Merced Subbasin
Groundwater Sustainability Agency

September 10, 2026
AGENDA
2222 M Street, Board Room, Third Floor
Merced, CA
CLOSED SESSION
1:00 PM
SPECIAL MEETING
2:00 PM

In addition to attending the physical location in person, the public may observe through the webinar option below.
https://us06web.zoom.us/j/82082211458?pwd=1yELd3gGrERbZjoT3Cqkg3y2Lhkd9q.1

Lloyd Pareira, Jr., County of Merced
Chair
Nic Marchini, Western White Area Representative
Vice Chair

Michael Gallo, Eastern White Area Representative
Bob Giampaoli, Le Grand-Athlone Water District
George Park, Lone Tree Mutual Water Company
Bob Kelley, Stevinson Water District

1. **CALL TO ORDER/ROLL CALL**

2. **CLOSED SESSION**
   CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION
   (Subdivision (b) of Government Code Section 54956.9) 2 potential cases

3. **PLEDGE OF ALLEGIANCE**

4. **PUBLIC COMMENT PERIOD**
   Public opportunity to speak on any matter of public interest within the Board's jurisdiction including items on the Board's agenda. Testimony limited to three minutes per person.

5. **CONSENT CALENDAR**
   A. MEETING MINUTES
      Action to approve the meeting minutes from the Governing Board meeting on August 13, 2026.
   B. PAYMENT OF INVOICES
      Action to approve the payment of the invoices received since the Governing Board meeting held on August 13, 2026.

6. **MULTIBENEFIT LAND REPURPOSING PROGRAM**
   Receive an update of the Multibenefit Land Repurposing Program (MLRP) from Valley Eco.

7. GOVERNMENT CLAIMS ACT
Action to respond to a Government Claims Act presentment of claims regarding the per acre charge.

8. GROUNDWATER ACCOUNTING PLATFORM DEMONSTRATION
Receive a demonstration on the Groundwater Accounting Platform functions on delineating parcels, registering wells, submitting meter readings and Alternative Source reporting.

9. POST JANUARY 1, 2026 INCORRECT ASSESSOR'S OFFICE LAND USE CLASSIFICATION APPEALS
Action to approve parcels, identified as irrigated by the MSGSA staff, appealing Incorrect Assessor's Office Land Use Classification under the Rules and Regulations Section 5.2.1.7.

10. BOARD APPEAL OF INCORRECT ASSESSOR'S OFFICE LAND USE CLASSIFICATION APPEAL STAFF DENIAL
Appellant: Fagundes Brothers, LLC
APN: 065-030-010
Action to approve the staff recommendation to reverse the denial of the *Incorrect Assessor's Office Land Use Classification* where applicant had originally filed with inadequate documentation of groundwater irrigation prior to October 10, 2024.

11. STAFF REPORT

12. BOARD REPORTS

13. FUTURE MEETINGS
a. MSGSA Board Meeting – October 8, 2026 at 2PM

14. ADJOURNMENT

Alternate formats of this agenda will be made available upon request by qualified individuals with disabilities. Appropriate interpretive services for this meeting will be provided if feasible upon advance request by qualified individuals with disabilities. Please contact the Secretary at (209) 385-7654 for assistance and allow sufficient time to process and respond to your request. Copies of agendas and minutes will be available at the Merced County Community and Economic Development Department and at www.MercedSubbasinGSA.org.

GOVERNING BOARD

MINUTES FOR MEETING OF AUGUST 13, 2026

The agenda, original minutes, and all supporting documentation (for reference purposes only) of the Merced Subbasin Groundwater Sustainability Agency Governing Special Board meeting of August 13, 2026 are available online at www.MercedSubbasinGSA.org.

1. CALL TO ORDER/ROLL CALL

The public meeting of the Merced Subbasin Groundwater Sustainability Agency Joint Powers Authority Governing Board was called to order at 2:05 p.m., on August 13, 2026, in person. An option for the public to attend virtually was made available.

ROLL CALL OF BOARD MEMBERS

Board Members Present:

Lloyd Pareira	Chair (Merced County)
Nic Marchini	Vice Chair (Western White Area Representative)
Michael Gallo	(Eastern White Area Representative)
Bob Giampaoli	(Le Grand-Athlone Water District)
Bob Kelley	(Stevinson Water District)
George Park	(Lone Tree Mutual Water Company)

Board Members Absent: None

Staff Present:

Danielle Bettencourt	Recording Secretary
Lacey McBride	Secretary

2. PLEDGE OF ALLEGIANCE

Pledge of allegiance led by Board Member Bob Kelley

3. PUBLIC COMMENT PERIOD

Public comment period opened at 2:06 pm.

Kayla Vandershir, with Self Help Enterprises in Visalia, came forward for public comment regarding the Multibenefit Land Repurposing Program.

Public comment period closed 2:08 pm.

4. CONSENT CALENDAR

1. Approval of July 9, 2026 meeting minutes
2. Payment of invoices

Public comment period opened/closed.

MOTION: PARK – KELLEY, AND CARRIED BY A VOTE OF 5-0, THE BOARD APPROVED THE CONSENT CALENDAR, INCLUDING ADDITIONAL INVOICES.

5. MULTIBENEFIT LAND REPURPOSING PROGRAM

Ms. Karina Mudd, online with Valley Eco, reported the Multibenefit Land Repurposing Program is set to expire on March 30, 2027 and an extension was requested by the Department of Conservation (DOC) to the state legislature. The DOC reported that the availability of the MLRP extension won't be confirmed until September.

Chairman Lloyd Pareira arrived at the board meeting 2:12 pm.

Ms. Mudd reported the SEEDS team has developed two education curriculums, one on Groundwater Recharge and one on Habitat Restoration in the Wildlife Corridor that was implemented in the summer school programs at El Nido Elementary where 60 students participated and one at Washington Elementary School where 143 students participated.

Board Member Mike Gallo recused himself at 2:21 pm.

Ms. Mudd, provided an update and overview of the Multibenefit Land Repurposing Program (MLRP) noting La Paloma Mutual Water Company has been working with River Partners to execute the Bear Creek Ranch Transitional Seeding Project as scoped and funded by the Merced MLRP. The Bear Creek Ranch project is requesting Merced Subbasin GSA's approval of a budget adjustment between subtasks forthe remaining contract funds on the Bear Creek Ranch Transitional Seeding Project.

Ms. Mudd noted the reallocation of funds does not change the total contract amount; it will redistribute funds among existing task budgets to reflect actual project needs and the revised implementation timeline.

Public comment period opened 2:21 pm

No public comment received.

Public comment period closed 2:21 pm

MOTION: PARK – GIAMPOLI, AND CARRIED BY A VOTE OF 5-0, THE BOARD APPROVED THE BEAR CREEK RANCH TRANSITIONAL SEEDING PROJECT REQUEST TO PROCEED WITH REALLOCATION OF TASK BUDGETS.

Board Member Mike Gallo joined the Board at 2:26 pm.

6. GROUNDWATER ALLOCATION RULE SECTION AMENDMENTS

Ms. Lacey McBride provided an overview of the Groundwater Allocation Rule Sections 2.5.3.2, 2.6.1.1.2, 2.6.1.2.2, and 5.2.1.2 amendments and the Phase 2 Funding Mechanism Fee.

Ms. McBride noted the amendments to the Groundwater Allocation Rule Sections would include updating the Rules and Regulations to include the Phase 2 Fee in the Opt-in and Misclassified land use fees in Sections 2.6 and 5.2, noting future parcels that Opt-in or submit an Incorrect Assessor's Office Land Use Classification will pay back fees that include the Phase 2 fee, as if the parcel were classified as irrigated.

Ms. McBride reported an additional modification proposed to reflect the Phase 1 Appeals that were

included in the Phase 2 Funding Mechanism. There are seven Phase 1 Appeals that reduce irrigated acreage and these appeals were noted in the Phase 2 Funding Mechanism Appendix A, and with the modification to the Rules and Regulations will ensure that the irrigated acres receive the eligible inches of rain, but the remaining parcel does not receive the eligible inches of rain in the Groundwater Accounting Platform.

Public comment period opened 2:31 pm

No public comment received.

Public comment period closed 2:31 pm

MOTION: PARK – KELLEY, AND CARRIED BY A VOTE OF 6-0, THE BOARD APPROVED AMENDING THE RULES AND REGULATIONS SECTIONS 2.5.3.2, 2.6.1.1.2, 2.6.1.2.2, AND 5.2.1.2 TO RECOGNIZE THE PHASE 2 FUNDING MECHANISM FEES AS PART OF THE OPT-IN FEES AND THE MISCLASSIFIED LAND USE FEES.

7. STAFF REPORT

Ms. McBride reported Woodard and Curran are currently working on a subsidence analysis in response to the Merced basin's meeting with DWR on the Subsidence BMP and will be meeting with them on a staff level.

Ms. McBride reported a letter was sent to the Merced GSA's from DWR regarding their review of Water Year 2025 Annual Report and noted that 3 representative monitoring site locations did not have monitoring for the seasonal low in Water Year 2025 and one RMS did not report measurements in 2024 or 2025, and noted the GSA's are exploring a potential replacement for that well.

Ms. McBride noted delineating inactive parcels or fields and Riparian Areas will be closing on August 31 and noted the Riparian Area Attestation Form will need to be signed and submitted, due to the delineation being permanent.

Ms. McBride noted in September the function to submit Alternative Source use for 2026 to the platform will be released and reports and back up documentation will be due in December. At the September Board Meeting Adriel Ramirez with Zanjero will provide a GAP demonstration as a refresher on the functions available and introduce the Alternative Source Reporting.

8. BOARD REPORTS

None

9. FUTURE MEETINGS

The next MSGSA Board Meeting will be on September 10, 2026, at 2:00pm.

10. ADJOURNMENT

There being no further action taken, the meeting adjourned at 2:35 p.m.

INVOICE
September 10, 2026

Vendor	Scope of Work Performed	Invoice Date	Invoice Number	Invoice Total	Contract Amount	Contract Amount Remaining	% of Contract Amount Remaining	Contract End Date
Herum Crabtree Suntag	Legal Services	8/25/2026	118814	$ 4,786.86	$ 625,000.00	$ 65,001.38	10.40%	June 30, 2029
Zanjero	MLRP	9/2/2026	8343	$9,185.00	$ 502,760.00	$163,186.71	32.46%	March 30, 2027
Zanjero	On Call Svs	9/2/2026	8320	$ 9,117.50	$ 675,000.00	$ 61,409.28	9.10%	June 30, 2027
	Additional Invoices							

Herum \ Crabtree \ Suntag

5757 Pacific Avenue, Suite 222
Stockton, CA 95207
(209) 472-7700
Federal ID #: 88-1075553

COMPANY: Merced Subbasin GSA
NAME: Lacey McBride
ADDRESS: Community and Economic Development Dept.
2222 M Street
Merced, CA 95340

Invoice Date 8/25/2026
Matter ID: [redacted]
Invoice # 118814

DESCRIPTION: General

Responsible Attorney: Jeanne M. Zolezzi
Type: Hourly
Last Bill Date: 7/27/2026

SERVICES RENDERED

Date	Attorney	Description	Hours	Rate	Amount
07/28/2026	JMZ	[redacted]	1.80	415.00	747.00
07/31/2026	JMZ		1.70	415.00	705.50
07/31/2026	LKS		2.50	295.00	737.50
08/04/2026	JMZ		0.60	415.00	249.00
08/06/2026	LKS		0.30	295.00	88.50
08/10/2026	LKS		0.10	295.00	29.50
08/12/2026	JMZ		0.40	415.00	166.00
08/13/2026	JML		0.40	395.00	158.00
08/13/2026	JMZ		3.00	415.00	1,245.00

08/17/2026	JMZ	[redacted]	0.30	415.00	124.50
08/21/2026	LKS		1.50	295.00	442.50
				Sub-total Fees:	$4,693.00

FEE ALLOCATION

John M. Luebberke	0.40	hours at $395.00/hr	158.00
Lilliana K. Selke	4.40	hours at $295.00/hr	1,298.00
Jeanne M. Zolezzi	7.80	hours at $415.00/hr	3,237.00
Total hours:	12.60		

COSTS

Date	Description	Amount
	Communication Fee	93.86
	Sub-total Expenses:	$93.86

Previous Balance:	$27,825.09
Payment/Adjustments:	($24,442.77)
Total This Billing:	$4,786.86
New Balance Owing	**$8,169.18**

--- A/R AGING ---

Current	Over 30	Over 60	Over 90
	$3,382.32		

PLEASE REFERENCE YOUR MATTER ID OR STATEMENT NUMBER

Zanjero, LLC
701 University Ave Ste 205
Sacramento, CA 95825-6757

INVOICE

BILL TO
Lacey McBride
MSGSA FY 2023-24 On Call Services
Merced Subbasin GSA
2222 M Street
Merced, CA 95340

