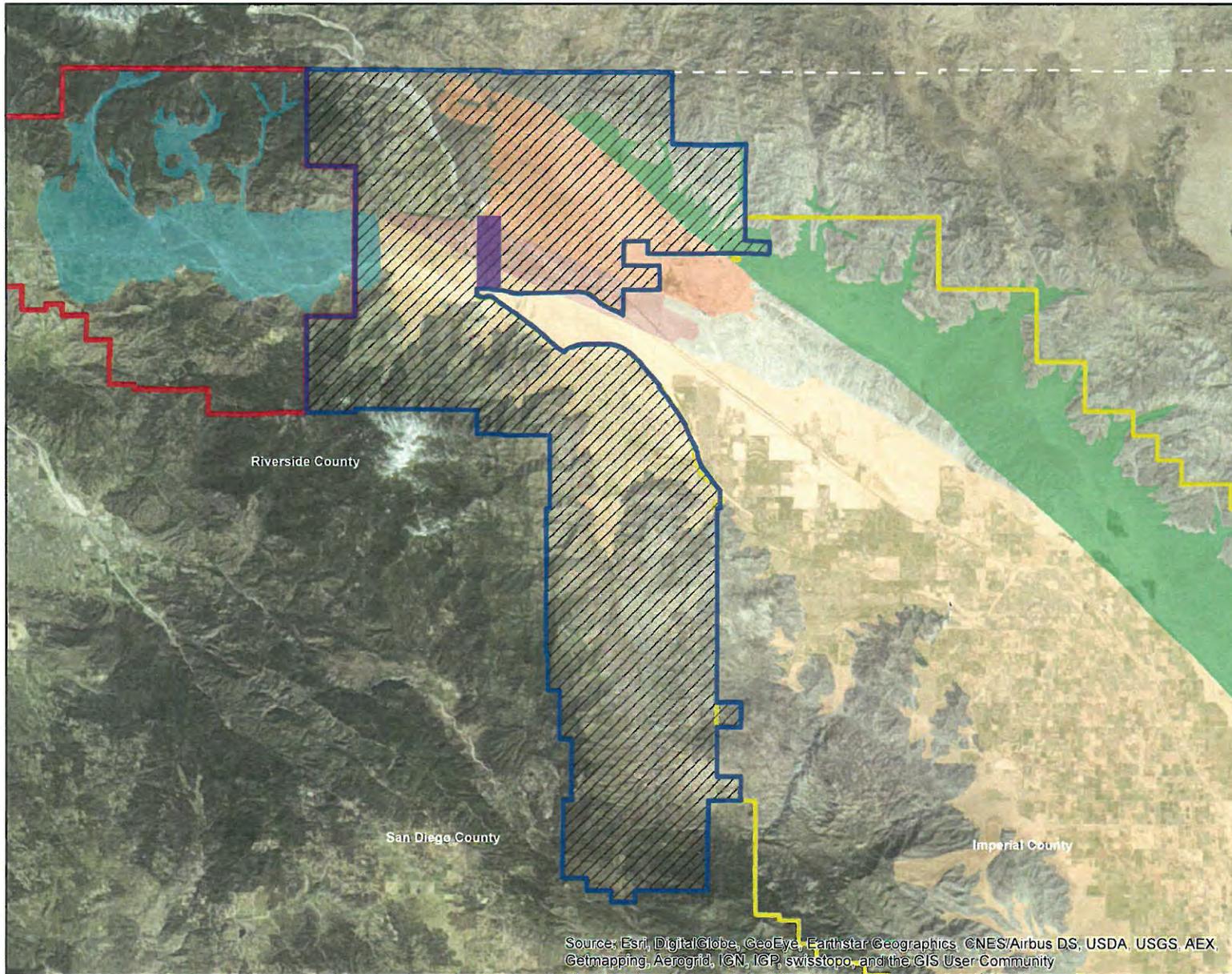
Brian Macy
General Manager
Indio Water Authority
83-101 Avenue 45
Indio, CA 92201

David Garcia
City Manager
City of Coachella
1515 6th Street
Coachella, CA 92236

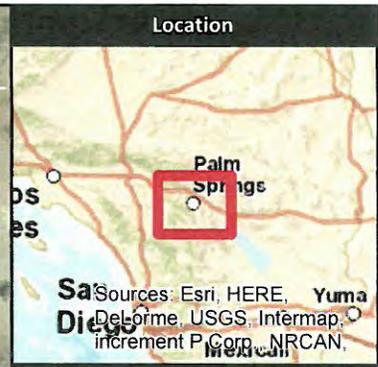
Maritza Martinez
Public Works Director
City of Coachella
1515 6th Street
Coachella, CA 92236

Jeff Davis
General Manager
San Geronio Pass Water Agency
1210 Beaumont Avenue
Beaumont, CA 92223

Eric T. Gorman PG, CHG
Engineering Geologist
California Department of Water Resources
Southern Region – Groundwater Section
770 Fairmont Ave., Suite 102
Glendale, CA 91203-1035



