

U S L R G M A

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
Roland Skumawitz - 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 December 20, 2022
- b) Approval of Accounts Paid and Payables
- c) Acceptance of Monthly Financial Reports – December 2022

VII. Action Discussion

a) Proposition 218 Requirements and Processes Presentation

Background: Informational presentation for Board as part of the Cost-of-Service study.

b) Review and Possible Approval of Well Permit Verification Application

Background: At the December Board meeting the Board was presented with a draft Well Permit Application. At that time the Board directed staff to make specific revisions to the document, which have been completed. The revised Application is being presented for a second review and possible approval.

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



VIII. Other Business

Update on the SGMA Implementation Grant Application

Next Regular Meeting, Tuesday, February 21, 2023

IX. Adjournment

CONSENT CALENDAR

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: December 20, 2022

Time: 3:04 p.m.

Call to Order

The Special 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 Tuesday, the 20th day of December, 2022. The meeting was called to order at 3:04 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

Greg Kamin

Tim Lyall

Michael Perricone

Roland Simpson

Rich Stehly

Steve Wehr

Bill Pankey

Others In Attendance

Amy Reeh - Administrator

Steve Anderson, BB&K – General & Special Litigation Counsel

Approval of the Agenda

Upon motion being offered by Director Wehr, second by Director Perricone 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, Skumawitz

Public Comment

There were no public comments.

Consent Calendar

With motion being offered by Director Wehr and seconded by Director Stehly, the Minutes of the November 15, 2022 meeting were approved by the following roll-call vote, to wit:

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

Action Discussion

Resolution 07-2022 Consenting to Enter the Joint Protection Programs of the Association of California Water Agencies / Joint Powers Insurance Authority and Rescinding Resolution No. 04-2022.

Following a brief discussion, Chair Kamin asked for Public Comment, to which there was none. Director Lyall moved approval of Resolution 07-2022 with a correction to the spelling of “Resolution”. The motion was seconded by Director Wehr. After Chair Kamin called for Public Comment, to which none was received, *Resolution 07-2022 Consenting to Enter the Joint Protection Programs of the Association of California Water Agencies / Joint Powers Insurance Authority and Rescinding Resolution No. 04-2022* 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, Skumawitz

NOTE: At this time the Board took action on Item d) Resolution Authorizing Checking, Savings and Investment Accounts with Various Banking Institutions and Rescinding Resolution No. 03-2022.

Resolution 06-2022 Authorizing Checking, Savings and Investment Accounts with Various Banking Institutions and Rescinding Resolution No. 03-2022.

Following a brief discussion, Chair Kamin asked for Public Comment, hearing no public comment, Director Stehly moved to approve the resolution. The motion was seconded by Director Simpson. *Resolution No. 06-2022 Authorizing Checking, Savings and Investment Accounts with Various Banking Institutions and Rescinding Resolution No. 03-2022* 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, Skumawitz

Review and Possible Approval of Well Permit Verification Application.

Following discussion, and with revisions being offered by the Board, approval of this item was tabled for additional information and review of revisions at December's meeting.

Review and Possible Selection of a Cost-of-Service Study Consultant.

The Board was presented with two proposals to perform a Cost-of-Service Study. A third consultant declined to submit a proposal. After discussion and comments from the Board, Director Lyall moved to contract with SCI Consulting Group to complete the Cost-of-Service study. The motion was seconded by Director Wehr 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, Skumawitz

Closed Session

The Board entered Closed Session at 4:11 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 4:32 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 SGMA Implementation grant, which was submitted on December 15, 2022 to DWR.

Next Regular Meeting, Tuesday, January 17, 2023.

Adjournment

The meeting of the Board of Directors of the Upper San Luis Rey Groundwater Management Authority was adjourned at 4:39 p.m. until the next meeting on January 17, 2023 at 3:00 p.m.