INVOICE	8320
DATE	09/02/2026
TERMS	Net 30
DUE DATE	10/02/2026

PROJECT
On Call Services

DATE	PROVIDED BY	DESCRIPTION	QTY	RATE	AMOUNT
08/03/2026	Principal	Internal work session re: rule refinements	0:30	305.00	152.50
08/03/2026	Senior Planner/Engineer	GAP Updates; Internal Work Session with G Young on Allocation Rule Updates	3:00	230.00	690.00
08/06/2026	Senior Planner/Engineer	GAP Updates; Internal Work Session with G Young on Allocation Rule Updates	0:30	230.00	115.00
08/10/2026	Senior Planner/Engineer	GAP Updates and Maintenance	5:00	230.00	1,150.00
08/11/2026	Senior Planner/Engineer	GAP Updates and Maintenance	5:00	230.00	1,150.00
08/12/2026	Senior Planner/Engineer	GAP Updates and Maintenance	4:00	230.00	920.00
08/13/2026	Senior Planner/Engineer	MSGSA Board Meeting	0:30	230.00	115.00
08/13/2026	Senior Planner/Engineer	GAP Updates and Maintenance	1:30	230.00	345.00
08/13/2026	Principal	Prepare for and participate in Board meeting	1:00	305.00	305.00
08/17/2026	Principal	Project communications; review materials	0:30	305.00	152.50
08/17/2026	Senior Planner/Engineer	GAP Updates	3:00	230.00	690.00
08/18/2026	Senior Planner/Engineer	GAP Updates	2:00	230.00	460.00
08/19/2026	Senior Planner/Engineer	Meeting with Sustainable Conservation Re: Cover Crops	1:00	230.00	230.00
08/19/2026	Senior Planner/Engineer	GAP Updates	6:00	230.00	1,380.00

08/24/2026	Senior Planner/Engineer	Review of submitted appeal; Check In Meeting with Lacey	0:30	230.00	115.00
08/25/2026	Principal	Review materials; participate on client call; task coordination	1:30	305.00	457.50
08/25/2026	Senior Planner/Engineer	Review of submitted appeal; Check In Meeting with Lacey	1:00	230.00	230.00
08/26/2026	Senior Planner/Engineer	GAP Updates	1:00	230.00	230.00
08/27/2026	Senior Planner/Engineer	GAP Updates	1:00	230.00	230.00

BALANCE DUE **$9,117.50**

Trinity Consultants ZANJERO

Invoice No. 8343

Lacey McBride
Valley Eco
c/o Merced Subbasin GSA
2222 M Street
Merced, CA 95340

Project: MSGSA MALRP

Billing Period: 08/01/26 Through 08/27/26

		Task 1	Task 2	Task 3	Task 4	Task 5	Task 6	Task 7	Total
2024	July	$0.00	$0.00	$0.00	$0.00	$5,142.24	$0.00	$1,927.50	$7,069.74
	August	$0.00	$0.00	$0.00	$0.00	$11,256.75	$0.00	$690.00	$11,946.75
	September	$1,035.00	$2,225.00	$0.00	$0.00	$10,487.50	$0.00	$405.00	$14,152.50
	October	$1,575.00	$157.50	$0.00	$0.00	$7,481.78	$0.00	$135.00	$9,349.28
	November	$472.50	$1,620.00	$0.00	$0.00	$9,406.78	$0.00	$217.50	$11,716.78
	December	$0.00	$620.00	$0.00	$0.00	$4,032.50	$0.00	$915.00	$5,567.50
2025	Jan	$0.00	$1,285.00	$0.00	$0.00	$7,057.50	$0.00	$960.00	$9,302.50
	Feb	$3,912.50	$2,132.50	$0.00	$0.00	$1,025.00	$0.00	$4,437.50	$11,507.50
	Mar	$540.00	$7,670.00	$0.00	$0.00	$2,510.00	$0.00	$3,330.00	$14,050.00
	Apr	$0.00	$4,445.00	$0.00	$0.00	$9,873.17	$0.00	$195.00	$14,513.17
	May	$3,792.50	$6,662.50	$0.00	$0.00	$7,500.00	$0.00	$135.00	$18,090.00
	Jun	$13,763.50	$3,970.00	$0.00	$0.00	$6,520.00	$0.00	$927.50	$25,181.00
	Jul	$12,437.50	$1,532.50	$0.00	$0.00	$5,502.50	$0.00	$120.00	$19,592.50
	Aug	$20,640.00	$377.50	$0.00	$0.00	$3,795.77	$405.00	$2,895.00	$28,113.27
	Sept	$17,087.50	$1,350.00	$0.00	$0.00	$4,313.60	$0.00	$3,240.00	$25,991.10
	Oct	$7,410.00	$4,185.00	$945.00	$0.00	$4,210.00	$0.00	$3,175.00	$19,925.00
	Nov	$12,362.50	$460.00	$315.00	$0.00	$3,127.50	$0.00	$1,297.50	$17,562.50
	Dec	$8,037.50	$745.00	$0.00	$0.00	$2,912.50	$0.00	$3,420.00	$15,115.00
2026	Jan	$1,647.50	$0.00	$0.00	$0.00	$2,142.50	$0.00	$6,810.00	$10,600.00
	Feb	$0.00	$3,307.50	$157.50	$0.00	$2,552.50	$0.00	$1,080.00	$7,097.50
	Mar	$0.00	$1,522.50	$157.50	$0.00	$4,320.00	$0.00	$0.00	$6,000.00
	Apr	$7,155.00	$1,942.20	$0.00	$0.00	$0.00	$0.00	$3,780.00	$12,877.20
	May	$2,160.00	$0.00	$0.00	$0.00	$3,915.00	$0.00	$1,170.00	$7,245.00
	Jun	$2,025.00	$0.00	$0.00	$0.00	$1,890.00	$0.00	$465.00	$4,380.00
	Jul	$0.00	$0.00	$0.00	$0.00	$3,052.50	$0.00	$390.00	$3,442.50
	Aug	$3,617.50	$2,027.50	$0.00	$0.00	$2,730.00	$0.00	$810.00	$9,185.00
	Sept								
	Oct								
	Nov								
	Dec								
	Billed to Date	$119,671.00	$48,237.20	$1,575.00	$0.00	$126,757.59	$405.00	$42,927.50	**$339,573.29**
	Task Order Amount	$117,020.00	$114,200.00	$22,150.00	$0.00	$147,240.00	$43,560.00	$58,590.00	$502,760.00
	Total Remaining	-$2,651.00	$65,962.80	$20,575.00	$0.00	$20,482.41	$43,155.00	$15,662.50	$163,186.71

Due This Invoice **$9,185.00**

Zanjero
701 University Avenue, Suite 205
Sacramento, CA 95825

Zanjero, LLC
701 University Ave Ste 205
Sacramento, CA 95825-6757

INVOICE

BILL TO
Valley Eco
Valley Eco c/o Merced Subbasin GSA
2222 M Street
Merced, CA 95340

INVOICE	8343
DATE	09/02/2026
TERMS	Net 30
DUE DATE	10/02/2026

PROJECT
Task 1

DATE	PROVIDED BY	DESCRIPTION	QTY	RATE	AMOUNT
08/07/2026	Principal	Participate in team call	1:00	315.00	315.00
08/12/2026	Communications Director	Planning and team coordination.	1:00	270.00	270.00
08/14/2026	Communications Director	Planning and team coordination.	0:30	270.00	135.00
08/17/2026	Principal	Project communications re: plan elements and APA concepts	1:00	315.00	315.00
08/18/2026	Principal	Project communications re: plan elements and APA concepts	0:30	315.00	157.50
08/18/2026	Senior Planner/Engineer	SAC Prep and Discussions Regarding Additional MLRP programs	0:30	235.00	117.50
08/19/2026	Communications Director	Planning activities.	2:00	270.00	540.00
08/21/2026	Senior Planner/Engineer	SAC Prep and Discussions Regarding Additional MLRP programs	2:00	235.00	470.00
08/25/2026	Communications Director	Grower interviews.	0:30	270.00	135.00
08/27/2026	Senior Planner/Engineer	Evaluation of potential MRLP programs	1:30	235.00	352.50
08/27/2026	Communications Director	Grower interviews.	3:00	270.00	810.00

BALANCE DUE **$3,617.50**

Zanjero, LLC
701 University Ave Ste 205
Sacramento, CA 95825-6757

INVOICE

BILL TO
Valley Eco
Valley Eco c/o Merced Subbasin GSA
2222 M Street
Merced, CA 95340

INVOICE	8344
DATE	09/02/2026
TERMS	Net 30
DUE DATE	10/02/2026

PROJECT
Task 2

DATE	PROVIDED BY	DESCRIPTION	QTY	RATE	AMOUNT
08/07/2026	Senior Planner/Engineer	Work Session with VECO team; MLRP Outreach Team Meeting	2:00	235.00	470.00
08/12/2026	Planner/Engineer	Property Purchase Research	1:00	215.00	215.00
08/12/2026	Senior Planner/Engineer	MLRP Project Development	2:00	235.00	470.00
08/12/2026	Principal	Review materials; work on alternative implementation concepts	0:30	315.00	157.50
08/13/2026	Planner/Engineer	Property Purchase Research	1:30	215.00	322.50
08/13/2026	Senior Planner/Engineer	MLRP Project Development	1:00	235.00	235.00
08/13/2026	Principal	Review materials; work on alternative implementation concepts	0:30	315.00	157.50

BALANCE DUE **$2,027.50**

Zanjero, LLC
701 University Ave Ste 205
Sacramento, CA 95825-6757

INVOICE

BILL TO
Valley Eco
c/o Merced Subbasin GSA
2222 M Street
Merced, CA 95340

INVOICE	8346
DATE	09/02/2026
TERMS	Net 30
DUE DATE	10/02/2026

PROJECT
Task 5

DATE	PROVIDED BY	DESCRIPTION	QTY	RATE	AMOUNT
08/06/2026	Administrative	Grower engagement interview	1:30	120.00	180.00
08/07/2026	Administrative	Grower engagement interview	1:00	120.00	120.00
08/07/2026	Communications Director	Outreach for grower interviews.	1:00	270.00	270.00
08/14/2026	Communications Director	Outreach team; grower interviews	1:00	270.00	270.00
08/19/2026	Communications Director	Outreach for grower interviews.	0:30	270.00	135.00
08/21/2026	Communications Director	Outreach for grower interviews.	1:00	270.00	270.00
08/25/2026	Communications Director	SAC meeting, website update.	0:30	270.00	135.00
08/27/2026	Communications Director	SAC meeting, website update.	5:00	270.00	1,350.00

BALANCE DUE **$2,730.00**

Zanjero, LLC
701 University Ave Ste 205
Sacramento, CA 95825-6757

INVOICE

BILL TO
Valley Eco
Valley Eco c/o Merced Subbasin GSA
2222 M Street
Merced, CA 95340

INVOICE	8347
DATE	09/02/2026
TERMS	Net 30
DUE DATE	10/02/2026

PROJECT
Task 7

DATE	PROVIDED BY	DESCRIPTION	QTY	RATE	AMOUNT
08/04/2026	Communications Director	Project management.	1:00	270.00	270.00
08/10/2026	Communications Director	Project management.	0:30	270.00	135.00
08/17/2026	Communications Director	Project management.	0:30	270.00	135.00
08/24/2026	Communications Director	Project management.	0:30	270.00	135.00
08/27/2026	Communications Director	Project management.	0:30	270.00	135.00

BALANCE DUE **$810.00**

TO: **MEMBERS OF MERCED SUBBASIN GSA GOVERNING BOARD**
FROM: **LACEY MCBRIDE, SECRETARY**
DATE: **SEPTEMBER 10, 2026**

SUBJECT: **MULTIBENEFIT LAND REPURPOSING PROGRAM**

The Merced Subbasin GSA was awarded a $8.89 million block grant from the California Department of Conservation in summer 2023 and executed the grant agreement with the Department of Conservation and agreements with the identified MLRP Partners. The MLRP seeks to increase regional capacity to repurpose agricultural land to reduce reliance on groundwater while providing community health, economic wellbeing, water supply, habitat, renewable energy, and climate benefits. The MSGSA's vision for multi-benefit land repurposing is to promote basin-scale coordinated efforts to build local capacity to repurpose agricultural land from higher to lower (or zero) groundwater use land uses, to address both overall groundwater overdraft in the MSGSA jurisdictional area as well as specific groundwater "hotspots" where sustainability indicators (e.g., land subsidence) are most troublesome.

The GSA entered contract with Valley Eco on April 11, 2024 to provide project management services including coordinating and overseeing the tasks of Plan Development, Project Implementation, Outreach, Monitoring and Grant Management in partnership with the MSGSA's MLRP Partners who have expertise in each of the tasks.

REQUEST/RECOMMENDATION/ACTION NEEDED:
Receive an update of the Multibenefit Land Repurposing Program (MLRP) from Valley Eco.

TO: **MEMBERS OF MERCED SUBBASIN GSA GOVERNING BOARDD**
FROM: **JEANNE ZOLEZZI, GENERAL COUNSEL**
DATE: **SEPTEMBER 2, 2026**
SUBJECT: **ACTION ON GOVERNMENT CLAIMS ACT**

BACKGROUND:

The California Tort Claims Act (Act) is a law to protect government from liability, and states that, generally, "a public entity is not liable for an injury" caused by that public entity or any of its employees. This is known as "sovereign immunity." Under the Act, a claimant is required to give notice to the government within a set period of time or they may lose the opportunity to seek money damages.

When a claim is filed, the public agency has 45 days in which to respond or take action. There are 5 possible outcomes after a claim is filed:

1. If the entity fails to respond within the 45 day period the claim is deemed rejected.

2. The entity may approve the claim in whole or in part. The entity may offer a compromise to the claim, which may constitute a settlement of the whole case.

3. The entity may reject the claim.

4. The entity may state the claim does not have sufficient information. The claim can be amended within the time period set by law to fill in that missing information.

