

The logo for the Upper San Luis Rey Groundwater Management Authority (USLRGMA) consists of the letters 'U S L R G M A' in a white, bold, sans-serif font, enclosed within a white rectangular border. This logo is positioned on a dark blue background that features three diagonal teal stripes extending from the top right towards the center.

## SPECIAL MEETING

of the

### Upper San Luis Rey Groundwater Management Authority

Greg Kamin – Chairman  
Roland Simpson – Treasurer  
Steve Wehr - Director

Tim Lyall – Vice Chairman  
Rich Stehly – Director  
Bill Pankey – Director

Michael Perricone- Secretary  
Chuck Bandy – Director

#### I. Call to order

#### II. Pledge of Allegiance

#### III. Roll Call

#### IV. Approval of the Agenda

#### V. Public Comment


#### VI. Consent Calendar

- a) Approval of Minutes from October 18, 2022
- b) Approval of Accounts Paid and Payables – *Nothing to Report*
- c) Acceptance of Monthly Financial Reports – *Nothing to Report*

#### VII. Action Discussion

- a) Proposed Resolution Authorizing the Administrator of the Authority to Submit an Application and Execute an Agreement with State of California Department of Water Resources for the SGMA Implementation Grant.

*Background:* The Department of Water Resources opened the application submission process for the SGMA Implementation grant on October 4, 2022. The original submission deadline of November 30, 2022 has been extended to December 16, 2022 at 10:00 a.m. The grant will be requesting funding to cover the following GSP Management Projects and Actions. *If grant funding is awarded* the Authority will be able to request reimbursement back to October 4, 2022 for items 1, 2, and 3.

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1. Grant Administration
  2. Basin Sustainability Rate Study
  3. GSP Update in Response to DWR Comments
  4. CropSWAP Program: Sustainable Water for Agricultural Production
  5. Well Registration and Meter Installation Program

*Recommendation:* That, should the Board agree, the approve the Resolution as presented.

- b) Approve Expenditure to Contract with Landstedt Consulting Services to assist with SGMA Implementation Grant Preparation.

*Background:* Due to the short timeframe for grant submission and in an effort to expedite the preparation of the SGMA Implementation Grant preparation and submission Yuima engaged Landstedt Consulting to assist with this endeavor. Yuima is now requesting that the Board approve reimbursement to Yuima for this service.


*Recommendation:* That the Board approve reimbursement for grant consulting services to Yuima.

- c) Review and Possible Approval of Well Permit Verification Application

*Background:* In response to Governor's Executive Order N-7-22, the County of San Diego has stopped issuing well drilling permits in the Upper San Luis Rey Groundwater Subbasin until the Authority has a process in place for reviewing the application and approval. As part of this process, staff developed the Well Permit Verification Application. Staff is currently working with Geoscience to determine a per application cost, that can be assessed to the Applicant, for Geoscience to review the application and make a determination as to whether or not the drilling of the well will cause any Undesirable Results as defined in the GSP. The establishment of this and other fees will occur in the near future but the County has requested the establishment of the process so that it can be given to any party filing a well drilling permit.

*Recommendation:* That the Board approve and / or modify the application as presented.

- d) Discussion and Staff Direction on Cost-of-Service Study Scope of Work



*Background:* At the October 18<sup>th</sup> Board meeting the Board directed staff to research possible consultants to perform a cost-of-service study other than Raftelis. Staff will give an update on that process.

- e) Approval of the 2022-23 Fiscal Year Budget

*Background:* As part of the ongoing administrative processes Staff has developed a Budget for the 2022-23 Fiscal year. The Budget includes estimated costs for Management Services, legal fees and other incidentals, as well as the estimated local contribution to cover those costs and the remaining required grant local contribution.

*Recommendation:* That the Board approve or modify the budget as presented.

## **VIII. Closed Session**

- a) Conference with Legal Counsel – Pending Litigation – 1 case, San Luis Rey Indian Water Authority v. Pauma Valley Groundwater Sustainability Agency – Pursuant to Government Code Section 54956.9

## **IX. Other Business**

Status of ACWA Membership and ACWA/JPIA Insurance

Next Regular Meeting, Tuesday, December 20, 2022

## **X. Adjournment**

# UPPER SAN LUIS REY

## Groundwater Management Authority

### MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF UPPER SAN LUIS REY GROUNDWATER MANAGEMENT AUTHORITY

**Date:** October 18, 2022

**Time:** 3:00 p.m.

#### Call to Order

The Regular Meeting of the Board of Directors of the Upper San Luis Rey Groundwater Management Authority was held at the offices of the Yuima Municipal Water District at 34928 Valley Center Rd., Valley Center, California on Wednesday, the 18<sup>th</sup> day of October, 2022. The meeting was called to order at 3:01 p.m. and the Pledge of Allegiance was performed.

