

# KINGS COUNTY

## Water Commission Meeting

Michael Newton – District 1  
Laura Brown – District 4  
Harold Reed – Special District

Jim Razor – District 2  
Roger Reynolds – District 5  
Preciado Alvaro – City Rep.

Jim Verboon – District 3  
Eric Osterling – Member at Large  
Sid Palmerin – City Rep.

Secretary: Chuck Kinney

Staff: Alex Hernandez (559) 852-2679

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Kings County Community Development Agency at (559) 852-2680 by 3:00 p.m. on the Friday prior to this meeting

### AGENDA

#### REGULAR MEETING

**Monday, May 23, 2022, at 5:00 P.M. or soon thereafter**

This regular meeting of the Kings County Water Commission will be held at the Kings County Government Center in the Multi-Purpose Room of the Administration Building (Bldg. No. 1), 1400 W. Lacey Blvd., Hanford CA.

*The Kings County Water Commission requests that all cell phones and other electronic communication devices be muted or turned off while the meeting is in progress.*

#### **I. CALL TO ORDER - Chairperson**

- A. Roll Call of Water Commission Members: (*Chuck Kinney- Secretary*)
- B. Elections of officers – *conducted by the commission's Secretary*
  - 1. Open nominations for the election of the following officers for the Water Commission.
    - a. Chairperson  
*Call for motion, second and voice vote.*
    - b. Vice Chairperson  
*Call for motion, second and voice vote.*
- C. Unscheduled Comments:  
*Any person may address the Commission on any subject matter within the jurisdiction or responsibility of the Commission at the beginning of the meeting; or may elect to address the Commission on any agenda item at the time the item is called by the Chair, but before the matter is acted upon by the Commission. Unscheduled comments will be limited to five minutes.*
- D. Approval of Minutes of the February 24, 2020, Regular meeting - *Chairperson: call for motion, second and voice vote.*

#### **II. OLD BUSINESS -NONE**

#### **III. NEW BUSINESS**

- A. Current Groundwater Levels Update-** Dennis Mills, KCWD
  - 1. Presentation
  - 2. Discussion
  - 3. Recommendation (if desired)
- B. Senate Bill No. 552 Update –** Matthew Boyet, Kings County - Administration Office
  - 1. Presentation
  - 2. Discussion
  - 3. Recommendation (if desired)

**C. Executive Order N-7-22 Update** – Sean Cash, Kings County – Office of County Counsel

1. Presentation
2. Discussion
3. Recommendation (if desired)

**D. Groundwater Export Policy Update** – Sean Cash, Kings County – Office of County Counsel

1. Presentation
2. Discussion
3. Recommendation (if desired)

**IV. MISCELLANEOUS**

- A. Future Agenda Items:
- B. Member comments:
- C. Staff comments:
- D. Correspondence:

**V. ADJOURNMENT** – Next Regular meeting is scheduled for August 22, 2022.

# KINGS COUNTY WATER COMMISSION MINUTES

**DISTRICT 1**  
John Howe - Chair

**DISTRICT 2**  
Mark Gilkey

**DISTRICT 3**  
Jim Verboon

**DISTRICT 4**  
Laura Brown

**DISTRICT 5**  
Roger Reynolds – Vice Chair

**MEMBER AT LARGE**  
Eric Osterling

**SPECIAL DISTRICT  
REPRESENTATIVE**  
Harold Reed

**CITY REPRESENTATIVE**  
Sid Palmerin

**CITY REPRESENTATIVE**  
Dagoberto Ovalle

**KINGS COUNTY  
COMMUNITY DEVELOPMENT AGENCY STAFF:** Greg Gatzka (559) 852-2682 Chuck Kinney (559) 852-2674

**CALL TO ORDER:** A meeting of the Kings County Water Commission (KCWC) was called to order by Chairman Howe at 5:03 p.m., on February 24, 2020. The KCWC meeting was held in Kings County AG Commissioner's Multi-Purpose Room, 680 N. Campus Drive, Hanford, California.