5. The entity may return the claim for being untimely.

If the claim is rejected, a claimant can file suit in state court against the government. If the original claim was rejected in whole or in part by the government entity by some form of notice from that entity, the claimant has only six months to file the petition with the court. If the original claim was rejected because the governmental entity failed to respond to the notice, the time in which to file the petition is two years from the date of rejection.

CLAIM:

On August 17, 2026, Brownstein, Hyatt, Farber, Schreck, LLP, representing Crane Bert Orchards LP, Crane Bert A, and Crane Nancy M Trustee (collectively, the "Cranes") filed a Government Claims Act claim against the County of Merced (specifically, the MSGSA) objecting to the Phase 2 Fees adopted June 15, 2026. In lieu of litigation, the Cranes request a reclassification of their Opt-In Parcels as Irrigated Parcels to ensure that the Cranes' receive the entirety of the services covered by the Phase 2 Fees.

The Cranes allege the Phase 2 Fees violate Article XIII D, Section 6 of the California Constitution because (i) they exceed the proportional cost of service attributable to Opt-In Parcels, (ii) charge for services not actually used by or immediately available to Opt-In Parcels,

and (iii) the Engineer's Report supporting the Phase 2 Fees fails to satisfy MSGSA's burden of proof under Proposition 218.

RECOMMENDATION:

Staff recommends that the Board take action to reject the claim for two reasons:

1. We do not believe the claim has merit; and

2. Rejection will shorten the statute of limitations to file suit from two years to six months.

Staff has been communicating with legal counsel for discussion on these issues and will advise the Board in closed session at the October meeting.

Upon rejection, a letter must be sent to counsel advising them of the rejection and their rights under the law.

TO: **MEMBERS OF MERCED SUBBASIN GSA GOVERNING BOARD**
FROM: **LACEY MCBRIDE, SECRETARY**
DATE: **SEPTEMBER 10, 2026**

SUBJECT: POST JANUARY 1, 2026 INCORRECT ASSESSOR'S OFFICE LAND USE CLASSIFICATION APPEALS

The Merced Subbasin GSA Rules and Regulations Section 5.2.1 allows the owner of a parcel whose Assessor's Office land use is incorrect to appeal to change the parcel's land use classification from unirrigated to irrigated. This change would recognize that the parcel was irrigated using groundwater and the parcel would be eligible to receive Sustainable Yield of Native Groundwater and Additional Pumping Allowance. Section 5.2.1.7 states that a property owner requesting an Incorrect Assessor's Office Land Use Appeal after January 1, 2026 must submit a petition to the MSGSA Board and any consideration of a change will be subject to the Board's discretion.

Several parcels went through this process in 2025, in preparation for the enactment of the Allocation Rule. In 2026, through the use of the Groundwater Accounting Platform, MSGSA staff identified 46 parcels that appear to be irrigated when looking at satellite imagery and sent a letter to those parcel owners. If the parcels are irrigated with groundwater they need to go through the Incorrect Assessor's Office Land Use Classification process and pay any applicable back fees. At this time the GSA has received the Incorrect Assessor's Office Land Use Classification forms for several of those parcels. Since it is after January 1, 2026, approval of these land use changes is at the Board's discretion.

The action proposed is to approve any correction of incorrect land use where staff and identified the parcels as potentially being irrigated. The list of parcels identified are below. Any other parcels requesting a change in land use classification would come before the Board, as required by Section 5.2.1.7.

066-160-010	055-290-002	055-141-042	055-110-068
049-100-008	068-170-022	055-320-011	055-110-050
065-020-038	057-010-074	055-340-030	055-300-014
047-140-017	057-010-073	055-175-025	055-330-012
047-140-016	049-170-006	055-222-016	055-350-007
067-090-011	074-080-029	055-222-010	055-234-010
057-400-016	066-100-011	055-223-004	055-237-001
057-010-042	057-010-071	055-320-013	055-236-002
055-222-015	057-010-070	055-175-023	055-350-011
055-224-013	057-160-013	055-175-008	055-310-028
055-310-006	055-175-004	055-171-011	
065-060-015	049-110-003	055-171-008	

REQUEST/RECOMMENDATION/ACTION NEEDED:
Action to approve parcels, identified as irrigated by the MSGSA staff, appealing Incorrect Assessor's Office Land Use Classification under the Rules and Regulations Section 5.2.1.7

TO: MEMBERS OF MERCED SUBBASIN GSA GOVERNING BOARD
FROM: LACEY MCBRIDE, SECRETARY
DATE: SEPTEMBER 10, 2026

SUBJECT: BOARD APPEAL OF INCORRECT ASSESSOR'S OFFICE LAND USE CLASSIFICATION APPEAL STAFF DENIAL

BACKGROUND

The MSGSA Board approved the Groundwater Allocation Rule on October 10, 2024 which establishes an allocation of groundwater for each eligible parcel of Sustainable Yield of Native Groundwater (SYNG) and, for some parcels, a potentially temporary Additional Pumping Allowance (APA). Only parcels with current or reclassified irrigated land use designations are entitled to receive an APA.

In the event a parcel's Assessor's Office land use classification as of October 10, 2024 was not considered irrigated, the owner may Appeal to change the Parcel's land use classification through the process outlined in the MSGSA Rules and Regulations Section 5.2.1. Parcels that are reclassified under this Assessor's Office Land Use Appeal process would then be eligible to receive APA.

Under the June 12, 2025 Groundwater Allocation Rule an "Owner must submit the required MSGSA provided forms identifying the misclassified Parcel(s) and provide supporting documentation demonstrating that the Parcel was irrigated with Groundwater prior to October 10, 2024." Additionally, the Owner must pay the "Misclassified Land Use Fees" associated with the misclassification.

Upon receipt of the Assessor's Office Land Use Appeal form, MSGSA staff reviews the submitted information in relation to the defined objective criteria established by the Rule and may require additional information from the Party before approving the Appeal.

On June 12, 2025, the MSGSA Board adopted Section 5.1.1 of the Groundwater Allocation Rule outlining the process to appeal staff decisions implementing the Groundwater Allocation Rule. Appeals must be submitted within 30 days of the staff decision.

FAGUNDES BROTHERS LLC APPEAL

On September 25, 2025, Fagundes Brothers LLC submitted an Incorrect Assessor's Office Land Use Classification Appeal for parcel (APN) 065-030-010. The appeal stated that the parcel was irrigated as a non-contract duck club in coordination with the parcel to the south, which has a land use of Non-contract Duck Club. MSGSA staff requested additional information showing groundwater use on APN 065-030-010. Additional documentation submitted in July 2026 included invoices for diesel deliveries and livestock trucking. On July 22, 2026, MSGSA staff issued a denial letter stating that the fuel invoices and livestock trucking were insufficient for a classification change for APN 065-030-010.

On August 20, 2026 Fagundes Brothers LLC submitted an appeal of the denial of the Incorrect Assessor's Office Land Use Classification. Documentation submitted with the Appeal of the

denial included well completion reports for the wells used to pump and apply groundwater to the parcel, a description of the flood irrigation practices used on the parcels, and photos of the wells and irrigation facilities.

STAFF RECOMMENDATION

With the additional documentation provided in the Appeal, staff determined there is sufficient documentation that groundwater has been used on APN 065-030-010, in conjunction with the southern parcel. The staff recommendation is that the Board approve a reversal of the denial of the Incorrect Assessor's Office Land Use Classification for APN 065-030-010.

REQUEST/RECOMMENDATION/ACTION NEEDED:

Action to approve the staff recommendation to reverse the denial of the *Incorrect Assessor's Office Land Use Classification* where applicant had originally filed with inadequate documentation of groundwater irrigation prior to October 10, 2024.

Merced Subbasin
Groundwater Sustainability Agency

Date Received:	Appeal No.:
8/20/2026	2026-09

ABOVE THIS LINE FOR MSGSA STAFF ONLY

Appeal Form

This document is intended to allow landowners within the Merced Subbasin Groundwater Sustainability Agency (MSGSA) to Appeal written staff decisions in accordance with the MSGSA Rules and Regulations, Section 5.1.1.

This Appeal Form is intended for the Appeal of a single written staff decision and supporting documentation is required. If multiple decisions are being Appealed, a separate Appeal Form must be completed for each.

Appellant Information

Fagundes Brothers, LLC
Owner/Legal Name of Owner Entity

[redacted]
Mailing Address/PO Box

[redacted]
City, State, Zip Code

[redacted]
Telephone Number

[redacted]
Email Address

Parcel and Staff Decision Information

065-030-010
Assessor Parcel Number (APN) associated with Appeal

Groundwater Allocation Rule Section associated with the Appeal: 5.2.1

Written staff decision that is being Appealed: Letter from Lacey McBride dated 7/22/26

Date of written staff decision and reference number (i.e. MIS2025-XX): 7/22/26 - MIS2025-46

Appellant Statement - Explain the grounds for your appeal and why you disagree with the written staff decision. If required, attach additional pages to this form.

See email to Lacey McBride dated 8/20/26

Please attach all documentation in support of the Appeal to this Form.

Steve Maxey on Behalf of Fagundes Brothers, LLC
Owner Printed Name

Owner Signature

8/20/2026
Date

Submit to: Forms@MercedSubbasinGSA.org

Fagundes Brothers, LLC
[redacted]

August 20, 2026

Lacey McBride
Merced Subbasin GSA
2222 M Street
Merced, CA 95340

RE: MIS2025-46 APN 065-030-010

Dear Mrs. McBride:

This letter serves as a formal appeal to the July 22, 2026 decision regarding denial of the subject parcel for a land use classification correction. We sincerely appreciate your time and attention in reviewing the classification change request, as well as your guidance in navigating the MSGSA Rules and Regulations pertaining to such requests.

We respectfully submit this letter and the supporting documentation with the request that the Merced Subbasin GSA Board grant the appeal to correct the classification of the subject parcel to irrigated agriculture, to align with its historical use and intended operations.

As indicated in previously provided documentation and records, the subject parcel has been historically irrigated with groundwater prior to October 10, 2024. In fact, the use of the parcel as irrigated pasture for cattle grazing dates to at least 2006. Photographic evidence of cattle grazing activity is, unfortunately, limited; but the information provided with this letter serves as the best supporting evidence available for proving the parcel's operations and historic use.

For ease of reference, locations for all images identified below are shown on **Figure 1**.

Basic Infrastructure

The parcel has been historically flood-irrigated together with a portion of the parcel to the south (APN 065-050-009) using one well (**Attachment 1,** shown as **"Well A"**) located on the Duck Slough natural channel running approximately from southeast to northwest across the property. Well "A" was constructed in 2006 at a depth of approximately 400 feet. The Merced County Well Completion Report is included as **Attachment 2**. This well utilizes a diesel-powered pump to discharge groundwater via pipelines located adjacent to the Duck Slough channel. Photos of the well, pump, and discharge are attached as **Images 1, 2, 2A, and 3**.

Flood Irrigation Practice

Flood irrigation occurs through Well "A", which discharges pumped groundwater via two pipes. Both pipes, labeled on **Image 3** as "Discharge 1" and "Discharge 2" have historically sent pumped water north of Duck Slough, into the southern end of the irrigated area shown on **Attachment 1**. Specifically, groundwater is discharged directly into the ditch/channel running through the center of the property north of Duck Slough. Evidence of this practice is shown in a September 20, 2018 aerial photo available on Google Earth, attached as **Image 6**. There is, unfortunately, no meter located on Well A showing total pumped groundwater utilized for this practice since 2006.

The property is drained utilizing Duck Slough, which flows to the northwest. At the conclusion of flood irrigation, water is released via one gate in the channel bank, as seen in attached **Images 4 and 4A**. This gate structure is also visible in multiple Google Earth aerial images. Water leaves this gate and flows into Duck Slough, then into Owens Creek via another gate, and ultimately into the Eastside Bypass. The Owens Creek drain gate is shown in attached **Images 5 and 5A.**

Historical Use

The parcel in question has been utilized as irrigated pasture in excess of twenty years for grazing of approximately 250 head of cattle. Available cattle delivery manifests have been previously provided. During the grazing season, cattle move between the parcel in question, and the parcel to the south (APN 065-050-009) across the same flood-irrigated area of land that spans both parcels (indicated in **Attachment 1**). In the dry season, cattle also move through the Duck Slough channel and graze the southern side of 065-050-009, which has also been historically flood irrigated. In the fall and winter, the irrigated area and the balance of the property serves as habitat for migrating waterfowl.

Two aerial images are attached that show flood irrigation activity. The exact dates of the images are unknown; but based on comparison to available satellite imagery, the dates of capture are likely in the fall/winter of 2011 to 2012. Images are labeled to assist with orientation. **Image 7** shows a view of the property looking south. The conveyances (ditches) that move groundwater pumped from Well "A" to flood the property are visible as obvious channels throughout the subject parcel. **Image 8**, also viewed looking to the south, shows the property in its flood irrigated state.

Additional Wells

In addition to Well "A", there are two additional wells that were permitted and drilled on site. Well "B" and Well "C" locations are both shown on **Attachment 1**. Each of these existing wells are currently constructed, but they are not equipped with pumps. Their operational ability is unknown, and their potential for use is extremely low. For purposes of future operation, Well "A" would be the primary (and likely only) means for flood irrigating the property.

We again thank you for your time and attention thus far, and we welcome any additional requests for information. We would also welcome GSA staff, consultants, or board members that may wish to see the property in-person to ascertain any additional information or context for operations relevant to this appeal.