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Yuma

Legend

- Proposed GSA Boundary
- Area Outside of DWA Statutory Boundary
- CVWD Boundary
- SGPWA Boundary
- Indio Whitewater River Subbasin
- Mission Creek Subbasin
- Garnet Hill Subarea (Indio Whitewater River Subbasin)
- San Gorgonio Pass Subbasin
- Desert Hot Springs Subbasin



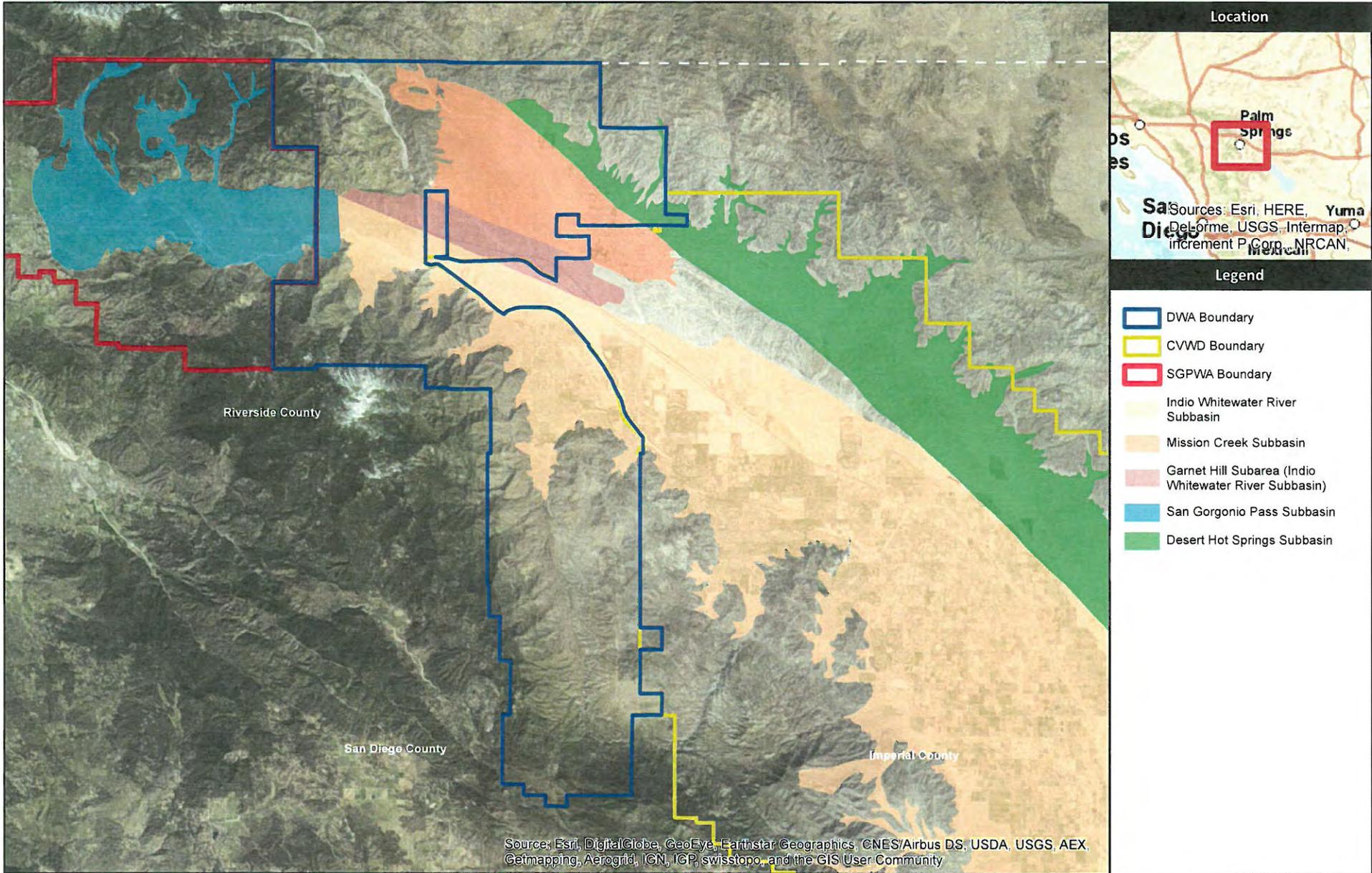
Desert Water Agency
 1200 Gene Autry Trail South
 www.dwa.org
 Ph. (760) 323-4971
 Fx. (760) 325-6505



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

**Exhibit A
 Proposed GSA Boundary**

File Name: Exhibit A GSA Boundary.mxd
 File Location: E:\SIGMA\Presentations\12-3-2015 MSE DWA board presentation\GIS Maps\Letter Size1
 Date Updated: Thursday, November 12, 2015 @ 12:30:18 PM
 Updated By: mayo
 Department: CVWD Engineering - GIS/CAD