Roll call of members was conducted by Secretary Gatzka, and a quorum of appointed Committee members were in attendance.

**COMMITTEE MEMBERS PRESENT:** John Howe, Mark Gilkey, Jim Verboon, Roger Reynolds, Eric Osterling, Harold Reed, Laura Brown, Sid Palmerin,

**COMMITTEE MEMBERS ABSENT:** Dagoberto Ovalle

**STAFF PRESENT:** Greg Gatzka - Director, Diane Freeman – County Counsel, Chuck Kinney – Deputy Director, Terri Yarbrough – Executive Secretary, Alex Hernandez – Planner

**VISITORS PRESENT:** Justin Mendes, Dale Melville, Dennis Mills, JJ Westra, Scott Sills, Bill Tos, Riley Jones, Kristi Lee, Julianne Phillips, Rebecca Campbell, Lee Burdick, David Kam

## **ELECTION OF OFFICERS:**

A motion was made and seconded (Gilkey/Howe) to nominate Commissioner Reynolds for chairman and to close the nominations. Motion carried unanimously with Dagoberto absent.

A motion was made and seconded (Gilkey/Osterling) to nominate Commissioner Brown for vice, chairman and to close the nominations. Motion carried unanimously with Dagoberto absent.

**UNSCHEDULED COMMENTS:** None

## **APPROVAL OF MINUTES:**

A motion was made and seconded (Palmerin/Howe) to approve the March 25, 2019 minutes as presented. Motion carried unanimously with Ovalle absent.

## **OLD BUSINESS:**

- A. **Update on Sustainable Groundwater Management Act** – Mr. Dennis Mills provided an update on the Sustainable Groundwater Management Act (SGMA), Groundwater Plan Agencies (GSA) and Groundwater Sustainability Plans (GSP). He also reported that all five of the GSAs in the Tulare Lake Basin adopted the draft Groundwater Sustainability Plan and the revised draft plan and approved the submittal to the Department of Water Resources. The five agencies adopting one plan were required to have a neutral third party as a plan manager. Dusty Ference from the Farm Bureau was asked to be the plan manager, which he accepted. His appointment was approved by the Department of Water Resources (DWR). He also reported that the DWR will be accepting comments until the end of April. They will not be responding to the comments but will be sending them to the local GSAs to respond. He reported that the first annual reports are due to DWR on April 1, 2020. He reported there have been discussions regarding possible metering of groundwater extractions. He also reported there are additional funds available as early as this summer to the GSAs through a DWR grant, which is on a reimbursement basis.

## **NEW BUSINESS:**

**Kings County Water Policy** – Julianne Phillips presented a draft of the Kings County Water Policy and asked for feedback from the Water Commission. Jim Verboon stated he was uncomfortable with approving this since it dealt with some areas that are outside of our county. Mark Gilkey asked if this document had been sent to the GSAs for their input. Julianne Phillips stated they were not included in the drafting process. Mr. Gilkey also asked if this policy fits with the General Plan. Ms. Phillips stated it was a separate document but it was consistent with our General Plan.

A motion was made by Mr. Verboon to change nearly impossible to improbable in the third paragraph of the draft. Motion died for a lack of a second.

The Commission would like more time to review this document further since this was the first time this version of the draft was presented and they need to have time to review the comments that were received. There was discussion about the definition of sourced water. Scott Sill was concerned that there may be a conflict with property owners who own property on both sides of the county border and are transferring water back and forth. Ms. Phillips stated the Water Policy supports water sharing agreements. Bill Tos asked who would have authority if there was a conflict between the county and SGMA or the GSAs. Dale Melville stated he didn't see anything in the policy that addressed subsidence and also stated that Southwest Kings will be submitting comments but they weren't able to get them in before this meeting. Dennis Tristao suggested meeting with the GSAs to get their input. Rebecca Campbell stated the water policy was not intended to take legal authority over surface water that is sourced in the county. It's to take into account the conjunctive use of groundwater and surface water. Lee Burdick clarified that things are changing quickly with water and the county wants to be prepared. She also stated the county supports the work of the GSAs. She reported that staff has been coordinating with the GSA's and has taken their comments into consideration. She also stated that the policy is intended to be a guiding document. Mark Gilkey asked that input be taken from GSA's and water right holders. Scott Sills also stated that since the county has land use authority it would be helpful to the to have the county aid in slowing down undeveloped land being developed into permanent crops. Jim Verboon also suggested that water rights holders need to have some kind of agreement with the GSAs in the event that they need to be using surface water for groundwater banking to recharge the subsidence. He also stated that a number is needed in order to fulfill the groundwater overdraft. Julianne Phillips stated those numbers are not available at this time.