Michael Perricone, Secretary

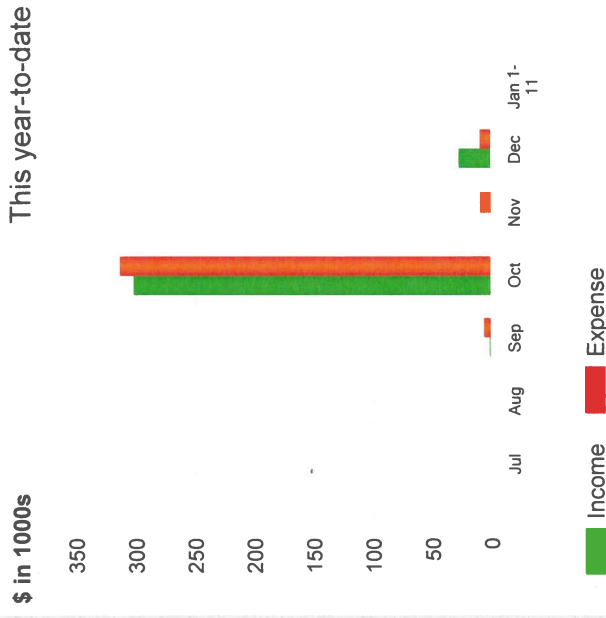
Greg Kamin, Chairman

3:07 PM
01/11/23

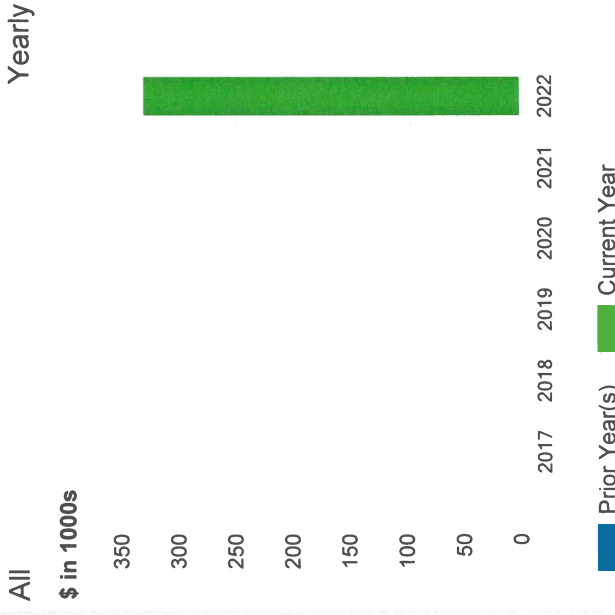
Upper San Luis Rey Groundwater Management Authority
Check Detail
July through December 2022

<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Item</u>	<u>Paid Amount</u>
	12/31/2022	Monthly Service Charge		-3.00
TOTAL				-3.00
Bnk F...	11/30/2022	Monthly Service Charge		-13.00
TOTAL				-13.00
1000	11/18/2022	Association of California Water Agencies		-232.09
TOTAL				-232.09
1001	12/02/2022	Best, Best & Krieger		
947244	10/11/2022			-8,430.00
947245	10/11/2022			-980.00
949247	11/02/2022			-2,144.00
949246	11/02/2022			-595.00
951829	12/02/2022			-35.00
951830	12/02/2022			-7,627.00
TOTAL				-19,811.00
1002	12/02/2022	Rutan & Tucker, LLP		
943553	11/04/2022			-2,415.00
945225	11/18/2022			-3,604.97
946851	12/07/2022			-1,435.00
946938	12/08/2022			-1,294.87
TOTAL				-8,749.84

