The background of the slide is a high-angle aerial photograph of a large dam and a diversion facility. The dam is a concrete structure with a large, turbulent waterfall cascading over it. In front of the dam, there is a complex system of pipes, pumps, and concrete structures used for water diversion. The surrounding area is a mix of brown, rocky terrain and some green vegetation. The sky is clear and blue.

Protecting Water Rights

Why the Federal Circuit Decision Matters to SGPWA

San Gorgonio Pass Water Agency
October 6, 2025

Mauricio Guardado, General Manager

Governance



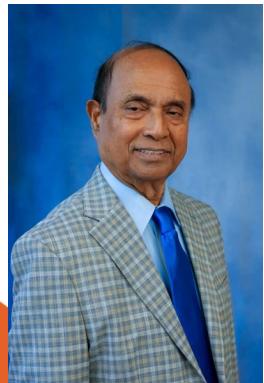
Lynn Maulhardt
President
Division 4



Catherine Keeling
Vice President
Division 2



Gordon Kimball
Secretary/Treasurer
Division 1



Mohammed Hasan
Division 3



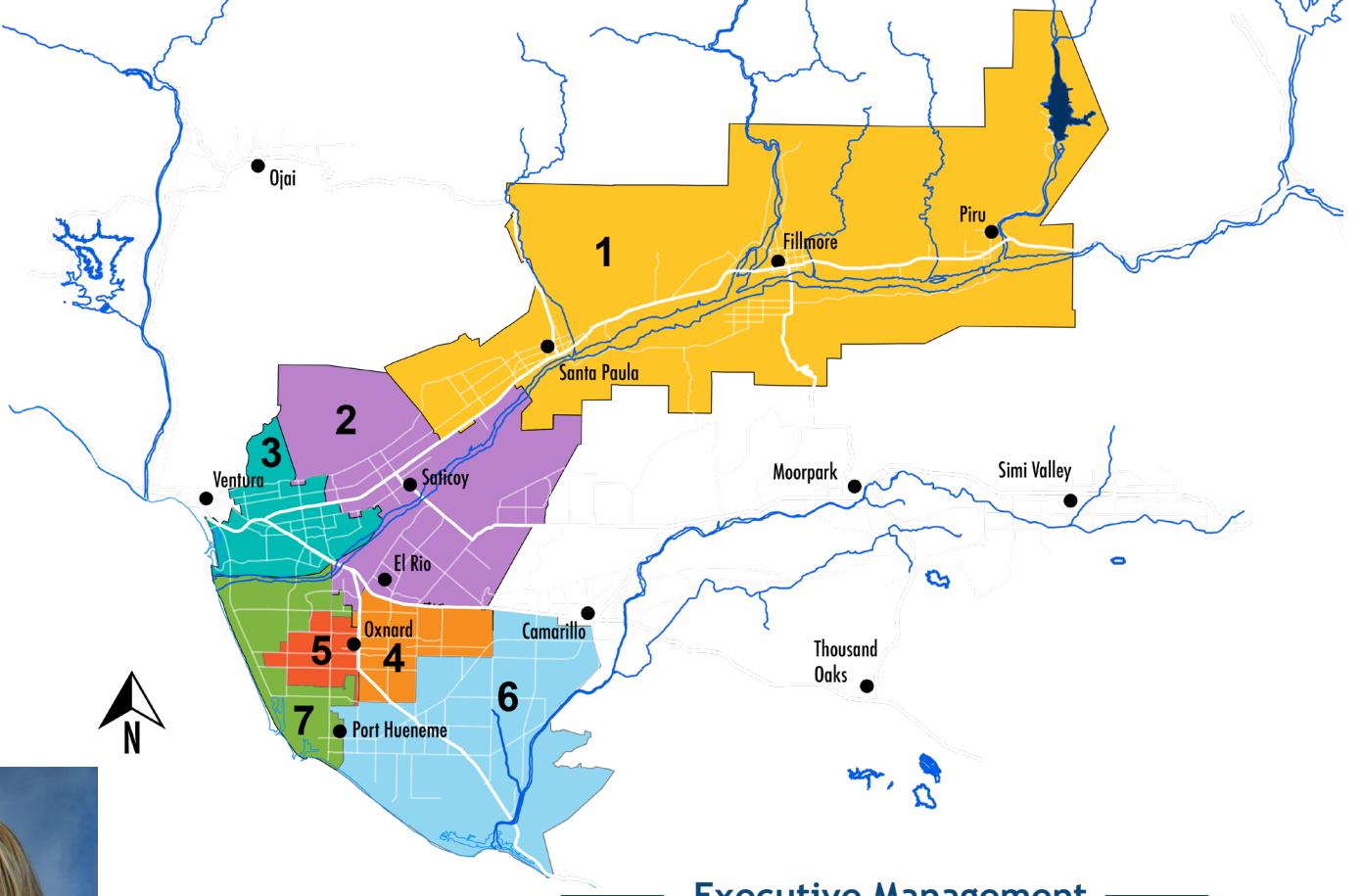
Steve Huber
Division 5



Keith Ford
Division 6



Rachel Jones
Division 7



Executive Management



Mauricio Guardado, P.E.
General Manager



Maryam Bral, Ph.D., P.E.
Assistant GM



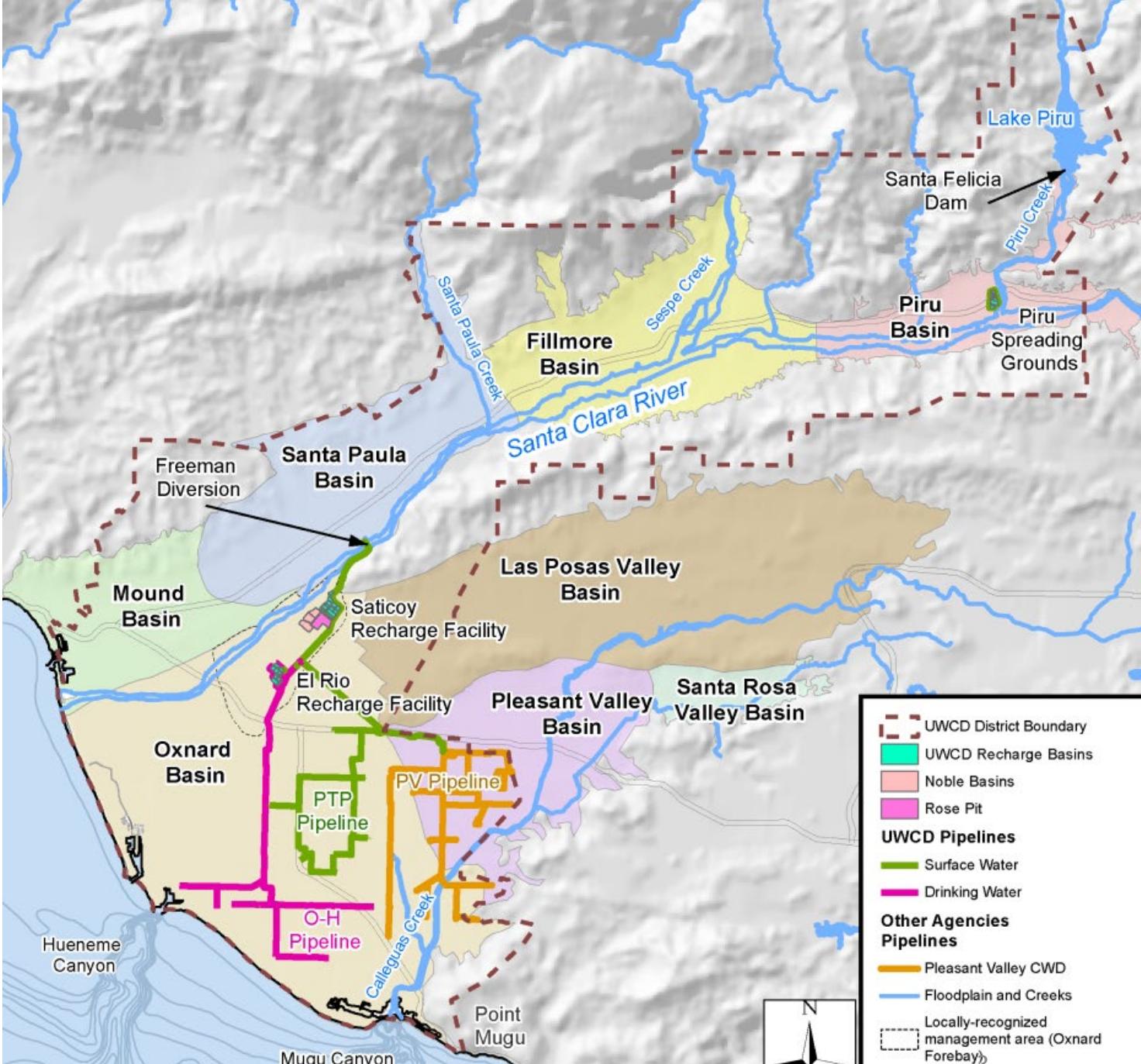
Anthony Emmert
Assistant GM

Since 1927

- ◆ **Large Groundwater Basins** in southern Ventura County (all except Santa Paula are DWR high-priority basins)
- ◆ **Extensive Reliance** on groundwater for both Ag and M&I supply
- ◆ **Long History** of overdraft and seawater intrusion in coastal basins