A motion was made and seconded (Howe/Verboon) to table this item and have the county meet with the GSAs and water rights holders to iron this out before the next meeting of the Water Commission. Motion carried unanimously with Ovalle absent.

The Commission asked county staff to set up a meeting with the county, GSAs and water rights holders within the next 2 weeks and bring this item back to the Water Commission for a special meeting on March 23, 2020. Jim Verboon asked to be advised when the meetings between the GSAs and the county would be held so that he could attend. Diane Freeman said she would look into that and advise. Laura Brown asked that the next draft of the Water Policy be redlined so they can see what the changes are. Bill Tos wanted to make it clear that water banking and water sinking were two different things.

#### **MISCELLANEOUS**

- A. Future Agenda Items** – None
- B. Staff Comments** – None
- B. Member Comments** – None
- C. Correspondence** – None

#### **ADJOURNMENT**

A special meeting of the Water Commission is scheduled for Monday, March 23, 2020. The meeting was adjourned at 6:33 pm.

Respectfully submitted  
**KINGS COUNTY WATER COMMISSION**

  
Greg Gatzka, Secretary

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## Senate Bill No. 552

### CHAPTER 245

An act to add Part 2.56 (commencing with Section 10609.50) to Division 6 of the Water Code, relating to water.

[Approved by Governor September 23, 2021. Filed with Secretary of State September 23, 2021.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 552, Hertzberg. Drought planning: small water suppliers: nontransient noncommunity water systems.

Existing law declares that small water suppliers and rural communities are often not covered by established water shortage requirements, and that the state should provide guidance to improve drought planning for small water suppliers and rural communities. Existing law required the Department of Water Resources, in consultation with the State Water Resources Control Board and other relevant state and local agencies and stakeholders, to use available data to identify, no later than January 1, 2020, small water suppliers and rural communities that may be at risk of drought and water shortage vulnerability. To implement this directive, the department formed a stakeholder advisory group, the County Drought Advisory Group. Existing law required the department, in consultation with the state board, to propose to the Governor and the Legislature, by January 1, 2020, recommendations and guidance relating to the development and implementation of countywide drought and water shortage contingency plans to address the planning needs of small water suppliers and rural communities, as provided.

This bill would require small water suppliers, as defined, serving 1,000 to 2,999 service connections, inclusive, and nontransient noncommunity water systems that are schools, no later than July 1, 2023, to develop and maintain an abridged Water Shortage Contingency Plan that includes specified drought-planning elements. The bill would require a small water supplier serving fewer than 1,000 service connections to add drought planning elements to its emergency notification or response plan and submit the plan to the state board. The bill would require these water systems to report annually specified water supply condition information to the state board through the state board's Electronic Annual Reporting System or other reporting tool, as directed by the state board. The bill would require small water suppliers and nontransient noncommunity water systems that are schools to implement, subject to funding availability, specified drought resiliency measures, including, among others, having at least one backup source of water supply and metering each service connection. The bill would exempt from these provisions small water suppliers, or small water suppliers integrated into larger water systems, that voluntarily choose to instead

comply with specified existing law relating to urban water management plans.