#### Roll Call – Determination of Quorum

Administrator Reeh conducted the roll-call and a quorum of the Board was established.

##### Directors In Attendance

Tim Lyall

Greg Kamin

Roland Simpson

Bill Pankey

Michael Perricone

Steve Wehr

Rich Stehly

Jack Hoagland

##### Others In Attendance

Amy Reeh

Steve Anderson (via videoconference)

Jeremy Jungreis(via videoconference)

Carmen Rodriguez

#### Approval of the Agenda

Upon motion being offered by Director Wehr, second by Director Lyall the Agenda of the meeting was approved and carried unanimously by the following roll-call vote, to wit:

AYES:	Kamin, Wehr, Lyall, Perricone, Simpson, Stehly, Pankey,
NOES:	None
ABSTAIN:	None
ABSENT:	Bandy

## Public Comment

There were no requests to speak during the public comment period.

## Consent Calendar

With motion being offered by Director Perricone and seconded by Director Wehr, the Minutes of the September 20, 2022 meeting were approved by the following roll-call vote, to wit:

AYES: Kamin, Wehr, Perricone, Simpson, Stehly, Pankey  
NOES: None  
ABSTAIN: Lyall  
ABSENT: Bandy

## Action Discussion

### Approval of USLRGMA Policy 2022-01- Ethics (AB1234) Training Policy.

Following a brief discussion, Chair Kamin asked for Public Comment, hearing no public comment, Director Lyall moved approval of the USLRGMA Policy 2022-01 Ethics (AB1231) Training Policy subject to any necessary typographical changes. The Motion was seconded by Director Simpson. After Chair Kamin called for Public Comment, to which none was received, *The Upper San Luis Rey Groundwater Management Authority Policy 2022-01 Ethics (AB1234) Training* was approved and carried unanimously by the following roll-call vote, to wit:

AYES: Kamin, Wehr, Lyall, Perricone, Simpson, Stehly, Pankey  
NOES: None  
ABSTAIN: None  
ABSENT: Bandy

### Approval of USLRGMA Policy 2022-02 Discrimination and Harassment Prevention Policy (AB 1825).

Following a brief discussion, Chair Kamin asked for Public Comment, hearing no public comment, Director Perricone moved approval of the USLRGMA Policy 2022-02 Discrimination and Harassment Prevention Policy (AB 1825) subject to any necessary typographical changes. The Motion was seconded by Director Wehr. After Chair Kamin called for Public Comment, to which none was received, *The Upper San Luis Rey Groundwater Management Authority Policy 2022-02 Discrimination and Harassment Prevention (AB 1825)* was approved and carried unanimously by the following roll-call vote, to wit:

AYES: Kamin, Wehr, Lyall, Perricone, Simpson, Stehly, Pankey  
NOES: None  
ABSTAIN: None  
ABSENT: Bandy

### Approval of USLRGMA Policy 2022-03 Record Retention & Destruction Policy.

Following a brief discussion, Chair Kamin asked for Public Comment, hearing no public comment, Director Simpson moved approval of the USLRGMA Policy 2022-03 Record Retention & Destruction

Policy subject to any necessary typographical changes. The Motion was seconded by Director Lyall. After Chair Kamin called for Public Comment, to which none was received, *The Upper San Luis Rey Groundwater Management Authority Policy 2022-03 Record Retention & Destruction* was approved and carried unanimously by the following roll-call vote, to wit:

AYES: Kamin, Wehr, Lyall, Perricone, Simpson, Stehly, Pankey,  
NOES: None  
ABSTAIN: None  
ABSENT: Bandy

### **Discussion and Possible Action Regarding Engaging a Consultant to Perform a Rate Study in Order to Develop a Permanent Funding Mechanism for the Authority to Operate.**

Part of the GSP Development process indicated that the Authority would develop a pumping rate or other type of funding mechanism in order to create a permanent funding source to operate the authority. Administrator Reeh discussed requesting a proposal from Raftelis Financial to perform a rate study. Following discussion, the Board directed staff to gather a list of names of consultants that are performing these types of studies and what they are charging. A call for public comment from Chair Kamin did not produce any comments.