Respectfully,

Steve Maxey
On Behalf of Fagundes Brothers, LLC

FIGURE 1 – IMAGE REFERENCE MAP

(NOTE: PROPERTY BOUNDARY IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY)

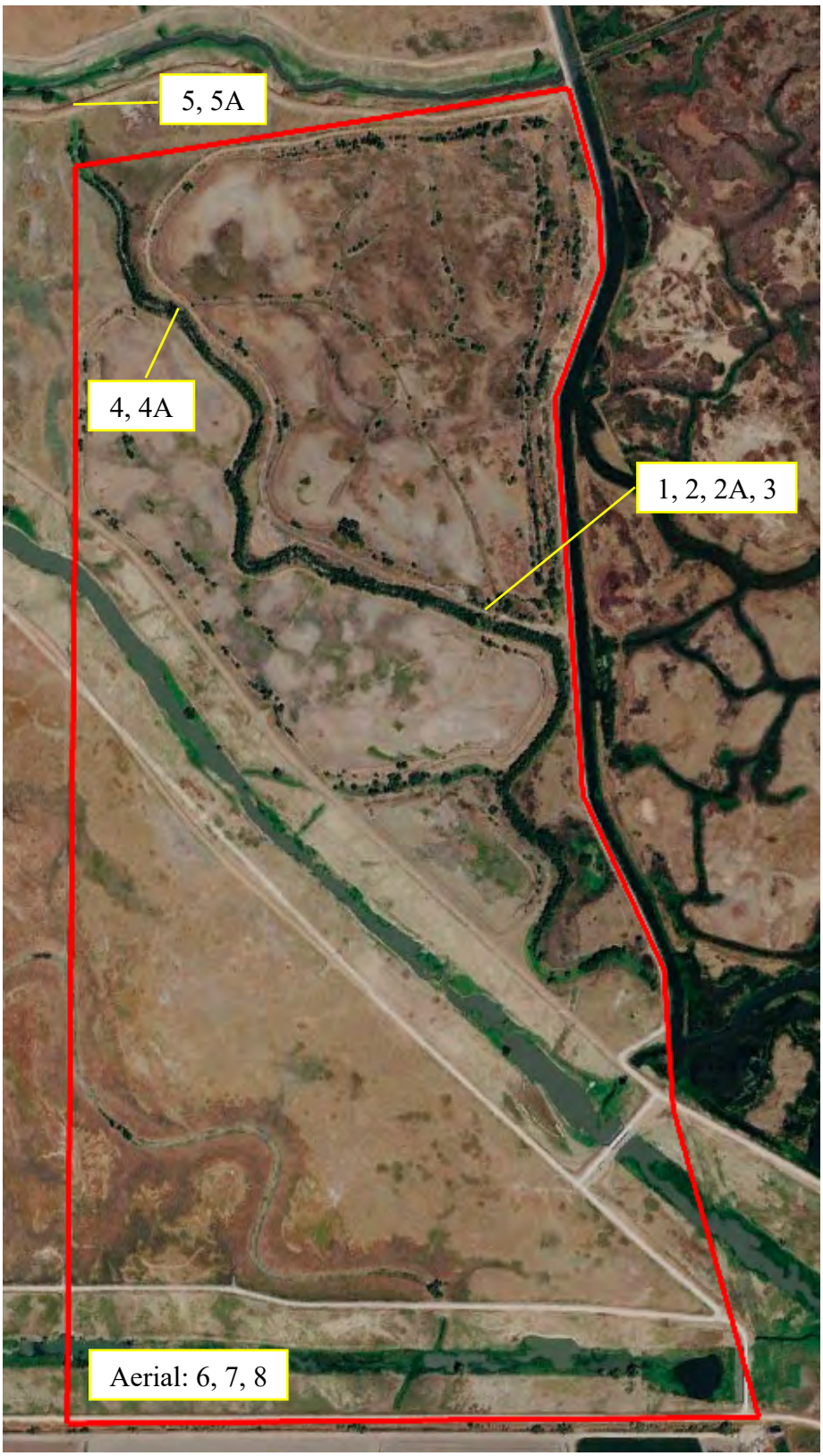


IMAGE 1 – WELL “A”

IMAGES 2 & 2A – DIESEL PUMP & FUEL TANK FOR WELL “A”

IMAGE 3 – DISCHARGE FOR WELL “A”

IMAGES 4 & 4A – GATE IN DUCK SLOUGH BANK, USED FOR DRAINING IRRIGATION WATER

IMAGES 5 & 5A – NORTHWEST CORNER OF PROPERTY
(SHOWING END OF DUCK SLOUGH CHANNEL AND DRAIN GATE TO OWENS CREEK)

IMAGE 6 –FLOOD IRRIGATION PRACTICE FROM WELL “A”

Source: Google Earth, Coordinates 37°12'43.82" N 120°41'57.02" W, Dated 9/20/2018

IMAGE 7 –AERIAL PHOTO (PRIOR TO IRRIGATION)

(VIEWED FACING SOUTH)

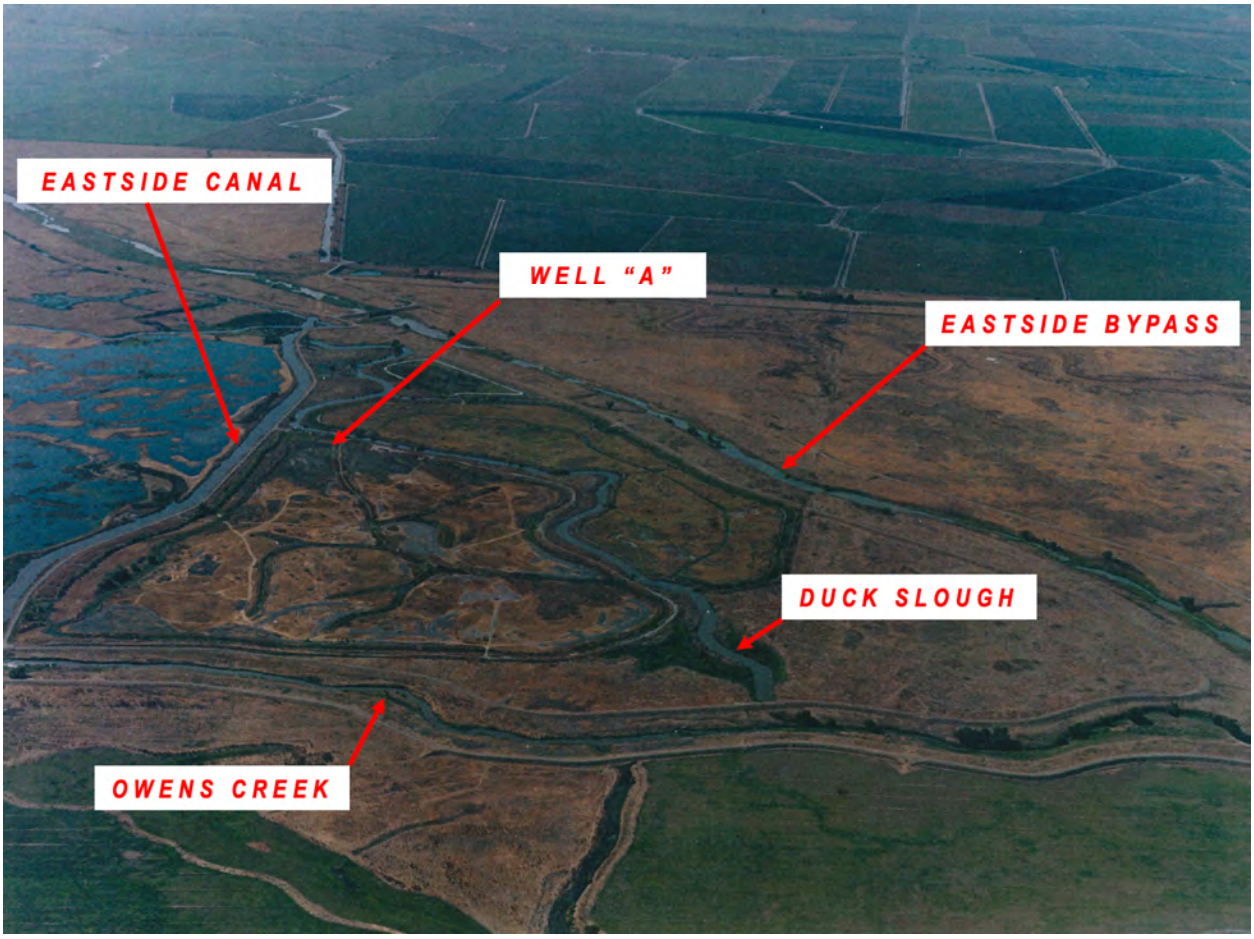
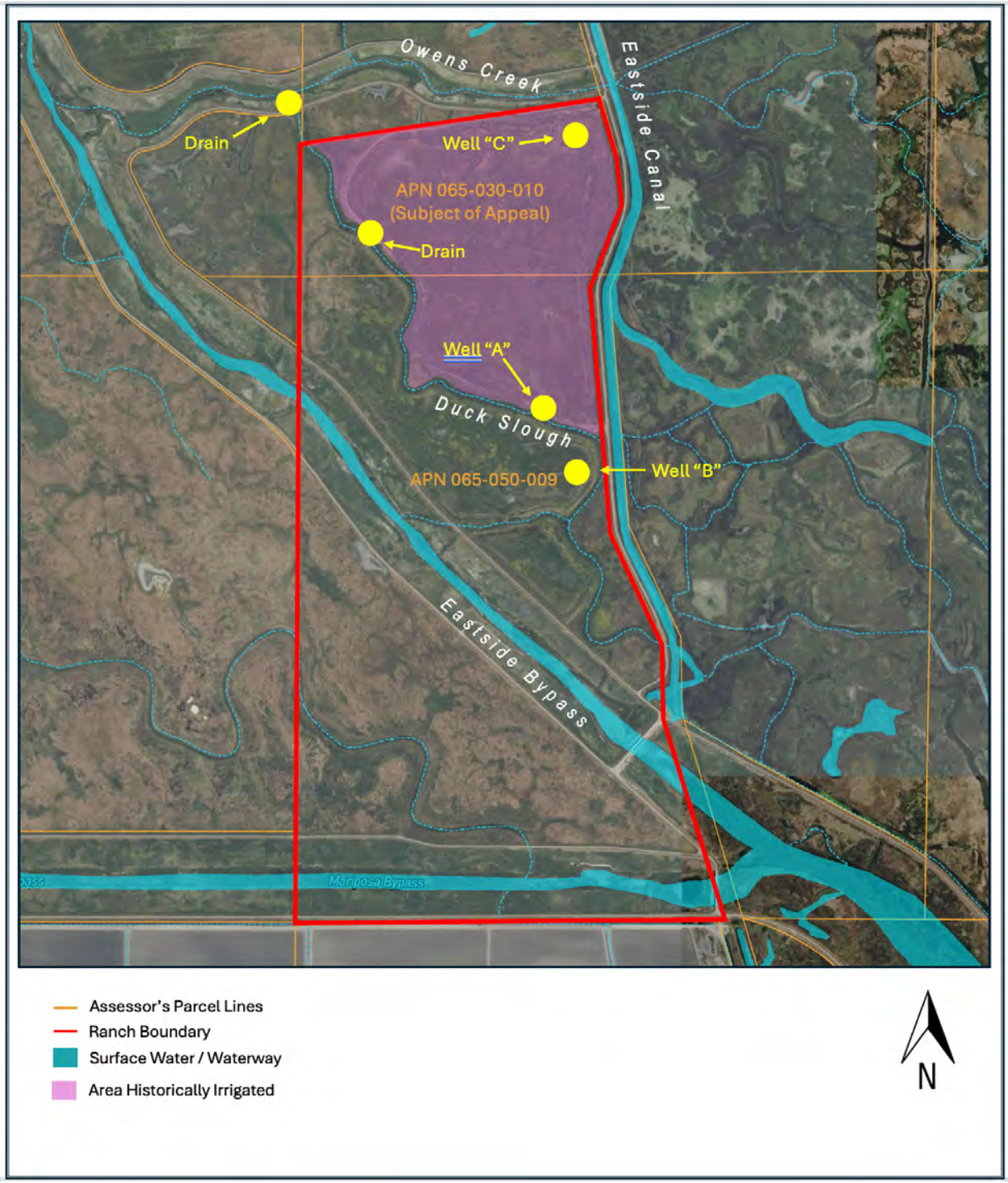


IMAGE 8 –AERIAL PHOTO (POST-IRRIGATION)

(VIEWED FACING SOUTH)

ATTACHMENT 1 – PROPERTY MAP

(Note: Not to Scale, For Illustrative Purposes Only)



ATTACHMENT 2 - WELL "A" WELL COMPLETION REPORT

MERCED COUNTY DEPARTMENT OF HEALTH - DIVISION OF ENVIRONMENTAL HEALTH
.....WATER WELL INSPECTION DATA.....