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Desert Water Agency
DESERT WATER
 1200 Gene Autry Trail South
 www.dwa.org
 Ph. (760) 323-4971
 Fx. (760) 325-6505



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Exhibit B
DWA Statutory Boundary

File Name: Exhibit B DWA Statutory Boundary.mxd
 File Location: E:\SGMA\Presentations\11-3-2015\MSA DWA Board presentation\GIS Maps\Letter Size
 Date Updated: Thursday, November 12, 2015 @ 10:09:46 AM
 Updated By: mayo
 Department: CVWD Engineering - GIS/CAD

Proof of Publication
In Newspaper
STATE OF CALIFORNIA
County of Riverside

1. I am a citizen of the United States, a resident of the City of La Quinta, County of Riverside, State of California, and over the age of 18 years.

2. I am the Administrator of Production of The Public Record, a newspaper of general circulation printed and published in the City of Palm Springs, County of Riverside, State of California. Said The Public Record is a newspaper of general circulation as that term is defined in Government Code section 6000, its status as such having been established by judicial decree of the Superior Court of the State of California in and for the County of Riverside in Proceeding No. Indio 49271, dated March 31, 1987, entered in Judgment Book No. 129, page 355, on March 31, 1987.

3. The Public Record is a newspaper of general circulation ascertained and established in the City of Palm Springs in the County of Riverside, State of California, Case No. RIC 358286, Filed June 8, 2001.

4. The notice, of which the annexed is a true printed copy was published in the newspaper on the following publication dates to with:

October 27, 2015
November 3, 2015

I Certify under penalty of perjury that the above is true and correct.

Dated at La Quinta, California, this
3rd Day of November 2015.

The Public Record
Administration

Admin@desertpublicrecord.com

NOTICE OF PUBLIC HEARING Notice is hereby given that the Board of Directors of Desert Water Agency (DWA) will conduct a public hearing on November 17, 2015 at 8:00 a.m. at 1200 South Gene Autry Trail, Palm Springs, California, to hear comments from the public regarding DWA's proposed election to be the Groundwater Sustainability Agency (GSA) within portions of the Indio, Mission Creek and San Geronio Pass sub-basins. Pursuant to Water Code Section 10723, DWA has been designated as the exclusive local agency that may do so within its service area and boundaries. After the public hearing, the Board may elect to submit a notice of intent for DWA to become a GSA to the California Department of Water Resources. The notice of intent shall be posted pursuant to Water Code Section 10733.3 and will include a description of the proposed boundaries of the portions of the sub-basins for which DWA will be the GSA. Said hearing will be conducted pursuant to Water Code Section 10723(b). Dated: October 23, 2015 Sylvia Baca Assistant Secretary to the Board TPR15-2099 October 27, November 3, 2015

EXHIBIT D
RESOLUTION NO. 1123

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
DESERT WATER AGENCY ELECTING TO BECOME A GROUNDWATER
SUSTAINABILITY AGENCY FOR PORTIONS OF THE INDIO/WHITEWATER SUB-
BASIN, THE MISSION CREEK SUB-BASIN AND SAN GORGONIO PASS SUB-BASIN**

WHEREAS, in September 2014 the Sustainable Groundwater Management Act (SGMA) was signed into law, with an effective date of January 1, 2015; and

WHEREAS, the legislative intent of SGMA is, among other goals, to provide for sustainable management of groundwater basins and sub-basins defined by the California Department of Water Resources (DWR), to enhance local management of groundwater, to establish minimum standards for sustainable groundwater management, and to provide specified local agencies with the authority and the technical and financial assistance necessary to sustainably manage groundwater; and

WHEREAS, Water Code Section 10723(a) authorizes a local agency with water supply, water management or local land use responsibilities overlying a groundwater basin to elect to become a Groundwater Sustainability Agency (GSA) under SGMA; and

WHEREAS, under Water Code Section 10723(c)(1)(C), DWA has been deemed the exclusive local agency with the power to implement SGMA within its statutory boundaries, unless it elects to opt out of being the exclusive groundwater management agency for such area; and

WHEREAS, groundwater management of high and medium priority basins as designated by DWR is now required; and

WHEREAS, DWA overlies portions of the Indio/Whitewater sub-basin (DWR Bulletin 118, Basin No. 7-21.01) (“Indio Sub-Basin”), the Mission Creek sub-basin (DWR Bulletin 118, Basin No. 7-21.02) (“Mission Creek Sub-Basin”) and the San Gorgonio Pass sub-basin (DWR Bulletin 118, Basin No. 7-21.04)(“San Gorgonio Pass Sub-Basin”) all of which are unadjudicated and designated as medium priority sub-basins by DWR; and

WHEREAS, Water Code Section 10723(c)(3) provides that “A local agency listed in paragraph (1) may comply with this part by . . . electing to become a groundwater sustainability agency pursuant to this section”; and