### **Selection of Official Logo for the Upper San Luis Rey Groundwater Management Authority.**

Following a brief discussion, Chair Kamin asked for Public Comment, hearing no public comment, Director Perricone moved to select logo option number 2. The Motion was seconded by Director Lyall. After Chair Kamin called for Public Comment, to which none was received, *Logo Option Number 2* was approved and carried unanimously by the following roll-call vote, to wit:

AYES: Kamin, Wehr, Lyall, Perricone, Simpson, Stehly, Pankey  
NOES: None  
ABSTAIN: None  
ABSENT: Bandy

### **Governor's Executive Order No. 7-22 -Requirement of Groundwater Sustainability Agencies to Verify Consistency of any new well permits or modification permits.**

Administrator Reeh advised the Board that in March 2022 the Governor issued Executive order No. N-7-22 that directed the County to not issue any new well or well modification permits unless they received approval from the managing GSA of the basin. Following a brief discussion, the Board directed Administrator Reeh to draft a policy and bring it back to the Board for review and approval.

## Closed Session

The Board entered Closed Session at 3:51 p.m. to discuss one case: San Luis Rey Indian Water Authority V. Pauma Valley Groundwater Sustainability Agency – Pursuant to Government Code §54956.9.

The Board exited closed session at 4:12 p.m.

*Report from closed session: There was no report from closed session.*

## Other Business

Administrator Reeh gave a brief report on the status of the ACWA Membership and ACWA/JPIA Insurance.

Administrator Reeh handed out the invoices for the local contribution as of June 30, 2022.

Next Regular Meeting, Tuesday, November 15, 2022.

## Adjournment

The meeting of the Board of Directors of the Upper San Luis Rey Groundwater Management Authority was adjourned at 4:18 p.m. until the next meeting on November 15, 2022 at 3:00 p.m.

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Michael Perricone, Secretary

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Greg Kamin, Chairman

RESOLUTION NO. 05-2022

A RESOLUTION OF THE BOARD OF DIRECTORS OF  
**UPPER SAN LUIS REY GROUNDWATER MANAGEMENT AUTHORITY**  
AUTHORIZING THE ADMINISTRATOR OF THE AUTHORITY TO  
SUBMIT AN APPLICATION AND EXECUTE AN AGREEMENT WITH  
THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES  
FOR THE SGMA IMPLEMENTATION GRANT

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the UPPER SAN LUIS REY GROUNDWATER MANAGEMENT AUTHORITY, that an application be made to the Department of Water Resources to obtain a grant under the 2021 Sustainable Groundwater Management (SGM) Grant Program SGMA Implementation Grant pursuant to the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Pub. Resources Code, § 80000, et seq.) and the Budget Acts of 2021 and 2022. Be it further resolved that the UPPER SAN LUIS REY GROUNDWATER MANAGEMENT AUTHORITY has the authority and shall enter into a funding agreement with the Department of Water Resources to receive a grant for the: Upper San Luis Rey Valley GSP Update and Implementation Project.

The Administrator of the Upper San Luis Rey Groundwater Management Authority or designee, is hereby authorized and directed to prepare the necessary data, conduct investigations, file such application, execute a funding agreement and any future amendments thereto, submit invoices, and submit any reporting requirements with the Department of Water Resources.

PASSED, APPROVED, AND ADOPTED this 15<sup>th</sup> day of November 2022 by the following roll-call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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Michael Perricone, Secretary

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Greg Kamin, President



# LANDSTEDT CONSULTING

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*Professional Services in Water Resources and Grant Administration – Acquisition and Management*

October 25, 2022

Amy Reeh  
Administrator  
Upper San Luis Rey Groundwater Management Authority  
P.O. Box 177  
Pauma Valley, CA 92061  
[amy@yuimamwd.com](mailto:amy@yuimamwd.com)

Subject: Proposal to Prepare a Grant Application to the California Department of Water Resources (DWR) Sustainable Groundwater Management (SGM) Grant Program Sustainable Groundwater Management Act (SGMA) Implementation Round 2 Solicitation on behalf of the Upper San Luis Rey Groundwater Management Authority (GMA)

Dear Ms. Reeh:

It has been a pleasure providing grant services for Yuima Municipal Water District (District). Thank you for the opportunity to provide this letter proposal to prepare a grant application for the California DWR SGMA Implementation Round 2 Solicitation on behalf of the GMA. The grant application is due **November 30, 2022** (unless extended by DWR) with draft awards in April/May 2023 and final awards in July/August 2023.

