

## Kaweah Subbasin Water Marketing Strategy

### Regular Meeting of the Committee

Held June 23, 2021 at 3 PM over ZOOM

Committee Members Present: Joe Cardoza, David Cardoza, Manuel Leon, Soapy Mulholland, Craig Wallace, Brian Watson, Steve Nelsen.

Also present: Aaron Fukuda, General Manager, Tulare Irrigation District; Jeremy Barroll, Assistant Engineer, Tulare Irrigation District; James Fisher, Water Resources Engineer, Tulare Irrigation District; Hylon Kauffman; John Kirkpatrick, John Galey; Stacie Silva.

Presenting: William Swanson, Stantec; Matthew Fienup, California Lutheran University Center for Economic Research and Forecasting; Valerie Kincaid, O'Laughlin Paris Water Law Attorneys.

Members of the preliminarily chosen Stantec Team, including William Swanson and Matthew Fienup, gave a presentation on their revised schedule and budget.

Completion of the grant project will occur roughly around June of 2022, responding to Committee members' suggestion that the schedule be expedited given recent drought conditions.

For the sake of efficiency, a technical subcommittee will be established consisting of the Stantec Team, Tulare Irrigation District staff and Groundwater Sustainability Agency representatives. This subcommittee will meet roughly weekly, in between regular Committee meetings which will be roughly monthly. The subcommittee will discuss more technical details as agreed upon at the previous Committee meeting and reach conclusions which will be reviewed at the next Committee meeting.

Committee members suggested that these Subcommittee meetings be open to voluntary participation by Committee members, which the Stantec Team agreed upon.

The budget was revised to be slightly lower than that previously presented to the Committee.

Valerie Kincaid provided a presentation on water rights law. She discussed the State of California's creation of a surface water permitting system in 1914, and how there was not an established allocation system for groundwater. SGMA created a non-allocation-based system of managing groundwater problems by agencies on a Basin level.

Historically in California, there has been a delineation of four types of groundwater rights: pueblo (water right for an entire town or city, a limited holdover from the Spanish/Mexican Era), overlying (right to use groundwater below a parcel of land), appropriative (established right to divert a water source) and prescriptive (right to divert water that has already been appropriated to someone else based on a continuous diversion of said water without an agreed upon appropriation).

Issues include defining native yield, defining allocations based on previous rights, limiting prescription going forward, and how to go about dormant overlies (parties in a given Basin that have not been extracting).