WHEREAS, Water Code Section 10723(d) provides that a local agency “that elects to be a groundwater sustainability agency shall submit a notice of intent to the [D]epartment [of Water Resources]”; and

WHEREAS, California Water Code Section 10723.8 requires that a local agency electing to serve as a GSA notify DWR within 30 days of the local agency’s election to become a GSA authorized to undertake sustainable groundwater management within a basin; and

WHEREAS, California Water Code Section 10723.8 mandates that 90 days following the posting by DWR of the local agency's notice of election to become a GSA, that entity shall be presumed to be the exclusive GSA for the area within the basin the agency is managing as described in the notice, provided that no other GSA formation notice covering the same area has been submitted to DWR; and

WHEREAS, in accordance with Water Code Section 10723(b) and Government Code Section 6066, a notice of public hearing was published in a newspaper of general circulation regarding DWA's intent to consider becoming a GSA for the Indio Sub-Basin, Mission Creek Sub-Basin and San Gorgonio Pass Sub-Basin, as described above; and

WHEREAS, becoming a GSA supports DWA's ongoing efforts to conduct groundwater management in the region and to ensure water supply sustainability within the area served by DWA;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Desert Water Agency as follows:

1. DWA hereby elects to be the GSA for the geographical areas depicted on the map attached to this Resolution as Exhibit A, including all of those portions of the Indio Sub-Basin, the Mission Creek Sub-Basin and the San Gorgonio Pass Sub-Basin underlying (or within) the jurisdictional boundaries of DWA.

2. DWA staff is directed to submit to DWR, within thirty (30) days of the approval of this Resolution, the notice and supporting documentation required by Water Code sections 10723(d), 10723.8(a) and any other materials required by SGMA to support DWA's formation of a GSA.

3. The DWA General Manager is authorized to negotiate a memorandum of understanding, other necessary cooperative agreements or other forms of agreements with the Partners, or other agencies or entities utilizing groundwater in the Indio, Mission Creek and San Gorgonio Pass Sub-Basins, for the purpose of implementing a cooperative, coordinated governing structure for the management of the Indio, Mission Creek and San Gorgonio Pass Sub-Basins under SGMA.

4. The approval of this Resolution and the actions described herein are categorically exempt from the requirements of the California Environmental Quality Act (CEQA) since: (1) the Resolution results in the formation of an agency only and not the approval of any project or proposal containing enough "meaningful information for environmental assessment" (State CEQA Guidelines 15004); and (2) it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines 15061(b)(3).) Staff is directed to file and post within five (5) business days the attached Notice of Exemption with the Clerk of the Board of Supervisors of Riverside County.

5. This resolution shall become effective immediately.

APPROVED AND ADOPTED this 17th day of November, 2015.



James Cioffi, Vice President
Board of Directors

ATTEST:



Joseph K. Stuart, Secretary-Treasurer
Board of Directors

Exhibit E

Indio, Mission Creek, and San Gorgonio Pass Sub-Basins **Initial List of Beneficial Uses and Users of Groundwater for the** **Desert Water Agency Groundwater Sustainability Agency (DWA-GSA)**

As required by the Sustainable Groundwater Management Act (SGMA), DWA will consider all beneficial uses and users of groundwater, as well as those responsible for implementing Groundwater Sustainability Plans (GSPs). An initial list of interested parties is provided in accordance with California Water Code sections 10723.2 and 10723.8(a)(4). This list will continue to be updated during the implementation of DWA's GSPs for the Indio, Mission Creek, and San Gorgonio Pass Sub-Basins.

- (a) Holders of overlying groundwater rights: The Indio, Mission Creek and San Gorgonio Pass Sub-basins are unadjudicated and the majority of users exercising overlying groundwater rights within DWA's boundaries report their water use to DWA pursuant to Sections 15.3 and 15.4 of the Desert Water Agency Law (Chapter 100 of the California Water Code Appendix), which authorize DWA to levy and collect replenishment assessments for the purpose of replenishing groundwater supplies within DWA boundaries. These overlying users include the following:
- Domestic Users
 - Resort Industry Users such as Golf Courses and Homeowners Associations
 - Institutional Users
 - Public and Private Land Owners
- (b) Municipal well operators:
- Desert Water Agency (DWA) (exclusive GSA per Water Code section 10723.(c)(1))
 - Mission Springs Water District (MSWD) (within DWA Boundary)
 - Various State Small Water Systems regulated by the State Water Resources Control Board and Riverside County Department of Public Health
- (c) Public water systems: All public water systems within the portions of the sub-basins for which DWA will be the GSA rely on groundwater and are listed under (b) Municipal well operators.
- (d) Local land use planning agencies:
- County of Riverside
 - City of Desert Hot Springs (within DWA Boundary)
 - City of Palm Springs (within DWA Boundary)
 - City of Cathedral City
- (e) Surface water users: Sources and users of surface water include the following:
- State Water Project water exchanged for Colorado River water for recharge,
 - Local stream flow from several mostly ephemeral rivers and streams including the Whitewater River, Snow Creek, Falls Creek, Chino Creek, Andreas Creek, Tahquitz Creek and a number of smaller creeks and washes, all of which naturally recharge the groundwater basin.