Income and Expense Trend



Prev Year Income Comparison

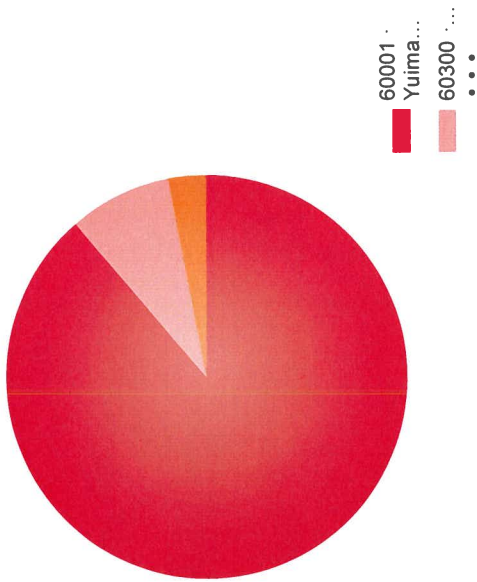


Customers Who Owe Money

Customer	Due Date	Amt Due
Pauma Municipal W...	12/07/2...	9,461.74
Pauma Valley Com...	12/07/2...	9,461.74
Yuima MWD	12/07/2...	9,461.74

Expense Breakdown

This year-to-date

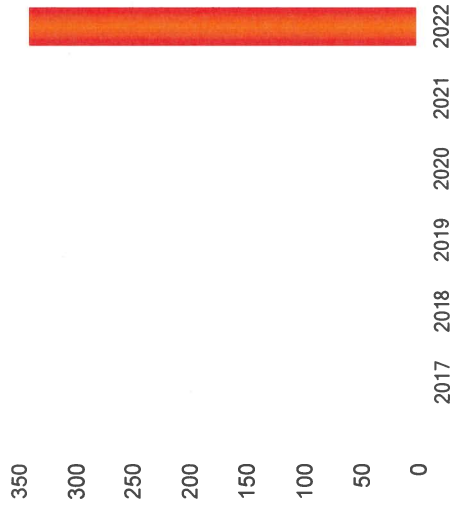


Total: \$341,132.68

Prev Year Expense Comparison

Yearly

All
\$ in 1000s



Legend: Prior Year(s) (Orange), Current Year (Dark Red)

Account Balances

Account	Balance
Accounts Payable	312,323.75
General Checking	273,580.66
Accounts Receivable - Gra...	28,385.22
Accounts Receivable - Me...	0.00
Payroll Liabilities	0.00

Balance Sheet

As of December 31, 2022

	<u>Dec 31, 22</u>
ASSETS	
Current Assets	
Checking/Savings	
10000 · General Checking	<u>273,580.66</u>
Total Checking/Savings	<u>273,580.66</u>
Accounts Receivable	
11000 · Accounts Receivable - Grants	<u>28,385.22</u>
Total Accounts Receivable	<u>28,385.22</u>
Total Current Assets	<u>301,965.88</u>
TOTAL ASSETS	<u>301,965.88</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 · Accounts Payable	<u>312,323.75</u>
Total Accounts Payable	<u>312,323.75</u>
Total Current Liabilities	<u>312,323.75</u>
Total Liabilities	<u>312,323.75</u>
Equity	
Net Income	<u>-10,357.87</u>
Total Equity	<u>-10,357.87</u>
TOTAL LIABILITIES & EQUITY	<u>301,965.88</u>

Upper San Luis Rey Groundwater Management Authority
Profit & Loss Budget vs. Actual
 July through December 2022

	Jul - Dec 22	Budget
Income		
40000 · Member Agency Contributions	330,724.81	363,009.59
40800 · Miscellaneous Income	50.00	
Total Income	330,774.81	363,009.59
Expense		
60000 · Yuima Management Fee	9,984.16	6,900.00
60001 · Yuima Non-Contract Expense	302,339.59	309,839.59
60100 · Bank Service Charges	16.00	20.00
60300 · Legal Expense	28,560.84	40,000.00
60600 · Membership Fees	232.09	
60900 · Professional Services	0.00	6,250.00
Total Expense	341,132.68	363,009.59
Net Income	-10,357.87	0.00