Landstedt Consulting, led by Denise Landstedt, is partnering with Jennifer Nevius of Nevius Consulting, herein *The Landstedt Consulting Team*, to provide this Letter Proposal. Ms. Landstedt and Ms. Nevius have partnered for several years, and have more than 50 years of combined experience as grant professionals for California cities, counties, special districts, and nonprofit agencies. We also bring many years of water resources, environmental, engineering, and organizational experience that strengthens the value of grant services. The Landstedt Consulting Team is uniquely capable to prepare and submit a competitive grant application.

## ***Funding Understanding***

The SGMA Implementation Round 2 Solicitation has approximately \$214 million available for distribution in the grant program. A minimum of \$35 million, or 30% (whichever is greater), of the General Funds must be used towards projects that serve Underrepresented Communities (URC); of that a minimum of 10% of the grant funds must be used for projects that serve Severely Disadvantaged Communities (SDAC). In addition, a minimum of \$15 million of the Proposition 68 funds (\$62 million) must be used towards Projects or Components that benefit an SDAC.

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LANDSTEDT CONSULTING

Denise Landstedt - 2235 Knob Creek Road, Columbia, TN 38401  
(760) 560-7557 - [landstedtconsulting@gmail.com](mailto:landstedtconsulting@gmail.com)

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The grant requires \$1 million minimum request and a \$20 maximum request. Local cost share (match) is not required. It is anticipated that the total project cost will meet this criteria.

Reimbursement will be for costs beginning October 4, 2022 through April 30, 2026.

### ***Eligibility Understanding***

It is understood that the application applicant will be the GMA (as the GSA), and Yuima MWD will manage development of the grant application. The Round 2 grant solicitation is limited to the applicants who meet the criteria listed below and are located within medium and high priority basins, including critically overdraft basins. The San Luis Rey Valley Groundwater Basin is a medium priority basin.

**Eligible applicants include GSAs;** member agencies of GSAs; an entity that represents a GSA, which can include public agencies, non-profit organizations, public utilities, federally recognized Indian Tribes, State Indian Tribes listed on the Native American Heritage Commission's Tribal Consultation list, or mutual water companies; agencies with an Alternative to a GSP, including those within basins that adjudicated after January 1, 2015 or adjudications that have been filed but the court has not acted on the filing; and entities that have adjudicated with or without a Watermaster or are in the process of adjudicating that do not have a GSP or Alternative to a GSP.

### ***Project Understanding***

The GMA seeks to include the following project components that will make up the overall project:

1. GSP Update in Response to DWR Comments
2. Rate Study for Metered Wells
3. Crop Swap Program
4. Metered Well Study and Meter Installation

According to the Proposal Solicitation, revisions, updates, and/or modifications to a GSP is an eligible project type. The Component must fill known data gaps and address comments received from DWR after its review of the submitted GSP, if received. If the applicant has not received comments from DWR on their GSP at the time of application, the Component must be consistent with SGMA regulations and GSP requirements.

Eligible project types also includes projects and programs that support water supply reliability, water conservation, and water use efficiency and water banking, exchange, and reclamation. Therefore, the other three components are also eligible.

The use of the term "project" refers to the combined activities and/or tasks related to the planning or implementation of a GSP and can include multiple components and/or tasks.

## **Scope of Work**

Landstedt Consulting will prepare and submit the Grant Application through the following tasks:

### **Task 1. Kickoff Meetings, Data Acquisition, Communication**

A Kickoff Meeting will be held by conference call among Landstedt Consulting and Yuima MWD staff and others as appropriate to confirm the grant applications' approach, schedule, SWGP Round 2 Guidelines requirements, required data and information needed. DWR's GRanTS electronic submittal tool will be used for submission of the grant application.

**Data Acquisition:** Landstedt Consulting will provide Yuima MWD with a data request to obtain available Project information for discussion during the Kickoff Meeting and continued tracking of information required. Yuima WMD will be responsible for providing all information required to assist Landstedt Consulting in completing the grant application. Other data acquisition efforts include the following:

- Participate in the DWR Sustainable Groundwater Management Grant Program SGMA Implementation Round 2 Applicant Workshop on October 20, 2022 (complete)
- Review of Grant Application Guidelines, Proposal Solicitation Package, Scoring Criteria, Frequently Asked Questions, Application (online), Attachment templates, application requirements, October 20, 2022 Webinar Slides, and website updates.
- Coordinate Yuima MWD's active registration on GRanTS and ensure access by Denise Landstedt.
- Coordinate with Yuima MWD staff and others, as needed, for required project information.
- Coordinate with DWR SGM Grant Program staff on application details as needed.