Long history of conjunctive use strategies

- ◆ Managed aquifer recharge
- ◆ Use surface water and imported water when available
- ◆ Use of groundwater when it is not



Legislative and Legal Efforts to Support the Water Industry

2020 DOE Law Change

Collaboration with Feinstein's office on grant eligibility for small hydropower plants

5th Amendment Takings

Federal claim filed seeking just compensation from NMFS for "takings"

ACWA State LEG Committee

Active member providing leadership, education, and coalition building



2025 FISH Act

Congressional collaboration on bill language to support effective regulation

2025 ESA Amendments Act

Congressional Testimony in 2024 and 2025, and contributed bill language

Critical Habitat Petition

Legal petition requesting NMFS remove costly and erroneous habitat designation

UWCD Case at a Glance:

- UWCD has legal rights to divert 144,630 acre-feet of water/year
- U.S. government appropriated ~1/3 for steelhead trout under ESA
- UWCD sought compensation under the Takings Clause
- Federal Circuit dismissed partial-taking claim, forcing UWCD to navigate years of ESA permits before seeking relief

Stakes for SGPWA



Water rights at risk:
Partial appropriations could go uncompensated



Precedent impact:
Federal Circuit ruling affects all physical-takings claims nationwide



Financial exposure:
Delayed or denied compensation could affect budgets and project funding



Legal uncertainty:
Weakens property rights protections against federal government actions



Why SGPWA Should Care

- ✓ Protect long-term water reliability for member agencies
- ✓ Support strong legal precedent defending water rights
- ✓ Prevent erosion of property rights under the Takings Clause
- ✓ Signal proactive leadership on key water law issues

NOW IS THE TIME TO ACT

Please consider supporting UWCD's certiorari petition via amicus brief

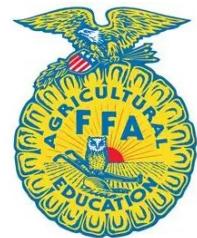
- Ensuring strong water rights protections safeguards SGPWA's mission
- Acting now can shape national precedent
- Collaboration amplifies impact



ASSOCIATION
OF CALIFORNIA
WATER AGENCIES



SOUTH SAN JOAQUIN
IRRIGATION DISTRICT



An aerial photograph of a river flowing through a valley. The river is dark blue and curves through the landscape. On either side of the river are green fields, some of which appear to be agricultural land. A two-lane highway runs parallel to the river on the left side. There are several utility poles and wires along the highway. In the background, there are more fields and some buildings, suggesting a rural or semi-rural area.

Bottom Line:
We can't do it alone.



Questions?

Mauricio Guardado
General Manager

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