

ATTACHMENT B:

Example Letter for a Well Permit in the Westside Subbasin

Date

Dear XXXX

Westlands Water District (District), in its capacity as the Groundwater Sustainability Agency (GSA) for the Westside Subbasin, based on the information currently available to it, provides the verification for Well Permit #XXXX, required by the Governor's Executive Order N-7-22, executed March 28, 2022, and consistent with applicable law based on the District's authorities arising under the Sustainable Groundwater Management Act (SGMA), and the District's properly adopted Groundwater Sustainability Plan (GSP) for the Westside Subbasin. (Wat. Code, § 10726.4(b).)

The District reviewed Well Permit #XXXX submitted by Fresno County for the proposal to drill one agricultural groundwater well within a portion of the Westside Subbasin where the District serves as the GSA. The agricultural well is located on LOCATION. *It shall be noted that this Well Permit is within the Subsidence Areas of Concern, as shown in Figure 4-9 of the GSP.*

The District developed and adopted the Westside Subbasin GSP in January 2020. All groundwater wells and groundwater use are subject to Project and Management Actions (PMAs) outlined in the GSP (and any future amendments and/or revisions) as well as implementing GSA Rules and Regulations (and any future amendments and/or revisions) to avoid undesirable results.

Pursuant to Section 9.a of the Governor's Executive Order N-7-22, executed March 28, 2022, the District determined, based on the information available to it, that issuance of Well Permit #XXXX is consistent with the Westside Subbasin GSP. The determination is based, in part, on the assumption that the well will operate under the following conditions:

1. The District encourages the optimization of conjunctive use and promotes surface water use when available. The District will allocate the right to extract groundwater through the GSP's Groundwater Allocation Program (PMA 2), which is structured to encourage conjunctive use.
2. The District encourages all new wells drilled in the Westside Subbasin to install a dedicated sounding tube to measure water levels.
3. The District recommends but does not require that all new wells be considered for the potential use in an aquifer storage and recovery capacity and, where feasible, designed and equipped for this purpose.
4. The District may include the proposed wells in the Westside Subbasin Monitoring Network. If this well is selected, the Applicant shall grant the District access to monitor and collect data from the proposed well.

5. The District requires that all wells drilled in the Westside Subbasin be furnished with a District owned Mag meter 3000 with Automatic Meter Infrastructure.
6. The District may impose fees on all groundwater extracted from the Westside Subbasin in addition to other regulated activities to support the District's groundwater management activities required by the GSP and the SGMA.
7. The District reserves discretion to adopt additional measures reasonably calculated to avoid, reduce, or mitigate "undesirable results" including the risk of subsidence. (Wat. Code, § 10725.2(a).)
8. *The District may apply pumping limitations to avoid, reduce, or mitigate "undesirable results" including the risk of subsidence particularly in Subsidence Prone Areas, as described in Chapter 4.4 Targeted Pumping Reductions of the GSP and in Article 1.11 of the GSA Rules and Regulations (and any future amendments and/or revisions of both).*
9. Prior to construction, please contact Underground Service Alert.

Please note the following additional conditions with respect to the District's issuance of this verification:

1. The District has not and does not make any representation, assurance, or warranty whether the use of the well described in Well Permit #XXXXX, once constructed, will be or become (1) inconsistent with any sustainable groundwater management program established by the GSP and/or decrease the likelihood of achieving the sustainability goal for the Westside Subbasin; (2) capable of producing a particular quantity or quality of groundwater at a particular cost; and (3) suitable for the applicant's use.
2. The applicant acknowledges and agrees that all groundwater wells and groundwater use within the Westside Subbasin are subject to Project and Management Actions (PMAs) outlined in the GSP (and any future amendments and/or revisions) as well as implementing GSA Rules and Regulations (and any future amendments and/or revisions) to avoid undesirable results.
3. The applicant acknowledges and agrees to, without limitation, (1) release, discharge, and hold harmless the District from any and all liability associated with the District's issuance of this verification pursuant to Section 9.a of the Governor's Executive Order N-7-22; (2) assume all risks associated with said well permit, the activities contemplated therein, and the operation of well; and (3) never sue or make any claim, suit or action at law whatsoever against the District for any injuries, damages or other losses arising out of the said well permit and the District's issuance of this verification pursuant to Section 9.a of the Governor's Executive Order N-7-22.

This verification is not effective unless and until the applicant signs below agreeing to the all the conditions specified herein.

Thank you for the opportunity to comment on Well Permit #XXXXX. If you have any questions, please feel free to contact me.

[WESTLANDS STAFF SIGNATURE BLOCK]

Acknowledgement and Acceptance. The applicant and District agree and acknowledge that the District's issuance of this verification is conditioned on the applicant's agreement to abide by the conditions specified herein which are necessary to implement SGMA and the GSP within the Westside Subbasin:

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Applicant Name

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Date

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District Staff Name

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Date