PERMIT NO: 06-346-4R TOWNSHIP 7 RANGE 12 SECTION 19 LOT ____

MERCED COUNTY

DATE: 8-21-06 WELL LOG

WORK: Asbl

LOCATION: Sandy Mush / By Pass APN : 065-030-024

OWNER'S NAME: [redacted] ADDRESS [redacted]

DRILLER: Arthur & Drum DRILLING METHOD: 1 1 ROTARY 2 CABLE TOOL 3 WD

WELL DEPTH: _____ FEET DIAMETER OF BORE ____ INCHES

INTENDED USE: 2 1 DOMESTIC 2 IRRIGATION 3 TEST 4 MONITORING 5 SOIL BORING 99 PUBLIC WS

1. CASING: TYPE Steel DIAMETER ____ INCHES GAGE ____ DEPTH ____ FEET

PERFORATION INTERVALS ____ FEET TO ____ FEET

CONDUCTOR CASING DIAMETER 36 INCHES DEPTH 50 FEET - 39

2. GRAVEL PACK: FROM _____ FEET TO _____ FEET GRAVEL SIZE ____ INCHES

3. SEALS: SURFACE PLATFORM SIZE ____ FEET BY ____ FEET SAMPLE TAP _____

SANITARY SEAL (TOP OF CASING): _____

ANNULAR SEAL: DEPTH 50 FEET GROUT USED Cement 94#s

PROPORTION MIXED _____

4. PUMP: SURFACE __ SUBMERGED __ OFFSET __ H.P. _____

STATIC WATER LEVEL _____ FEET PUMPING RATE _____ GALLONS P.M.

5. STORAGE TANK: TYPE _____ CAPACITY _____ GALLONS

6. LOCATION: DISTANCE TO OLD WELL NO FEET WELL IN USE __ ABANDONED __

SURROUNDING LAND USE _____

SURFACE SOIL TYPE 0-50 Clay

7. SAMPLED: _____

8. RESULTS: _____

ARSENIC	As	____	ug/L	NITRATE	NO3	____	mg/L
CHLORIDE	Cl	____	mg/L	SPEC COND	EC	____	uS/cm
IRON	Fe	____	ug/L	EDB	EDB	____	ug/L
MANGANESE	Mn	____	ug/L	DBCP	DBCP	____	ug/L

9. REMARKS: Access on N Side of by pass on Dan McNamara Rd

#Error: Invalid BLOB handle in record buffer.

10. INSPECTORS: ANNULAR SEAL: _____ FINAL: _____

WELL CONSTRUCTION & DESTRUCTION – APPLICATION & PERMIT

Merced County Code Chapter 9.28

Merced County Division of Environmental Health
777 W. 22nd Street, Merced, CA 95340 (209) 381-1100 fax: (209) 384-1593

PERMIT # 06-346-IR

OWNER INFORMATION & DECLARATION

[redacted]
name of property owner phone

Purpose of Well & Declaration (√ **all** that apply):

Initial Well ☐ Additional Well ☑

Multiple Homes, School, or Business Well ☐

Replacement of Failed Well ☐

As property owner, I give permission to drill the well(s) indicated by this application. A plot plan indicating each existing and proposed well will be included. An application involving Additional Well, Replacement of Failed Well, or an out-of-service well will be accompanied by a Letter of Intent, signed by myself, for each existing well.

signature of property owner or trustee — date

CONTRACTOR INFORMATION & DECLARATION

ARTHUR BORUM — name of contractor
559 896-5369 — phone
14870 S. EAST AVE — mailing address
FRESNO — city
CA — state
93725 — zip

Declaration:

I hereby affirm that I have a C-57 license in full force and effect under the provisions of the Business and Professions Code, Chapter 9, Division 3 (commencing with Section 7000).

Steve Arthur — signature of contractor
361319 — license #

CONSTRUCTION INFORMATION

Rotary/Rev. Rotary ☑ Cable Tool ☐ Other _____

Estimated Depth 400 ft. Casing Diameter 17.4 in.

Conductor Casing ☒ 50'

FEES

Total $ 102 Check # 22827

Date Paid 9-20-06 Invoice # IN 45548

WELL LOCATION

065 . 030 . 010 — APN
8S township, 12E range, 30 section
SANDY MUSH/BEAST — street address
_____ — city
_____ — subdivision name
_____ — lot #

A plot plan shall be submitted with each application.

TYPE OF WELL

√ all squares and circles that apply

Test Well – Private (T)	☐	
Test Well – Public (T)	☐	
Domestic Well – Private (DO)	☐	
For Dairy?		○
Domestic Well – Public (DO)	☐	
For Dairy?		○
Irrigation Well (IR)	☒	
Reconstruction (RE)	☐	
Well Destruction (WD)	☐	
Monitoring Well (M)	☐	
To Check For Contamination?		○
Soil Boring (B)	☐	
To Check For Contamination?		○
Hydro Punch (HP)	☐	
To Check For Contamination?		○
Cathodic Protection Well (CP)	☐	

PERMIT CONDITIONS & COMMENTS

Letter(s) of Intent required ☐; Letter(s) received ☐

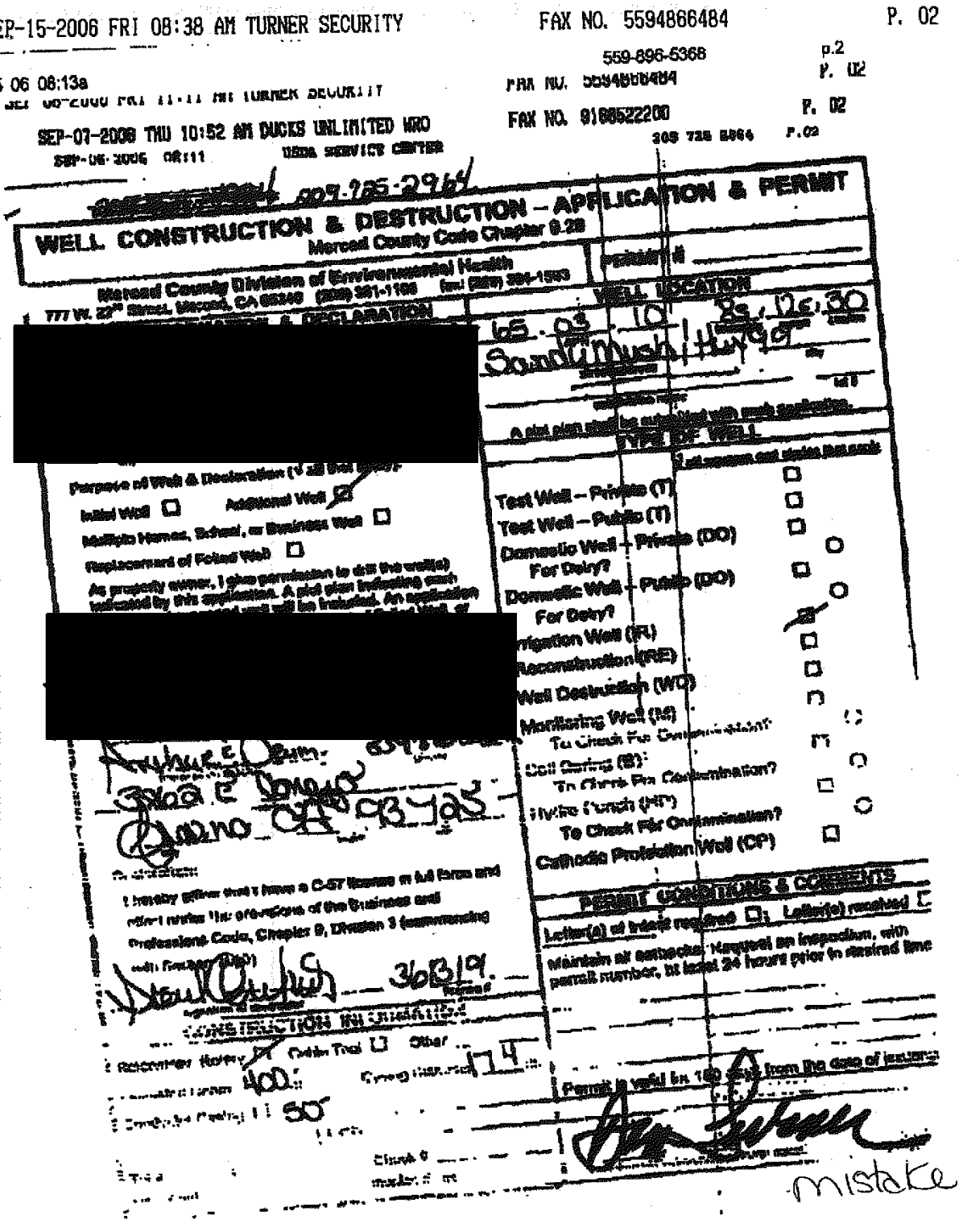
Maintain all setbacks. Request an inspection, with permit number, at least 24 hours prior to desired time.

Permit is valid for 180 days from the date of issuance.

APPROVAL

Keith Isenzuki — signature of Environmental Health official
9-20-06 — date

ATTACHMENT 2 - WELL "A" WELL COMPLETION REPORT



SEP-15-2006 FRI 08:38 AM TURNER SECURITY FAX NO. 5594866484 P. 02

559-896-5368 p.2

Sep 15 06 08:13a P. 02

SEP-07-2006 THU 10:52 AM DUCKS UNLIMITED WRO FAX NO. 9198522200 P. 02

209 725 8864 P.02

WELL CONSTRUCTION & DESTRUCTION – APPLICATION & PERMIT

Merced County Code Chapter 9.28

Merced County Division of Environmental Health

WELL LOCATION

TYPE OF WELL

Test Well – Private (T)

Test Well – Public (T)

Domestic Well – Private (DO)

For Dairy?

Domestic Well – Public (DO)

For Dairy?

Irrigation Well (IR)

Reconstruction (RE)

Well Destruction (WD)

Monitoring Well (M)

To Check For Contamination?

Soil Gas (SG)

To Check For Contamination?

Hydro Punch (HP)

To Check For Contamination?

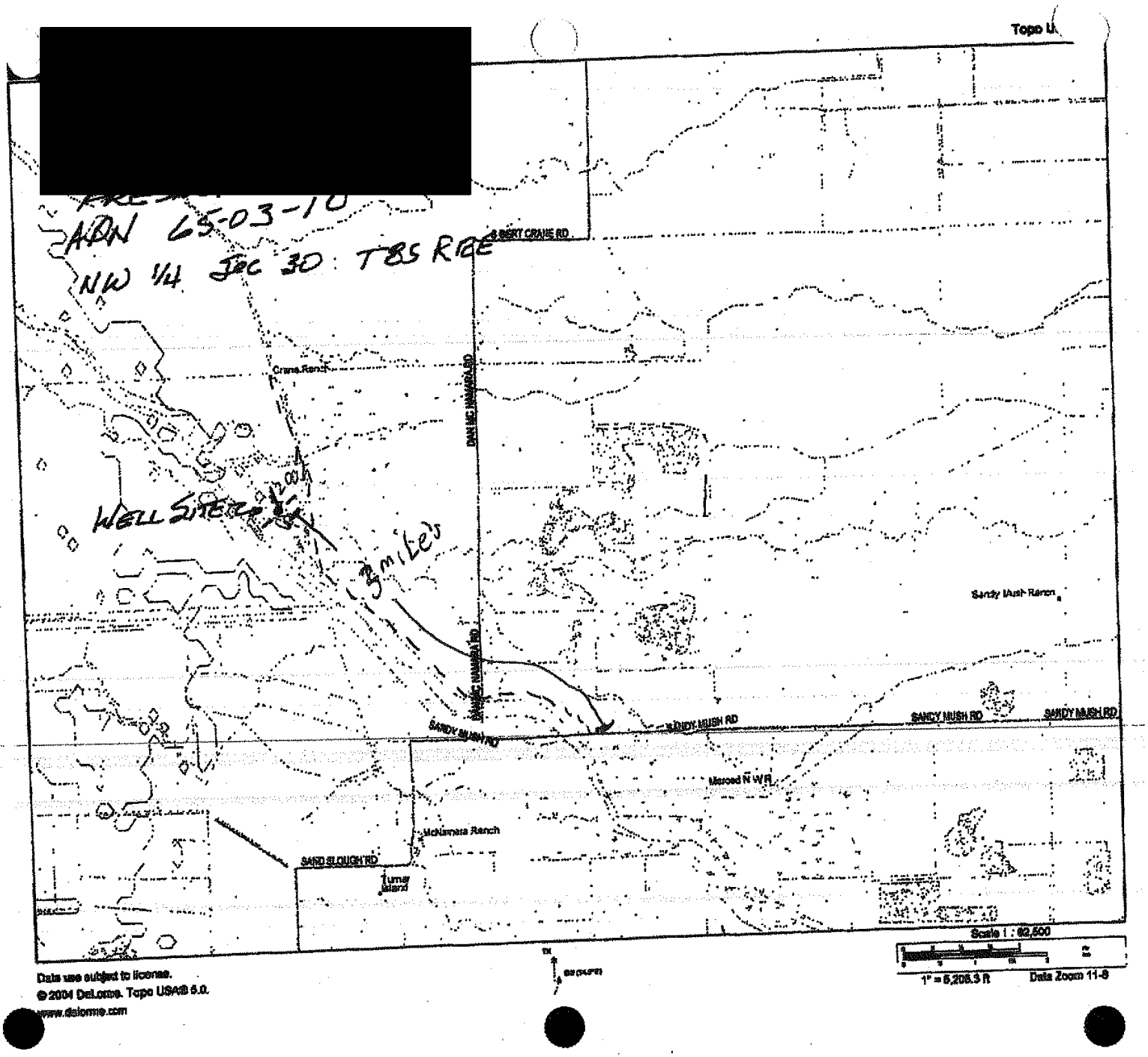
Cathodic Protection Well (CP)

