

**JOINDER FOR EX OFFICIO MEMBERSHIP OF THE FENNER VALLEY WATER
AUTHORITY JOINT EXERCISE OF POWERS AGREEMENT**

THIS JOINDER AGREEMENT (“Joinder”) is made as of the last date signed below (“Effective Date”), and among Santa Margarita Water District, a California water district (“SMWD”), Fenner Gap Mutual Water Company, a California nonprofit mutual benefit corporation (“FGMWC”), and San Bernardino County, a body corporate and politic (“County”).

RECITALS

A. SMWD and Fenner Valley Mutual Water Company (“FVMWC”) entered into a Joint Exercise of Powers Agreement on November 14, 2014, creating the Fenner Valley Water Authority (“Authority”). SMWD and FVMWC entered into a First Amendment to the Joint Exercise of Powers Agreement in October 2017 and a Second Amendment to the Joint Exercise of Powers Agreement in June 2020.

B. On October 26, 2022, FVMWC amended its Articles of Incorporation with the California Secretary of State changing its name to Fenner Gap Mutual Water Company.

C. In August 2023, SMWD and FGMWC entered into a Third Amendment to the Joint Exercise of Powers Agreement providing an opportunity for one or more ex-officio members to join the Authority.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Joinder of San Bernardino County. County hereby joins the Authority as an ex-officio member, with the rights and privileges described in Section 5.3 of the Joint Exercise of Powers Agreement.

2. Electronic Signatures. This Joinder may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute one and the same Joinder. The parties shall be entitled to sign and transmit an electronic signature of this Joinder (whether by facsimile, PDF or other mail transmission), which signature shall be binding on the party whose name is contained therein. Each party providing an electronic signature agrees to promptly execute and deliver to the other parties an original signed Joinder upon request.

IN WITNESS WHEREOF, the Members hereto have executed this Joinder by authorized officials thereof on the dates indicated below.

SANTA MARGARITA WATER DISTRICT

DATED: _____

APPROVED AS TO FORM:

By: _____
Title:

By: _____
Title: General Counsel

Address: _____

FENNER GAP MUTUAL WATER COMPANY

DATED: _____

APPROVED AS TO FORM:

By: _____
Title:

By: _____
Title: General Counsel

Address: _____

SAN BERNARDINO COUNTY

DATED: _____

APPROVED AS TO FORM:

TOM BUNTON, County Counsel

By: _____
Title: Dawn Rowe, Chair, Board of Supervisors

By: _____
Title: Jason Searles, Supervising Deputy County Counsel

Address: _____

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

Lynna Monell
Clerk of the Board of Supervisors
San Bernardino County

By: _____
Deputy