**Communication:** Communication between Yuima MWD staff and Landstedt Consulting will be by email and phone, working to set mutually agreeable times for conference calls. Landstedt consulting will also communicate directly with DWR staff regarding grant requirements/questions, as needed, to facilitate development of the grant application.

### **Task 2. Prepare Application Framework/Outline and Draft Application**

Prepare an application framework/outline for the Project based on the Guidelines and Solicitation for the Grant Program. The grant application includes all of the following:

- A. General GRanTS Information (online completion)
  1. Select Active PSP for SGMA Implementation Round 2
  2. Organization General Information
    - Point of Contact
    - Budget Information: Grant Amount Requested and Total Project Costs
    - Project Location - Latitude and Longitude, Basin, Hydrologic Region and Watershed
  3. Application Questions: Q1 through Q8
  4. Climate Risk in Investments Questions: Q1 through Q5 (optional, but encouraged to complete)
- B. Attachments
  1. Attachment 1: Authorizing Resolution (available sample)
  2. Attachment 2: Eligibility Criteria Self-Certification Form (template)
  3. Attachment 3: Work Plan, Budget and Schedule (template) for Each Component (4)
  4. Attachment 4: Maps, Supporting Letters, Figures, or Tables

Prepare a Draft Application that adheres to formatting requirements, page limitations, and required forms. Careful consideration of the Project Proposal Evaluation/Scoring Criteria will be incorporated into preparing the draft grant application. Submit Draft Application to Yuima MWD for review and comment.

### **Task 3. Final Draft Application**

Receive and review Yuima MWD comments on the Draft Application. Prepare a Final Draft Application incorporating comments/editing, as appropriate. Submit Final Draft Application to Yuima MWD for a final review.

### **Task 4. Submit Final Application**

Receive and incorporate final edits from Yuima WMD. Prepare and submit the Final Application to DWR online via GRanTS. A copy of the Final Application and any attachments and supporting documentation will be provided to Yuima MWD.

### **Proposed Schedule and Project Timelines**

<b>ACTION</b>	<b>DATE</b>
DWR Webinar	October 20, 2022
Kick-Off Meeting	To be scheduled
Draft Application to Yuima MWD	November 17, 2022
Yuima WMD Comments	November 22, 2022
Final Draft Application to Yuima MWD	November 25, 2022
Yuima MWD Comments	November 28, 2022
Final Application Submitted/Due	November 30, 2022

### **Expected Funding Solicitation, Award Timeline, and Implementation Timeline**

<b>ACTION</b>	<b>DATE</b>
Solicitation Opens	October 4, 2022
Applications Due	November 30, 2022 (unless extended)
Draft Awards	April/May 2023
Final Awards	July/August 2023
DWR Agreement Negotiations*	Begin September/October 2023
Start of Reimbursement Period	October 4, 2022
Work Complete (end of reimbursement period)	April 30, 2026
Final Report and Invoice to DWR	June 30, 2026

\* The Grantees have approximately six months to obtain an executed Agreement after the grant award notification letter is sent by DWR. The exact date for Agreement execution will be outlined in the grant award notification letter.

#### **LANDSTEDT CONSULTING**

**Fee Schedule**

Preparation of the grant application will be performed on an hourly basis for a **total cost not to exceed \$24,850**. Invoices are submitted on a monthly basis.

SGWP Implementation Grant Round 2 Application	Estimated Hours		Total Hours	Total Estimated Fee
	Landstedt Consulting, Denise Landstedt, Project Manager/ Administrator	Nevius Consulting, Jennifer Nevius, Grant Consultant/ Engineer		
Rate*	\$ 185	\$ 175		
Task 1. Meetings/Data Acquisition/ Communication	10	10	20	\$ 3,600
Task 2. Application Framework/Draft Application	45	45	90	\$ 16,200
Task 3. Final Draft Application	10	10	20	\$ 3,600
Task 4. Finalize/Submit Final Application	5	3	8	\$ 1,450
<b>Total Hours</b>	70	68	130	
<b>Total Est. Fee</b>	<b>\$ 12,950</b>	<b>\$ 11,900</b>		<b>\$ 24,850</b>

\* Includes 10 percent markup for subconsultants.