**Upper San Luis Rey Groundwater Management Authority
General Ledger
As of December 31, 2022**

Type	Date	Num	Name	Memo	Split	Amount	Balance	
10000 - General Checking								
Deposit	09/27/2022		Opening Deposit	Opening Dde...	40800 · Miscell...	50.00	0.00	
Deposit	11/14/2022			Deposit	-SPLIT-	184,893.06	50.00	
Check	11/18/2022	1000	Association of Califo...	2022/2023 M...	60600 · Memb...	-232.09	184,943.06	
Check	11/30/2022	1000	Monthly Service Ch...		60100 · Bank ...	-13.00	184,710.97	
Bill Pmt -Check	12/02/2022	1001	Best, Best & Krieger		20000 · Accou...	-19,811.00	184,697.97	
Bill Pmt -Check	12/02/2022	1002	Rutan & Tucker, LLP		20000 · Accou...	-8,749.84	164,886.97	
Deposit	12/06/2022			Deposit	-SPLIT-	117,446.53	156,137.13	
Check	12/31/2022			Service Charge	60100 · Bank ...	-3.00	273,583.66	
Total 10000 · General Checking							273,580.66	273,580.66
11000 - Accounts Receivable - Grants								
Invoice	12/07/2022	104	Pauma Valley Com...		40000 · Memb...	9,461.74	0.00	
Invoice	12/07/2022	105	Pauma Municipal W...		40000 · Memb...	9,461.74	9,461.74	
Invoice	12/07/2022	106	Yuima MWD		40000 · Memb...	9,461.74	18,923.48	
Total 11000 · Accounts Receivable - Grants							28,385.22	28,385.22
11400 - Accounts Receivable - Members								
Invoice	10/17/2022	100	Pauma Valley Com...		40000 · Memb...	92,446.53	0.00	
Invoice	10/17/2022	101	Pauma Municipal W...		40000 · Memb...	92,446.53	92,446.53	
Invoice	10/17/2022	102	Yuima MWD		40000 · Memb...	92,446.53	184,893.06	
Invoice	10/17/2022	103	USLRRC		40000 · Memb...	25,000.00	277,339.59	
Payment	11/14/2022		Yuima MWD		12000 · Undep...	-92,446.53	302,339.59	
Payment	11/14/2022		Pauma Valley Com...		12000 · Undep...	-92,446.53	209,893.06	
Payment	12/06/2022		USLRRC		12000 · Undep...	-25,000.00	117,446.53	
Payment	12/06/2022		Pauma Municipal W...		12000 · Undep...	-92,446.53	92,446.53	
Total 11400 · Accounts Receivable - Members							0.00	0.00
12000 - Undeposited Funds								
Payment	11/14/2022		Yuima MWD		11400 · Accou...	92,446.53	0.00	
Deposit	11/14/2022		Pauma Municipal W...	Deposit	10000 · Gener...	-92,446.53	0.00	
Deposit	11/14/2022		Yuima MWD	Deposit	10000 · Gener...	-92,446.53	-92,446.53	
Payment	11/14/2022		Pauma Valley Com...		11400 · Accou...	92,446.53	0.00	
Payment	12/06/2022		Pauma Municipal W...		11400 · Accou...	92,446.53	92,446.53	
Payment	12/06/2022		USLRRC		11400 · Accou...	25,000.00	117,446.53	
Deposit	12/06/2022		Pauma Valley Com...	Deposit	10000 · Gener...	-92,446.53	25,000.00	
Deposit	12/06/2022		USLRRC	Deposit	10000 · Gener...	-25,000.00	0.00	
Total 12000 · Undeposited Funds							0.00	0.00
17760 - Inventory								
Total 17760 · Inventory							0.00	0.00
15000 - Land								
Total 15000 · Land							0.00	0.00

Upper San Luis Rey Groundwater Management Authority
General Ledger
 As of December 31, 2022