This bill would require a county to establish a standing county drought and water shortage task force to facilitate drought and water shortage preparedness for state small water systems and domestic wells within the county's jurisdiction, as provided. The bill would authorize a county, in lieu of establishing a standing task force, to establish an alternative process that facilitates drought and water shortage preparedness for state small water systems and domestic wells within the county's jurisdiction, as provided. The bill would provide that a county that establishes a drought task force on or before January 1, 2022, shall be deemed in compliance with these requirements as long as the task force continues to exist. The bill would require a county to develop a plan that includes potential drought and water shortage risk and proposed interim and long-term solutions, as provided. Because the bill would impose additional duties on counties, the bill would impose a state-mandated local program.

This bill would require the department to take specified actions to support implementation of the recommendations from the County Drought Advisory Group. The bill would require the department to establish a standing interagency drought and water shortage task force to, among other things, facilitate proactive planning and coordination, both for predrought planning and postdrought emergency response, which shall consist of various representatives, including representatives from local governments. Because the bill would impose additional duties on local governments, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

*The people of the State of California do enact as follows:*

SECTION 1. Part 2.56 (commencing with Section 10609.50) is added to Division 6 of the Water Code, to read:

PART 2.56. DROUGHT PLANNING FOR SMALL WATER SUPPLIERS,  
STATE SMALL WATER SYSTEMS, AND DOMESTIC WELL  
COMMUNITIES

CHAPTER 1. GENERAL PROVISIONS

10609.50. The Legislature finds and declares all of the following:

(a) Droughts are predicted to become more frequent, longer, and more severe as climate change progresses, putting drinking water supplies at risk of running dry or becoming contaminated.

(b) As demonstrated by the most recent drought from 2012 to 2016, inclusive, (2012–16 drought) drought conditions disproportionately impact low-income, small, and rural communities, as demonstrated by all of the following:

(1) (A) Rural communities are more likely to rely solely on groundwater from small water suppliers or domestic wells.

(B) Domestic wells tend to be shallower and are susceptible to running dry when groundwater is overpumped.

(2) (A) The 2012–16 drought negatively impacted over 480,000 people relying on drought-impacted public water systems.

(B) Seventy-six percent of impacted public water systems were small, serving 1,000 service connections or fewer and concentrated in the southern San Joaquin Valley.

(c) There are currently varying levels of water contingency planning and coverage across counties for small water suppliers and self-supplied communities, leaving hundreds of thousands of people at risk of going without water to meet their basic household and drinking water needs during the next drought.

(d) If another drought occurs that is as severe as the 2012–16 drought, more than 4,500 domestic wells in the San Joaquin Valley may be impacted. The cost to mitigate this damage could be more than one hundred fifteen million dollars (\$115,000,000).

(e) No one should go without running water during a drought. California can take basic steps to implement more proactive drought planning that would benefit the communities most at risk, and by doing so help prevent catastrophic impacts on drinking water for the communities most vulnerable to the impacts of climate change.

10609.51. For purposes of this part, the following definitions apply:

(a) “Community water system” has the same meaning as defined in Section 116275 of the Health and Safety Code.

(b) “County Drought Advisory Group” means the group created by the department to implement Chapter 10 (commencing with Section 10609.40) of Part 2.55.

(c) “Department” means the Department of Water Resources.

(d) “Domestic well” has the same meaning as defined in Section 116681 of the Health and Safety Code.

(e) “Fund expenditure plan” means the fund expenditure plan established in Section 116768 of the Health and Safety Code.

(f) “Groundwater sustainability agency” has the same meaning as defined in Section 10721.

(g) “Nontransient noncommunity water system” has the same meaning as defined in Section 116275 of the Health and Safety Code.

(h) “Public water system” has the same meaning as defined in Section 116275 of the Health and Safety Code.



(i) “Risk vulnerability tool” means the tool created by the department to implement Chapter 10 (commencing with Section 10609.40) of Part 2.55.

(j) “Rural community” means a community with fewer than 15 service connections, or regularly serving less than 25 individuals daily at least 60 days out of the year.

(k) “Small water supplier” means a community water system serving 15 to 2,999 service connections, inclusive, and that provides less than 3,000 acre-feet of water annually.

(l) “State board” means the State Water Resources Control Board.