Exhibit E

- Desert Water Agency diverts a small amount of surface water from the Whitewater River, Snow Creek, Falls Creek, and Chino Creek for direct urban water uses.
- (f) The federal government: The DWA GSA will coordinate with federal agencies that hold or manage land overlying the groundwater basins including, but not limited to the following:
- U.S. Bureau of Land Management
 - U.S. Bureau of Reclamation
 - U.S. Fish and Wildlife Service
 - U.S. Department of Agriculture
 - Natural Resources Conservation Service
- (g) California Native American Tribes: The DWA GSA will coordinate with the federally recognized Native American tribe located within the DWA's GSA boundary.
- Agua Caliente Band of Cahuilla Indians
- (h) Disadvantaged Communities: Several Disadvantaged Communities exist within the DWA GSA boundary including portions of the Cities of Palm Springs, Cathedral City, Desert Hot Springs and unincorporated communities with in Riverside County. DWA actively works with these communities via the Coachella Valley Integrated Regional Water Management Group and will coordinate with these and other Disadvantaged Communities within the DWA GSA boundary.
- (i) Entities listed in California Water Code Section 10927 that are monitoring and reporting groundwater elevations in all or part of a groundwater basin managed by the DWA GSA: Coachella Valley Water District, DWA, Indio Water Authority, Coachella Water Authority, and Mission Springs Water District participate in the California Statewide Groundwater Elevation Monitoring Program.

Exhibit D

RESOLUTION NO. 2016-23

A RESOLUTION OF THE BOARD OF DIRECTORS OF MISSION SPRINGS WATER DISTRICT, AMENDING ITS FEBRUARY 3, 2016 NOTICE OF ELECTION TO BECOME A GROUNDWATER SUSTAINABILITY AGENCY TO INCLUDE PORTIONS OF THE INDIO/WHITEWATER SUB-BASIN, THE MISSION CREEK SUB-BASIN, THE SAN GORGONIO PASS SUB-BASIN, AND THE DESERT HOT SPRINGS SUB-BASIN OF THE COACHELLA VALLEY GROUNDWATER BASIN

WHEREAS, the Sustainable Groundwater Management Act (SGMA) was signed by the Governor and filed with the Secretary of State in September 2014, with an effective date of January 1, 2015; and

WHEREAS, the Legislature found, *inter alia*, that groundwater provides a significant portion of California's water supply, and accounts for more than one-third of the water used by Californians in a drought year, and that groundwater resources are most effectively managed at the local or regional levels; and

WHEREAS, in enacting SGMA, the Legislature intended, *inter alia*, to provide local and regional agencies with the authority to sustainably manage groundwater with minimal state intervention, if necessary; and

WHEREAS, pursuant to Water Code section 10720.7(a)(2), all high-and medium-priority groundwater basins and sub-basins defined by the California Department of Water Resources (DWR) not subject to critical overdraft must be managed under a groundwater sustainability plan (GSP) or coordinated GSPs, and pursuant to Water Code section 10720.7(b), all low- or very-low priority basins are authorized and encouraged to be managed under a GSP or coordinated GSPs; and

WHEREAS, the Indio/Whitewater Sub-Basin (DWR Bulletin 118, Basin No. 7-21.01), the Mission Creek Sub-Basin (DWR Bulletin 118, Basin No. 7-21.02), and the San Gorgonio Pass Sub-Basin (DWR Bulletin 118, Basin No. 7-21.04) are unadjudicated and designated as medium-priority sub-basins not subject to critical overdraft; and

WHEREAS, Mission Springs Water District (MSWD) overlies and has water service supply and management responsibilities within portions of the Indio/Whitewater Sub-Basin, the Garnet Hill Sub-Basin (which is not separately identified and numbered in DWR Bulletin 118), the Mission Creek Sub-Basin, and the San Gorgonio Pass Sub-Basin of the Coachella Valley Groundwater Basin, as indicated in the maps set forth in **Exhibit A** hereto, portions of which areas lie outside the claimed statutory boundaries of the Desert Water Agency (DWA), a designated exclusive GSA under SGMA, pursuant to Water Code § 10723(c)(1)(C), as shown on **Exhibit B** hereto; and

WHEREAS, pursuant to Water Code section 10723(a), any local agency overlying a groundwater basin may elect to be a GSA for that basin; and

WHEREAS, the Desert Hot Springs Sub-Basin (DWR Sub-Basin No. 7-21.03) is unadjudicated and designated as a low-priority sub-basin; and

WHEREAS, MSWD overlies and has water service supply and management responsibilities within portions of the Desert Hot Springs Sub-Basin, and DWA has not elected to act as an exclusive GSA pursuant to its statutory authority under SGMA with respect to that Sub-Basin; and pursuant to Water Code section 10723(c)(2) an agency identified in Section 10723(c)(1) may opt out of being the exclusive GSA within its statutory boundaries by sending a notice to that effect to DWR; and