Type	Date	Num	Name	Memo	Split	Amount	Balance
15100 - Wells							0.00
Total 15100 - Wells							0.00
15200 - Pumps							0.00
Total 15200 - Pumps							0.00
15300 - Meters							0.00
Total 15300 - Meters							0.00
15400 - Equipment							0.00
Total 15400 - Equipment							0.00
17100 - Accum. Depreciation - Wells							0.00
Total 17100 - Accum. Depreciation - Wells							0.00
17200 - Accum. Depreciation - Pumps							0.00
Total 17200 - Accum. Depreciation - Pumps							0.00
17300 - Accum. Depreciation - Meters							0.00
Total 17300 - Accum. Depreciation - Meters							0.00
17400 - Accum. Depreciation - Equipment							0.00
Total 17400 - Accum. Depreciation - Equipment							0.00
20000 - Accounts Payable							0.00
Bill	09/15/2022	102022	Yuima Municipal Wa...	Management ...	60000 - Yuima ...	-7,403.70	-7,403.70
Bill	10/11/2022	947244	Best, Best & Krieger	Special Litigat...	60300 - Legal ...	-8,430.00	-15,833.70
Bill	10/11/2022	947245	Best, Best & Krieger	General Coun...	60300 - Legal ...	-980.00	-16,813.70
Bill	10/14/2022	112022	Yuima Municipal Wa...	November Ma...	60000 - Yuima ...	-1,375.26	-18,188.96
Bill	10/18/2022	10202...	Yuima Municipal Wa...	Member Shar...	60001 - Yuima ...	-302,339.59	-320,528.55
Bill	11/02/2022	949247	Best, Best & Krieger	Special Litigat...	60300 - Legal ...	-2,144.00	-322,672.55
Bill	11/02/2022	949246	Best, Best & Krieger	General Coun...	60300 - Legal ...	-595.00	-323,267.55
Bill	11/04/2022	943553	Rutan & Tucker, LLP	General Coun...	60300 - Legal ...	-2,415.00	-325,682.55
Bill	11/14/2022	122022	Yuima Municipal Wa...	December Ma...	60000 - Yuima ...	-1,205.20	-326,887.75
Bill	11/18/2022	945225	Rutan & Tucker, LLP	Special Litigat...	60300 - Legal ...	-3,604.97	-330,492.72
Bill	12/02/2022	951829	Best, Best & Krieger	General Coun...	60300 - Legal ...	-35.00	-330,527.72
Bill	12/02/2022	951830	Best, Best & Krieger	Special Litigat...	60300 - Legal ...	-7,627.00	-338,154.72
Bill Pmt -Check	12/02/2022	1001	Best, Best & Krieger	General Coun...	10000 - Gener...	19,811.00	-318,343.72
Bill Pmt -Check	12/02/2022	1002	Best, Best & Krieger	General Coun...	10000 - Gener...	8,749.84	-309,593.88
Bill	12/07/2022	946851	Rutan & Tucker, LLP	General Coun...	60300 - Legal ...	-1,435.00	-311,028.88
Bill	12/08/2022	946938	Rutan & Tucker, LLP	Special Litigat...	60300 - Legal ...	-1,294.87	-312,323.75
Total 20000 - Accounts Payable						-312,323.75	-312,323.75
24000 - Payroll Liabilities							0.00
Total 24000 - Payroll Liabilities							0.00
30000 - Opening Balance Equity							0.00
Total 30000 - Opening Balance Equity							0.00

Upper San Luis Rey Groundwater Management Authority
General Ledger
 As of December 31, 2022