Other direct costs such as copying, reproduction, delivery, postage, mileage (rates allowed by current IRS guidelines), are not anticipated, but if incurred, will be billed as a separate line item.

I look forward to your review and approval of this proposal. Please contact me with any questions at (760) 560-7557.

Kind regards,



Denise Landstedt  
 Principal



**UPPER SAN LUIS REY GROUNDWATER MANAGEMENT AUTHORITY**  
**APPLICATION FOR WELL PERMIT VERIFICATION**

The Applicant is submitting an application (“County Application”) to the County of San Diego (“County”) Environmental Health & Quality (“DEHQ”) for a permit to construct a water well. Pursuant to Paragraph 9 of Executive Order N-7-22. Before County DEHQ may grant said County Application it must obtain a written verification (“Well Verification”) from the San Upper San Luis Rey Groundwater Management Authority (“Authority”).

This Well Verification is subject to approval under the following conditions: 1) Review by the Authority’s GSP consultant to evaluate and determine that the new well will not contribute to or threaten to contribute to Undesirable Results or other interest related to the Subbasin; 2) Your one-time fee to cover the Authority’s costs for application processing and the evaluation for Undesirable Results (you will receive a separate invoice for the fee); 3) your future compliance with the commitments listed above; and 4) your future compliance with all applicable regulations, fees and GSP implementation actions of the USLRGMA. Non-compliance with any commitment on this application is grounds for approval revocation by the USLRGMA.

You must submit a final approved copy of this application, signed by the Administrator of the Authority, to the San Diego County DEHG to obtain approval of your Water Well Permit Application from.

**APPLICANT**

Applicant Name/Position: \_\_\_\_\_

Applicant Mailing Address: \_\_\_\_\_

Applicant Contact Information (phone/email): \_\_\_\_\_

**APPLICANT - OWNER (if different from Applicant)**

Owner Name/Position: \_\_\_\_\_

Owner Mailing Address: \_\_\_\_\_

Owner Contact Information (phone/email): \_\_\_\_\_

**Request Type:**

- New Non-De Minimis Well
- New De Minimis Well (less than 2-acre feet per year)
- Replacement Well
- Alteration or Modification of an Existing Well

**Information Required to Process Request:**

**Complete County Application**

**Site Vicinity Information:**

- Map of any existing wells on the parcel, including the original well(s) that will be Abandoned for a Replacement Well, relative to the proposed well.
- Map of other existing wells within 500 feet of the proposed well.
- Summary and Map of proposed irrigated area and crop type information, or other information summarizing the proposed well water use.

**Well Information:**

- Assessor's Parcel Number(s) for:
  - Original Well: \_\_\_\_\_
  - Replacement Well: \_\_\_\_\_
  - Irrigated areas(s): \_\_\_\_\_
- Pump Specifications (Replacement Well and original well(s) that will be abandoned, or Modified Well and well as originally constructed)
  - Pump Curve  
If pump curve is not available, expected pump type, number of bowls, pump diameter, pump horsepower, revolutions per minute (RPM), and lift
    - Replacement Well or Modified Well system pressure in the discharge line and total pressure head of system
- Estimated groundwater levels at the time of the County Application in the Replacement Well or Modified Well and measured or estimated groundwater levels when the original well was installed.

**Original Well Information** (if Original Well Completion Report information is unavailable):  Original Well Coordinates and Elevation:

- Latitude \_\_\_\_\_ ; Longitude \_\_\_\_\_
- Elevation: \_\_\_\_\_ ft amsl
- Original Well Construction Information (based on video-log or well survey)
  - Total Depth: \_\_\_\_\_ ft bgs
  - Screened Intervals: \_\_\_\_\_ ft bgs
  - Well Diameter: \_\_\_\_\_ in
- Documentation of original well production rate:
  - Estimated (method used and assumptions), or
  - Measured (method, data provided)

**Fully Executed Well Verification Request Agreement**

**With my signature below, I hereby commit to the following (please check all boxes).**

- Any new well, or well modification shall be conducted by a California-licensed well Drilling contractor.
- I consent to the installation of a flow meter by the Authority for the purposes of recording the production of the well.
- I will submit the following information to Authority upon the completion of the well:
  - a. The Well Driller’s Log with the as-built well construction information
  - b. Other information and data associated with well construction including, but not limited to, well development data (e.g. pumping rates, depth-to-water measurements), water quality test results and the final pumping rate.
- I agree to be invoiced, and pay the USLRGMA a one-time fee to cover the costs for application processing and the evaluation for Undesirable Results.