WHEREAS, DWA's Notice of Election to become a Groundwater Sustainability Agency (DWA's Notice of Election) dated November 20, 2015, did not include the Desert Hot Springs Sub-Basin within the scope of DWA's claimed exclusive statutory GSA authority; and

WHEREAS, to the extent DWA has opted out of being the exclusive GSA for the Desert Hot Springs Sub-Basin, MSWD further elects to be a GSA for that Sub-Basin underlying the jurisdictional boundaries of MSWD, as indicated in the map set forth in **Exhibit A**, and to participate fully in the management of groundwater in that Sub-Basin; and

WHEREAS, pursuant to Water Code section 10721(m), a local agency is defined as a local public agency that has water supply, water management, or land use responsibilities within a groundwater basin; and

WHEREAS, MSWD is a local agency within the meaning of Water Code section 10721(m); and

WHEREAS, MSWD complied with all requirements of SGMA, and Water Code section 10723, and timely submitted its Notice of Election to become a GSA on February 3, 2016 (MSWD Notice of Election); and

WHEREAS, MSWD now desires to amend the MSWD Notice of Election to include those portions of the Mission Creek, Indio/Whitewater and San Gorgonio Pass Sub-Basins which are outside the claimed statutory boundaries of DWA; and also, to the extent exclusive GSA status has not been claimed by DWA, to become the GSA for the Desert Hot Springs Sub-Basin; and

WHEREAS, becoming a GSA will foster MSWD's ongoing commitment to sustainable groundwater management and in ensuring water supply sustainability within the area served by MSWD, through cooperative management with other local agencies with overlapping groundwater jurisdiction; and

WHEREAS, recognition of MSWD as a GSA over limited areas of the Sub-Basins within its jurisdictional area at this time is appropriate in order to expedite the local process of preparing GSPs for the affected Sub-Basins, with full participation and cooperation of all affected local agencies, and is being sought without prejudice to the District's right to later revisit the issue of jurisdictional boundaries, in accordance with the MSWD Notice of Election.

NOW THEREFORE, BE IT RESOLVED, DETERMINE AND ORDERED by the Board of Directors of the Mission Springs Water District as follows:

Section 1. MSWD hereby amends its Notice of Election to become a Groundwater Sustainability Agency (GSA), approved by Resolution No. 2016-01 and submitted to the California Department of Water Resources (DWR) on February 3, 2016, by (1) filing an Amended Notice of Election for those portions of the Coachella Valley Groundwater Basin which are outside the claimed statutory boundaries of the Desert Water Agency (DWA) but underlying and within the jurisdictional boundaries of the MSWD, including the Indio/Whitewater Sub-Basin, the Mission Creek Sub-Basin, the Garnet Hill Sub-Basin, and the San Gorgonio Pass Sub-Basin, as designated on the attached map; and (2) by filing a second Amended Notice of Election for those areas of the Coachella Valley Groundwater Basin which are outside DWA's Notice of Election as exclusive GSA, for the Desert Hot Springs Sub-Basin. In submitting these amendments, MSWD is not relinquishing its statutory authority as a county water district, and reserves all rights in that regard with respect to groundwater management within its jurisdictional boundaries.

Section 2. The proposed amendments are made for the purpose of obtaining timely and immediate recognition of MSWD as a GSA over the Sub-Basins within its jurisdictional area, and not with prejudice to the District's right to later revisit the issue of jurisdictional boundaries, as outlined in the MSWD Notice of Election. Recognition of MSWD at this time will expedite the local process of preparing GSPs for the affected Sub-Basins, with the full participation and cooperation of all affected local agencies.

Section 3. MSWD staff is hereby directed to submit to DWR, an Amended Notice of Election to become a Groundwater Sustainability Agency, together with supporting documentation required by Water Code section 10723.8, and any other documentation required by SGMA and/or DWR to support MSWD's establishment as a GSA within the Indio/Whitewater, Mission Creek, Garnet Hill and San Gorgonio Sub-Basins of the Coachella Valley Groundwater Basin; and also to submit a second Amended Notice of Election to become a Groundwater Sustainability Agency, together with any other documentation required by SGMA and/or DWR to support MSWD's establishment as a GSA within the Desert Hot Springs Sub-Basin of the Coachella Valley Groundwater Basin.

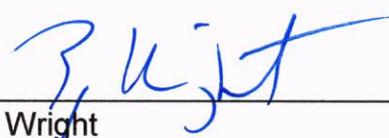
Section 4. The MSWD General Manager is authorized to negotiate a memorandum of understanding, other necessary cooperative agreements or other forms of agreement with other agencies or entities utilizing groundwater in the Indio/Whitewater, Mission Creek, Garnet Hill, San Gorgonio Pass and Desert Hot Springs Sub-Basins, for the purpose of implementing a cooperative, coordinated governing structure for the management of those Sub-Basins pursuant to SGMA.

