

October 08, 2025

The Board of Directors of the Terra Bella Irrigation District met this day in regular session, the meeting was also teleconference from the District Office located at 24790 Avenue 95, Terra Bella, California.

CALL TO ORDER

President Wheaton called the meeting to order at 9:13 a.m.

ATTENDANCE participating in this meeting remotely and in person:

DIRECTORS PRESENT: Wheaton, Galloway, Parsons, and Doyel

DIRECTORS ABSENT: Martinez

OTHERS PRESENT: Sean Geivet, General Manager
Albert Smith, Operations Superintendent
Ann Nelms, District Secretary-Treasurer
Nick Keller, Consulting Engineer
Aubrey Mauritson, Legal Counsel
Doug Jackson

AGENDA – CONSIDER CHANGES OR ADDITIONS TO THE AGENDA

No changes were made to the posted agenda.

PUBLIC INPUT

President Wheaton asked for public input. There was no public input.

APPROVAL OF MINUTES

M/S/U, Doyel, Parsons to approve the minutes of September 10, 2025, regular meeting as mailed.

AUTHORIZATION TO PAY BILLS Review and discuss outstanding bills.

M/S/U Doyel, Parsons to authorize the Treasurer to pay all outstanding bills against the District as presented.

MONTHLY REPORTS

Treasurer Nelms reviewed with the Board the financial status of the District, including TBID Investment Policy Review in Compliance with SB 564 and SB 866. Included in the review, monthly statements from California Bank & Trust, California Asset Management Program and Local Agency Investment Fund, Friant power Authority revenues and expenditure summary worksheet. Delinquent water account report was reviewed.

TBID balance sheet as of August 31, 2025, as well as Income Statements for the same period, including a year-to-date statement, was reviewed.

Albert Smith, Operations Superintendent, presented his monthly operating activities report for September 2025 Mr. Smith stated no accidents or injuries to report.

Equipment maintenance and repair greased pumps and motors at Stations #7, #8 and #9. Smog checked trucks #6 and #9. Truck #3 is serviced with new brake pads, rotors, transmission, and a new a/c compressor.

Operations maintenance and repair report included weeding and cleaning up at Stations #7, #8, and #9.

Two main line leaks one on the west side of Road 248 North of Ave 76 and one on the South side of Ave 96 West of Road 244.

WTP average flow through the plant is around 700 gpm. Calibrated the turbidity meters.

The total precipitation is 8.71 inches YTD. USA locates: 48, Back flow's Tested: 17

Manager Geivet presented the monthly reports to the Board. Mr. Keller reviewed the current water delivery schedule with the Board. **Fraint Water Authority:** Legal Counsel Don Davis resigned from FWA. **Friant Power Authority:** Friant 2 is still offline. **Status of Authorities; ESPA & AECA:** ESPA working with SCE on solar plant. **AECA** getting emailed newsletters. **Eastern Tule GSA:** Nothing new to report

GROUNDWATER SUSTAINABILITY AGENCY:

Water Year 2026 Sustainable Yield Allocation (staff will present the WY 2026 allocation).

General Manager discussed the Sustainable Yield for water year 2026, announcing the Sustainable Yield allocation will be the Tule Subbasin Native Sustainable Yield and may be adjusted to reflect any new data.

Consider Approval of Resolution 2025-10 establishing Penalty Rates

The Board took under consideration approving a resolution for TBID GSA desire to establish the penalty rate to be imposed for groundwater extraction and consumptive use in excess of the Sustainable Yield Allocation. At the conclusion of discussion, the following motion was made and carried:

M/S/C Parsons, Doyel to approve a resolution for TBID GSA to establish a penalty rate to be imposed on groundwater extraction and consumptive use in excess of the Sustainable Yield Allocation.

Upon motion by Director Parsons, seconded by Director Doyel, the following Resolution was passed and adopted:

RESOLUTION 2025-10
of the
TERRA BELLA IRRIGATION DISTRICT GROUNDWATER SUSTAINABILITY AGENCY
IMPOSITION OF PENALTIES FOR GROUNDWATER EXTRACTED IN EXCESS OF SUSTAINABLE YIELD

WHEREAS, the Terra Bella Irrigation District Groundwater Sustainability Agency (“TBID GSA”) elected to serve as a groundwater sustainability agency within its jurisdictional boundaries on or around February 12, 2025 pursuant to California Water Code Section 10723;

WHEREAS, TBID GSA is drafting a groundwater sustainability plan (“GSP”) to adopt and submit to the Department of Water Resources pursuant to Water Code Section 10727;