PERMIT CONDITIONS & COMMENTS

Permit is valid for 180 days from the date of issuance

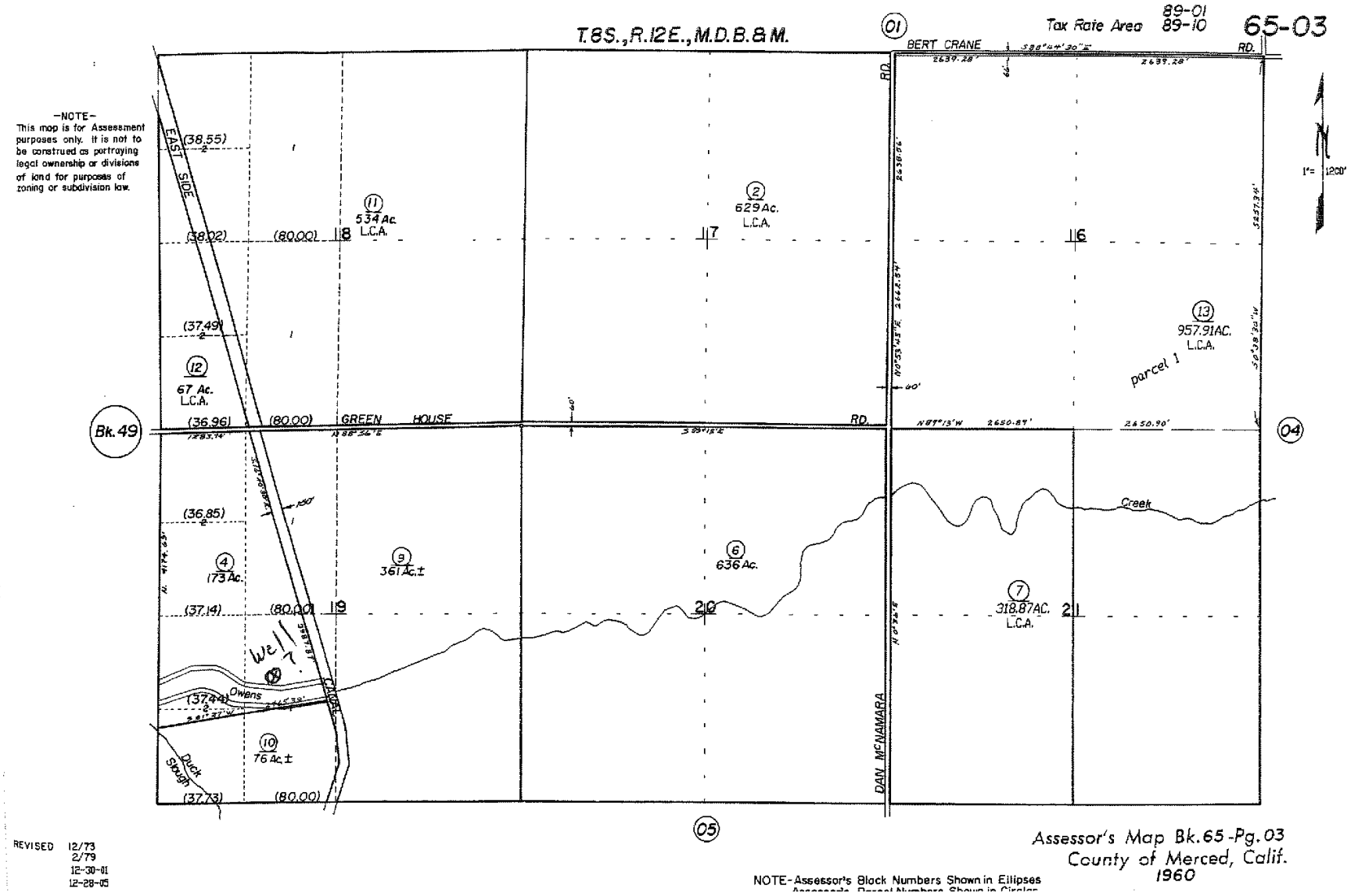
mistake

ATTACHMENT 2 - WELL "A" WELL COMPLETION REPORT

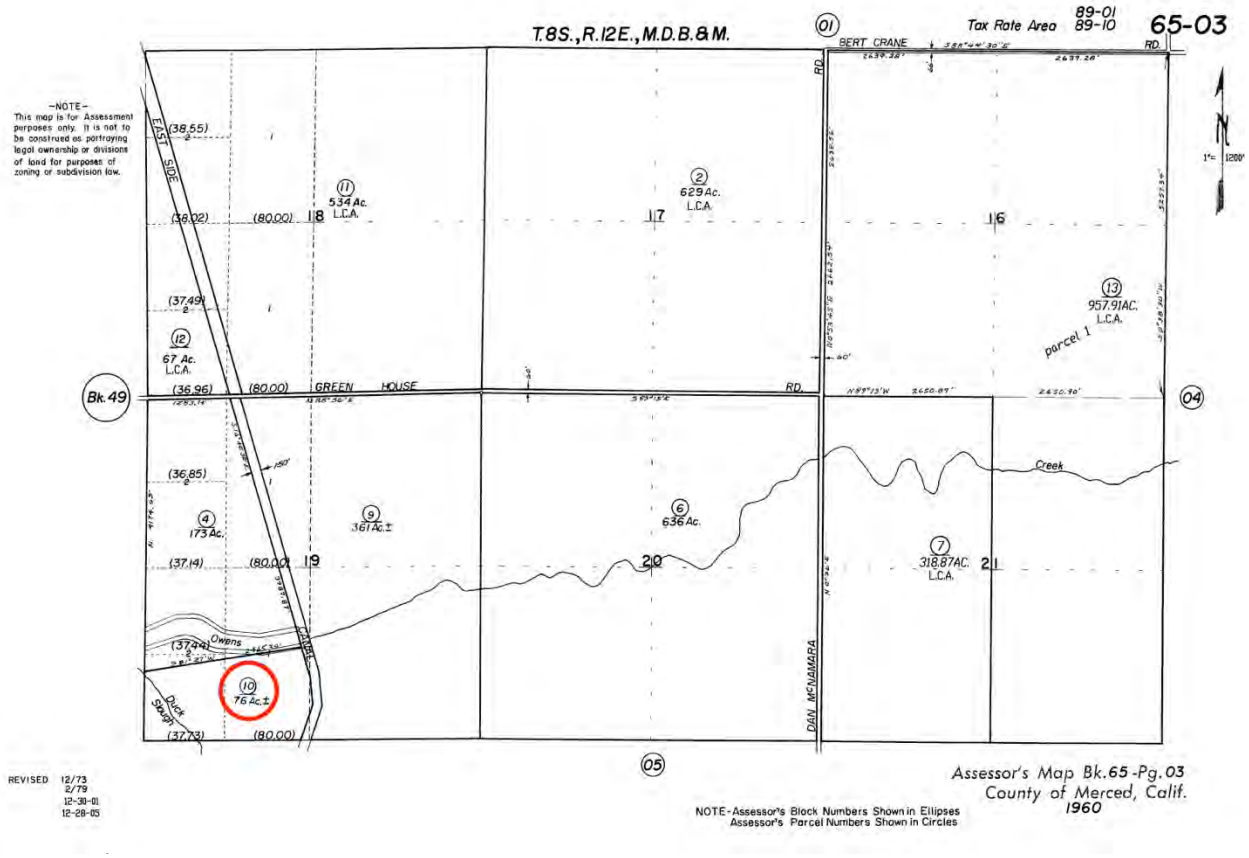


FROM :ANDERSON PUMP CO FAX NO. :559 665 3212 Aug. 08 2006 03:14PM P2/2

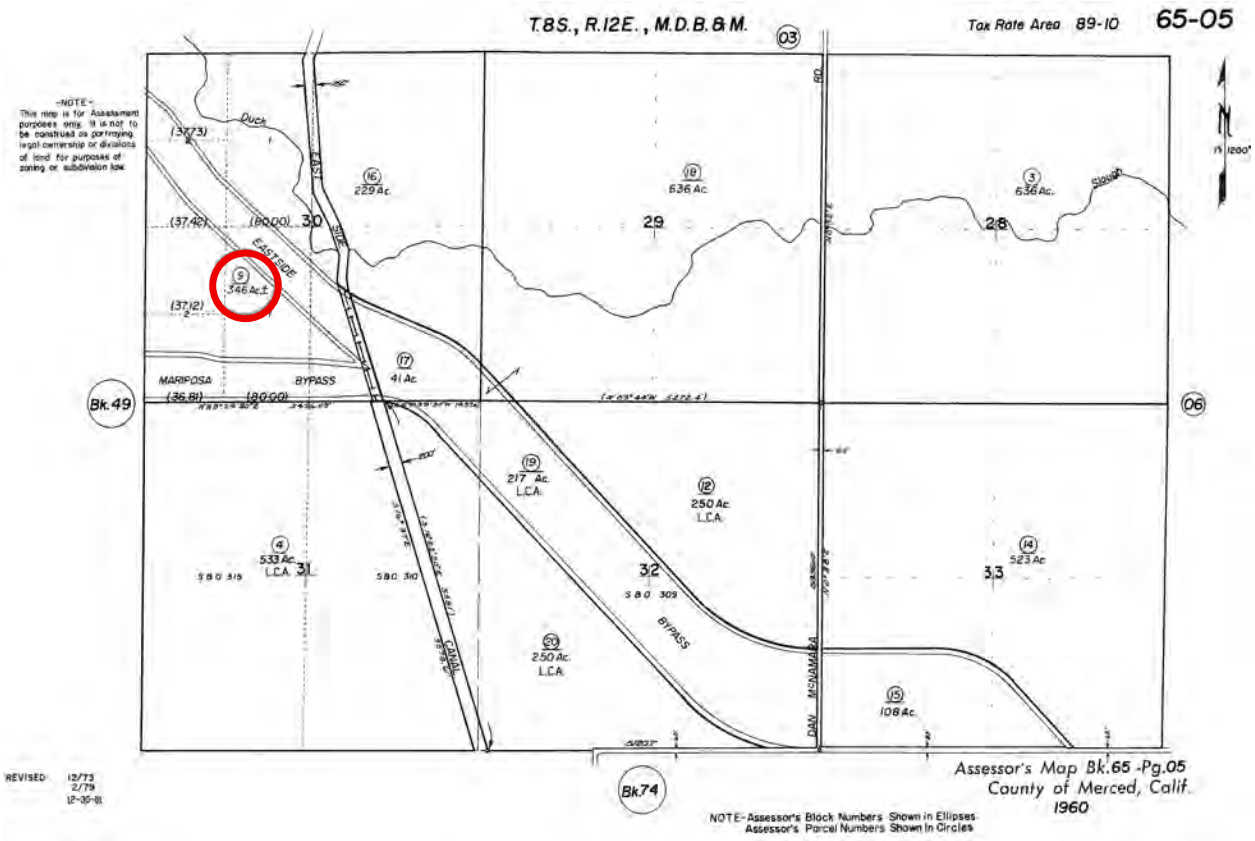
ATTACHMENT 2 - WELL "A" WELL COMPLETION REPORT



ATTACHMENT 3 – MERCED COUNTY ASSESSOR MAP (1 of 2)



ATTACHMENT 3 – MERCED COUNTY ASSESSOR MAP (2 of 2)



Merced Subbasin
Groundwater Sustainability Agency

July 22, 2026

Fagundes Brothers, LLC
[redacted]

RE: MIS2025-46 APN 065-030-010

Dear Fagundes Brothers, LLC:

The Merced Subbasin GSA (MSGSA) has received your Incorrect Assessor's Office Land Use Classification Appeal form for APN 065-030-010. MSGSA staff has determined that this parcel does not meet the eligibility requirement in the MSGSA Rules and Regulations Section 5.2.1 for a land use classification change.

The appeal forms for these parcels do not demonstrate that the parcels were irrigated with groundwater prior to October 10, 2024. This denial is based on the evidence provided of fuel invoices and livestock trucking which is insufficient for a classification change on this parcel.

This decision may be appealed within 30 days to the Merced Subbasin GSA Board through the Appeal Process in Section 5.1 of the MSGSA Rules and Regulations.

Sincerely,

Lacey McBride

Lacey McBride
Secretary

Merced Subbasin
Groundwater Sustainability Agency

Date Received:	Appeal No. MIS2025-46
9/25/2025	Appeal Conditions:
ABOVE THIS LINE FOR MSGSA STAFF ONLY	

Incorrect Assessor's Office Land Use Classifications Acknowledgement

This document is intended to allow landowners within the Merced Subbasin Groundwater Sustainability Agency (MSGSA) to appeal an incorrect Assessor's Office land use classification as of October 10, 2024 that was not considered irrigated in accordance with the Groundwater Allocation Rule, Section 1.4.1.1.

This Acknowledgement is intended for one parcel's appeal and supporting documentation is required. If multiple parcels are applying for the appeal, a separate Acknowledgement must be completed for each individual parcel. An acknowledgement with multiple parcels and/or no supporting documentation will not be accepted.

