

AMENDMENT NO. 1
TO
AGREEMENT BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
AND
GEOCON CONSULTANTS INC.

THIS FIRST AMENDATORY AGREEMENT is made effective December 13th, 2021, by and between the Three Rivers Levee Improvement Authority (“TRLIA”) and Geocon Consultants Inc., (“Consultant”), who agree as follows:

1. **Recitals.** This Amendment is made with reference to the following background recitals:
 - 1.1. Effective November 10, 2021 the parties entered into an Agreement (“AGREEMENT”) for Professional Services relating to professional services for the Bear River preserve.
 - 1.2. Article C.24 of the AGREEMENT, states that modifications or amendments to the terms of the AGREEMENT shall be in writing and executed by both parties;
 - 1.3. TRLIA and the CONSULTANT desire to amend the AGREEMENT;

NOW, THEREFORE, TRLIA and the CONSULTANT agree as follows:

2. **First Amendment to Agreement.** The Professional Services Agreement is hereby amended as follows:
 - 2.1. Work added to the Agreement is attached to this amendment as Attachment 1 for professional services for the Feather River preserve.
 - 2.2. The payment, budget, and not-to-exceed amounts, Condition B.1 in Attachment B to the Agreement for Professional Services between TRLIA and the Consultant are amended to add to the existing contract amount (\$4,000) the additional amount of \$4,000 for an amended contract amount of \$8,000.
 - 2.3. **No Effect on Other Provisions.** Except for the amendments in Section 2, the remaining provisions of the Professional Services Agreement shall be unaffected and remain in full force and effect.

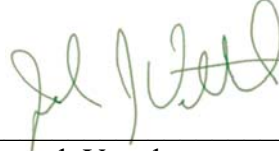
IN WITNESS WHEREOF, the parties hereto have executed this Agreement on
December 13th, 2021.

THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY



Paul G. Brunner
Executive Director

GEOCON CONSULTANTS INC.



Joseph Vettel
Chief Executive Officer

APPROVED AS TO FORM:



Andrea P. Clark
General Counsel



Proposal No. LS-21-430
December 6, 2021

Paul G. Brunner
Executive Director
Three Rivers Levee Improvement Authority
1114 Yuba Street, Suite 214
Marysville, California 95901

Subject: PROPOSAL FOR MINERALS ASSESSMENT
FEATHER RIVER PROPERTY
YUBA COUNTY ASSESSOR'S PARCEL NUMBER 013-010-069
YUBA COUNTY, CALIFORNIA

Mr. Brunner:

Geocon Consultants, Inc. (Geocon) is pleased to provide the Three Rivers Levee Improvement Authority (TRLIA, the Client) with this proposal to perform a minerals assessment of an approximate 65-acre parcel (the Site) situated between two Feather River flood control levees, approximately ½ mile west of the intersection of Murphy Road and Feather River Boulevard in Yuba County, California. The Site is primarily agricultural land planted with orchards with some undeveloped riparian land and a few unimproved roads throughout.

PURPOSE AND SCOPE OF SERVICES

The purpose of the minerals assessment will be to assess the potential presence of economic quantities of mineral resources on and near the Site, and to provide an opinion regarding the likelihood that mineral rights held by others would be exercised and mineral extraction conducted at the Site.

The minerals assessment will be conducted under the supervision of a California Professional Geologist (PG) and will include:

- reviewing published documents, geologic maps, and other geological and geotechnical literature pertaining to the property and surrounding area to aid in evaluating geologic and specific mineral resources;
- reviewing available subsurface logs for wells and test borings in the site vicinity to evaluate the general geology of materials from the surface to an approximate depth of 100 feet;
- reviewing the California Geologic Energy Management Division's records and other readily-available published reports regarding the locations of, and potential for, oil and gas development on the Site and in the vicinity;
- conducting a site reconnaissance to visually observe site and site vicinity conditions for evidence of past surface and near-surface mining; and
- preparing a *Minerals Assessment Report* that, if appropriate based on the findings of the minerals assessment, will include a minerals remoteness opinion stating “the probability that any third party holder of mineral rights in the easement area will extract or remove minerals from the easement area by surface mining has been determined by a qualified professional geologist to be so remote as to be negligible.”

SCHEDULE AND FEE

We anticipate completion of the minerals assessment within approximately 3 to 4 weeks of receipt of an authorization to proceed with our services. Please let us know if an expedited schedule is necessary and we will work to meet that.

We propose to perform the minerals assessment for a lump sum fee of \$4,000. This fee is valid for a period of 60 days from the date of this proposal and includes the submittal of a draft report for review/comment, one revision of the report in response to comments received, and submittal of a final report. If additional comments are received and further report revisions required, we may request authorization of additional budget for that as "extra work." We would not proceed with "extra work" without first obtaining your written approval to proceed.

Consultation services or additional research rendered after the issuance of the report would be billed on a time-and-materials basis in accordance with the enclosed *2021 Schedule of Fees*, which are incorporated into and made a part of this proposal and would be additive to the proposed fee. If we encounter unforeseen conditions, or if we experience delays or circumstances beyond our control, we will notify you immediately to discuss modifications to the scope of services and/or project fees.

We have prepared this proposal with the understanding that this is not a prevailing wage project. If TRLIA should conclude that this is a prevailing wage project, please so advise Geocon in writing immediately. If failure to so advise Geocon results in the imposition of fines, penalties, claims or damages against Geocon, TRLIA will reimburse Geocon for all costs and expenses.

CONTRACT EXECUTION


We will commence our minerals assessment scope of services following receipt of an addendum or change order authorizing the work under the *Agreement for Professional Services* (agreement) between TRLIA and Geocon, dated November 10, 2021. Our fee will be billed in accordance with our *2021 Schedule of Fees* included as an attachment to the agreement.

We appreciate the opportunity to provide you with a proposal for this project and look forward to working with you. Please contact the undersigned if you have any questions concerning this proposal or if we may be of further service.

Respectfully Submitted,

GEOCON CONSULTANTS, INC.


Matthew Tidwell
Senior Staff Geologist


Jim Brake, PG
Senior Geologist