Type	Date	Num	Name	Memo	Split	Amount	Balance
32000 - Retained Earnings							
Total 32000 - Retained Earnings							0.00
							0.00
40000 - Member Agency Contributions							
Invoice	10/17/2022	100	Pauma Valley Com...	Member Shar...	11400 - Accou...	-92,446.53	0.00
Invoice	10/17/2022	101	Pauma Municipal W...	Member Shar...	11400 - Accou...	-92,446.53	-92,446.53
Invoice	10/17/2022	102	Yuima MWD	Member Shar...	11400 - Accou...	-92,446.53	-184,893.06
Invoice	10/17/2022	103	USLRCD	Member Shar...	11400 - Accou...	-25,000.00	-277,339.59
Invoice	12/07/2022	104	Pauma Valley Com...	Member Shar...	11000 - Accou...	-9,461.74	-302,339.59
Invoice	12/07/2022	105	Pauma Municipal W...	JPA Initial Fu...	11000 - Accou...	-9,461.74	-311,801.33
Invoice	12/07/2022	106	Yuima MWD	JPA Initial Fu...	11000 - Accou...	-9,461.74	-321,263.07
Total 40000 - Member Agency Contributions						-330,724.81	-330,724.81
40100 - Grant Funds							
Total 40100 - Grant Funds							0.00
							0.00
40500 - Assessments - Groundwater							
Total 40500 - Assessments - Groundwater							0.00
							0.00
40600 - Interest Earned							
Total 40600 - Interest Earned							0.00
							0.00
40700 - Delinquent Assessment Fee							
Total 40700 - Delinquent Assessment Fee							0.00
							0.00
40800 - Miscellaneous Income							
Deposit	09/27/2022		Opening Deposit	Opening Dde...	10000 - Gener...	-50.00	0.00
Total 40800 - Miscellaneous Income						-50.00	-50.00
40900 - Well Permit Processing Fee							
Total 40900 - Well Permit Processing Fee							0.00
							0.00
40901 - Undesirable Results Eval. Fee							
Total 40901 - Undesirable Results Eval. Fee							0.00
							0.00
60000 - Yuima Management Fee							
Bill	09/15/2022	102022	Yuima Municipal Wa...	Management ...	20000 - Accou...	7,403.70	0.00
Bill	10/14/2022	112022	Yuima Municipal Wa...	November Ma...	20000 - Accou...	1,375.26	7,403.70
Bill	11/14/2022	122022	Yuima Municipal Wa...	December Ma...	20000 - Accou...	1,205.20	8,778.96
Total 60000 - Yuima Management Fee						9,984.16	9,984.16
60001 - Yuima Non-Contract Expense							
Bill	10/18/2022	10202...	Yuima Municipal Wa...	Member Shar...	20000 - Accou...	302,339.59	0.00
Total 60001 - Yuima Non-Contract Expense						302,339.59	302,339.59

**Upper San Luis Rey Groundwater Management Authority
General Ledger
As of December 31, 2022**

Type	Date	Num	Name	Memo	Split	Amount	Balance
60100 - Bank Service Charges							
Check	11/30/2022	Bnk Fee	Monthly Service Ch...		10000 · Gener...	13.00	0.00
Check	12/31/2022			Service Charge	10000 · Gener...	3.00	13.00
Total 60100 · Bank Service Charges						16.00	16.00
60200 - Insurance Expense							
Total 60200 · Insurance Expense							0.00
60300 - Legal Expense							
Bill	10/11/2022	947244	Best, Best & Krieger	Special Litigat...	20000 · Accou...	8,430.00	8,430.00
Bill	10/11/2022	947245	Best, Best & Krieger	General Coun...	20000 · Accou...	980.00	9,410.00
Bill	11/02/2022	949247	Best, Best & Krieger	Special Litigat...	20000 · Accou...	2,144.00	11,554.00
Bill	11/02/2022	949246	Best, Best & Krieger	General Coun...	20000 · Accou...	595.00	12,149.00
Bill	11/04/2022	943553	Rutan & Tucker, LLP	General Coun...	20000 · Accou...	2,415.00	14,564.00
Bill	11/18/2022	945225	Rutan & Tucker, LLP	Special Litigat...	20000 · Accou...	3,604.97	18,168.97
Bill	12/02/2022	951829	Best, Best & Krieger	General Coun...	20000 · Accou...	35.00	18,203.97
Bill	12/02/2022	951830	Best, Best & Krieger	Special Litigat...	20000 · Accou...	7,627.00	25,830.97
Bill	12/07/2022	946851	Rutan & Tucker, LLP	General Coun...	20000 · Accou...	1,435.00	27,265.97
Bill	12/08/2022	946938	Rutan & Tucker, LLP	Special Litigat...	20000 · Accou...	1,294.87	28,560.84
Total 60300 · Legal Expense						28,560.84	28,560.84
60400 - Audit Expense							
Total 60400 · Audit Expense							0.00
60500 - General & Administrative							
Total 60500 · General & Administrative							0.00
60600 - Membership Fees							
Check	11/18/2022	1000	Association of Califo...	2022/2023 M...	10000 · Gener...	232.09	0.00
Total 60600 · Membership Fees						232.09	232.09
60700 - Permits & Licenses Expense							
Total 60700 · Permits & Licenses Expense							0.00
60800 - Miscellaneous Expense							
Total 60800 · Miscellaneous Expense							0.00
60900 - Professional Services							
Total 60900 · Professional Services							0.00
60901 - Prof. Services - GPS Consultant							
Total 60901 · Prof. Services - GPS Consultant							0.00
60902 - Prof. Services - Rate Study							
Total 60902 · Prof. Services - Rate Study							0.00