Property Owner Information

FAGUNDES BROTHERS, LLC [redacted]
Owner/Legal Name of Owner Corporation | Mailing Address/PO Box | City, State, Zip Code

[redacted] [redacted]
Telephone Number | Email Address

Parcel Information

065-030-010 | 76 | GREENHOUSE RD. / DAN McNAMARA RD.
Assessor Parcel Number (APN) | Acres of Parcel | Address of Location or Nearest Cross Streets

Is this parcel located in an irrigation/water district: ☑ Yes ☐ No ☐ Other _____

If yes, which district: SMMWC

I want to Opt-In this parcel under Section 1.9.1 of the Groundwater Allocation Rule: ☑ Yes ☐ No

☑ I, the applicant, attached supporting documents to this appeal Acknowledgement demonstrating that either (1) the Parcel was irrigated, or (2) significant crop and/or irrigation infrastructure was installed prior to October 10, 2024 (MSGSA Groundwater Allocation Rule, Section 1.11.1.1). Examples include, but not limited to, copies of well permits, well completion reports, pesticide permits, well information, photos, etc.

☑ I, the applicant, hereby affirm that the information submitted with this Acknowledgement is accurate, true and representative of site conditions.

RALPH FAGUNDES | Ralph Fagundes | 9/24/25
Owner Printed Name | Owner Signature | Date

See page 2 for Determination and Misclassified Land Use Fees Due

Merced Subbasin
Groundwater Sustainability Agency

Invoice # _____ Fee Amount Received:	Date(s) Fees Received:
ABOVE THIS LINE FOR MSGSA STAFF ONLY	

Incorrect Assessor's Office Land Use Classifications Determination Acknowledgement

The following determination was concluded by Merced Subbasin Groundwater Sustainability Agency (MSGSA) review staff based on the information provided by the landowner on page 1 of the Acknowledgement and all attached supporting documentation provided by the landowner.

THIS TABLE IS FOR MSGSA STAFF ONLY

Determination: ☐ Adequate for Board Consideration ☐ More information needed ☐ Not applicable
☐ Approved Appeal No. _____ ☐ Other _____
Comments:

MSGSA Review Staff Signature: _____ Determination Date: _____

Misclassified Land Use Fee Due by Applicant for APN: _____

THIS TABLE IS FOR MSGSA STAFF ONLY

Fiscal Year	SGMA Compliance Fee Rate/ac		Phase 1 Fee/ac		GIS Acres	Total**
	Irrigated	Unirrigated	Activity	Water Right*		
2019-2020	$2.06	$0.26	N/A	N/A	72.1521	$ 129.87
2020-2021	$0.90	$0.13	N/A	N/A	72.1521	$ 55.56
2021-2022	$1.78	$0.22	N/A	N/A	72.1521	$ 112.56
2022-2023	$3.95	$0.49	$24.94	$1.67	72.1521	$ 2,169.61
2023-2024	$3.95	$0.49	$11.33	$0.55	72.1521	$ 1,106.81
2024-2025	$3.95	$0.49	$11.60	$0.55	72.1521	$ 1,126.29
2025-2026	$1.04	$0.13	$6.65	$0	72.1521	$ 545.47
					Total Due:	**$ 5,246.18**

** Water Rights Fees are only applicable to parcels not already paying into these fees elsewhere.*
*** Groundwater Allocation Rule, Section 1.11.1.1.2: Misclassified Land Use Fees = [Irrigated 2019 SGMA Compliance Fee Rate x GIS Acreage] – [Unirrigated 2019 SGMA Compliance Fee Rate x GIS Acreage] + [Phase 1 Fee Rate x GIS Acreage].*

☑ I, the applicant, knowingly and voluntarily agree to the Misclassified Land Use fee in exchange for an allocastion, and understand that the Misclassified Land Use Fee and application fee are required to be paid in full, or on an approved payment plan, before the MSGSA can reclassify the parcel listed above to an irrigated parcel and adjust any Allocation Management Account's allocation on the Groundwater Accounting Platform.

☑ I, the applicant, acknowledge the authority of MSGSA to impose the above Misclassified Land Use fee, the authority of MSGSA to condition reclassification of the parcel upon compliance with the Rule, and do not dispute the amount of the fee.

☑ I, the applicant, agree to defend, indemnify and save harmless the MSGSA, its officers, agents and employees, from any and all claims, demands, damages, costs, expenses, judgements, attorney fees or any liability directly arising out of the reclassification of the parcel in accordance with the Rule.

RALPH FAGUNDES — Owner Printed Name

Ralph Fagundes — Owner Signature — 9/24/25 — Date

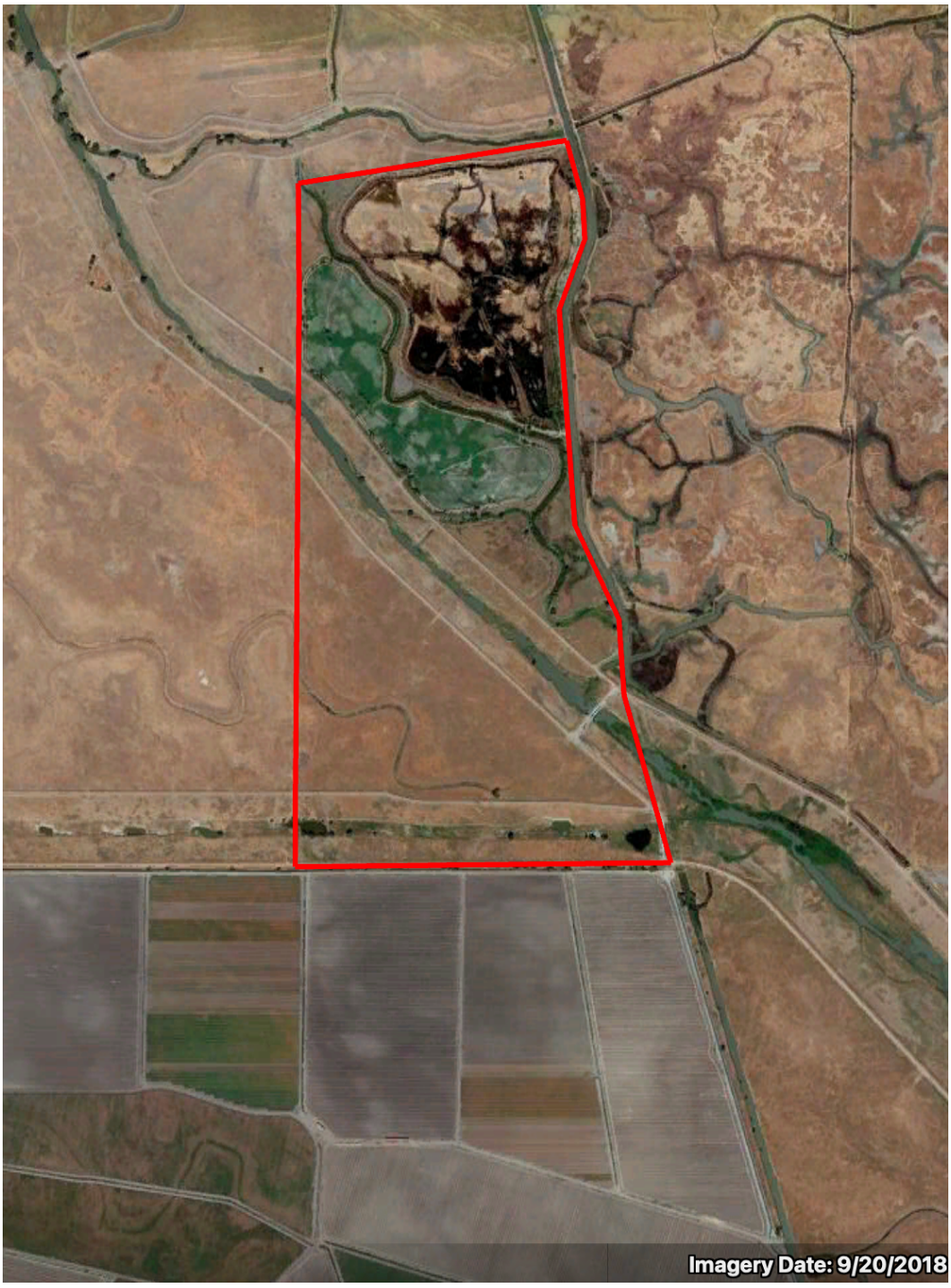
Submit to Forms@MercedSubbasinGSA.org

20259010

Irrigation History – APN 065-030-010

The subject parcel is irrigated as a non-contract duck club with parcel APN 0650-050-009. For purposes of documentation using google earth satellite imagery, the two properties are shown outlined in red, below.

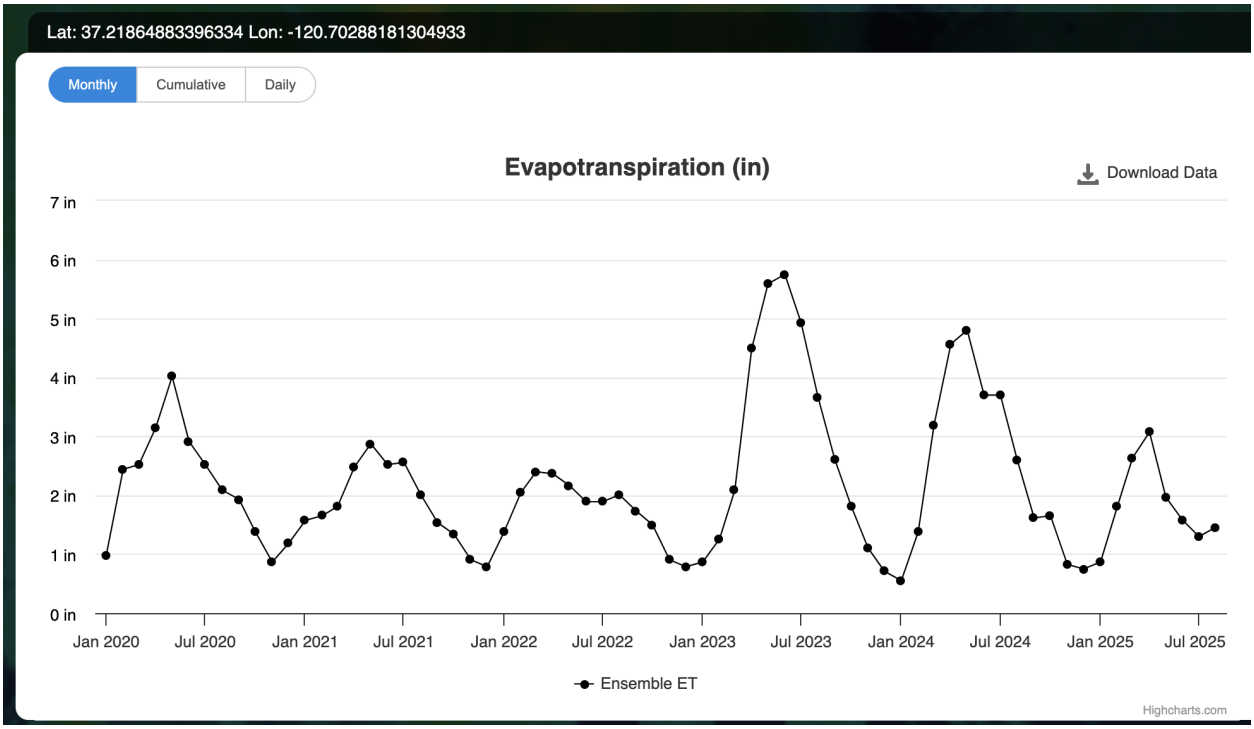
Irrigation History – APN 065-030-010



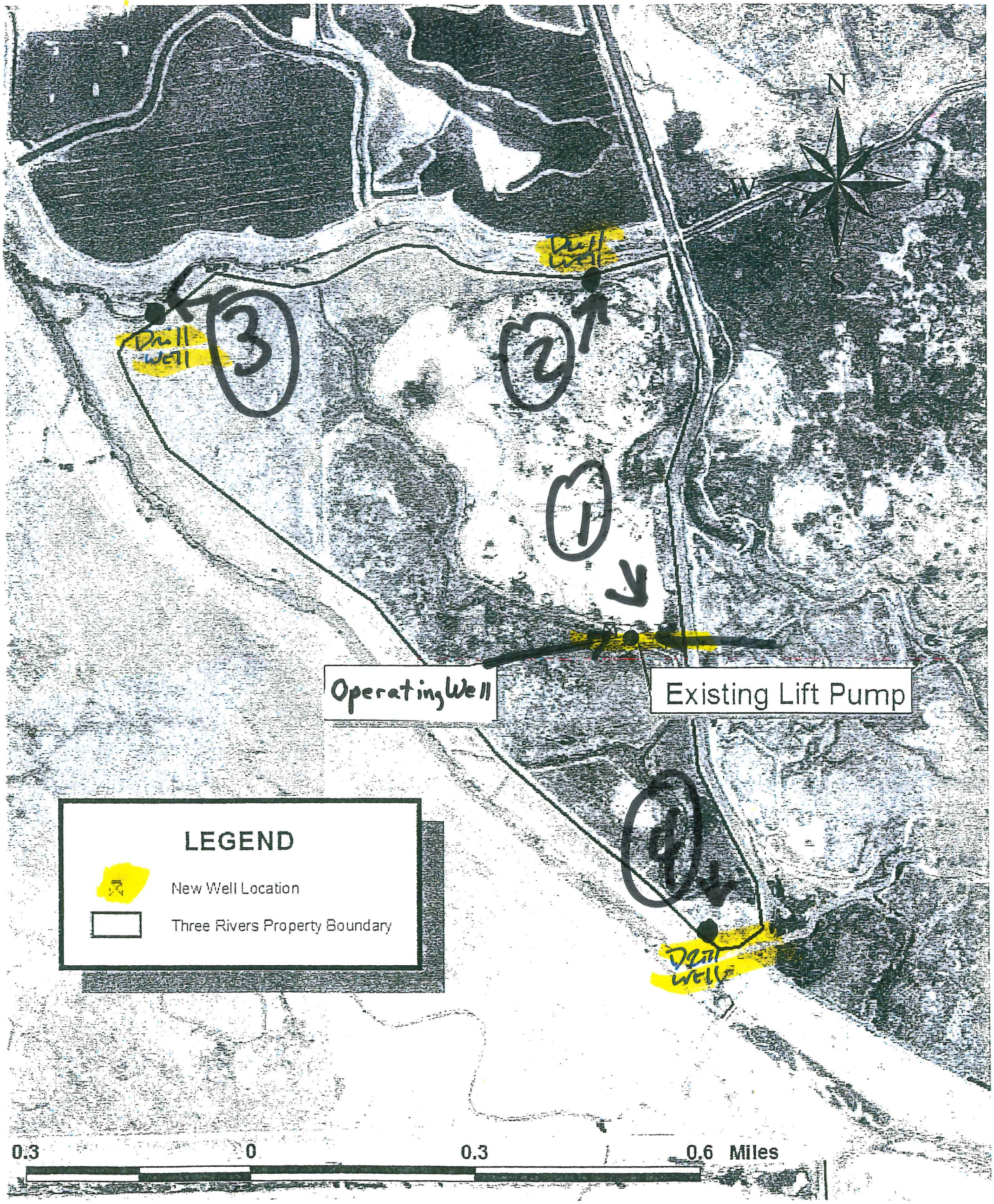
Other photos/data available, upon request.

