

----- Original message -----

From: Paul Giuntini <paulg@pacificusreg.com>

Date: 10/15/20 5:32 PM (GMT-05:00)

To: Tim <mcginty7691@gmail.com>

Cc: David Giuntini <davidg@pacificusreg.com>, [Ira Glasky \(iglasky@farwestindustries.com\)](mailto:Ira.Glasky@farwestindustries.com)

Subject: RE: FW: YACSD Well Erosion Project

Tim-

I realize you are on vacation, but I thought you would want an answer sooner rather than later.

Thank you for the additional information about YACSD's proposed repairs around Well #2. Based on your representations that YACSD has obtained all governmental permits and authorizations of whatever nature required by any and all governmental agencies for YACSD's proposed well erosion repair work and that YACSD has accurately provided all relevant information, including but not limited to, the current status of the erosion as well as the proposed repair work, Palm Springs Village-309, LLC ("PSV") has no objection and consents to you proceeding with the proposed well erosion project. Please note that this consent is provided as an accommodation only and PSV is not making, and has not made, any determinations regarding the sufficiency of the approvals and/or consent given to YACSD by the relevant agencies.

YACSD shall be solely responsible for all costs associated with the well erosion project and hereby indemnifies and releases PSV for any and all liabilities, claims, causes of action, damages, costs, including delay costs and attorney's fees and expenses, resulting from any unpermitted work or any damage caused during the repair work, including any damage (including impermissible fill) to environmentally sensitive areas or any areas determined to be waters of the United States and subject to the jurisdiction of the Army Corps of Engineers, California Department of Fish and Wildlife, or any other relevant governmental agency. YACSD shall name PSV and its agents and representatives as additional insured by endorsement under its relevant insurance policies prior to commencing the well erosion repair work.

Please let me know when you start and finish the project. We also ask that you send us photos of the completed work for our files.

We further ask that you acknowledge receipt of this email and YACSD's understanding and approval of its contents.

Thanks,

Paul