(m) “State small water system” has the same meaning as defined in Section 116275 of the Health and Safety Code.

CHAPTER 2. SMALL WATER SUPPLIERS AND NONTRANSIENT  
NONCOMMUNITY WATER SYSTEMS

10609.60. (a) No later than July 1, 2023, and updated every five years thereafter, a small water supplier serving 1,000 to 2,999 service connections, inclusive, and a nontransient noncommunity water system that is a school shall each develop and maintain, onsite, an abridged Water Shortage Contingency Plan (WSCP) that includes, at a minimum, all of the following drought-planning elements:

(1) Drought-planning contacts, including all of the following:

(A) At least one contact at the water system for water shortage planning and response and the development of the plan.

(B) Contacts for local public safety partners and potential vendors that can provide repairs or alternative water sources, including, but not limited to, local community-based organizations that work with the population in and around areas served by the water system, contractors for drilling wells, vended water suppliers, and emergency shower vendors.

(C) State and local agency contacts who should be informed when a drought or water shortage emergency is emerging or has occurred.

(D) Regional water planning groups or mutual aid networks, to the extent they exist.

(2) Triggering mechanisms and levels for action, including both of the following:

(A) Standard water shortage levels corresponding to progressive ranges based on the water supply conditions. Water shortage levels shall also apply to catastrophic interruption of water supplies, including, but not limited to, a regional power outage, an earthquake, a fire, and other potential emergency events.

(B) Water shortage mitigation, response, customer communications, enforcement, and relief actions that align with the water shortage levels required by subparagraph (A).

(b) A small water supplier serving 1,000 to 2,999 service connections, inclusive, and a nontransient noncommunity water system that is a school shall each make the abridged Water Shortage Contingency Plan available

on their individual internet websites, if any. A small water supplier serving 1,000 to 2,999 service connections, inclusive, or a nontransient noncommunity water system that is a school that does not have an internet website shall make the abridged Water Shortage Contingency Plan available to persons upon request. The abridged Water Shortage Contingency Plan shall be provided to the state board's Division of Drinking Water for inspection upon demand.

(c) A small water supplier serving fewer than 1,000 service connections shall add drought planning elements, including, but not limited to, those listed in paragraph (1) of subdivision (a) and subparagraph (A) of paragraph (2) of subdivision (a), to its emergency notification or response plan and submit the plan to the state board. The plan shall be updated every five years, or when significant changes occur.

(d) No later than December 31, 2022, the department and the state board shall create an abridged Water Shortage Contingency Plan template for small water suppliers serving 1,000 to 2,999 service connections, inclusive, and nontransient noncommunity water systems that are schools to facilitate implementation of this section.

(e) To the extent that funding is made available, the state board shall offer technical assistance to small water suppliers serving fewer than 1,000 service connections and nontransient noncommunity water systems that are schools to improve drought and water shortage resiliency, including requirements related to the emergency notification or response plan.

10609.61. A small water supplier and a nontransient noncommunity water system that is a school shall each report annually water supply condition information to the state board through the state board's Electronic Annual Reporting (eAR) System or other reporting tool, as directed by the state board. Water supply condition information includes, but is not limited to, both of the following:

(a) An inventory and assessment of each water supply source, including its available status and if any further investments or treatment are required for its utilization, any lead time required for its utilization, and its delivery parameters such as flow rate and total volume available.

(b) The reporting year's total water demand volume for each month, and average and peak flowrate demand for each month and annually.

10609.62. Small water suppliers and nontransient noncommunity water systems that are schools shall implement, subject to funding availability, all of the following drought resiliency measures:

(a) No later than January 1, 2023, implement monitoring systems sufficient to detect production well groundwater levels.

(b) Beginning no later than January 1, 2023, maintain membership in the California Water/Wastewater Agency Response Network (CalWARN) or similar mutual aid organization.

(c) No later than January 1, 2024, to ensure continuous operations during power failures, provide adequate backup electrical supply.