Upper San Luis Rey Groundwater Management Authority
General Ledger
 As of December 31, 2022

Type	Date	Num	Name	Memo	Split	Amount	Balance
60903 · Prof. Services - Engineering							0.00
Total 60903 · Prof. Services - Engineering							0.00
60904 · Prof. Services - GW Monitoring							0.00
Total 60904 · Prof. Services - GW Monitoring							0.00
61000 · Depreciation Expense							0.00
Total 61000 · Depreciation Expense							0.00
66000 · Payroll Expenses							0.00
Total 66000 · Payroll Expenses							0.00
No acct							0.00
Total no acct							0.00
TOTAL						0.00	0.00

Upper San Luis Rey Groundwater Management Authority
Deposit Detail
July through December 2022

Type	Date	Name	Account	Amount
Deposit	09/27/2022	Opening Deposit	10000 · General Ch...	50.00
			40800 · Miscellaneo...	-50.00
TOTAL				-50.00
Deposit	11/14/2022		10000 · General Ch...	184,893.06
Payment	12/06/2022	Pauma Municipal Water D...	12000 · Undeposite...	-92,446.53
Payment	11/14/2022	Yuima MWD	12000 · Undeposite...	-92,446.53
TOTAL				-184,893.06
Deposit	12/06/2022		10000 · General Ch...	117,446.53
Payment	11/14/2022	Pauma Valley Community...	12000 · Undeposite...	-92,446.53
Payment	12/06/2022	USLRRCD	12000 · Undeposite...	-25,000.00
TOTAL				-117,446.53

3:10 PM
01/11/23

Upper San Luis Rey Groundwater Management Authority
A/P Aging Summary
As of December 31, 2022

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>> 90</u>	<u>TOTAL</u>
Yuima Municipal Water District	0.00	0.00	1,205.20	303,714.85	7,403.70	312,323.75
TOTAL	<u>0.00</u>	<u>0.00</u>	<u>1,205.20</u>	<u>303,714.85</u>	<u>7,403.70</u>	<u>312,323.75</u>

Upper San Luis Rey Groundwater Management Authority

A/R Aging Summary

As of December 31, 2022

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>91 - 120</u>	<u>> 120</u>	<u>TOTAL</u>
Pauma Municipal Water District	0.00	9,461.74	0.00	0.00	0.00	0.00	9,461.74
Pauma Valley Community Services District	0.00	9,461.74	0.00	0.00	0.00	0.00	9,461.74
Yuima MWD	0.00	9,461.74	0.00	0.00	0.00	0.00	9,461.74
TOTAL	0.00	28,385.22	0.00	0.00	0.00	0.00	28,385.22

ACTION / DISCUSSION



UPPER SAN LUIS REY GROUNDWATER MANAGEMENT AUTHORITY APPLICATION AND PROCEDURES 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 for a new or modified well permit within the Upper San Luis Rey Valley Groundwater Basin (DWR No. 9-007.01), the County must first obtain a written verification (“Well Verification”) from the Upper San Luis Rey Groundwater Management Authority (“Authority” or “USLRGMA”), which serves as the exclusive GSA for the Upper San Luis Rey Valley Subbasin (“Subbasin”), a Department of Water Resources designated medium priority subbasin.

