

ADDITION OF SOUTH SUTTER WATER DISTRICT TO

MEMORANDUM OF UNDERSTANDING ADVANCING A TERM SHEET FOR THE VOLUNTARY AGREEMENTS TO UPDATE AND IMPLEMENT THE BAY-DELTA WATER QUALITY CONTROL PLAN, AND OTHER RELATED ACTIONS

South Sutter Water District (SSWD) agrees to all Recitals and Understandings set forth in the MEMORANDUM OF UNDERSTANDING ADVANCING A TERM SHEET FOR THE VOLUNTARY AGREEMENTS TO UPDATE AND IMPLEMENT THE BAY-DELTA WATER QUALITY CONTROL PLAN, AND OTHER RELATED ACTIONS (March 29, 2022) (MOU), for the purpose of incorporating a term sheet for the Bear River, subject to the following amendments pursuant to MOU section 2.5:

1. The addition of a new entry and footnotes to Appendix 1 Flow Tables, Table 1a: New Contributions to Tributary Flow and Delta Outflows in Thousand Acre Feet:

	C (15%)	D (22%)	BN (17%)	AN (14%)	W (32%)
Bear River VA Flows (Block 1 Flows) ^{1, 2}	0	0-4.4	0-4.4	0-4.4	0
Bear River VA Flows (Block 2 Flows) ³	0-9.1	0-11	0-15.6	0-24.2	0-42.4

¹ SSWD's Block 1 Flow contribution via Bear River is to be measured at the Camp Far West Diversion Dam and verified at United States Geological Survey gage 11424000 Bear River Near Wheatland, and is intended to occur between January 1 and June 30, when Camp Far West Reservoir is not spilling. If Camp Far West Reservoir is spilling and SSWD is not able to make all or a portion of the flow contributions during the January 1 through June 30 period, SSWD will consult with CDFW, who may direct that flow contributions be made at other times that provide environmental benefits provided that DWR concurs, or may allow for flows not to be provided in that year if doing so would not provide environmental benefits as determined by CDFW.

² Volumes are additive Delta outflow contributions above current conditions as of the date of this term sheet.

³ Upon issuance of a new FERC license for SSWD's Camp Far West Powerhouse (P-2997), SSWD's Block 1 Flow contributions will cease and SSWD will adhere to the Block 2 Flows as set forth in the FERC license conditions. Block 2 Flows will be satisfied by FERC license conditions and are not required to be additive to those FERC license flows. Of the volumes identified in Block 2, 4.4 TAF during above normal, below normal, and dry years is intended to be additive Delta outflow contributions. The water year types associated with Block 2 Flows will be determined by the FERC license and do not align directly with the Sacramento Valley water year type classifications identified in the table above, but are similar and provided here for comparative purposes.

For Block 1, reservoir refill accounting for the Camp Far West Reservoir will apply to storage releases that exceed the 792 AF Base Flow Contribution up to a maximum of 4.4 TAF in Above Normal, Below Normal, and Dry water year types.

The table below identifies the Default Plan and Flexibility Brackets for Flow Measures for Block 1 Flows. Bolded numbers represent the default proposed timing for Block 1 Flows and

numbers in parentheses represent the Flexibility Bracket for any given year. Timing for Block 2 Flows would be established in the FERC license conditions.

Water Year	Jan	Feb	Mar	Apr	May	Jun
Above Normal	0% (0-100%)	0% (0-100%)	0% (0-100%)	50% (0-100%)	50% (0-100%)	0% (0-100%)
Below Normal	0% (0-100%)	0% (0-100%)	0% (0-100%)	0% (0-100%)	50% (0-100%)	50% (0-100%)
Dry	0% (0-100%)	0% (0-100%)	0% (0-100%)	0% (0-100%)	50% (0-100%)	50% (0-100%)

2. The addition of a new entry and footnotes to Appendix 2 Minimum Additive Contributions to Habitat Restoration:

Area	Notes
Auburn Ravine	SSWD will contribute funds for projects to screen unscreened diversions on Auburn Ravine. SSWD does not own or control any diversion facilities on Auburn Ravine and SSWD shall have no obligations whatsoever to implement or otherwise advance fish screen projects on Auburn Ravine beyond the Funding Contribution limitation described below.

3. The addition/modification of the following entries and footnotes in Appendix 3, Costs of Implement VAs:

Costs to Implement VAs	\$ Million (M)	Notes
Habitat, Science	\$1	To be provided by SSWD (estimated total over 8 years). ¹ Habitat Funding Contribution not to exceed \$1 million over the 8-year term.
Block 1 Water	\$4.2*	DWR will provide or arrange for payment of \$290/AF to SSWD for any water contributed after the first 792 AF of Block 1 Water up to 3,608 AF, in each of the Above Normal, Below Normal, and Dry

		water year types, when water is called and made available under the VA Program (estimated total over 8 years). ²
Block 2 Water	N/A	Block 2 water would not be compensated by DWR.

*Block 1 Water costs are already assumed in Appendix 3

¹ Estimated using deliveries from 8-year period of 2013-2020.

² Estimated using water year types from 8-year period of 2013-2020.

4. The addition/modification of the following entries and footnotes to Appendix 3, Table 4 Funding for VAs' Framework:

Funding Source	Use of Funds	\$ million	Notes
South Sutter Water District	Habitat, Science	\$1	SSWD will contribute \$2/AF for all stored surface water actually diverted by SSWD customers, not to exceed a total contribution of \$1 million for the 8-year term of this Agreement ("Funding Contribution"). ¹ If fish screen projects on Auburn Ravine are not implemented within the 8-year term of this Agreement, SSWD will coordinate with DWR and CDFW and will direct the Funding Contribution either to new habitat enhancement projects identified by the Yuba Water Agency in the Yuba River watershed or, alternatively, to the statewide Habitat and Science Fund; <i>provided</i> that SSWD's total Funding Contribution shall not exceed \$1 million during the 8-year term of this Agreement.

¹ Estimated using deliveries from 8-year period of 2013-2020.

SSWD will coordinate with the Nevada Irrigation District (NID) and other appropriate entities to ensure that VA flow commitments identified in this term sheet are met as additive Delta inflow and outflow.

Consistent with Section 8.1 of the March 2022 "Term Sheet for Voluntary Agreements", Parties agree to collaboratively identify and resolve any redirected adverse impacts resulting from the implementation of these flow contributions.

SOUTH SUTTER WATER DISTRICT

Signed by:

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By: Hayden Cornwell
General Manager

8/21/2025
Date

With the concurrence of:

CALIFORNIA NATURAL RESOURCES AGENCY

Signed by:

8EB95FDF0907409...
By: Wade Crowfoot
Natural Resources Secretary

8/21/2025
Date

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

Signed by:

EC8A4616A925403...
By: Yana Garcia
Secretary for Environmental Protection

8/21/2025
Date

CALIFORNIA DEPARTMENT OF WATER RESOURCES

DocuSigned by:

F376A78BA4FB413...
By: Karla Nemeth
Director

8/21/2025
Date

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

DocuSigned by:

A5CA2FDB44A1A4F2...
By: Charlton Bonham
Director

8/21/2025
Date