Section 5. The approval of this Resolution and the actions described herein are categorically exempt from the requirements of the California Environmental Quality Act (CEQA) because: (1) they constitute a reorganization of local governmental agencies which does not change the geographical area in which previously existing powers are exercised

(State CEQA Guidelines, Section 15320); (2) the Resolution results in the formation of an agency only and not the approval of any project or proposal containing enough "meaningful information for environmental assessment" (State CEQA Guidelines, Section 15004); and (3) it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (State CEQA Guidelines, Section 15061(b)(3)).

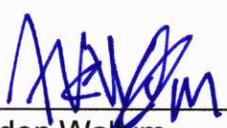
ADOPTED this 19th day of September 2016, by the following vote:

Ayes: Bowman, Duncan, Martin, Wright
Noes:
Abstain:
Absent: Furbee



Nancy Wright
President of Mission Springs Water District
and its Board of Directors

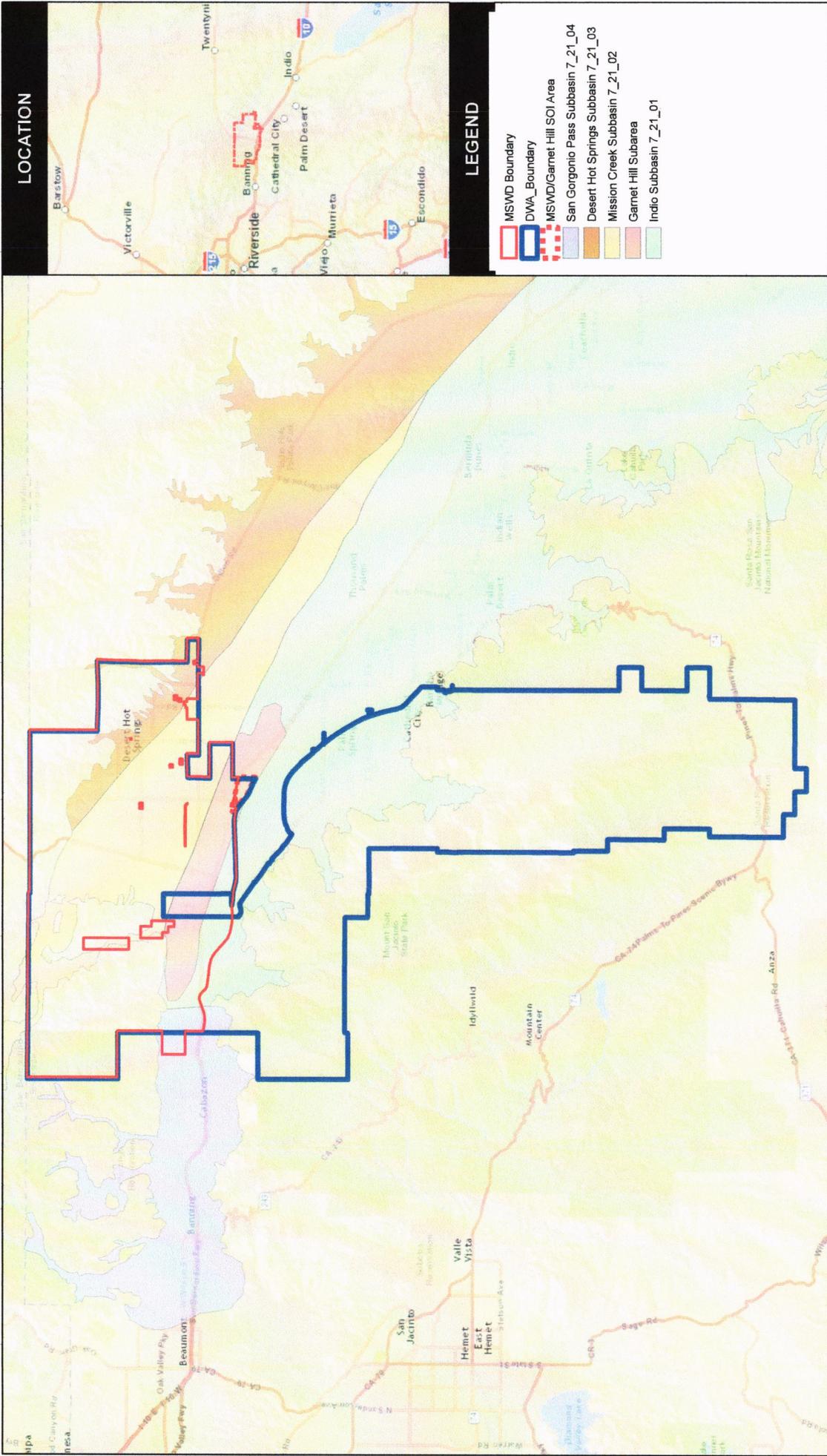
ATTEST:



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



EXHIBIT B



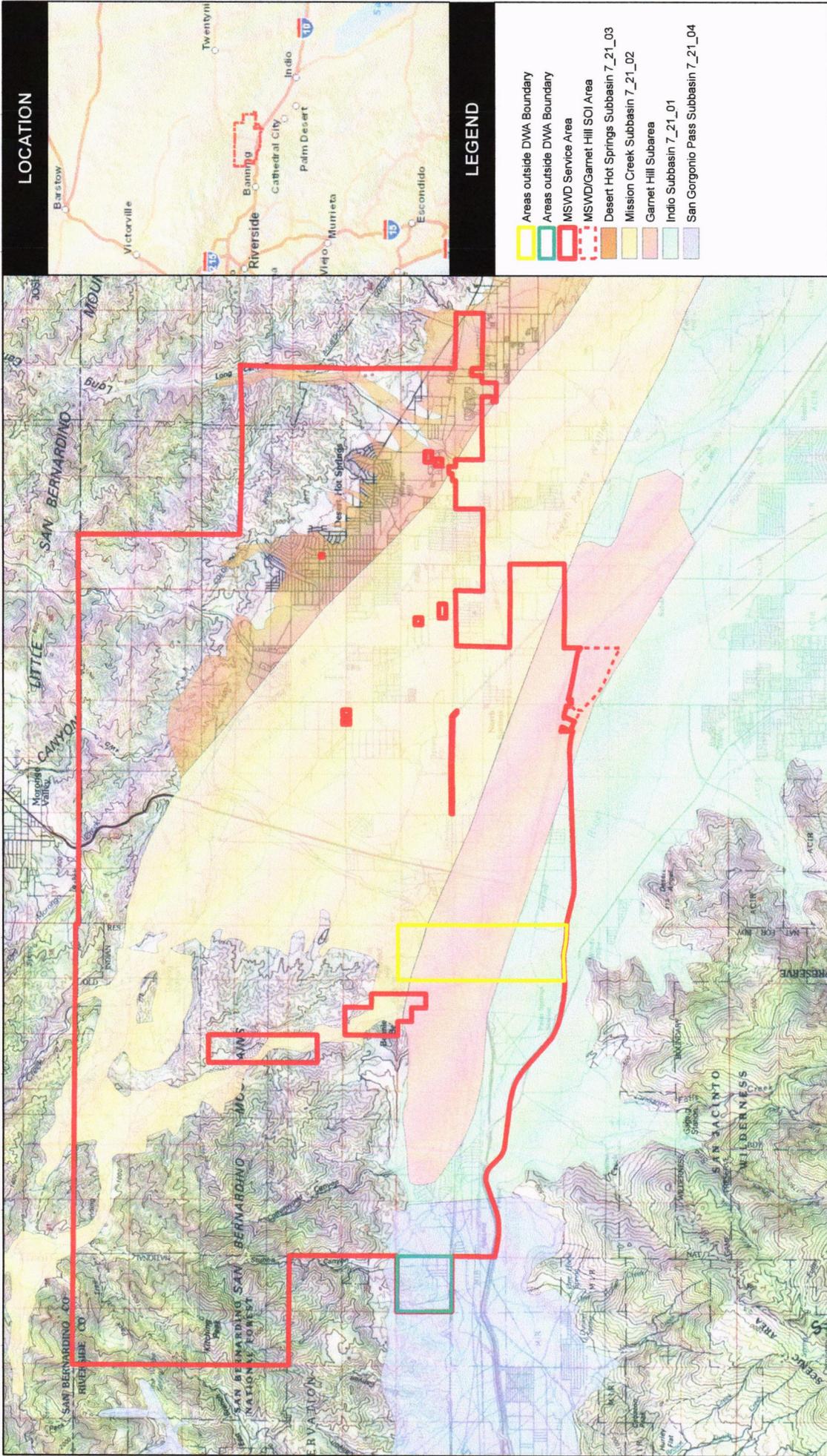
Mission Springs Water District
 66575 Second Street
 Desert Hot Springs, CA 92240
 T. 760.329.5169



This map represents a visual display of related geographic information. Data provided herein is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact MSWD staff for the most up-to-date information.

MSWD and DWA Boundary
Indio, Mission Creek, Garnet Hill, Desert Hot Springs and San Gorgonio Pass Sub-Basins

EXHIBIT A



LOCATION



LEGEND

- Areas outside DWA Boundary
- Areas outside DWA Boundary
- MSWD Service Area
- MSWD/Garnet Hill SOI Area
- Desert Hot Springs Subbasin 7_21_03
- Mission Creek Subbasin 7_21_02
- Garnet Hill Subarea
- Indio Subbasin 7_21_01
- San Geronimo Pass Subbasin 7_21_04

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The map represents a visual display of related geographic information. Data provided herein is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact MSWD staff for the most up-to-date information.

Mission Springs Water District Boundaries
 showing SGP Sub-Basin Section 1 and
 "Diving Board" Sections 1, 12, 13 and portion of the NW and NE 24