WHEREAS, the Sustainable Groundwater Management Act of 2014 (“SGMA”) outlines various plans and management actions to be implemented through a GSP in order to reach sustainability by 2040;

WHEREAS, Water Code Section 10726.4(a)(2) provides that a GSA is authorized to control groundwater extractions by limiting or regulating groundwater extractions;

WHEREAS, Water Code Section 10732 provides that a GSA is authorized to impose a penalty up to five hundred dollars per acre foot on any landowner who extracts water in excess of the amount allocated to said landowner, in violation of a rule, regulation, ordinance, or resolution adopted by a groundwater sustainability agency;

WHEREAS, on August 13, 2025, TBID GSA adopted Rules and Regulations;

WHEREAS, Section 3.03 of TBID GSA’s Rules and Regulations provides each parcel of land within the TBID GSA’s boundaries will be allocated an annual volume of Sustainable Yield water;

WHEREAS, Sections 3.03(c) and 4.01 of TBID GSA’s Rules and Regulations provides that for each acre-foot of water extracted in excess of the Sustainable Yield Allocation, landowners will be liable for the maximum penalty rate allowable under SGMA;

WHEREAS, TBID GSA desires to establish the penalty rate to be imposed for groundwater extraction and consumptive use in excess of the Sustainable Yield Allocation.

NOW, THEREFORE, BE IT HEREBY RESOLVED, TBID GSA, by and through its Board of Directors, hereby imposes the following penalties for excessive groundwater extraction and consumptive use within the TBID GSA boundaries:

•\$500 per acre foot of water extracted in excess of a landowner’s Sustainable Yield Allocation

BE IT FURTHER RESOLVED that the General Manager shall provide notice of the above-described penalty rates as required by Section 3.04 of TBID GSA’s Rules and Regulations.

This Resolution, and the penalty rate imposed herein, shall continue to be effective in perpetuity until modified or rescinded by formal resolution of the Board of Directors.

THE FOREGOING RESOLUTION was passed and adopted by the TBID GSA Board of Directors on this 8th day of October, 2025, by the following vote:

AYES: Director Doyel, Director Parsons, Director Galloway
NOES: Director Wheaton
ABSTAIN: none
ABSENT: Director Martinez

ATTEST:
/s/ Ann Nelms
Ann Nelms, Secretary

Certificate of Secretary

I do hereby certify that I am the Secretary of the Terra Bella Irrigation District Groundwater Sustainability Agency, a groundwater sustainability agency organized and existing under the laws of the State of California, and that the foregoing Resolution was duly adopted by the Board of Directors of said Agency at a meeting thereof duly and regularly held at the Terra Bella Irrigation District Office, 24790 Avenue 95, Terra Bella, California on the 8th day of October, 2025, at which meeting a quorum of the said Board of Directors was at all times present and acting, and that said Resolution has not been rescinded or amended in whole or any part thereof, and remains in force and effect.

IN WITNESS WHEREOF, I have signed this Certificate on this 8th day of October, 2025, at the Terra Bella Irrigation District Office, 24790 Avenue 95, Terra Bella, California.

/s/ Ann Nelms
Ann Nelms, Secretary

Doug Jackson departed from the meeting at 10:16 a.m.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code section 54956.9(d)(1)) 1. Porterville Irrigation District et al. v. Friant Water Authority et al., Tulare County Superior Court, Case No. VCU314672. 2. Terra Bella Irrigation District et al. v. Friant Water Authority et al., Tulare County Superior Court, Case No. 317284 3. Terra Bella Irrigation District et al. v. Haaland et al., United States District Court for the Eastern District of California, Case No. 1:25-CV-00112-EPG

Adjourned into closed session at 10:16 a.m.

The Board of Directors met while in closed session pursuant to Government Code Section 54956.9(d)(1) to discuss the above-entitled action. Report Action Taken in Closed Session Required by Government Code Section 54957.1

President Wheaton reconvened the regular meeting at 10:34 a.m. and stated there was no reportable action taken during closed session the above-entitled action.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: [Government Code Section 54956.9 (d) (2), (4)] Number of Potential Cases: two

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CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9) Friant Water Authority v. Eastern Tule Groundwater Sustainability Agency Tulare County Superior Court Case No. VCU306343

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ITEMS TO BE DISCUSSED PURSUANT TO GOVERNMENT CODE SECTION 54954.2
(Relating to items not appearing on the agenda)

None to report.

ADJOURNMENT

There being no further business before the Board of Directors, the meeting was adjourned at 10:34 a.m. by President Wheaton.

Ann Nelms, Secretary