(d) No later than January 1, 2027, have at least one backup source of water supply, or a water system intertie, that meets current water quality requirements and is sufficient to meet average daily demand.

(e) No later than January 1, 2032, meter each service connection and monitor for water loss due to leakages.

(f) No later than January 1, 2032, have source system capacity, treatment system capacity if necessary, and distribution system capacity to meet fire flow requirements.

10609.63. This chapter does not apply to small water suppliers, or small water suppliers integrated into larger water systems, that voluntarily choose to instead comply with Chapter 3 (commencing with Section 10620) of Part 2.6.

### CHAPTER 3. STATE SMALL WATER SYSTEMS SERVING 5 TO 14 SERVICE CONNECTIONS, INCLUSIVE, AND DOMESTIC WELLS

10609.70. (a) (1) A county shall establish a standing county drought and water shortage task force to facilitate drought and water shortage preparedness for state small water systems and domestic wells within the county's jurisdiction, and shall invite representatives from the state and other local governments, including groundwater sustainability agencies, and community-based organizations, local water suppliers, and local residents, to participate in the task force.

(2) In lieu of the task force required by paragraph (1), a county may establish an alternative process that facilitates drought and water shortage preparedness for state small water systems and domestic wells within the county's jurisdiction. The alternative process shall provide opportunities for coordinating and communicating with the state and other local governments, community-based organizations, local water suppliers, and local residents on a regular basis and during drought or water shortage emergencies.

(3) A county that establishes a drought task force on or before January 1, 2022, shall be deemed in compliance with this subdivision as long as the task force continues to exist.

(b) A county shall develop a plan that includes potential drought and water shortage risk and proposed interim and long-term solutions for state small water systems and domestic wells within the county's jurisdiction. The plan may be a stand-alone document or may be included as an element in an existing county plan, such as a local hazard mitigation plan, emergency operations plan, climate action plan, or general plan. A county shall consult with its drought task force or alternative coordinating process as established by this section in developing its plan. A county shall consider, at a minimum, all of the following in its plan:

- (1) Consolidations for existing water systems and domestic wells.
- (2) Domestic well drinking water mitigation programs.
- (3) Provision of emergency and interim drinking water solutions.

- (4) An analysis of the steps necessary to implement the plan.
- (5) An analysis of local, state, and federal funding sources available to implement the plan.
- (c) The state board shall work with counties, groundwater sustainability agencies, technical assistance providers, nonprofit organizations, community-based organizations, and the public to address state small water system and domestic well community drought and emergency water shortage resiliency needs, including both of the following:
  - (1) Proactive communication to domestic well communities before a drought occurs, such as information on local bottled water and water tank providers.
  - (2) Funding for installation of basic drought and emergency water shortage resiliency infrastructure, such as well monitoring devices.

CHAPTER 4. STATE AGENCY IMPLEMENTATION

10609.80. (a) The department shall take both of the following actions to support implementation of the recommendations of its County Drought Advisory Group:

- (1) Maintain, in partnership with the state board and other relevant state agencies, the risk vulnerability tool developed as part of the County Drought Advisory Group process and continue to refine existing data and gather new data for the tool, including, but not limited to, data on all of the following:
  - (A) Small water suppliers and nontransient noncommunity water systems serving a school.
  - (B) State small water systems and rural communities.
  - (C) Domestic wells and other self-supplied residents.
- (2) Update the risk vulnerability tool for small water suppliers and rural communities periodically, by doing all of the following:
  - (A) Revise the indicators and construction of the scoring as more data becomes readily available.
  - (B) Make existing and new data publicly available on the California Open Data internet web portal.
  - (C) In consultation with other relevant state agencies, identify deficits in data quality and availability and develop recommendations to address these gaps.
- (b) (1) The department, in collaboration with the state board and relevant state agencies, shall establish a standing interagency drought and water shortage task force to facilitate proactive state planning and coordination, both for predrought planning and postdrought emergency response, to develop strategies to enhance collaboration between various fields, and to consider all types of water users.
- (2) The interagency drought and water shortage task force shall include representatives from local governments, community-based organizations, nonprofit technical assistance providers, the public, and experts in land use planning, water resiliency, and water infrastructure.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