The Applicant hereby requests that the Agency review the County Application, and this well verification request, including the Well Verification Request Agreement, attached hereto as Attachment A, and the supplemental materials requested herein, (collectively, “Well Verification Request”) to determine whether to issue a Well Verification.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date



**WELL VERIFICATION REQUEST AGREEMENT**

This Well Verification Request Agreement (“Agreement”) is by and between the undersigned Applicant and the Authority. In consideration of the following mutual covenants set forth herein and for other consideration, including the not limited to the Authority’s time and resources spent on evaluation of the Applicant’s Well Verification Request, the receipt and sufficiency of which is hereby acknowledged, the Applicant and Authority hereby agree as follows:

**1. Indemnification.** As part of the County Application and Well Verification Request pursuant to Governor Newsom’s Executive Order N-7-22, the Applicant, individually and collectively agree to indemnify, defend (with counsel approved by the Authority within its reasonable discretion), and hold harmless the Authority, Yuima Municipal Water District, Upper San Luis Rey Conservation District, Pauma Municipal Water District, Pauma Valley Community Services District, San Luis Rey Municipal Water District and all their respective officers, elected officials, members, employees, consultants, contractors, and agents (individually and collectively the “GMA Parties”) as follows:

- A. From and against any and all claims, demands, actions, proceedings, lawsuits, losses, damages, costs, judgments, and/or liabilities of any kind arising out of, related to, or in connection with the County Application, Well Verification Request and Well Verification, or to attack, set aside, void, or annul, in whole or in part, an approval of any part of the County Application, Well Verification Request and Well Verification.
- B. From any and all causes whatsoever, including the acts, errors, or omissions of the Applicant and his, her, its, and/or their respective officers, officials, employees, agents, consultants, and contractors (hereinafter “Claim”); and
- C. For any and all costs and expenses (including but not limited to attorneys’ and consultants’ fees and costs) incurred by the GMA Parties in connection with any Claim except where such indemnification is prohibited by law.

The indemnification obligation of the Applicant does not apply to the GMA Parties’ sole negligence or willful misconduct.

**2. Defense.** Applicant shall permit the GMA Parties, with the GMA Parties’ sole discretion, to direct and participate in the defense of any Claim, including but not limited to, use of GMA Parties’ counsel to defend the Claim, but such participation shall not relieve the Applicant of any obligation imposed by this Agreement. In the alternative, the GMA Parties shall have the right not to participate in the defense.

**3. Obligations.** This Agreement and the obligations of the Applicant set forth herein shall remain in full force and effect throughout any and all stages of review, reconsideration, challenge, or litigation, including any and all appeals of any lower court decrees, orders, or judgments, and regardless of whether the Applicant has brought any claim, action, or demand against the GMA Parties. The obligations of the Applicant under this Agreement shall survive and apply regardless of whether any GMA approval is invalidated, set aside, expires, or is abandoned for any reason.

The Applicant is solely responsible for compliance with all local, state, and federal laws and for obtaining necessary authorizations, approvals, and/or permits from other local, state, and federal agencies. Any failure of the Applicant to comply with applicable laws or to obtain necessary authorizations, approvals, and/or permits shall not invalidate this Agreement or excuse the obligations of the Applicant under this Agreement except where such indemnification is prohibited by law.

**4. Successors and Assigns.** The obligations of Applicant under this Agreement shall be binding upon each and every of their respective successors, assigns, and transferees of any interest in the water well permit or water well that is the subject of the County Application. The Applicant shall cause all successors, assigns, and transferees to be so obligated; provided that the Applicant shall be and remain personally obligated to all of the terms of this Agreement, notwithstanding any attempt to assign, delegate, or otherwise transfer any of the obligations of this Agreement, and notwithstanding a change in ownership or any transfer or conveyance of any interest in the water well permit or water well that is the subject of the County Application.

**5. Stipulation, Release, or Settlement.** The Applicant shall not execute, pay, or perform pursuant to, any stipulation, release, settlement agreement, or other disposition of the matter on any Claim unless the Authority and GMA Parties have approved the stipulation, release, or settlement agreement in writing, such approval not to be unreasonably withheld. In no case shall the Applicant assume, admit, or assert any fault, wrongdoing, or liability on the part of the GMA Parties as a condition of or as part of any stipulation, release, settlement, or otherwise.