Irrigation History – APN 065-030-010

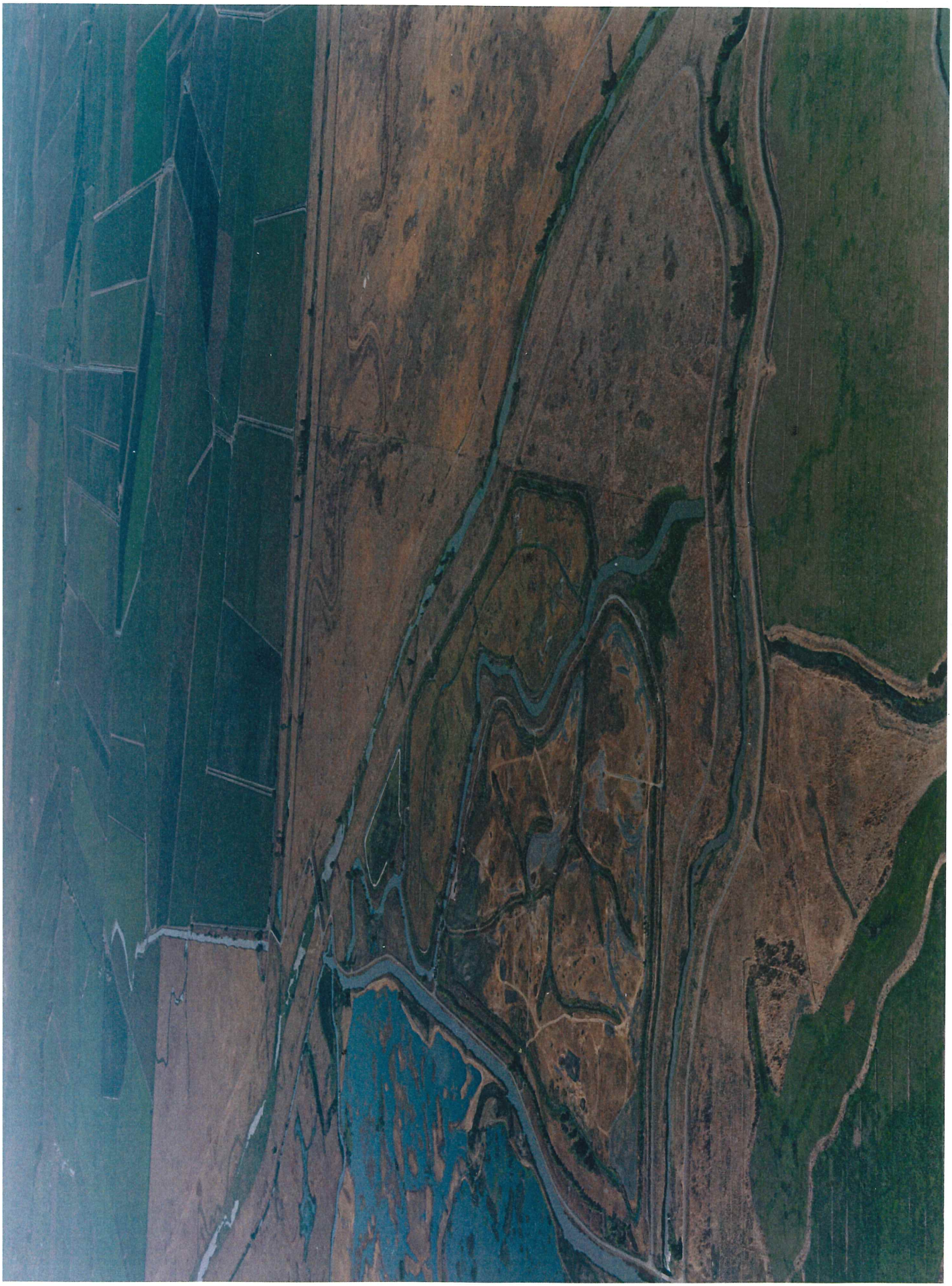
Chart from OpenET:

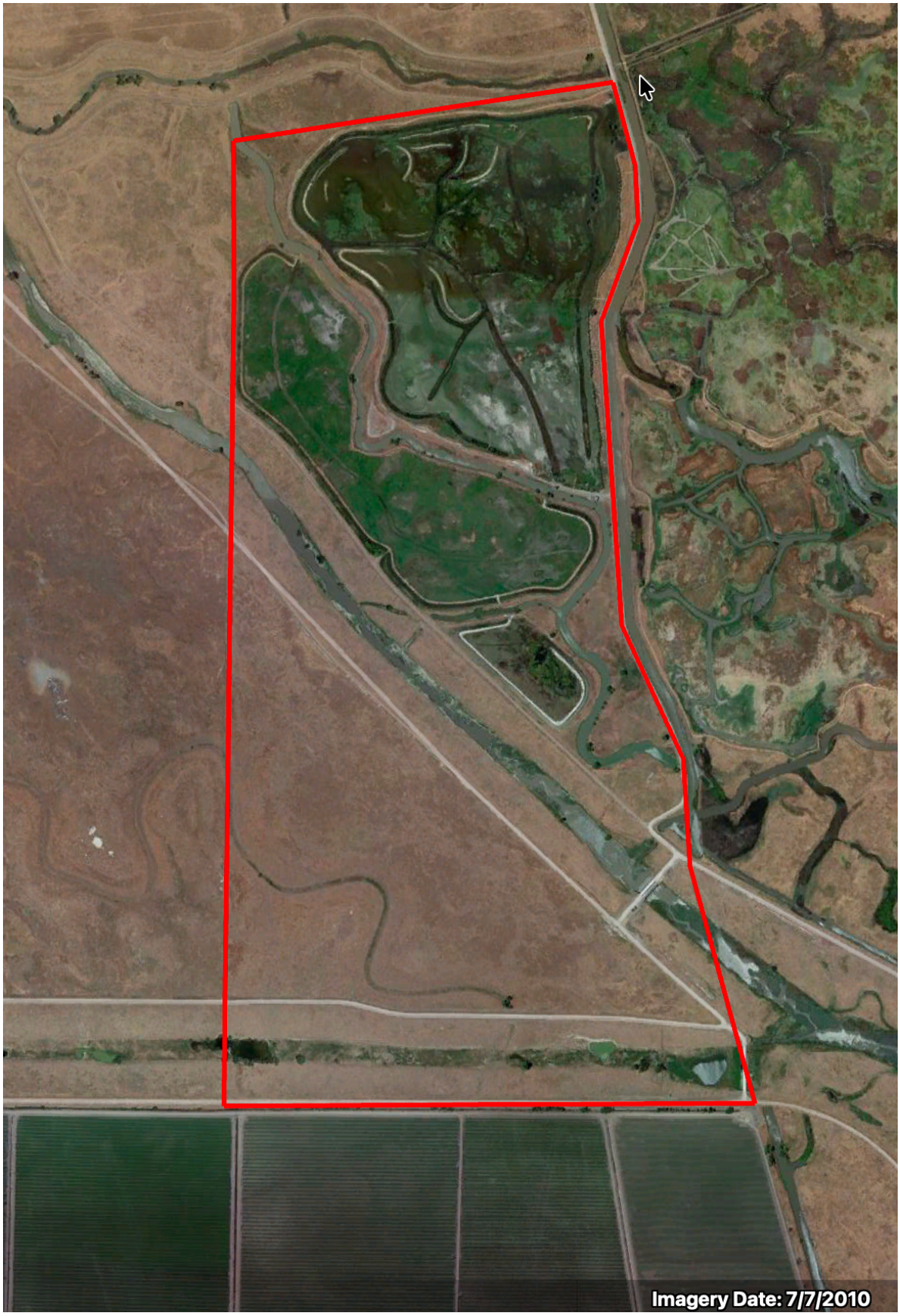


Three-Rivers Wetland Hydrology Enhancement



4 well locations

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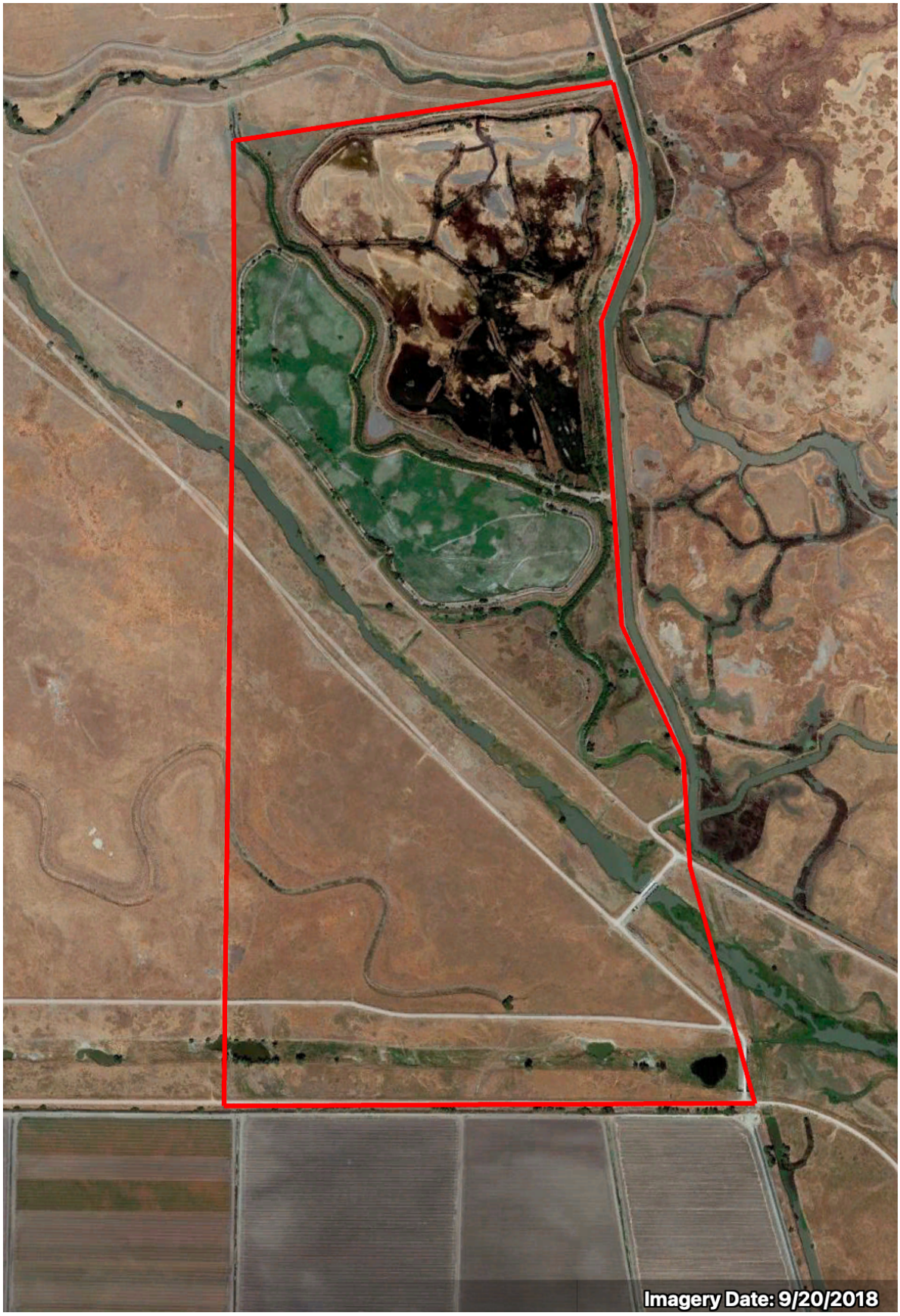
Imagery Date: 7/28/2011


Imagery Date: 9/20/2018