O

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY  
KINGS COUNTY GOVERNMENT CENTER  
HANFORD, CA 93230

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## LANDOWNER ATTESTATION FOR WELL PERMIT COMPLIANCE WITH EXECUTIVE ORDER N-7-22

*To comply with Governor's Executive Order N-7-22, the applicant for any new well or alteration to an existing well must complete and sign this attestation as part of the application process. This attestation must be notarized and recorded with the Kings County Recorder's Office, after which a copy of the recorded attestation must be submitted to the Kings County Community Development Agency (CDA) as part of the permit application.*

Well Site Coordinates (Lat/Long):	APN:
Property Owner:	Owner Phone or Email:
Groundwater Sustainability Agency (GSA) Name:	GSA Phone or Email:
Driller Business Name:	Driller Phone or Email:

### SECTION 1 (Complete either Part A OR Part B):

#### A.

**I hereby attest that the well proposed above** (Check all that apply. If one or more items below are not able to be checked at this time, please use the "additional landowner comments" page to provide more information as to why, and include any known timeline(s) for compliance.):

- Is not inconsistent with any sustainable groundwater management program currently established in any applicable Groundwater Sustainability Plan (GSP) adopted by the appropriate groundwater sustainability agency (GSA).
- Will not decrease the likelihood of achieving a sustainability goal for the basin covered by such GSP
- Is not likely to interfere with the production and functioning of existing nearby wells.
- Is not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

**OR**

#### B.

**I hereby attest that the well proposed above:**

- Will provide no more than two acre feet per year of groundwater, primarily for individual domestic users

Complete Sections 2 & 3 below

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**SECTION 2:**

**I hereby declare that, in regard to the well proposed above** (Check all that apply. If one or more items below are not able to be checked at this time, please use the “additional comments” page to provide more information as to why, and include any known timeline(s) for compliance.):

- It will at all times be operated within the parameters of the Attestation identified above in Section 1.
- It will at all times be operated within the parameters of any Groundwater Sustainability Plan (GSP) that may be in place at the time of operation within the Groundwater Sustainability Agency (GSA) having jurisdiction over it, with knowledge that the GSP is subject to changes that may impact future well operation.
- It will at all times be operated within the parameters of any state law or regulation, and any local ordinance that may be in place at the time of operation, with knowledge that such laws, regulations or ordinances are subject to change that may impact future well operation.
- Upon the well no longer being functional, the property owner will first contact the Groundwater Sustainability Agency to determine if said well could qualify to become a monitoring well for the GSA. If the well is unable to become a monitoring well then it will be capped, removed, or otherwise decommissioned in accordance with appropriate local regulation.

**SECTION 3:**

**I hereby acknowledge that if the above well is operated outside of the parameters of this attestation** (Check all):

- The operator will be subject to criminal and civil penalties for violation of the Kings County Code, California State law, the relevant GSP, and other laws.
- The county may declare the well a public nuisance under the Kings County Code, subjecting the well to abatement by the county, up to and including destruction of the well, at the owner’s expense.
- These and all other available remedies provided by law or equity are intended to be cumulative, rather than exclusive.
- In addition to any remedies the county may have against the well in law or equity, the operator will be civilly liable for any harmful effects that such use has on adjoining landowners or other entities.

Landowners completing and signing this attestation:

**Owner #1**  
**(Print):** \_\_\_\_\_

**Signature:** \_\_\_\_\_

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

**Owner #2**  
**(Print):** \_\_\_\_\_

**Signature:** \_\_\_\_\_

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

**Owner #3**  
**(Print):** \_\_\_\_\_

**Signature:** \_\_\_\_\_

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

**Owner #4**  
**(Print):** \_\_\_\_\_

**Signature:** \_\_\_\_\_

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

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A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Kings

On \_\_\_\_\_ before me \_\_\_\_\_

(insert name and title of officer)

personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I Certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)