Well Verification is subject to approval by the Authority under the following conditions:

- 1) Submission by the well owner/operator of a complete application for review by the Authority to evaluate and determine whether the proposed new or modified well will be consistent with any sustainable groundwater management program established in the Groundwater Sustainability Plan (GSP) adopted by Authority (as successor to the Pauma Valley Groundwater Sustainability Agency), and would not decrease the likelihood of achieving a sustainability goal for the Subbasin;
- 2) Submission to the Authority of a one-time fee to cover the Authority’s costs for application processing and the evaluation for undesirable results and consistency with the adopted GSP
- 3) Agreement by the applicant to comply with all applicable Authority regulations, fees and management actions.

An applicant wanting to construct a new or modified well must submit a final approved copy of this application, signed by the Administrator of the Authority, to the San Diego County DEHG to prior to the County approving your Water Well Permit Application form.

APPLICANT

Applicant Name/Position: _____

Applicant Mailing Address: _____

Applicant Contact Information (phone/email): _____

APN Number of new or modified well location: _____

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.

Proposed Well Information:

- Assessor's Parcel Number(s) for:
 - Proposed Well: _____
- Latitude: _____; Longitude: _____
- Elevation: _____ ft amsl
- Irrigated areas(s): _____
- Proposed Pump Flow Rate (GPM): _____
- Proposed annual production of well (acre feet): _____
- Estimated groundwater levels at the time of the County Application in the Proposed Well or Modified Well based on best estimate from other wells in the vicinity of the proposed well or measurement in the well to be modified: _____

If the application is for a replacement well:

Original Well Information

- Assessor's Parcel Number(s)
- 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
 - Attach well Completion Report if available.
- Documentation of original well pump flow rate (GPM):
 - Estimated (method used and assumptions), or
 - Measured (method, data provided)
- Documentation of original well annual production (acre feet):
 - 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.

- If the application is for a replacement well, the original well will no longer be used for water production. Once the proposed replacement well is operational, the equipment on the original well shall be removed and the casing capped and welded.
- 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 submit a deposit, as determined by the Board of Directors, to cover the costs for application processing and the evaluation for Undesirable Results.
- Additional Information:

The Applicant hereby requests that the Authority 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

USLRGMA Application Approval

Date

Name of Approving Official

Attachment A

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 by Authority 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”) with regard to the well(s) and verification requested herein; 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’ where liability is the result of the sole negligence or willful misconduct of Authority and/or its members

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 GSA for the Subbasin, 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, and that Authority is prohibited from issuing the verification required by Executive Order N-7-22 if doing so would be inconsistent with any sustainable groundwater management program established in the GSP for the Subbasin or would decrease the likelihood of achieving a sustainability goal identified in the GSP.

_____ I acknowledge and agree to pay the actual cost, as determined by the Authority 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 GSP for the Subbasin 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).

The Applicant and Agency agree to be bound by the terms of this Agreement as of the last date signed below.

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

Board of Directors
Greg Kamin – Chairman
Tim Lyall – Vice-Chairman
Michael Perricone – Secretary
Roland Simpson – Treasurer
Charles Bandy – Director
William Pankey – Director
Roland Skumawitz – Director
Richard Stehly – Director
Stephen Wehr – Director

January 17, 2023

BOARD OF DIRECTORS

Upper San Luis Rey Groundwater Management Authority

A Regular Meeting of the Board of Directors of the Upper San Luis Rey Groundwater Management Authority will be held at the district office of the Yuima Municipal Water District, 34928 Valley Center Rd., Pauma Valley, California, **Tuesday, February 21, 2023 at 3:00 o'clock p.m.**

Michael Perricone, Secretary

cc:

Greg Kamin
Tim Lyall
Roland Simpson
Charles Bandy
Richard Stehly
Steve Wehr
William Pankey
Roland Skumawitz
Jack Hoagland – Alternate Director
Andy Mathews – Alternate Director

UPPER SAN LUIS REY GROUNDWATER MANAGEMENT AUTHORITY

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(760) 742-3704 • www.uslrgma.com