**6. Acknowledgments.** The Applicant and acknowledges by their initials the following as understood and true:

\_\_\_\_\_ I acknowledge that the SGMA requires that the Authority, as the exclusive GMA for the Basin, sustainably manage the groundwater resources of the Basin.

\_\_\_\_\_ I acknowledge that the Agency is authorized by SGMA to limit extractions within its jurisdiction including extractions from a well permitted pursuant to the County Application and that a well permit issued by County DEHQ does not guarantee the extraction of any specific amount or quality of water now or in the future. (Wat. Code, § 10726.4(a)(1).)

\_\_\_\_\_ I acknowledge the Authority cannot and does not guarantee any defined water use, water level, or water quality in the Basin.

\_\_\_\_\_ I acknowledge and agree to pay the reasonable cost, as determined by the Agency by resolution, to review the County Application and Well Verification Request.

\_\_\_\_\_ I acknowledge the Authority is not responsible for or otherwise liable for any costs, investments, or payments related to any groundwater well permitted pursuant to the County Application, including pumping fees, extraction limits, costs related to well failure, well deepening, increased maintenance, replacement, or operational costs.

\_\_\_\_\_ I acknowledge that the proposed water well, as applicable, will be operated in compliance with all current and future laws, rules, and regulations, including, but not limited to,

compliance with any applicable provisions of the Plan such as well registration, well metering and groundwater production reporting requirements.

\_\_\_\_\_ I acknowledge that, if the Authority issues a Well Verification, the Authority does not make any representation, assurance or warrant as to whether the use of the well permitted by County DEHQ, once constructed, will be or become inconsistent with any sustainable groundwater management program established in the Plan and/or decrease the likelihood of achieving the sustainability goal for the Basin.

\_\_\_\_\_ I acknowledge and certify that to the best of my knowledge that the information contained in the County Application and Well Verification Request is true and accurate.

\_\_\_\_\_ I acknowledge that any Well Verification issued by the Authority is based on the information contained in the County Application and Well Verification Request and on the representations of the Applicant set forth therein. Any Well Verification is made only upon information known at the time it is made. The Department of Water Resources has not yet approved the Plan for the Basin and the Agency may be required to revise or amend the Plan in a manner that impacts any Well Verification issued by the Agency.

**7. No Waiver.** Any failure, actual or alleged, on the part of the GMA Parties to monitor or enforce compliance with any of the requirements or provisions of this Agreement shall not be deemed as a waiver of any rights on the part of the GMA Parties.

**8. Authority.** Each person signing this Agreement represents and warrants that such person has the power, is duly authorized, and has the capacity to enter into this Agreement and that this Agreement is a valid and legal agreement binding on the Applicant and enforceable in accordance with its terms.

**9. California Law.** This Agreement is governed by the laws of the State of California. Any litigation regarding this Agreement or its contents must be filed in the County of San Diego, if in state court, or in the federal district court nearest to San Diego County, if in federal court.

**10. Severability.** If any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, then such provision or provisions shall be deemed severable from the remaining provisions hereof, and such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

**11. Complete Agreement.** This Agreement shall constitute the complete understanding of the parties with respect to the matters set forth herein. No party is relying on any other representation, oral or written.

**12. Counterparts.** This Agreement may be signed in counterparts and must be signed by all Applicant(s).

**APPLICANT:**

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

**APPLICANT - OWNER (Owner, if different than Applicant):**

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

**AUTHORITY:**

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

**Upper San Luis Rey Groundwater Management Authority**  
**Proposed Budget**  
**Fiscal Year 2022-23**

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	<u>Jul '22 - Jun 23</u>
<b>Income</b>	
40000 · Member Agency Contributions	448,921.68
40100 · Grant Funds	95,400.00
40500 · Assessments - Groundwater	0.00
	<hr/>
<b>Total Income</b>	544,321.68
<b>Expense</b>	
60000 · Yuima Management Fee	13,800.00
60001 · Yuima Non-Contract Expense	309,839.59
60100 · Bank Service Charges	50.00
60300 · Legal Expense	100,000.00
60600 · Membership Fees	232.09
60900 · Professional Services	25,000.00
60901 · Prof. Services - GPS Consultant	45,000.00
60902 · Prof. Services - Rate Study	50,400.00
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<b>Total Expense</b>	544,321.68
<b>Net Income</b>	<hr/> <b>0.00</b> <hr/>